

**ORDINANCE C-6-2015**

**CITY OF FARMINGTON HILLS  
OAKLAND COUNTY, MICHIGAN**

**AN ORDINANCE TO AMEND CHAPTER 12, "FIRE PREVENTION AND PROTECTION," OF THE CODE OF ORDINANCES, CITY OF FARMINGTON HILLS, MICHIGAN, TO AMEND SECTION 12-15 PERTAINING TO REGULATIONS FOR RESIDENTIAL SMOKE ALARMS AND TO ADOPT THE 2012 EDITION OF THE INTERNATIONAL FIRE CODE AND BY AMENDING SECTIONS 12-36, 12-37, 12-38 AND 12-39 RELATED THERETO.**

THE CITY OF FARMINGTON HILLS ORDAINS:

**Section 1 of Ordinance.**

The Farmington Hills City Code, Chapter 12, "Fire Prevention and Protection," Article I, "In General," Section 12-15, "Residential Smoke Detectors" is hereby amended to read as follows:

**Sec. 12-15. - Residential smoke alarms.**

(1) Definitions. For the purposes of this section, the following mean:

- (a) "Dwelling unit" means a single unit providing complete independent living facilities for one or more persons, including permanent provisions for living, sleeping, eating, cooking, and sanitation.
- (b) "Sleeping area" means the area or areas of a living unit where the bedrooms or sleeping rooms are located. Where bedrooms or rooms ordinarily used for sleeping are separated by other use areas (such as kitchens or living rooms, but not bathrooms or closets), they should be considered as separate sleeping areas for the purpose of this section.
- (c) "Sleeping unit" means a room or space in which people sleep, which can also include permanent provisions for living, eating, and either sanitation or kitchen facilities but not both. Units that are part of a dwelling unit are not sleeping units.

(2) Requirements. It shall be the responsibility of the owner of each Residential Group Occupancy to install smoke alarms in Use Groups R-1, R-2, R-3, and R-4 in accordance with the locations and standards identified in the International Fire Code, 2012 Edition, and as hereinafter provided. Except for owner occupied R-3 Use Group occupancies, battery powered smoke alarms permitted under law shall be replaced with ten (10) year lithium battery powered smoke alarms when current alarms are ten (10) years old, by July 1, 2025, or as otherwise required by this section or other applicable laws. Said smoke

alarms shall be capable of providing a suitable audible alarm and comply with the following:

- (a) In addition to the locations identified for installation of smoke alarms in Use Groups R-1, R-2, R-3, and R-4 as specified in the International Fire Code, 2012 Edition, at least one (1) smoke alarm shall be installed in each hallway leading to a dwelling unit or sleeping unit in such a manner as to ensure that rising smoke is not obstructed in reaching the alarm and the alarm intercepts rising smoke before it reaches a sleeping area.
- (b) All devices, combination of devices and equipment herein are to be installed and maintained in accordance with the National Fire Protection Association's smoke alarm installation and maintenance tips. All alarms shall be Underwriters Laboratory approved.
- (c) At every change of occupancy of every dwelling unit or sleeping unit occasioned by or incidental to a sale, lease, or sublease of said unit, it shall be the duty of the grantor thereof (i.e., the seller, lessor or sublessor, as the case may be) to certify before occupancy to the new occupant that all smoke alarms as required by this section (or other applicable laws) are installed and in proper working condition.

### **Section 2 of Ordinance.**

The Farmington Hills City Code, Chapter 12, "Fire Prevention and Protection," Article II, "Fire Prevention Code," is hereby amended to read as follows:

## **ARTICLE II. FIRE PREVENTION CODE**

### **Sec. 12-36. Adoption of International Fire Code.**

The International Fire Code, 2012 Edition, including Appendix Chapters A, B, C, D, E, F, G, H, and I, as promulgated and published by the International Code Council is hereby adopted by reference as an Ordinance of the City of Farmington Hills, 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; and providing for the issuance of permits and collection of fees therefore. Each and all of the regulations, provisions, penalties, conditions and terms of said Fire Code on file in the Office of the Farmington Hills City Clerk are hereby referred to, adopted and made a part hereof, as if fully set out in this article and Code, with the additions, insertions, amendments, deletions and limitations, if any, prescribed in the remaining sections of this Article.

