

**AN ORDINANCE TO ADOPT A FIRE CODE
FOR THE CITY OF MOBILE, ALABAMA**

Sponsored by: Mayor Stimpson

ARTICLE ONE: Code and Appendices. That, pursuant to Alabama Code Section 11-45-8 (1975), the **2021** Edition of the International Fire Code and Appendices B, C, and D, along with the amendments to the same contained in this Ordinance, has been on file in the office of the City Clerk of the City of Mobile, Alabama, pursuant to an ordinance adopted by the City Council of the City of Mobile, Alabama on November 8, 2022, is hereby adopted as the “Fire Code of the City of Mobile.” The ordinance will become effective sixty (60) days after adoption by the City Council.

ARTICLE TWO: Published Ordinance. A copy of this Ordinance shall be published pursuant and according to law, after its adoption, but it shall not be necessary for the said **2021** International Fire Code to be published in a newspaper, nor shall the same be spread at length upon the minutes of this Council, but this Ordinance shall be recorded in said minutes.

ARTICLE THREE: Effective Date. The said *2021 International Fire Code* shall be in full force and become effective sixty days after its adoption, and all ordinances heretofore adopted by the City of Mobile in conflict are hereby repealed.

ARTICLE FOUR: Contractors Criteria and Qualifications. For the purpose of this Ordinance the term ‘contractor’ will hereinafter refer to Fire Protection System Contractor as defined and added by ARTICLE EIGHT in SECTION 202 GENERAL DEFINITIONS. Criteria and qualifications for fire protection system contractors shall be set forth herein.

Fire Protection System Contractor Responsibilities. It shall be the duty of every contractor who shall make contracts for the design, installation and/or replacement of components of fire protection systems, for which a permit is required, to be properly certified, licensed and bonded in accordance with all of the City of Mobile and State of Alabama requirements. The fire contractor shall register his name with the Community Risk Reduction Division of Mobile City Fire and Rescue Department upon application for annual permit, giving full name, residence, and place of business, and, in case of removal from one place of business to another to have made corresponding change in said application record accordingly.

ARTICLE FIVE: Surety Bond. In addition to the requirements as set forth herein, it shall be the duty of every contractor and sub-contractor to provide and have on file a current license and permit bond for ten thousand dollars (\$10,000.00). The bond is subject to the approval of the city legal department and shall be provided by a surety company qualified to do business in the state of Alabama.

Such bond shall insure that the licensee complies with laws, ordinances and regulations of the applicable governing body. The local governing body shall be indemnified and saved harmless from all claims arising from accidents and damage of any character whatsoever caused by the negligence of

such person, firm, or corporation engaged in business or by any other unfaithful, inadequate work done either by themselves or their agents or employees.

ARTICLE SIX: Vehicular Signs. All trucks and similar vehicles used by contractors and subcontractors shall have signs on both sides of said vehicles indicating the full name, address, and telephone number of the firm to which it belongs. Lettering may be any color in contrast to the color of the body and be at least one and one-quarter (1¼) inches tall.

ARTICLE SEVEN: 2021 INTERNATIONAL FIRE CODE > Part I-Administrative > CHAPTER I SCOPE AND ADMINISTRATION > PART 1 – GENERAL PROVISIONS > Amend as follows:

SECTION 101 SCOPE AND GENERAL REQUIREMENTS – Amend as follows:

101.1 Title. Amend to read as follows:

101.1 Title. These regulations shall be known as the *Fire Code* of the City of Mobile, Alabama, herein after referred to as, “this Code.”

Add sub-paragraph 101.2.1.1 Adopted Appendices.

