

CITY of NOVI CITY COUNCIL

Agenda Item F
March 17, 2008

SUBJECT: Approval of Ordinance No. 08-99.14, an amendment to Chapter 15, Fire Prevention, of the City's Code of Ordinances, in order to adopt the 2006 International Fire Code, as amended, as the City's Fire Prevention Code. **Second Reading**

SUBMITTING DEPARTMENT: Fire

CITY MANAGER APPROVAL: 

BACKGROUND INFORMATION:

The current Fire Code used by the City of Novi is the 2000 International Fire Code (IFC) as amended by Chapter 15 of the Novi Code of Ordinances. This revision to the 2006 IFC would adopt the most up-to-date model fire code. The International Fire Code is the sister code to Michigan's adopted Building, Plumbing and Mechanical codes. The IFC is used and referenced in Michigan's adopted Building, Plumbing and Mechanical codes.


This proposed Fire Ordinance amendment also revises several paragraphs in the Open Burning Section of the current ordinance to match the language in Section 307, Open Burning and Recreational Fires, of the 2006 IFC. There are no substantial code changes being proposed with this adoption.

RECOMMENDED ACTION: Approval of Ordinance No. 08-99.14, an amendment to Chapter 15, Fire Prevention, of the City's Code of Ordinances, in order to adopt the 2006 International Fire Code, as amended, as the City's Fire Prevention Code. **Second Reading**

| | 1 | 2 | Y | N |
|-------------------------|---|---|---|---|
| Mayor Landry | | | | |
| Mayor Pro Tem Capello | | | | |
| Council Member Crawford | | | | |
| Council Member Gatt | | | | |

| | 1 | 2 | Y | N |
|-------------------------|---|---|---|---|
| Council Member Margolis | | | | |
| Council Member Mutch | | | | |
| Council Member Staudt | | | | |



TO: CLAY PEARSON, CITY MANAGER
FROM: FRANK A. SMITH, FIRE CHIEF 
SUBJECT: 2006 IFC ADOPTION
DATE: FEBRUARY 27, 2008

I recommend that the City of Novi adopt the 2006 International Fire Code. This would replace the 2000 IFC that is currently adopted and enforced.

There are minimal changes in the 2006 IFC different from the 2000 IFC that would have any impact on the business community and the noteworthy changes are listed below:

2006 International Fire Code changes:

- Chapter 1: Code intent is to provide safety to fire fighters and other responders
- Chapter 1: Clarifies language that prohibits the overcrowding of any establishment
- Chapter 3: Allows for the placarding of dangerous buildings to prevent entry by first responders
- Chapter 4: Requires High-Rise buildings to have annual fire drills
- Chapter 6: Provides minimum safety requirements for portable electric heaters
- Chapter 22: Motor Fuel Dispensing Facilities: the code now includes Hydrogen Fuel
- Chapter 27: Recognizes Performance Based Design for the storage, use and handling of hazardous materials

I believe that the adoption of the 2006 International Fire Code will allow the City of Novi to remain at the "cutting edge" of fire inspection and enforcement.

Ordinance No. 08-99.14

STRIKE-OUT VERSION

CITY OF NOVI
COUNTY OF OAKLAND
STATE OF MICHIGAN
ORDINANCE NO. 08-99.14

AN ORDINANCE TO AMEND CHAPTER 15 OF THE CITY CODE OF
ORDINANCES TO ADOPT THE INTERNATIONAL FIRE CODE, 2006
EDITION, BY REFERENCE WITH CERTAIN AMENDMENTS

THE CITY OF NOVI ORDAINS:

Part I

Article II, Fire Prevention Code, in Chapter 15, Fire Prevention, of the City of Novi Code of Ordinances, is hereby amended to read as follows:

ARTICLE II. FIRE PREVENTION CODE

Sec. 15-16. International Fire Prevention Code – Adopted; amended; insertions

- ~~(a) All provisions of the International Fire Prevention Code/2000, as prepared by the International Code Council, Inc., except for Subsections 105.1.1, 108.1, 109.3, Section 307, Subsection 303.2, are hereby adopted, enacted as the Novi Fire Prevention Code, and made a part of this article by reference.~~
- ~~(b) These regulations shall be known as the Fire Prevention Code of the City of Novi, hereinafter referred to as "this code".~~
- ~~(c) The city fire chief is hereby designated as the code official for purposes of this article.~~

The International Fire Code, 2006 Edition, including the Appendix Chapters, as promulgated and published by the International Code Council and except as amended herein is hereby adopted by reference as an Ordinance and Fire Code for the City of Novi, regulating and governing the safeguarding of life and property from fire and explosion hazards arising from the storage, handling and use of hazardous substances, materials and devices, and from conditions hazardous to life or property in the occupancy of buildings and premises as herein provided; providing for the issuance of permits and collection of fees therefore, and each and all of the regulations, provisions, penalties, conditions and terms of said Fire Code on file in the Office of the Novi City Clerk are hereby referred to,

adopted and made a part hereof, as if fully set out in this Ordinance, with the amendments and insertions, and subject to the limitations, in the remaining Sections of this Article.

