

**CHARTER TOWNSHIP OF BROWNSTOWN
WAYNE COUNTY, MICHIGAN**

**ADOPTION OF INTERNATIONAL FIRE PREVENTION
CODE OF 2009 ORDINANCE #269-9**

**AN ORDINANCE TO AMEND ORDINANCE NO. 269 BY ADOPTING THE
INTERNATIONAL FIRE PREVENTION CODE OF 2009 WITH INSERTIONS,
CHANGES AND ADDITIONS.**

**THE CHARTER TOWNSHIP OF BROWNSTOWN, COUNTY OF WAYNE,
MICHIGAN ORDAINS:**

190.001 – [International Fire Prevention Code adopted.]

Sec. 1. The Township hereby adopts by reference the International Fire Prevention Code of 2009, as published by the International Code Council, Inc. As used in the International Fire Prevention Code of 2009, the term “Name of Jurisdiction” shall mean the Charter Township of Brownstown and reference therein to the “Date of Adoption of this Code” shall mean the date of adoption of this Ordinance, and reference therein to the “State” shall mean the State of Michigan; the reference therein to the words “Municipal-Local Ordinances” shall mean and refer to the provisions of this Fire Prevention Code and the references to “Fire Official” shall mean the Fire Chief of the Township, who shall administer and enforce the Code.

190.002 – Repeals.

Sec. 2. Ordinance No. 269, Section 190.001 and 190.002, which adopted the International Fire Prevention Code of 2006 and all ordinances inconsistent with the provisions of this Ordinance are hereby repealed.

190.003 – Insertions, Changes and Additions.

Sec. 3.

A. Insertions. That the following insertions are made:

Section 101.1 Insert: “The Charter Township of Brownstown”.

Section 109.3 shall read:

109.3 Violation penalties. Persons who shall violate a provision of this code 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 upon being found

responsible of the first offense, shall be guilty of a civil infraction, punishable by a fine of not more than Five Hundred (\$500.00) Dollars. Upon second or subsequent violation of this Ordinance, said person shall be guilty of a misdemeanor, punishable by a fine of not more than Five Hundred (\$500.00) Dollars, 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.

Section 111.4 Insert: "One Hundred", "Five Hundred"

B. Additions. That the following additions be made:

The distance required herein shall be measured along the public or private roads, wherever the structure is located, and shall not be measured across private property. The water main and hydrant shall be constructed in accordance with all applicable Ordinances, State Codes and other governmental authorities having jurisdiction over the construction and maintenance of same. The water main and hydrant shall be placed in an easement dedicated to the Township of Brownstown or in a public easement previously committed to said use. The water main shall be dedicated to the Township of Brownstown upon its completion and approval for acceptance.

1. Incorporated hereby by reference and made a part of this Ordinance, as though each and every part thereof were reprinted in full, is the Fire Prevention Act of the State of Michigan, being Act 207 of the Public Acts of 1941 as amended, and the Michigan State Flammable Liquid Regulations as promulgated and the National Fire Codes, with any amendments, additions and supplements thereto, as promulgated by the National Fire Protection Association and the Life Fire Safety Code. Any future additions or amendments made to the foregoing act or state or national regulation, shall be deemed an addition or amendment to this Ordinance without further notice or action by the Township Board. Complete copies of said code and regulations are available for public use and inspection at the office of the Township Clerk.

Whenever any dwelling, building or structure is constructed upon a parcel of land and said dwelling, building or structure is more than 500 feet from a fire hydrant, then a minimum of an eight inch water main and fire hydrant shall be installed within 500 feet of said dwelling, building or structure. In lieu of a water main or hydrant, a properly engineered and installed fire sprinkler system may be substituted, provided that said construction installation is made in accordance with this Ordinance and approved by the Fire Chief or his designee.

190.004 – Applicable Limits.

Section 4. The limits referred to in certain sections of the code are as follows:

Section 3204.3.1.1 (limits in which the storage of flammable cryogenic fluids in stationary containers is prohibited): in accordance with Regulations established by Michigan Department of Environmental Quality.

Section 3404.2.9.5.2 (limits in which the storage of Class I and Class II liquids in above-ground tanks outside of buildings is prohibited): in accordance with Regulations established by Michigan Department of Environmental Quality.

Section 3406.2.4.4 (limits in which storage of Class I and Class II liquids in above ground tanks is prohibited): in accordance with Regulations established by Michigan Department of Environmental Quality.

Section 3804.2 (limits in which the storage of liquefied petroleum gas is restricted for the protection of heavily populated or congested areas): in accordance with Regulations established by Michigan Department of Environmental Quality.

190.005 – Severability.

Sec. 5 Should any section or provision of this Ordinance be declared invalid or unconstitutional by any court of competent jurisdiction such declarations shall not affect the validity of the Ordinance, as a whole or any part thereof which is not specifically declared to be invalid or unconstitutional.

190.006 – Saving Clause.

Sec. 6 A prosecution which is pending on the effective date of this Ordinance and which arose from a violation of an ordinance replaced by this Ordinance, or a prosecution which is started within one year after the effective date of this Ordinance arising from a violation of an ordinance replaced by this Ordinance and which was committed prior to the effective date of this Ordinance, shall be tried and determined exactly as if the ordinance had not been replaced.

190.007 – Repeal.

Sec. 7 All ordinance or parts of ordinances in conflict herewith are hereby repealed only to the extent necessary to give this Ordinance full force and effect.

190.008 – Adoption.

Sec. 8. This Ordinance is hereby declared to have been adopted by the Township Board of the Charter Township of Brownstown, County of Wayne, State of Michigan, at a regular meeting, called and held on the 3rd day of October, 2011.

190.009 – Publication.

Sec. 9. The Township Clerk shall publish this Ordinance in the manner required by law and shall publish, at the same time, a statement that a complete copy of the code is available at the office of the Clerk for inspection.

190.010 – Effective Date.

Sec. 10. This Ordinance shall become effective immediately upon its publication.

Andrew Linko, Supervisor

Sherry A. Berezcz, Clerk

I hereby certify that the foregoing is a true copy of the Ordinance as passed by the Township Board of the Charter Township of Brownstown at a regular Board Meeting on the 3rd day of October, 2011.

Sherry A. Berezcz, Clerk

I further certify that the foregoing was published in The News-Herald, a newspaper of general circulation in the Charter Township of Brownstown, on the 12th day of October, 2011.

Sherry A. Berezcz, Clerk