## **Sec. 12-37. Insertions in Code.**

The following section of the Fire Code adopted under Section 12-36 is amended to insert the information indicated:

Section 101.1. Where the Fire Code text indicates in Section 101.1 to specify the name of jurisdiction, insert the following: "City of Farmington Hills."

## **Sec. 12-38. Amendments to Code.**

The following sections and subsections of the Fire Code adopted under Section 12-36 are amended, deleted or added, as indicated below:

### **Section 105.6.11 Cutting and welding.**

Delete.

### **Section 105.6.16 Flammable and combustible liquids.**

Delete.

### **Section 105.6.23 Hot work operations.**

Delete subsections (3), (4), (5), and (6).

### **Section 105.6.34 Places of assembly.**

Delete.

### **Section 105.6.39 Repair garages and motor fuel-dispensing facilities.**

Delete.

### **Section 105.7.8 Flammable and combustible liquids.**

Delete.

### **Section 109.4 Violation penalties.**

Delete and replace with the following:

**"Section 109.4 Violation penalties.** Persons who violate a provision of this code or fail to comply with any of the requirements thereof or who 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 the provision of this code shall be guilty of a misdemeanor, punishable as provided in Chapter 1 of the City Code for

such offenses. Each day that a violation continues after due notice has been served shall be deemed a separate offense."

#### **Section 111.4 Failure to comply.**

Delete and replace with the following:

**"Section 111.4. Failure to comply.** Any person who shall continue to 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 as provided in Chapter 1 of the City Code for such offenses. Each day that a violation continues after due notice has been served shall be deemed a separate offense."

#### **Section 307 Open Burning, Recreational Fires and Portable Outdoor Fireplaces.**

Delete sections 307.1; 307.1.1; 307.2; 307.2.1; 307.4; 307.4.1; 307.4.2; 307.4.3; 307.5.

#### **Section 311 Vacant Premises.**

Delete sections 311.5; 311.5.1; 311.5.2; 311.5.3; 311.5.4; 311.5.5

#### **Section 505 Premises Identification.**

Amend Section 505.1 to read:

**"Section 505.1 Address identification.** New and existing building shall have *approved* address numbers, building numbers or *approved* building identification placed in a position that is plainly legible and visible from the street or road fronting the property. These numbers shall contrast with their background. Address numbers shall be Arabic numbers or alphabetical letters. Numbers shall be a minimum of 4 inches (101.6 mm) high with a minimum stroke width of 0.5 inch (12.7 mm). If the business or structure is located more than ninety (90) feet from the centerline of the traveled portion of the adjacent roadway, the identifying numbers shall be not less than six (6) inches in height, but in any case such numbers shall be a size sufficiently large so that they are readable from the centerline of the adjacent roadway by a person of normal vision."

#### **Section 507.4 Water supply test.**

Delete and replace with the following:

**"Section 507.4 Water supply test.** The *fire code official* shall be notified prior to any proposed water supply test. If approved, the test must be scheduled through and approved by the *fire code official*. Water supply tests shall be witnessed by the *fire code official* or *approved* documentation of the test shall be provided to the *fire code official* prior to final approval of the water supply system."

**Section 507.5 Fire hydrant systems.**

Delete and replace with:

**"Section 507.5 Fire hydrant systems.** Fire hydrant systems shall comply with Sections 507.5.1.1 through 507.5.6."

**Section 507.5.1 Where required.**

Delete.

**Section 5704.2.9.6.1 Locations where above-ground tanks are prohibited.**

Delete and replace with:

**"Section 5704.2.9.6.1 Locations where above-ground tanks are prohibited.** Storage of Class I and II liquids in above-ground tanks outside buildings must comply with the following:

- a. City zoning ordinance;
- b. Chapter 12 of the City Code;
- c. International Fire Code;
- d. Michigan Rules for Storage and Handling of Flammable and Combustible Liquids, or their equivalent; and
- e. Approval by the Fire Chief or his or her designee."