The following sections of the Fire Code are amended to insert the information indicated.

Section 101.1 Insert "City of Novi."

Section 109.3 Insert "\$500 and/or 90 days in jail."

Section 111.4 Insert "\$250 up to \$500."

Sec. 15-17. Amendments.

The Fire Code adopted by reference in section 15-16 is hereby amended in the following respects:

Subsection 105.1.1. Permits required, shall be amended to read as follows:

Permits are required for the various uses and activities as provided in this code, except in instances where the use or activity is conducted pursuant to a permit issued by the building department under the state construction code, as enforced by the city. Permits required under this code shall be obtained from the code official. Permits shall at all times be kept on the premises designated therein and shall at all times be subject to inspection by the code official. Inspections of work and materials for which a permit was obtained shall be made as required by the authority having jurisdiction or the duly authorized representative.

Subsection 108.1. Membership of Board, shall be amended to read as follows:

108.1 Board of Appeals Established. The City of Novi Construction Board of Appeals shall sit as the board of appeals for purposes of this code.

~~Subsection 109.3, Penalty for violations,~~ shall be amended to read as follows:

~~109.3. Violation penalties: Persons who shall violate a provision of this code or shall fail to comply with any of the requirements thereof or who shall erect, install, alter, repair or do work in violation of the approved construction documents or directive of the code official, or of a permit or certificate used under provisions of this code, shall be guilty of a misdemeanor punishable by a fine of not more than Five Hundred Dollars (\$500) or by imprisonment not exceeding ninety days, or both such fine and imprisonment. Each day that a violation continues after due notice has been served shall be deemed a separate offense.~~

Section 307. Open Burning and Recreational Fires, shall be amended to read as follows:

~~Definitions: The following words and terms shall, for the purposes of this section and as stated elsewhere in this code, have the meanings shown herein.~~

BONFIRE:

An outdoor fire utilized for ceremonial purposes.

OPEN BURNING:

The burning of materials wherein products of combustion are emitted directly into the ambient air without passing through a stack or chimney from an enclosed chamber. Open burning does not include road flares, smudgepots and similar devices associated with safety or occupational uses typically considered open flames or recreational fires. For the purpose of this definition, a chamber shall be regarded as enclosed when, during the time combustion occurs, only apertures, ducts, stacks, flues or chimneys necessary to provide combustion air and permit the escape of exhaust gas are open.

RECREATIONAL FIRE:

An outdoor fire burning materials other than rubbish where the fuel being burned is not contained in an incinerator, outdoor fireplace, barbeque grill or barbeque pit and has a total fuel area of 3 feet (914 mm) or less in diameter and 2 feet (610 mm) or less in height for pleasure, religious, ceremonial, cooking, warmth or similar purposes.

~~307.1 General: A person shall not kindle or maintain or authorize to be kindled or maintained any open burning unless conducted and approved in accordance with this section:~~

~~307.1.1 Prohibited open burning: Open burning that is offensive or objectionable because of smoke or odor emissions or when atmospheric conditions or local circumstances make such fires hazardous shall be prohibited.~~

~~307.1.2 Extinguishment authority: The fire code official is authorized to order the extinguishment by the permit holder, another person responsible or the fire department of open burning that creates or adds to a hazardous or objectionable situation.~~

307.2 Permit required. A permit shall be obtained from the fire code official in accordance with Section 105.6 prior to kindling a fire for recognized silvicultural or range or wildlife management practices, prevention or control of disease or pests, or a bonfire. Application for such approval shall only be presented by and permits issued to the owner of the land upon which the fire is to be kindled.