101.2.1.1 Adopted Appendices. The following appendices shall be adopted:

1. Appendix B - Fire Flow Requirements for Buildings.
2. Appendix C - Fire Hydrant Locations and Distribution.
3. Appendix D - Fire Apparatus Access Roads, except for section D107 which is not adopted.
4. Appendix I – Fire Protection System – Noncompliant Conditions
5. Appendix N – Indoor Trade Shows and Exhibitions

SECTION 102 APPLICABILITY – Amend as follows:

102.4 Application of building code. Amend to read as follows:

Add sub-paragraph 102.4.1 Application of the property maintenance code. To read as follows:**102.4.1 Application of the property maintenance code.** The provisions of the 2021 *International Property Maintenance Code* and adopted ordinances shall apply to existing structures and premises: equipment and facilities; light, ventilation, space, heating, sanitation, life and fire safety hazards; responsibilities of owners, operators and occupants; and occupancy of existing structures and premises.

Add sub-paragraph 102.4.2 Application of the electrical code. To read as follows:

102.4.2 Application of the electrical code. The provisions of the 2020 *National Electrical Code* and

adopted ordinances shall apply to the installation, alterations, repairs and replacement of electrical systems, including equipment, fixtures, fittings and/or appurtenances.

Add sub-paragraph 102.4.3 Application of the mechanical code. To read as follows:
102.4.3 Application of the mechanical code. The provisions of the *2021 International Mechanical Code* and adopted ordinances shall apply to the installation, alterations, repairs and replacement of mechanical systems, including equipment, appliances, fixtures, fittings and/or appurtenances, including ventilating, heating, cooling, air-conditioning and refrigeration systems, incinerators and other related systems.

Add sub-paragraph 102.4.4 Application of the plumbing code. To read as follows:
102.4.4 Application of the plumbing code. The provisions of the *2021 International Plumbing Code* and adopted ordinances shall apply to the installation, alteration, repair and replacement of plumbing systems, including equipment, appliances, fixtures, fitting and appurtenances, and were connected to a water or sewage system.

Add sub-paragraph 102.4.5 Application of the existing building code. To read as follows:
102.4.5 Application of the existing building code. The provisions of the *2021 International Existing Building Code* and adopted ordinances shall apply to existing structures and premises: equipment and facilities; light, ventilation, space, heating, sanitation, life and fire safety hazards.

Add sub-paragraph 102.4.6 Application of the fuel gas code. To read as follows:
102.4.6 Application of the fuel gas code. The provisions of the *2021 International Fuel Gas Code* and adopted ordinances shall apply to the design and installation of new and existing fuel gas systems gas fired appliances.

SECTION 107 FEES – Amend as follows:

107.2 Schedule of permit fees. Amend to read as follows:

107.2 Schedule of permit fees. On all buildings, structures, facilities and operations requiring a permit, a fee for each permit shall be paid as required at the time of filing the application, in accordance with the Fire Code Permit Fee Schedule Ordinance as established by the City of Mobile and adopted in a separate ordinance.

Add sub-paragraph [A] 107.2 Schedule of fire code permit fees. To read as follows:

On conducting an operation or business, or installation or modification of any fire protection system and equipment which is regulated by the fire code, a permit fee for each required permit shall be paid at the time of receiving the permit. The applicable permit fees required by the city shall be determined in accordance with the schedule of fees as listed and do not include fees required by other departments or agencies (see subsection (a) applicability).

Work exempt from permit. Any exemptions from permit requirements of this code shall not be deemed to grant authorization for any work to be done in any manner in violation of the provisions of this code or any other laws or ordinances of this jurisdiction.

Fire code permits fees. The fees established by the city fire code must be collected at time the permit is received. A one dollar (\$1.00) permit issuance fee shall be assessed to all permits issued.

Other permit fees. Where no permit fees are listed the city shall determine the required permit fee.

Operational and business permit fees. These fees are based on the operation or business conducted and the prescribed period before permit is renewed or revoked.

