

CHARTER TOWNSHIP OF CHESTERFIELD

MACOMB COUNTY, MICHIGAN

ORDINANCE NO. 170

AMENDMENT OF CHESTERFIELD TOWNSHIP CODE OF ORDINANCES
FIRE PREVENTION CODE

TITLE

AN ORDINANCE amending the Chesterfield Township Fire Prevention Code, being Chesterfield Township Ordinance No. 77, as amended, codified at Article II (Fire Prevention Code), Chapter 38 (Fire Prevention and Protection), Sections 38-66 through 38-84 in the Chesterfield Township Code of Ordinances, adopting by reference the International Fire Code, 2015 Edition including appendices modified pursuant to the provisions of this Ordinance, and repealing any and all ordinances and/or resolutions in conflict therewith.

**THE TOWNSHIP BOARD OF THE CHARTER TOWNSHIP OF
CHESTERFIELD, MACOMB COUNTY, MICHIGAN, ORDAINS:**

SECTION 1 - AMENDMENTS

1.1 FIRE PREVENTION CODE

Sec. 38-67 (Adopted) of the Charter Township of Chesterfield Code of Ordinances is hereby repealed in its entirety and replaced with the following provisions:

Sec. 38 – 67 - Adoption of International Fire Code, 2015 Edition.

(1) **International Fire Code 2015 Adopted.** The International Fire Code, 2015 Edition, including its appendices, as published by the International Code Council, is adopted and incorporated in its entirety herein, except for those deletions and additions set forth below. References in the Code to the "State" shall refer to the State of Michigan. References to the "name of the municipality" shall refer to the Charter Township of Chesterfield, Macomb County, Michigan. References to the "local ordinances" shall refer to the Chesterfield Township Ordinances and Code of Ordinances as are from time to time in effect.

(2) **Availability of copies of International Fire Code, 2015 Edition.** Printed copies of the International Fire Code, 2015 Edition and its appendices are kept in the Charter Township of Chesterfield offices and are available for public use and inspection during regular business hours. A copy of the International Fire Code in its entirety can also be found on the Township's website.

(3) **Additions, Insertions, Deletions, and Changes to the International Fire Code, 2015 Edition.** The Charter Township of Chesterfield adopts the additions, insertions, deletions, and changes from the International Fire Code, 2015 Edition set forth below. Subsequent section numbers used in this section shall refer to the like numbered sections of the International Fire Code, 2015 Edition. Amendments to the International Fire Code, 2015 Edition. *The following sections of the International Fire Code, 2015 Edition shall be amended or revised as follows:*

a. Section 101.1 shall be amended to read as follows:

101.1 Title. These regulations shall be known as the Fire Prevention Code of the Charter Township of Chesterfield hereinafter referred to as "this Code".

b. Section 102.7 shall be amended to read as follows:

102.7 Referenced Codes and Standards. The codes and standards referenced in this Code shall include those listed in Chapter 80 of the International Fire Code and such codes and standards shall be considered part of the requirements of this Code to the prescribed extent of each such reference and as further regulated in Sections 102.7.1 and 102.7.2.

c. Section 103.1 shall be amended to read as follows:

103.1 General. The Charter Township of Chesterfield Fire Department shall be responsible for fire prevention inspection activities and code enforcement of buildings and occupancies as related to the risk of fire or explosion within the Charter Township of Chesterfield Fire Department. The department of fire prevention is established within the jurisdiction under the direction of the code official. The function of the department shall be the implementation, administration and enforcement of the provisions of this code and the codes and standards referenced in Chapter 80 of this code.

d. Section 103.5 shall be added and read as follows:

103.5 Fee Schedule. The Charter Township of Chesterfield Board shall establish, by resolution a fee schedule for the inspection, plan review, and special commercial training services provided by the Charter Township of Chesterfield Fire Department. Fees shall be paid in advance of services being provided.

e. Section 109.4 shall be amended to reads as follows:

109.4 Violation Penalties. Persons who shall violate a provision of this Code of Ordinances 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 Fire 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 \$500 or by imprisonment not exceeding 90 days, or by both such fine and imprisonment. Each day that such a violation continues shall be deemed a separate offense.

f. Section 111.4 shall be amended to read as follows:

111.4 Failure to Comply. Any person that shall continue any work after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be guilty of a misdemeanor, punishable by a fine or not more than \$500 or by imprisonment not exceeding 90 days, or by both such fine and imprisonment. Each day that such a violation continues shall be deemed a separate offense.

g. Section 202, General Definitions, shall be amended and the following definitions shall have the following meanings:

- i. **Fire Code Official.** The fire chief, fire marshal, code enforcement officer, or other designated authority charged by the Township with the duties of administration and enforcement of the code, or duly authorized representative. The term "fire code official" may be used interchangeably with "code official" and "fire official" in this code.
- ii. **Fire Watch.** A temporary measure intended to ensure continuous and systematic surveillance of a building or portion thereof by one or more qualified individuals for the purposes of identifying and controlling fire hazards, detecting early signs of unwanted fire, raising an alarm of fire and notifying the fire department by method(s) approved or recommended by the fire code official.

h. Section 304.2 shall be amended to read as follows:

304.2 Storage. Storage of combustible rubbish or other combustible materials such as pallets, crates, boxes, etc. shall not produce conditions that will create a nuisance or a hazard to the public health, safety or welfare and shall not be within 15 feet of a structure.

i. Section 307.1.2 shall be added and read as follows:

307.1.2 Allowable Open Burning. Open burning shall be permitted in accordance with the Chesterfield Township Burning Ordinance.

j. Section 315.3.3.1 shall be added and read as follows:

315.3.3.1 Separation. Outside storage shall not be located within 15 feet of a structure.

k. Section 503.6 shall be amended to read as follows:

503.6 Security Gates. The installation of security gates across a fire apparatus access road shall be approved by the fire code official. Where security gates are installed, they shall have an approved means of emergency operation. The security gates and the emergency operation shall be maintained operational at all times. Electric gate operators, where provided, shall be listed in accordance with UL 325. Gates intended for automatic operation shall be designed, constructed and installed to comply with the requirements of ASTM F2200. All electric gates shall be provided with a siren operated sensor (SOS) gate opener. The gate shall remain in the open position until manually reset.

l. Section 503.7 shall be amended to read as follows

503.7 Emergency Vehicle Access. Emergency vehicle access (EVA) shall be determined and approved by the fire code official. Unless otherwise required, EVAs shall be of the following specifications:

1. Minimum of 20 wide.
2. Surface capable of supporting the weight of fire apparatus up to 60,000 pounds GVW.
3. Minimum grade changes to accommodate fire apparatus undercarriage ground clearances.
4. Mountable curb at entrance/exit with adequate turning radii to and from the EVA.
5. Standard fire lane signage posted at entrance/exit to EVA.
6. EVA signage posted at entrance/exit of EVA, on both sides of surface, every 50 feet (15240 mm) for length of EVA.
7. EVA signage to withstand snow removal/landscape maintenance efforts.
8. EVA to be kept clear of snow and vegetation. If the EVA is not maintained the Code official shall notify the property owner and allow 24 hours to clear the EVA, if the EVA is not cleared within the 24 hours the Code Official may contact the DPW to have the EVA cleared and the property owner shall be responsible for any cost to clear the EVA.

m. Section 505.1 shall be amended to read as follows:

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. Each character shall be not less than 6 inches high with a minimum stroke width of 1 inch. 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.

n. Section 901.4.4.1 shall be added and read as follows:

901.4.4.1 Buildings having 2 or more floors. Shall install a 2 ½ inch hose connection at each floor stairwell in a location determined by the fire code official. In Buildings with multiple tenant spaces (strip center) that require a fire protection system each tenant space shall have a check valve, control valve, and flow switch. In building 2 stories or more shall be required to have a check valve, control valve, and flow switch on each floor for separate zone control.

o. Section 903.3.5.3 shall be added and read as follows:

903.3.5.3 Required Pressure Margin. The code official is authorized to require a pressure margin of up to ten percent (10) over the minimum design criteria for installed automatic fire sprinkler systems. Where this margin cannot be achieved, approved means shall be taken to provide this margin.

p. Section 904.3.5 shall be amended to read as follows:

904.3.5 Monitoring. Automatic fire extinguishing systems shall be monitored by a supervising station in accordance with NFPA 72 as approved by the code official. Where a building fire alarm system is installed, automatic fire extinguishing systems shall be monitored by the building fire alarm system in accordance with NFPA 72 and shall automatically annunciate their location at the building's fire alarm control panel, and activate the building's appropriate fire protective signaling sequence.

q. Section 907.6.3.1.1 shall be added and read as follows:

907.6.3.1.1 Alarm silencing. Alarm silencing shall not cancel the activated strobes or visual warning devices.

r. Chapter 80, listing the standards that are referenced in various sections of the Ordinances, is hereby amended to include the following, together with any of their amendments:

State of Michigan Laws, Rules or Requirements Including but not necessarily limited to the following with amendments:

Michigan Fire Prevention Code 1941 PA 207 Michigan Explosives Law
1970 PA 202

Michigan Model Rocket Law 1965 PA 333

Michigan Storage and Handling of Flammable and Combustible Liquid
Rules

Michigan Underground Storage Tank Rules 1999

Michigan Fireworks Safety Act, 2011 PA 256

SECTION 2. VIOLATION, PENALTY.

Any person, firm or corporation which violates any provision of this Ordinance shall be guilty of a misdemeanor and upon conviction thereof shall be fined in an amount not to exceed Five Hundred (\$500.00) Dollars or imprisoned in the Macomb County jail for a period not to exceed ninety (90) days, or by both such fine and imprisonment.

SECTION 3. REPEAL OF CONFLICTING PROVISIONS

All resolutions, ordinances or parts thereof in conflict with the provisions of this Ordinance are to the extent of such conflict hereby repealed.

SECTION 4. SEVERABILITY.

If any section, paragraph, clause or provision of this Ordinance is for any reason held to be invalid or unconstitutional, the invalidity or unconstitutionality of such section, paragraph, clause or provision shall not affect any of the remaining provisions of this Ordinance.

SECTION 5. PUBLICATION.

This Ordinance amendment shall be published twice in accordance with MCL 42.20. Publication shall be made by posting the Ordinance amendment in the office of the Chesterfield Township Clerk and on the Chesterfield Township website. In addition, a notice of posting prescribing the purpose or nature of the Ordinance amendment and location of the places where posted shall be published in a newspaper of general circulation within the Charter Township of Chesterfield within seven (7) days after posting pursuant to MCL 42.8(4).

SECTION 6. EFFECTIVE DATE.

This Ordinance amendment shall take effect thirty (30) days from and after the date of publication of a notice of posting as set forth in Section 5.

CERTIFICATE OF TOWNSHIP CLERK

I hereby certify that the foregoing constitutes a true and complete copy of an Ordinance Amendment duly adopted by the Township Board of the Charter Township of Chesterfield, Macomb County, Michigan, at a meeting held on the 23rd day of July, A.D., 2018.

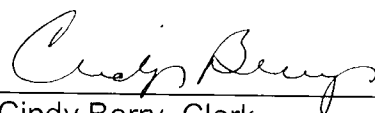
I hereby further certify that the following Township Board members were present at the meeting: Acciavatti, Berry, Lafata, Anderson, DeMuynck, Joseph, Vosburg and the following Township Board Members were absent: None

I further certify that Member Berry moved for the adoption of the Ordinance Amendment, and that motion was supported by Member Joseph.

I further certify that the following Township Board Members voted for the adoption of the Ordinance Amendment:

Acciavatti, Berry, Lafata, Anderson, DeMuynck, Joseph, Vosburg

and that the following Township Board members voted against adoption of the Ordinance Amendment: None



Cindy Berry, Clerk
Charter Township of Chesterfield

For Office Use Only:

Introduction Date: July 9, 2018

1st Publication Date: July 18, 2018


Adoption Date: July 23, 2018

2nd Publication Date: August 1, 2018

Effective Date: August 30, 2018

CERTIFICATE OF POSTING AND PUBLICATION

I, Cindy Berry, the Township Clerk of the Charter Township of Chesterfield do hereby certify that on July 24, 2018, the foregoing Ordinance Amendment was posted in the office of the Township Clerk and on the Charter Township of Chesterfield's website as authorized by MCL 42.8(3)(b). In addition, the Notice of Adoption was published in **"The Voice"** on August 1, 2018.



Cindy Berry, Clerk
Charter Township of Chesterfield