Exception: Bonfires located within thirty (30) feet of a lake, not exceeding 3'x3'x3' in size and meeting all other provisions of this code shall be allowed without a permit

~~307.3 Allowable burning: Open burning shall be allowed without prior notification to the code official for recreational fires, highway safety flares, heating for occupational needs, fires in outdoor fireplaces, and bonfires not exceeding 3'x3'x3' in size. Bonfires shall be located within thirty (30) feet of a lake and of duration of no longer than three (3) hours.~~

~~307.4 Permit required: Open burning shall be allowed after obtaining a permit or other proper authorization from the code official for heating for warmth of out workers and bonfires not meeting the criteria in Section 4-307.3.~~

~~307.5 Location: The location for any open burning shall not be less than 50' from any structure, and provisions shall be made to prevent the fire from spreading to within 50' of any structure.~~

~~307.7 Attendance: Any open burning shall be constantly attended until the fire is extinguished. At least one portable fire extinguisher with a minimum 1-A rating, two portable fire extinguishers with a minimum 2-A rating each, or other approved on-site fire extinguishing equipment, such as dirt, sand, water barrel, garden hose or water truck, shall be available for immediate utilization.~~

~~307.8 Bonfire Size and Duration: A bonfire shall not be more than five (5) feet by five (5) feet by five (5) feet in dimension and shall not burn longer than three (3) hours. The maximum size and duration of a bonfire shall not be increased by the code official unless it is determined that fire safety requirements of the situation and the desirable duration of burn warrant the increase.~~

307.5 Materials: Fuel for open burning shall consist only of seasoned dry firewood and be ignited with a small quantity of paper. The use of refuse, waste, trash, garbage, tires, stumps, cardboard, lumber, furniture, grass, leaves, brush, evergreens, roof covering, flammable liquids, fabric, cloth or other material not approved by the code official as fuel is prohibited. Open burning shall not be used for waste disposal purposes.

307.6 Occupational Needs: Open burning for the warmth of workers or heating for occupational needs shall be confined to an approved noncombustible container or apparatus to prevent the fire from spreading.

Section 503. Fire department access, shall be amended to read as follows.

503.2 *Specifications.* Fire apparatus access roads shall be installed and arranged in accordance with Sections 503.2.1 through 503.2.7 and the City of Novi Design and Construction Standards.

503.2.1 *Dimensions.* Fire apparatus access roads shall have an unobstructed width of not less than 20 feet (6096 mm), and an unobstructed vertical clearance of not less than 14 feet (4115 mm).

503.2.2 *Authority.* The code official shall have the authority to require an increase in the minimum access widths where they are inadequate for fire or rescue operations.

503.2.3 *Surface.* Fire apparatus access roads shall be designed and maintained to support the imposed loads of fire apparatus and shall be surfaced so as to provide all-weather driving capabilities supporting thirty-five (35) tons.

503.2.4 *Turning radius.* The minimum required outside turning radius of a fire apparatus access road shall be fifty (50) feet.

503.2.5 *Dead ends.* Dead-end fire apparatus access roads in excess of 150 feet (45 720 mm) in length shall be provided with an approved area for turning around fire apparatus.

503.2.6 *Bridges and elevated surfaces.* Where a bridge or an elevated surface is part of a fire apparatus access road, the bridge shall be constructed and maintained in accordance with AASHTO *Standard Specification for Highway Bridges*. Bridges and elevated surfaces shall be designed for a live load sufficient to carry the imposed loads of fire apparatus. Vehicle load limits shall be posted at both entrances to bridges when required by the code official. Where elevated surfaces designed for emergency vehicle use are adjacent to surfaces which are not designed for such use, approved barriers, approved signs or both shall be installed and maintained when required by the code official.

503.2.7 *Grade.* The grade of the fire apparatus access road shall be a maximum of eight percent (8%).

503.2.8 *Temporary roadways:* Where approved by the code official, temporary fire department access roadways of such a surface, width, turning radii and vertical clearance which will permit access by fire apparatus shall be allowed until permanent roads are constructed.

Section 912. Fire Department Connections shall be amended to include the following subsections:

912.2.3 *Proximity to hydrant:* In any building or structure required to be equipped with a fire department connection, the connection shall be located within one hundred (100) feet of a fire hydrant.

912.7 *Alarm Devices:* Both an audible and visual means of indicating an automatic sprinkler system activation shall be mounted above or in close proximity to the fire department connection.