Operation/Business	Frequency	Criteria	Fee
Firework display, indoor	Single event		\$61.00
Firework display, outdoor	Single event		121.00
Ceremonial bonfire	Single event		No fee
Amusement building	Seasonal		No fee
Aboveground fuel storage tank	Annual	60 to 1,000 gallons	91.00
Aboveground fuel storage tank	Annual	1,001 to 6,000 gallons	141.00
Aboveground fuel storage tank	Annual	6,001 to 12,000 gallons	181.00
Aboveground fuel storage tank	Annual	Above 12,000 gallons	241.00

Fire protection system contractor annual permit fee. Certified fire protection system contractors are required to hold an annual permit with the Community Risk Reduction Division. A State Fire Marshal's Certificate, City of Mobile Business License and Liability insurance in the amount of 1,000,000.00 with the City of Mobile as the certificate holder is required for the annual permit.

Contractor Specialty	Frequency	Criteria	Fee
Emergency Responder Radio Coverage	Annual	Training & FCC Certifications	\$241.00
Fire alarm system contractor	Annual	State fire marshal certificate	241.00
Automatic sprinkler system	Annual	State fire marshal certificate	241.00
Kitchen hood suppression system	Annual	Training certificates	241.00
Clean agent system	Annual	Training certificates	241.00
Portable fire extinguisher	Annual	Training certificates	241.00

Fire protection system and equipment permit fee. The installation, alteration, reconstruction, or repair of any fire protection system or equipment requires a permit. These permits are computed based on the following variables.

Fire Alarm System		Add	Add
Emergency Responders Radio Coverage	\$151.00		
New installation	\$151.00	\$1.00 per appliance/device	\$25.00 per floor above 3rd
Existing 3—25 appliance/devices	101.00	N/A	N/A
Fire alarm control panel	151.00	N/A	N/A

Sprinkler System		Fee	Add	Add
New installation	\$151.00		\$1.00 per sprinkler head	\$25.00 per floor above 3rd
Existing 3-25 heads	101.00		N/A	N/A
Fire pump	121.00		N/A	N/A
Standpipe	121.00		5.00 for each hose connection	N/A
Private fire hydrant	241.00		50.00 per additional hydrant	N/A
Underground piping	241.00		241.00 per additional riser	N/A
Alternative suppression	151.00		N/A	N/A
Sprinkler head replacement >25	151.00		\$1.00 per sprinkler head	\$25.00 per floor above 3rd

Plan review fees. Building Plan Review fees for all commercial structures and facilities: \$170.00.

- (1) This fee includes the initial submission and one (1) revision or corrected submittal (with clouded revisions).
- (2) Any third or subsequent submittals on the same project shall be charged an additional eighty-five dollars (\$85.00) per submission.
- (3) Other plan review fees. Where no plan review fees are listed the city shall determine the required plan review fee.

Inspection fees.

- (1) Re-inspection..... \$61.00
- (2) After hour and weekend inspections, (4 hour minimum)..... \$200.00
- (3) Cooking Concessions Operations / Food Trucks Inspection.....\$51.00
- (4) Fire Protection Plan Review re-Submittal Fee.....\$61.00

Special Events Crowd Management Fees.

The event sponsor/planner shall be responsible for paying the cost for MFRD-Community Risk Reduction Division inspections and crowd management services at a rate of \$35.00 per person per hour plus any additional fees incurred by the Community Risk Reduction Division. The event plan shall be forwarded to the CRR division for review at least 30 days prior to the event and the CRR division will determine the adequate amount of coverage needed and the cost of said coverage. The CRR division will provide the determined amount of coverage for the event.

Permit fee refund. The fire code official shall authorize the refunding of fees as follows:

(1) The full amount of any permit fee paid hereunder that was erroneously paid or collected. The fire code official shall not authorize the refunding of any fee paid except upon written application filed by the original permittee no later than one hundred eighty (180) days after the date of fee payment.

Failure to obtain permit \$500.00

(Other penalties in accordance with chapter 1 of the Mobile City Code may also apply)

Request for information..... \$61.00

Miscellaneous. There are no fire code permit fees for those items listed below. See the building code permit fee schedule ordinance, which is adopted by a separate ordinance.

