

ORDINANCE NO. ____

AN ORDINANCE AMENDING CHAPTER 13 (FIRE PREVENTION AND PROTECTION), ARTICLE III (FIRE CODE), SECTIONS 13-39 THROUGH 13-40, INCLUSIVE, OF THE MINOT CODE OF ORDINANCES

WHEREAS, the City of Minot previously incorporated the 2015 International Fire Code Edition into its Code of Ordinances,

WHEREAS, the City of Minot wishes it update its current Code of Ordinances to incorporate the 2018 International Fire Code Edition,

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MINOT:

§1. Sections 13-39 and 13-40 of Chapter 13 (Fire Prevention and Protection), Article III (Fire Code), are hereby amended to read as follows:

Sec. 13-39. - International Fire Code adopted.

- (a) The International Fire Code, ~~2015~~ 2018 Edition (published by the International Code Council Inc.), is by reference thereto incorporated herein as fully as though set out at length hereafter (except and to the extent that the provisions there of are deleted, modified or amended in section 13-40 and section 13-41 below). References in the Code of Ordinances to the fire code shall mean the fire code adopted hereby. Notwithstanding anything to the contrary therein, the fire code may be referred as:
- (1) "the International Fire Code, ~~2015~~ 2018 Edition";
 - (2) "the Fire Code of the City of Minot, ND";
 - (3) "the IFC";
 - (4) "the fire prevention code";
 - (5) "the fire code"; or
 - (6) "this code".
- (b) One (1) copy of the IFC shall be maintained at all times in the office of the city clerk for public inspection.

Sec. 13-40. - Amendments to the fire code.

The IFC referred to in section 13-39 is amended as provided in the following subsections.

- (1) IFC 101.1 is amended to read as follows:

101.1 Title. These regulations shall be known as the Fire Code of the City of Minot, ND, hereinafter referred to as "their code."

- (2) IFC 102.4 is amended to read as follows:

102.4 Application of Building Code. The design and construction of new structures shall comply with the International Building Code as amended by the State of North Dakota. And any alterations, additions, changes in use or changes in structures required

by their code which are within the scope of the International Building Code as amended by the State of North Dakota shall be made in accordance therewith.

- (3) IFC 104.9 is amended to read as follows:

104.9 Alternative materials and methods. Appeals regarding the suitability of alternate materials, types of construction, or code interpretation shall be made as established under section 9-2(6) of the City of Minot Code of Ordinances.

- (4) IFC 105.6.1 is deleted.

- (5) IFC 105.6.8 is amended to read as follows:

IFC 105.6.8 An operational permit is required for carbon dioxide systems used in beverage dispensing applications having more than 500 pounds of Carbon Dioxide.

- (6) IFC 105.6.10 is deleted.

- (7) IFC 105.6.14 is deleted.

- (8) IFC 105.6.20 is deleted.

- (9) IFC 105.6.23 is amended to read as follows:

IFC 105.6.23 Hot work operations.

An operational permit is required for hot work including, but not limited to:

1. Use of portable hot work equipment inside a structure.

Exception: Work that is conducted under a construction permit.

2. Fixed-site hot work equipment, such as welding booths.

3. Hot work conducted within a wildfire risk area.

4. Where approved, the fire code official shall issue a permit to carry out a hot work program. Their program allows approved personnel to regulate their facility's hot work operations. The approved personnel shall be trained in the fire safety aspects denoted in their chapter and shall be responsible for issuing permits requiring compliance with the requirements found in chapter 34. These permits shall be issued only to their employees or hot work operations under their supervision.

- (10) IFC 105.6.29 is deleted.

- (11) IFC 105.6.30 is deleted.

- (12) IFC 105.6.43 is amended to read as follows:

IFC 105.6.43 Repair garages. An operational permit is required for operation of repair garages.

- (13) IFC 105.7, inclusive of IFC 105.7.1 through IFC 105.7.25, are deleted.

- (14) IFC 110.4 is amended to read as follows (although IFC 110.4.1 shall remain as provided in the 2018 IFC) :

IFC 110.4 Violations penalties.

Persons shall not violate any provision of their code; fail to comply with any of the requirements thereof; or 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 their code. Violations shall be punishable pursuant to section 1-8 of the City of Minot Code of Ordinances. Each violation shall constitute a separate violation. Each day any person violates any provision of their code shall constitute a separate offense.

(15) IFC 110.5 is enacted to read as follows:

IFC 110.5 Remedies cumulative.

The remedies provided for in their code shall be considered cumulative to, or alternative to, the remedies set forth in chapter 9, or chapter 22, or both, of the Code of Ordinances.

(16) IFC 112.4 is amended to read as follows:

IFC 112.4 Failure to Comply.

No person shall continue any 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. A violation of their provision shall be punishable pursuant to section 1-8 of the City of Minot Code of Ordinances. Each day any person violates any provision of their code shall constitute a separate offense.

(17) IFC 202 General Definitions. The following definitions are amended to read as follows:

Commercial Motor Vehicle. A motor vehicle used to transport passengers or property or motorized equipment where the motor vehicle or equipment:

1. Has a gross vehicle weight of 10,000 pounds (454kg) or more; or
2. Has a combined fleet weight of 26,000 pounds or more; or
3. Is designed to transport 16 or more passengers, including the driver.