Geographic Limits. The geographic limits referred to in the following sections of the Fire Code shall be as follows:

Section 3204.3.1.1 The storage of flammable cryogenic fluids in stationary containers is prohibited except: (1) as disclosed and permitted by an approved site plan on property zoned I-2, Heavy Industrial, under the City of Novi Zoning Ordinance or (2) if determined by the City Fire Marshal to be allowed by the State of Michigan Fire Prevention Code, Public Act No 207 of 1941, as amended, or rules promulgated under that Act, and in compliance with all other applicable governmental regulations.

Section 3404.2.9.5.1 The storage of Class I and Class II liquids in above-ground tanks outside of buildings is prohibited except: (1) as disclosed and permitted by an approved

site plan on property zoned I-2, Heavy Industrial, under the City of Novi Zoning Ordinance or (2) if determined by the City Fire Marshal to be allowed by the State of Michigan Fire Prevention Code, Public Act No 207 of 1941, as amended, or rules promulgated under that Act, and in compliance with all other applicable governmental regulations.

Section 3406.2.4.4 The storage of Class I and Class II liquids in above-ground tanks is prohibited except: (1) as disclosed and permitted by an approved site plan on property zoned I-2, Heavy Industrial, under the City of Novi Zoning Ordinance, (2) if determined by the City Fire Marshal to be allowed by the State of Michigan Fire Prevention Code, Public Act No 207 of 1941, as amended, or rules promulgated under that Act, and in compliance with all other applicable governmental regulations, or (3) in connection with a temporary activity necessary to the use or development of property in conformity with all City and other governmental ordinances, laws, permits and approvals.

Section 3804.2 For the protection of heavily populated or congested areas, the capacity limitations in this Section shall apply to all properties except as disclosed and permitted by an approved site plan on property zoned I-2, Heavy Industrial, under the City of Novi Zoning Ordinance.

Sec. 15-18. Fire Chief, Fire Marshal, Authority to issue and serve appearance tickets.

The city fire chief, city fire marshal, and such other person designated by the fire chief, shall have the authority to issue to and serve upon persons in violation of the provisions of this chapter appearance tickets in the manner provided in Sections 9a to 9g of Chapter 4 of Act 175 of the Public Acts of 1927, as amended, MCL 764.9a--764.9g; MSA 28.868(1)--28.868(7).

Sec. 15-19. Authority at fire and other emergencies.

The code official or duly authorized representative, as may be in charge at the scene of a fire or other emergency involving the protection of life and property, is empowered to direct such operations as may be necessary to extinguish or control any suspected or reported fires, gas leaks or other hazardous conditions or situations or of taking any other action necessary in the reasonable performance of their duty. The code official may prohibit any person, vehicle or object from approaching the scene and may remove or cause to be removed from the scene any person, vehicle or object which may impede or interfere with the operations of the fire department. The code official may remove or cause to be removed any person, vehicle or object from hazardous areas. All persons ordered to leave a hazardous area shall do so immediately and shall not re-enter the area until authorized to do so by the code official.

Sec. 15-20. Open buildings due to fire.

The code official or his duly authorized representative is empowered to order the securing of fire damaged buildings. If the owner of the affected building is present, this order shall be given to him/her. If no owner or representative of the building is present, the code official or his duly

authorized representative may have the building secured. The expense of this securing shall be a debt to the city from the responsible owner and shall be collected as any other debt to the city.

Sec. 15-21. Interference with fire department operations.

(a) It shall be unlawful to interfere with, attempt to interfere with, conspire to interfere with, obstruct or restrict the mobility of or block the path of travel of any fire department emergency vehicle in any way, or to interfere with, attempt to interfere with, conspire to interfere with, obstruct or hamper any fire department operation.

(b) A person shall not willfully fail or refuse to comply with any lawful order or direction of the code official or to interfere with the compliance attempts of another individual.

(c) A vehicle shall not be driven or propelled over any unprotected fire hose of the fire department when laid down on any street, alleyway, private drive or any other vehicular roadway without the consent of the code official in command of said operation.

(d) A person shall not without proper authorization from the code official in charge of said fire department emergency equipment, cling to, attach himself to, climb upon or into, board or swing upon any fire department emergency vehicle, whether the same is in motion or at rest, or sound the siren, horn, bell or other sound-producing device thereon, or to manipulate or tamper with, or attempt to manipulate or tamper with any levers, valves, switches, starting devices, brakes, pumps or any equipment or protective clothing on, or a part of, any fire department emergency vehicle.