- (1) Certificate of occupancy (new or change of occupancy);
- (2) Temporary certificate of occupancy;
- (3) Construction board of appeals;
- (4) Permit fee extension;
- (5) A separate permit shall be required for each building or tenant unit for shell buildings;
- (6) Whenever a sub-contractor is dismissed from a job;
- (7) Dismissal of general contractor or homebuilder is dismissed;
- (8) Adjusted valuation of all construction including [, but not limited to, cost overrun(s) and change order(s)].

107.3 Permit valuations. – Delete in its entirety.

Add sub-paragraph 107.3 Applicability. To read as follows:

107.3—Applicability. This section applies to permit fees charged by the city for compliance with the fire code adopted by the city listed herein unless otherwise exempted. Permits may be required by other departments and agencies including but not limited to the following:

City engineering;

Urban forestry;

Historic development;

Alabama Power Company;

Urban development;

Mobile Area Water & Sewer Service;

City revenue;

Mobile Gas Corporation;

Right-of-way;

Mobile County Health Department;

Traffic engineering;

107.6 Refunds. Amend to read as follows:

107.6 Refunds. Fire Code permit refunds shall be issued in accordance with the policies spelled out in the "Fire Code Permit Fee Schedule Ordinance" as adopted in a separate ordinance.

SECTION 109 MAINTENANCE Amend as follows:

Add paragraph 109.3 Recordkeeping. To read as follows:

A record of periodic inspections, tests, servicing and other operations and maintenance shall be maintained on the premises or other approved location for not less than 3 years, or a different period of time where specified in this code or referenced standards. Records shall be made available for inspection by the fire code official, and a copy of the records shall be provided through the **Mobile Eyes Contractor Portal**.

Residential Group R-1 and R-2. Residential Group R-1 and R-2, (Apartments, Hotels and Motels, non-transient and transient residential occupancies) property owners shall submit a quarterly report via **Mobile Eyes Contractor Portal**, to include smoke alarm operational condition, clothes dryer vent cleaning and fire extinguisher inspections. Fire hydrant annual testing shall be conducted by a fire sprinkler contractor and included in the report.

The fire code official is authorized to prescribe the form and format of such recordkeeping. The fire code official is authorized to require that certain required records be filed with the fire code official.

SECTION 111 MEANS OF APPEALS - Delete in its entirety.

Add SECTION 111 BOARD OF APPEALS. To read as follows:

SECTION 111 BOARD OF APPEALS

Add paragraph 111.1 Construction Board of Appeals. To read as follows:

111.1 Construction Board of Appeals. The Board of Appeals, herein called the Construction Board of Appeals, shall be in accordance with the applicable sections regarding appeals of the International Building Code and the Ordinance Adopting the International Building Code.

SECTION 112 VIOLATIONS > Amend as follows:

112.4 Violation penalties. Amend to read as follows:

112.4 Violation penalties. Persons who shall violate a provision of the *2021 International Fire Code* (IFC), as amended, or shall fail to comply with any of the requirements thereof or who shall erect, install and/or replace components of fire protection systems in violation of the approved construction documents or directive of the Code Official or of a permit or certificate issued under the provisions of this code shall be prosecuted, and upon conviction, be punished by a fine not to exceed five hundred dollars (\$500.00). In addition, thereto, at the discretion of the court trying the case, any person so convicted may be imprisoned or sentenced to hard labor for the City for a period not exceeding six (6) months. Other penalties in accordance with Chapter 1 of the Mobile City Code may also apply. Each day that a violation continues after due notice has been served shall be deemed a separate offense. Notwithstanding any other provision of law, the maximum penalty for every person convicted of violating any of the following offenses are as follows:

1. A violation of any provision of ARTICLE FOUR: Contractors Criteria and Qualifications, of this Ordinance, shall be a \$500 fine. Each day that a violation continues after due notice has been served shall be deemed a separate offense.
2. A violation of any provision of ARTICLE SEVEN: Vehicular Signs, of this Ordinance, shall be a \$100 fine. Each day that a violation continues after due notice has been served shall be deemed a separate offense.
3. Any act to impede, delay, deceive, obstruct, hinder, disturb or interfere in any manner with the Code Official in the execution of the Code Official's duties shall be a \$100 fine. Each day that a violation continues after due notice has been served shall be deemed a separate offense.