**Section 5706.2.4.4 Locations where above-ground tanks are prohibited.**

Delete and replace with:

**"Section 5706.2.4.4 Locations where above-ground tanks are prohibited.** The storage of Class I and II liquids in above-ground tanks must comply with the following:

- a. City zoning ordinance;
- b. Chapter 12 of the City Code;
- c. International Fire Code;
- d. Michigan Rules for Storage and Handling of Flammable and Combustible Liquids, or their equivalent; and
- e. Approval by the Fire Chief or his or her designee."

## **Section 5806.2 Limitations.**

Delete and replace with:

**"Section 5806.2 Limitations.** Storage of flammable cryogenic fluids in stationary containers outside of buildings must comply with the following:

- a. City zoning ordinance;
- b. Chapter 12 of the City Code;
- c. International Fire Code;
- d. Michigan Rules for Storage and Handling of Flammable and Combustible Liquids, or their equivalent; and
- e. Approval by the Fire Chief or his or her designee."

## **Section 6104.2 Maximum capacity within established limits.**

Delete and replace with:

**"Section 6104.2 Maximum capacity within established limits.** Within the limits established by law restricting the storage of liquefied petroleum gas for the protection of heavily populated or congested areas, must comply with the following:

- a. City zoning ordinance;
- b. Chapter 12 of the City Code;
- c. International Fire Code;
- d. Michigan Rules for Storage and Handling of Liquefied Petroleum Gases (LPG), or their equivalent; and
- e. Approval by the Fire Chief or his or her designee."

## **Sec. 12-39. Limitations.**

The adoption of the International Fire Code and amendments thereto, or any other provision of this Chapter, does not include any provisions that are preempted by the Michigan Fireworks Safety Act (being Public Act 256 of 2011), "inconsistent" with the State of Michigan Fire Prevention Code (being Public Act No 207 of 1941, as amended and as "inconsistent" is defined within that Act), or rules promulgated under such Acts, and any such provision shall not be enforced.

### **Section 3 of Ordinance**

**Repealer.** All Ordinances or parts of Ordinances in conflict herewith are hereby repealed only to the extent necessary to give this Ordinance full force and effect, and the Farmington Hills Ordinance Code shall remain in full force and effect, amended only as specified above.

### **Section 4 of Ordinance**

**Severability.** If any section, clause or provision of this ordinance shall be declared to be unconstitutional, void, illegal or ineffective by any court of competent jurisdiction, such section,

clause or provision declared to be unconstitutional, void or illegal shall thereby cease to be a part of this ordinance; but the remainder of this ordinance shall stand and be in full force and effect.

#### **Section 5 of Ordinance**

Savings. All proceedings pending and all rights and liabilities existing, acquired or incurred at the time this Ordinance takes effect, are saved and may be consummated according to the law in force when they were commenced.

#### **Section 6 of Ordinance**

Effective Date. The provisions of this Ordinance are ordered to take effect twenty-one (21) days after enactment.

#### **Section 7 of Ordinance**

Enactment. This Ordinance is declared to have been enacted by the City Council of the City of Farmington Hills at a meeting called and held on the 22<sup>nd</sup> day of June, 2015, and it is ordered to be given publication in the manner prescribed by law.

Ayes: Brickner, Bridges, Knol, Lerner, Massey and Steckloff  
Nays: None  
Abstentions: None  
Absent: Bruce

STATE OF MICHIGAN     )  
  )ss.  
COUNTY OF OAKLAND    )

I, the undersigned, the qualified and acting Deputy City Clerk of the City of Farmington Hills, Oakland County, Michigan, do certify that the foregoing is a true and complete copy of the Ordinance adopted by the City Council of the City of Farmington Hills at a meeting held on the 22<sup>nd</sup> day of June, 2015, the original of which is on file in my office.

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CARLY E. HOTCHKISS, Deputy City Clerk  
City of Farmington Hills