(e) It shall be unlawful to obscure from view, damage, deface, obstruct or restrict the access to any fire hydrant or any fire department connection for the pressurization of fire suppression systems, including fire hydrants and fire department connections located on public or private streets and access lanes or on private property. If upon the expiration of the time mentioned in a notice of violation, obstructions or encroachments are not removed, the code official shall proceed to remove the same. Costs incurred in the performance of necessary work shall be paid from the municipal treasure, and the legal authority of the municipality shall institute appropriate action for the recovery of such costs.

(f) A person shall not obstruct, remove, tamper with or otherwise disturb any fire hydrant or fire appliance required to be installed or maintained under the provisions of the Fire Prevention Code except for the purpose of extinguishing a fire, training or testing purposes, recharging or making necessary repairs or when permitted by the code official. Whenever a fire appliance is removed as herein permitted, it shall be replaced or reinstalled as soon as the purpose for which it was removed has been accomplished. Defective and non-approved fire appliances or equipment shall be replaced or repaired as directed by the code official.

(g) A person or persons shall not erect, construct, place or maintain any bumps, fences, gates, chains, bars, pipes, wood or metal horses or any other type of construction in or on any street, within the boundaries of the municipality. The word "street" as used in the ordinance, shall

mean any roadway accessible to the public for vehicular traffic, including, but not limited to, private streets or access lanes, as well as all public streets and highways within the boundaries of the municipality.

Sec. 15-22. Activation of fire protective signaling systems.

A person shall not activate or cause to be activated any fire protective signaling system in any building or premise within the city, unless a valid fire emergency exists. A fire protective signaling system is any system which upon activation warns the occupants of the building or premise that a fire emergency exists or causes the fire department to be summoned.

Sec. 15-23. Sprinkler system control valves.

A sprinkler system sectional control valve shall be provided for each tenant space in Covered Malls. Existing Covered Malls shall install a sectional control valve for each tenant space that undergoes a tenant alteration. The sectional control valve shall be electronically supervised shall be visible from the floor level.

Secs. 15-24 - 15-80 Reserved.

Sec. 15-81. Conflict with other regulations.

The provisions of this article shall not be construed to prevent the enforcement of other ordinances or regulations which prescribe standards other than those provided in this article. If any of the provisions of this article are found to be in conflict with the fire prevention code of the city, the latter code shall be deemed applicable.

Secs. 15-82 - 15-95 Reserved

Part II.

Savings. This amendment does not affect or impair any act done, offense committed, or right accruing, accrued, or acquired or liability, penalty, forfeiture, or punishment, pending or incurred prior to the amendment.

Part III.

Repealer. All other Ordinances or parts of Ordinances in conflict herewith are hereby repealed only to the extent necessary to give this Ordinance full force and effect.

Part IV.

Effective Date: Publication. The provisions of this Ordinance shall become effective fifteen (15) days after its adoption and shall be published within 15 days of its adoption by publication of a brief notice in a newspaper circulated in the City, stating the date of enactment and the effective date of the ordinance, a brief statement as to the subject matter of this Ordinance and

such other facts as the Clerk shall deem pertinent, and that a copy of the Ordinance is available for public use and inspection at the office of the City Clerk.

MADE, PASSED AND ADOPTED BY THE NOVI CITY COUNCIL THIS ____ DAY OF _____, 2008.

DAVID LANDRY – MAYOR

MARYANNE CORNELIUS – CITY CLERK

Date of Public Hearing _____
Date of Adoption _____
Date of Publication of _____
Notice of Adoption _____

CERTIFICATE OF ADOPTION

I hereby certify that the foregoing is true and complete copy of the Ordinance passed at the _____ meeting of the Novi City Council held on the _____ day of _____, 2008.

MARYANNE CORNELIUS – CITY CLERK

1042767

Ordinance No. 08-99.14

CLEAN VERSION

CITY OF NOVI
COUNTY OF OAKLAND
STATE OF MICHIGAN
ORDINANCE NO. 08-99.14

**AN ORDINANCE TO AMEND CHAPTER 15 OF THE CITY CODE OF
ORDINANCES TO ADOPT THE INTERNATIONAL FIRE CODE, 2006
EDITION, BY REFERENCE WITH CERTAIN AMENDMENTS**

THE CITY OF NOVI ORDAINS:

Part I

Article II, Fire Prevention Code, in Chapter 15, Fire Prevention, of the City of Novi Code of Ordinances, is hereby amended to read as follows:

ARTICLE II. FIRE PREVENTION CODE

Sec. 15-16. International Fire Prevention Code – Adopted as amended; insertions

The International Fire Code, 2006 Edition, including the Appendix Chapters, as promulgated and published by the International Code Council and except as amended herein is hereby adopted by reference as an Ordinance and Fire Code for the City of Novi, regulating and governing the safeguarding of life and property from fire and explosion hazards arising from the storage, handling and use of hazardous substances, materials and devices, and from conditions hazardous to life or property in the occupancy of buildings and premises as herein provided; providing for the issuance of permits and collection of fees therefore, and each and all of the regulations, provisions, penalties, conditions and terms of said Fire Code on file in the Office of the Novi City Clerk are hereby referred to, adopted and made a part hereof, as if fully set out in this Ordinance, with the amendments and insertions, and subject to the limitations, in the remaining Sections of this Article.

