

**CHARTER TOWNSHIP OF WHITE LAKE
AN ORDINANCE TO AMEND CHAPTER 18, ARTICLE II - FIRE CODE
OF THE WHITE LAKE TOWNSHIP CODE OF ORDINANCES**

ORDINANCE NO. 2015 - 002

THE CHARTER TOWNSHIP OF WHITE LAKE ORDAINS:

ARTICLE 1: AMENDMENT.

Chapter 18, Article II, Section 18-25 of the Township of White Lake Code of Ordinance, commonly referred to as the Fire Prevention and Protection Ordinances is hereby amended as follows:

SECTION 18-25: CHANGES IN THE CODE

The following sections and subsections of the International Fire Code are hereby amended or deleted as set forth, and additional sections and subsections are added as indicated. Subsequent section numbers used in this chapter shall refer to like-numbered sections of the International Fire Code.

Section 105.6 shall be amended to read as follows:

105.6 REQUIRED OPERATIONAL PERMITS AND ASSOCIATED FEES. The Fire Chief is authorized to issue operational permits for the operations set forth in Sections 105.6.2 (amusement buildings), 105.6.4 (carnivals and fairs), 105.6.13 (exhibits and trade shows), 105.6.14 (explosives), 105.6.16 (flammable and combustible liquids), 105.6.28 (magnesium), 105.6.30 (open burning), 105.6.36 (pyrotechnic special effects material), 105.6.43 (temporary membrane structures and tents, but only when used as a place of assembly as defined by the fire code, section 3103.3), and 5608.2.2.1 (permit required). A permit fee must accompany any application. The fee shall be in accordance with the Township Fee Ordinance.

Section 109.4 shall be amended to read as follows:

109.4 VIOLATION PENALTIES. Except as provided herein, any person who shall violate a provision of this code, or 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 Five Hundred Dollars (\$500.00) or by imprisonment not exceeding ninety (90) 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.

The following provisions of the 2012 International Fire Code, as adopted by this Code of Ordinances, shall be deemed municipal civil infractions and subject to the penalties as provided in Chapter 22, Article IV of the White Lake Township Code of Ordinances:

- Chapter 1, with the exception of: Section 104.11.2 (obstructing operations); Section 104.11.2.1 (damage or injury to fire department equipment or personnel); Section 104.11.2.2 (vehicle crossing hose); Section 107.4 (rendering equipment inoperable); and Section 107.5 (overcrowding).
- Chapter 3, with the exception of Section 305.4 (deliberate or negligent burning); and Section 316.3 (pitfalls).
- Chapter 4
- Chapter 5, with the exception of Section 503.4 (obstruction of fire apparatus access roads); Section 503.5.1 (secured gates and barricades); and Section 507.5.4 (obstruction).
- Chapter 6 through Chapter 8
- Chapter 9, with the exception of Section 901.8 (removal of or tampering with equipment); Section 901.8.1 (removal of or tampering with appurtenances); and Section 912.3 (access).
- Chapter 11, with the exception of Section 1104 (means of egress for existing buildings).
- Chapter 20 through Chapter 55
- Chapter 57 through Chapter 66
- All appendices

Section 307.1.1 shall be amended to read as follows:

307.1.1 PROHIBITED OPEN BURNING. Open burning that will be offensive or objectionable due to smoke or odor emissions when atmospheric conditions or local circumstances make such fires hazardous shall be prohibited.

Section 307.2.1 shall be deleted in its entirety.

Section 307.3 shall be amended to read as follows:

307.3 EXTINGUISHMENT AUTHORITY. When open burning creates or adds to a hazardous situation, becomes a nuisance to neighboring property owners, or is noncompliant with Section 307, the fire code official or his or her designee is authorized to order the extinguishment of the open burning operation.

Section 307.4.4 shall be added to read as follows:

Section 307.4.4 OPEN BURNING ON EASEMENTS/COMMON AREAS. Open burning within easement areas or common areas shall require special permission from the fire code official.

Section 308.1.6.3 shall be amended to read as follows:

308.1.6.3 SKY LANTERNS. The use of sky lanterns or similar devices shall be prohibited.

Section 901.2.2 shall be added to read as follows:

901.2.2 REVIEW FEES. When, at the discretion of the Fire Code Official, the plans and specifications are to be reviewed in-house, or by an outside consultant, the person or firm submitting the plans and specifications shall be responsible for the total consulting fees and administrative charges, as established by the Township Fee Ordinance. The Fire Code Official shall select the consultant. Consulting fees or charges shall be submitted in full, prior to the review, with the plans and specifications.

ARTICLE 2: 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 selection, clause or provision declared to be unconstitutional, void or illegal shall thereby cease to be a part of this Ordinance, but the remainder of the Ordinance shall stand and be in full force and effect.

ARTICLE 3: EFFECTIVE DATE.

This Ordinance shall take effect following publication in the manner prescribed by law.

ARTICLE 4: REPEALER.

All other ordinances or parts of ordinances in conflict with this ordinance are hereby repealed to the extent necessary to give this ordinance full force and effect.

ARTICLE 5: ADOPTION.

This Ordinance is hereby declared to have been adopted by the Township Board of this Charter Township of White Lake at a meeting thereof duly called and held on the 15th day of September, 2015, and ordered to be given publication in the manner prescribed by the Charter of the Charter Township of White Lake.

A full and complete text of the foregoing ordinance is on file in the office of the Township Clerk at 7525 Highland Road, White Lake, MI 48383, and a true copy of this ordinance may be inspected and/or purchased during regular hours from 8 A.M. to 5 P.M. Monday through Friday, except holidays.

Individuals with disabilities requiring auxiliary aids or services should contact the Clerk's Office with your request at least 5 days prior to the meeting.

Greg Baroni, Supervisor
Terry Lilley, Clerk