ARTICLE EIGHT: 2021 INTERNATIONAL FIRE CODE > CHAPTER 2 DEFINITIONS > Amend as follows:

SECTION 202 GENERAL DEFINITIONS > Amend to read as follows:

FIRE PROTECTION SYSTEM CONTRACTOR - Contractors approved and holding an annual permit issued through the Community Risk Reduction Division of the City of Mobile Fire and Rescue Department meeting the requirements of Section 901 Fire Protection Systems and the State of Alabama.

HISTORIC BUILDINGS - Any building or structure that is listed in the Alabama Register of Landmarks and Heritage or in the National Register of Historic Places; designated as a historic property under local or state designation; certified as a contributing resource within a National Register listed or locally designated historic district; or with an opinion or certification that the property is

eligible to be listed in the Alabama Register or the National Register of Historic Places either individually or as a contributing building to a historic district by the State Historic Preservation Officer or the Keeper of the National Register of Historic Places.

OCCUPANCY CLASSIFICATION > Group R. Residential – Amend to read as follows:

Single Family Residence. Buildings that do not contain more than two dwelling units, detached from other structures and occupied by a single, blood or marriage related, family unit.

ARTICLE NINE: 2021 INTERNATIONAL FIRE CODE > Part II – General Safety Provisions > CHAPTER 3 GENERAL REQUIREMENTS > SECTION 308 OPEN FLAMES > 308.1 General.
Amend as follows:

308.1.4 Open flame cooking devices. Amend to read as follows:

308.1.4 Open flame cooking devices. Charcoal burners and other open-flame cooking devices shall not be operated on balconies or within 10 feet of combustible construction. The management of multi-family residential occupancies which have balconies, decks, or patios shall notify their tenants in writing of the prohibitions of open flame cooking devices on balconies as outlined in 308.1.4 of the fire code when the tenant or occupant initially occupies the building and periodically thereafter as may be necessary to ensure compliance.

308.1.4 Open flame cooking devices. Exceptions: Amend as follows:

Exceptions 2: Delete in its entirety.

Exceptions 3: Delete in its entirety.

ARTICLE TEN: 2021 INTERNATIONAL FIRE CODE > Part III – Building and Equipment Design Features > CHAPTER 5 FIRE SERVICE FEATURES > Amend as follows:

SECTION 503 FIRE APPARATUS ACCESS ROADS - Amend to read as follows:

503.6 Security Gates.

Installation of security gates across a fire apparatus road shall utilize a Knox Box, Knox electric gate system or Knox Pad-lock for rapid fire department entry into gated premises for new and existing access roads.

SECTION 506 KEY BOXES – Amend to read as follows:

506.1 Where required. To read as follows:

506.1 Where required. All buildings with a fire alarm and/or a fire protection system will require an approved Knox key box for rapid fire department entry into the building. Entry keys/cards to all parts of the building are required to be placed in the key box and shall be maintained in accordance to 506.2. and a Knox elevator key box shall be required for fire service keys and tools for new and existing elevators.

SECTION 507 FIRE PROTECTION WATER SUPPLIES > 507.5 Fire Hydrant Systems. > 507.5.1 Where required. > Amend as follows:

507.5.1.1 Hydrant for standpipe systems. Amend to read as follows:

507.5.1.1 Hydrant for automatic sprinkler systems and standpipe systems. Buildings equipped with an automatic sprinkler system or standpipe system shall have a fire hydrant located within 100 feet of the fire department connections.

ARTICLE ELEVEN: 2021 INTERNATIONAL FIRE CODE > CHAPTER 9 FIRE PROTECTION AND LIFE SAFETY SYSTEMS > Amend as follows:

SECTION 901 GENERAL > 901.2 Construction documents. - Amend as follows:

Add sub-paragraph 901.2.2 Professional certification requirements. To read as follows:

901.2.2 Professional certification requirements. All Fire Protection System Contractors shall obtain an annual permit through the Community Risk Reduction Office. The certifications required for the annual permit can be found on our website, www.cityofmobile.org/fire/divisions/community-risk-reduction, under documents. The fire protection system permit requirements do not relieve the permitted of additional qualifications and permits required from other adopted codes and ordinances.