The following sections of the Fire Code are amended to insert the information indicated.

Section 101.1 Insert "City of Novi."

Section 109.3 Insert "\$500 and/or 90 days in jail."

Section 111.4 Insert "\$250 up to \$500."

Sec. 15-17. Amendments.

The Fire Code adopted by reference in section 15-16 is hereby amended in the following respects:

Subsection 105.1.1. Permits required, shall be amended to read as follows:

Permits are required for the various uses and activities as provided in this code, except in instances where the use or activity is conducted pursuant to a permit issued by the building department under the state construction code, as enforced by the city. Permits required under this code shall be obtained from the code official. Permits shall at all times be kept on the premises designated therein and shall at all times be subject to inspection by the code official. Inspections of work and materials for which a permit was obtained shall be made as required by the authority having jurisdiction or the duly authorized representative.

Subsection 108.1. Membership of Board, shall be amended to read as follows:

108.1 Board of Appeals Established. The City of Novi Construction Board of Appeals shall sit as the board of appeals for purposes of this code.

Section 307. Open Burning and Recreational Fires, shall be amended to read as follows:

307.2 Permit required. A permit shall be obtained from the fire code official in accordance with Section 105.6 prior to kindling a fire for recognized silvicultural or range or wildlife management practices, prevention or control of disease or pests, or a bonfire. Application for such approval shall only be presented by and permits issued to the owner of the land upon which the fire is to be kindled.

Exception: Bonfires located within thirty (30) feet of a lake, not exceeding 3'x3'x3' in size and meeting all other provisions of this code shall be allowed without a permit

307.5 Materials: Fuel for open burning shall consist only of seasoned dry firewood and be ignited with a small quantity of paper. The use of refuse, waste, trash, garbage, tires, stumps, cardboard, lumber, furniture, grass, leaves, brush, evergreens, roof covering, flammable liquids, fabric, cloth or other material not approved by the code official as fuel is prohibited. Open burning shall not be used for waste disposal purposes.

307.6 Occupational Needs: Open burning for the warmth of workers or heating for occupational needs shall be confined to an approved noncombustible container or apparatus to prevent the fire from spreading.

Section 503. Fire department access, shall be amended to read as follows.

503.2 *Specifications.* Fire apparatus access roads shall be installed and arranged in accordance with Sections 503.2.1 through 503.2.7 and the City of Novi Design and Construction Standards.

503.2.1 *Dimensions.* Fire apparatus access roads shall have an unobstructed width of not less than 20 feet (6096 mm), and an unobstructed vertical clearance of not less than 14 feet (4115 mm).

503.2.2 *Authority.* The code official shall have the authority to require an increase in the minimum access widths where they are inadequate for fire or rescue operations.

503.2.3 *Surface.* Fire apparatus access roads shall be designed and maintained to support the imposed loads of fire apparatus and shall be surfaced so as to provide all-weather driving capabilities supporting thirty-five (35) tons.

503.2.4 *Turning radius.* The minimum required outside turning radius of a fire apparatus access road shall be fifty (50) feet.

503.2.5 *Dead ends.* Dead-end fire apparatus access roads in excess of 150 feet (45 720 mm) in length shall be provided with an approved area for turning around fire apparatus.

503.2.6 *Bridges and elevated surfaces.* Where a bridge or an elevated surface is part of a fire apparatus access road, the bridge shall be constructed and maintained in accordance with *AASHTO Standard Specification for Highway Bridges*. Bridges and elevated surfaces shall be designed for a live load sufficient to carry the imposed loads of fire apparatus. Vehicle load limits shall be posted at both entrances to bridges when required by the code official. Where elevated surfaces designed for emergency vehicle use are adjacent to surfaces which are not designed for such use, approved barriers, approved signs or both shall be installed and maintained when required by the code official.

