

INTERNATIONAL FIRE CODE ORDINANCE

ORDINANCE NO. 244

AN ORDINANCE TO ADOPT THE 2012 EDITION OF THE *INTERNATIONAL FIRE CODE*, 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 IN SPRING LAKE TOWNSHIP; PROVIDING FOR THE ISSUANCE OF PERMITS AND COLLECTION OF FEES THEREFORE; AND ESTABLISHING AN EFFECTIVE DATE.

THE TOWNSHIP OF SPRING LAKE, OTTAWA COUNTY, MICHIGAN ORDAINS:

Section 1. *International Fire Code*. Article III of Chapter 16 of the Code of Ordinances, concerning the adoption of the *International Fire Code*, is restated in its entirety as follows.

ARTICLE III. INTERNATIONAL FIRE CODE

Sec. 16-30. Adoption.

A certain document, three copies of which are on file in the office of the township clerk, being marked and designated as the *International Fire Code*, 2012 edition, including Appendix Chapters B, C, D, E, F, and G (see *International Fire Code* Section 101.2.1, 2012 edition), as published by the International Code Council, is adopted as the fire code of the township, 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 the fire code on file in the office of the township clerk are referred to, adopted, and made a part hereof, as if fully set out in this article, with the additions, insertions, deletions and changes, if any, prescribed in this article.

Sec. 16-31. Revisions article.

The following sections of the fire code are revised as indicated.

Section 101.1: **Title.** Spring Lake Township shall be inserted.

Section 105.1.1: **Permits required.** Permits required by this code shall be obtained from the fire code official, or other township official designated by the fire code official.

Permit fees, if any, shall be paid prior to issuance of the permit. Issued permits shall be kept on the premises designated therein at all times and shall be readily available for inspection by the fire code official.

Section 108.1: **Board of appeals established.** In order to hear and decide appeals of orders, decisions or determinations made by the fire code official relative to the application and interpretation of this code, there shall be and is hereby created a board of appeals. The board of appeals shall be the construction board of appeals appointed by the township pursuant to the Michigan building code. The fire code official shall be an ex officio member of said board but shall have no vote on any matter before the board.

Section 108.2: **Limitations on authority.** An application for appeal shall be based on a claim that the intent of this code or the rules legally adopted hereunder have been incorrectly interpreted, the provisions of this code do not fully apply, or an equivalent method of protection or safety is proposed.

Section 108.3: Shall be eliminated.

Section 109.4: **Violation penalties.** Persons who violate a provision of this code or who fail to comply with any of its requirements or who 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 responsible for a civil infraction, subject to a fine of \$75.00, plus costs and other sanctions for each infraction. Each day during which any violation continues shall be deemed a separate and distinct offense. Increased civil fines may be imposed for repeated violations; a repeat violation means a second or third or subsequent municipal civil infraction committed by a person within any two year period and for which a person admits responsibility or is determined to be responsible. The increased fine for a second repeat violation shall be \$150.00 and the increased fine for a third repeat violation shall be \$500.00, plus costs and other sanctions. The township fire marshal shall be added to the township officers authorized by section 1-7(h) of chapter 1 of this code to issue municipal civil infraction violations.

Section 111.4: **Failure to comply.** \$75.00 and \$500.00 shall be inserted.

Section 307: Shall be eliminated in its entirety, and instead open burning shall be subject to this code (specifically article II of chapter 16, as amended).

Section 315.4: **Outside storage.** Outside storage of combustible materials shall not be located within 10 feet (3048 mm) of a property line or within 20 feet (6096 mm) of any structure.

Section 503.5, Section 503.5.1, and Section 503.6: Shall be eliminated and instead access gates shall be subject to section 308 of the township's zoning ordinance, as amended.

Section 507.5.4 and Section 507.5.5: Shall be eliminated and instead obstruction and clear space around hydrants shall be subject to this code (specifically section 38-64 of article II of chapter 38, as amended).

Sec. 16-32. Geographic limits.

The geographic limits referred to in certain sections of the 2012 *International Fire Code* are established as follows.

Section 5704.2.9.6.1 (geographic limits in which the storage of Class I and Class II liquids in above-ground tanks outside of buildings is prohibited): within any residential zoning district in the township, or any non-agricultural zoned lot upon which a dwelling is located.

Section 5406.2.4.4 (geographic limits in which the storage of Class I and Class II liquids in above-ground tanks is prohibited): within any residential zoning district in the township, or any non-agricultural zoned lot upon which a dwelling is located.

Section 5806.2 (geographic limits in which the storage of flammable cryogenic fluids in stationary containers is prohibited): within any residential zoning district in the township, or any non-agricultural zoned lot upon which a dwelling is located.

Section 6104.2 (geographic limits in which the storage of liquefied petroleum gas is restricted for the protection of heavily populated or congested areas): within any residential zoning district in the township, or any non-agricultural zoned lot upon which a dwelling is located.

Sec. 16-33. Limitation.

Nothing in this article or in the fire code hereby adopted shall be construed to affect any suit or proceeding pending in any court. Neither shall any just or legal right or remedy of any character be lost, impaired or affected by this article.

Section 2. Effective date. This Ordinance was approved and adopted by the Township Board of the Township of Spring Lake, Ottawa County, Michigan, on November 10, 2014 and it is ordered to take effect 30 days after publication in the *Grand Haven Tribune*, a newspaper having general circulation in the Township.

John Nash, Township Supervisor

H. Carolyn Boersma, Township Clerk

CERTIFICATE

I, H. Carolyn Boersma, Clerk for the Township of Spring Lake, Ottawa County, Michigan, certify that the foregoing International Fire Code Ordinance was adopted at a regular meeting of the Township Board held on November 10, 2014. The following members of the Township Board were present at that meeting: John Nash, H. Carolyn Boersma, Jim Koster, Ron Lindquist, Rick Homan, Rachel Terpstra, and Lawrence Mierle. The following members of the Township Board were absent: None. The Ordinance was adopted by the Township Board with members of the Board Nash, Boersma, Koster, Lindquist, Homan, Terpstra, and Mierle voting in favor and members of the Board None voting in opposition. A summary or verbatim copy of the Ordinance was published in the *Grand Haven Tribune* on November 17, 2014.

H. Carolyn Boersma, Township Clerk