901.9 Termination of monitoring service. Amend to read as follows:

901.9 Termination of monitoring service. For fire alarm systems required to be monitored by this code, notice shall be given to the fire code official whenever alarm monitoring services are terminated. The owner or owner designated representative shall be responsible for sending a notice of termination of service in writing attached to an email sent to the following email address.

To: firebureau@cityofmobile.org

Subject: Termination of Monitoring

SECTION 903 AUTOMATIC SPRINKLER SYSTEMS > 903.2 Where required. > 903.2.10 Group S-2 parking garages. –Amend as follows:

903.2.10.1 Commercial Parking Garages. Amend to read as follows:

An automatic sprinkler system shall be provided throughout buildings used for the storage of commercial motor vehicles, RVs and Boats with a fuel capacity greater than 25 gallons, where the fire area exceeds 5000 square feet.

Section 903.4 Sprinkler system supervision and alarms. Amend to read as follows:

903.4 Sprinkler system supervision and alarms. Valves controlling water supply for automatic sprinkler systems, pumps, tanks, water levels and temperature, critical air pressures and waterflows switches on all sprinkler systems, **new and existing**, shall be electrically supervised by a listed fire alarm control unit.

SECTION 904 ALTERNATIVE AUTOMATIC FIRE EXTINGUISHING SYSTEMS –Amend as follows:

904.13 Commercial cooking systems. Amend as follows:

Sub-paragraph 5. Delete in its entirety.

SECTION 912 FIRE DEPARTMENT CONNECTIONS – 912.4 Access. –Amend as follows:

912.4.1 Locking fire department connection caps. Amend to read as follows:

912.4.1 Locking fire department connection caps. Locking caps are required on fire department connections for water-based fire protection systems unless the connection is located inside a security guard-maintained, fenced facility and the fire code official has approved the site.

912.6 Backflow protection. Amend to read as follows:

912.6 Backflow protection. The potable water supply to fire protection systems shall be protected against backflow as required by the International Fire Code and the Mobile Area Water and Sewer Service. Backflow preventers shall be protected from freezing by being insulated if outdoors or installed in a climate-controlled environment if indoors.

SECTION 913 FIRE PUMPS–Amend as follows:

913.2 Protection against interruption of service. Amend to read as follows:

913.2 Protection against interruption of service. As required by the Authority Having Jurisdiction, occupancies where life safety is at risk such as residential, institutional and other occupancies that will remain occupied without electrical power. An emergency generator shall be required as an alternate source of power.

ARTICLE TWELVE: 2021 INTERNATIONAL FIRE CODE > Part V-Hazardous Materials > CHAPTER 50 HAZARDOUS MATERIALS-GENERAL PROVISIONS > SECTION 5001

GENERAL > 5001.1 Scope. > Amend as follows:

5001.1.1 Waiver. Amend to read as follows:

5001.1.1 Waiver. The provisions of this chapter and any other chapter are waived when the fire code official determines that such enforcement is preempted by other codes, statutes or ordinances.

ARTICLE THIRTEEN: 2021 INTERNATIONAL FIRE CODE > Part VI-Referenced Standards
> CHAPTER 80 REFERENCED STANDARDS > Amend as follows:

Referenced Standards: Where National Fire Protection Association (NFPA) and other Standards are referenced by the 2021 *International Fire Code*, the most current edition of that standard shall be adhered to.

SECTION FOURTEEN: SEPARATION CLAUSE. If any section, subsection, sentence, clause, or phrase of this Code is for any reason held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this Code. The City Council of the City of Mobile hereby declares that it would have passed this Code and each section, subsection, clause, or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, or phrases be declared unconstitutional.

Adopted:

NOV 08 2022
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City Clerk