503.2.7 *Grade.* The grade of the fire apparatus access road shall be a maximum of eight percent (8%).

503.2.8 *Temporary roadways:* Where approved by the code official, temporary fire department access roadways of such a surface, width, turning radii and vertical clearance which will permit access by fire apparatus shall be allowed until permanent roads are constructed.

Section 912. Fire Department Connections shall be amended to include the following subsections:

912.2.3 *Proximity to hydrant:* In any building or structure required to be equipped with a fire department connection, the connection shall be located within one hundred (100) feet of a fire hydrant.

912.7 *Alarm Devices*: Both an audible and visual means of indicating an automatic sprinkler system activation shall be mounted above or in close proximity to the fire department connection.

Geographic Limits. The geographic limits referred to in the following sections of the Fire Code shall be as follows:

Section 3204.3.1.1 The storage of flammable cryogenic fluids in stationary containers is prohibited except: (1) as disclosed and permitted by an approved site plan on property zoned I-2, Heavy Industrial, under the City of Novi Zoning Ordinance or (2) if determined by the City Fire Marshal to be allowed by the State of Michigan Fire Prevention Code, Public Act No 207 of 1941, as amended, or rules promulgated under that Act, and in compliance with all other applicable governmental regulations.

Section 3404.2.9.5.1 The storage of Class I and Class II liquids in above-ground tanks outside of buildings is prohibited except: (1) as disclosed and permitted by an approved site plan on property zoned I-2, Heavy Industrial, under the City of Novi Zoning Ordinance or (2) if determined by the City Fire Marshal to be allowed by the State of Michigan Fire Prevention Code, Public Act No 207 of 1941, as amended, or rules promulgated under that Act, and in compliance with all other applicable governmental regulations.

Section 3406.2.4.4 The storage of Class I and Class II liquids in above-ground tanks is prohibited except: (1) as disclosed and permitted by an approved site plan on property zoned I-2, Heavy Industrial, under the City of Novi Zoning Ordinance, (2) if determined by the City Fire Marshal to be allowed by the State of Michigan Fire Prevention Code, Public Act No 207 of 1941, as amended, or rules promulgated under that Act, and in compliance with all other applicable governmental regulations, or (3) in connection with a temporary activity necessary to the use or development of property in conformity with all City and other governmental ordinances, laws, permits and approvals.

Section 3804.2 For the protection of heavily populated or congested areas, the capacity limitations in this Section shall apply to all properties except as disclosed and permitted by an approved site plan on property zoned I-2, Heavy Industrial, under the City of Novi Zoning Ordinance.

Sec. 15-18. Fire Chief, Fire Marshal, Authority to issue and serve appearance tickets.

The city fire chief, city fire marshal, and such other person designated by the fire chief, shall have the authority to issue to and serve upon persons in violation of the provisions of this chapter appearance tickets in the manner provided in Sections 9a to 9g of Chapter 4 of Act 175 of the Public Acts of 1927, as amended, MCL 764.9a--764.9g; MSA 28.868(1)--28.868(7).

Sec. 15-19. Authority at fire and other emergencies.

The code official or duly authorized representative, as may be in charge at the scene of a fire or other emergency involving the protection of life and property, is empowered to direct such operations as may be necessary to extinguish or control any suspected or reported fires, gas leaks or other hazardous conditions or situations or of taking any other action necessary in the reasonable performance of their duty. The code official may prohibit any person, vehicle or object from approaching the scene and may remove or cause to be removed from the scene any person, vehicle or object which may impede or interfere with the operations of the fire department. The code official may remove or cause to be removed any person, vehicle or object from hazardous areas. All persons ordered to leave a hazardous area shall do so immediately and shall not re-enter the area until authorized to do so by the code official.

Sec. 15-20. Open buildings due to fire.

The code official or his duly authorized representative is empowered to order the securing of fire damaged buildings. If the owner of the affected building is present, this order shall be given to him/her. If no owner or representative of the building is present, the code official or his duly authorized representative may have the building secured. The expense of this securing shall be a debt to the city from the responsible owner and shall be collected as any other debt to the city.

Sec. 15-21. Interference with fire department operations.

(a) It shall be unlawful to interfere with, attempt to interfere with, conspire to interfere with, obstruct or restrict the mobility of or block the path of travel of any fire department emergency vehicle in any way, or to interfere with, attempt to interfere with, conspire to interfere with, obstruct or hamper any fire department operation.

(b) A person shall not willfully fail or refuse to comply with any lawful order or direction of the code official or to interfere with the compliance attempts of another individual.

(c) A vehicle shall not be driven or propelled over any unprotected fire hose of the fire department when laid down on any street, alleyway, private drive or any other vehicular roadway without the consent of the code official in command of said operation.

(d) A person shall not without proper authorization from the code official in charge of said fire department emergency equipment, cling to, attach himself to, climb upon or into, board or swing upon any fire department emergency vehicle, whether the same is in motion or at rest, or sound the siren, horn, bell or other sound-producing device thereon, or to manipulate or tamper with, or attempt to manipulate or tamper with any levers, valves, switches, starting devices, brakes, pumps or any equipment or protective clothing on, or a part of, any fire department emergency vehicle.

(e) It shall be unlawful to obscure from view, damage, deface, obstruct or restrict the access to any fire hydrant or any fire department connection for the pressurization of fire suppression systems, including fire hydrants and fire department connections located on public or private streets and access lanes or on private property. If upon the expiration of the time mentioned in a

notice of violation, obstructions or encroachments are not removed, the code official shall proceed to remove the same. Costs incurred in the performance of necessary work shall be paid from the municipal treasure, and the legal authority of the municipality shall institute appropriate action for the recovery of such costs.

(f) A person shall not obstruct, remove, tamper with or otherwise disturb any fire hydrant or fire appliance required to be installed or maintained under the provisions of the Fire Prevention Code except for the purpose of extinguishing a fire, training or testing purposes, recharging or making necessary repairs or when permitted by the code official. Whenever a fire appliance is removed as herein permitted, it shall be replaced or reinstalled as soon as the purpose for which it was removed has been accomplished. Defective and non-approved fire appliances or equipment shall be replaced or repaired as directed by the code official.

(g) A person or persons shall not erect, construct, place or maintain any bumps, fences, gates, chains, bars, pipes, wood or metal horses or any other type of construction in or on any street, within the boundaries of the municipality. The word "street" as used in the ordinance, shall mean any roadway accessible to the public for vehicular traffic, including, but not limited to, private streets or access lanes, as well as all public streets and highways within the boundaries of the municipality.

Sec. 15-22. Activation of fire protective signaling systems.

A person shall not activate or cause to be activated any fire protective signaling system in any building or premise within the city, unless a valid fire emergency exists. A fire protective signaling system is any system which upon activation warns the occupants of the building or premise that a fire emergency exists or causes the fire department to be summoned.

Sec. 15-23. Sprinkler system control valves.

A sprinkler system sectional control valve shall be provided for each tenant space in Covered Malls. Existing Covered Malls shall install a sectional control valve for each tenant space that undergoes a tenant alteration. The sectional control valve shall be electronically supervised shall be visible from the floor level.

Secs. 15-24 - 15-80 Reserved.

Sec. 15-81. Conflict with other regulations.

The provisions of this article shall not be construed to prevent the enforcement of other ordinances or regulations which prescribe standards other than those provided in this article. If any of the provisions of this article are found to be in conflict with the fire prevention code of the city, the latter code shall be deemed applicable.

Secs. 15-82 - 15-95 Reserved

Part II.

Savings. This amendment does not affect or impair any act done, offense committed, or right accruing, accrued, or acquired or liability, penalty, forfeiture, or punishment, pending or incurred prior to the amendment.

Part III.

Repealer. All other Ordinances or parts of Ordinances in conflict herewith are hereby repealed only to the extent necessary to give this Ordinance full force and effect.

Part IV.

Effective Date: Publication. The provisions of this Ordinance shall become effective fifteen (15) days after its adoption and shall be published within 15 days of its adoption by publication of a brief notice in a newspaper circulated in the City, stating the date of enactment and the effective date of the ordinance, a brief statement as to the subject matter of this Ordinance and such other facts as the Clerk shall deem pertinent, and that a copy of the Ordinance is available for public use and inspection at the office of the City Clerk.

MADE, PASSED AND ADOPTED BY THE NOVI CITY COUNCIL THIS ____ DAY OF _____, 2008.

DAVID LANDRY – MAYOR

MARYANNE CORNELIUS – CITY CLERK

Date of Adoption ____
Date of Publication of _____
Notice of Adoption _____

CERTIFICATE OF ADOPTION

I hereby certify that the foregoing is true and complete copy of the Ordinance passed at the _____ meeting of the Novi City Council held on the _____ day of _____, 2008.

MARYANNE CORNELIUS – CITY CLERK