Group E, day care facilities. Their group includes buildings and structures or portions thereof occupied by more than 18 children older than 2½ years of age who receive educational, supervision or personal care services for less than 24 hours a day.

Residential Group R-3. Residential Group R-3 occupancies where the occupants are primarily permanent in nature and not classified as Group R-1, R-2, or R-4 or I, including

Boarding houses (non-transient) with 16 or fewer occupants

Building that do not contain more than two dwelling units.

Child care facilities that provide accommodations for eighteen or few persons of any age for less than 24 hours.

Congregate living facilities (non-transient) with 16 or fewer occupants

Congregate living facilities (transient) with 10 or fewer occupants

Lodging houses with five or fewer guest.

(18) IFC 308.1.4 is amended to read as follows:

IFC 308.1.4 Open flame cooking devices. Charcoal burners and other open-flame cooking devices shall not be operated on combustible balconies or decks or within 10 feet of combustible construction.

Exceptions:

1. One- and two-family dwellings
2. LP-gas cooking devices having LP-gas container with a water capacity not greater than 47.8 pounds (nominal 20 pounds LP-gas capacity) Devices using deep oil containers, (i.e. turkey fryers), are not included in their exception.

(19) IFC 603.4 is amended to read as follows:

IFC 603.4 Portable unvented heaters. Portable unvented fuel-fired heaters shall be prohibited in occupancies in Group A, E, I, R-1, R-2, R-3, and R-4.

(20) IFC 806.1.1 is amended to read as follows:

IFC 806.1.1 Restricted occupancies. Natural cut trees shall be prohibited in Group A, E, I-1, I-2, I-3, I-4, M, R-1, R-2, and R-4 occupancies.

Exceptions:

1. Trees located in areas protected by an approved automatic sprinkler system installed in accordance with Section 903.1.1 or 903.1.2 shall not be prohibited in Groups A, E, M, R-1 and R-2.
2. Trees shall be allowed within dwelling units in Group R-2 occupancies.
3. Trees located in churches and other places of worship provided each tree has a two day supply of water which when full covers the tree stem no less than two inches.

(21) IFC 903.2.8 is amended to read as follows:

IFC 903.2.8 Group R.

An automatic sprinkler system installed in accordance with Section 903.3 shall be provided throughout all buildings with a Group R fire area.

Exception: Sprinklers are not required in single family dwelling or residential buildings that contain no more than two dwelling units.

(22) IFC 903.2.9 is amended to read as follows:

IFC 903.2.9 Group S-1.

An automatic sprinkler system shall be provided throughout all buildings containing a Group S-1 occupancy where one of the following conditions exists.

1. A Group S-1 fire area exceeds 12,000 square feet.
2. A Group S-1 fire area is located more than three stories above grade plane.
3. The combined area of all group S-1 fire areas on all floors, including mezzanines, exceeds 24,000 square feet.
4. A Group S-1 fire area used for the storage of commercial motor vehicles where the fire area exceeds 5,000 square feet.
5. A Group S-1 occupancy used for the storage of upholster furniture or mattresses exceeds 2,500 square feet.
6. A Group S-1 fire area where the usage is not determined at the time of the building permit.

(23) IFC 903.3.1.1.1 is amended to read as follows:

IFC 903.3.1.1.1 exempt locations. Automatic sprinklers shall not be required in the following rooms or areas where such rooms or areas are protected with an automatic fire detection system in accordance with section 907.2 that will respond to visible or invisible particles of combustion. Sprinklers shall not be omitted from a room merely because it is damp or fire-resistance-rated construction or contains electrical equipment.

1. A room where the application of water, or flame and water constitutes serious or fire hazard.
2. A room or space where sprinklers are considered undesirable because of the nature of the contents, where approved by the fire code official.
3. Generator and transformer rooms separated from the remainder of the building by walls and floor/ceiling or roof/ceiling assemblies having a fire resistance rating of not less than 2 hrs.
4. Rooms or areas that are noncombustible construction with wholly noncombustible contents.
5. Fire service access elevator machine rooms and machinery.
6. Machine rooms, machinery spaces, control rooms, and control spaces associates with occupant evacuation elevator designed in accordance with section 3008 of the International Building Code.
7. Sprinkler heads in unoccupied mall tenant spaces maybe installed at ceiling height if allowed by the code official. Permission will be granted on an individual basis. Combustible storage shall not be allowed in these unoccupied tenant spaces if sprinkler heads are installed at ceiling height. Signage shall be provided outlining the storage restriction.

(24) IFC 903.3.5.3 is enacted to read as follows:

903.3.5.3 Water Supply Pipe. Pipe and fittings for fire service water supply piping from 5' outside building to the first flange above the floor shall be as listed in NFPA 24. Ductile iron pipe shall be protected from corrosion with sacrificial cathodic protection.

(25) IFC 905.3.1 is amended to read as follows:

IFC 905.3.1. Building height. Class I standpipe systems shall be installed throughout buildings where the floor level of the highest story is located more than thirty feet above the lowest level of fire department vehicle access, or where the floor level of the lowest story is located more than thirty feet below the highest level of fire department vehicular access.

(26) IFC 905.3.4 is amended to read as follows:

IFC 905.3.4 Stages. Stages greater than 1,000 square feet (93 m²) in area shall be equipped with a Class I stand pipe system on each side of the stage.

(27) IFC 905.5 and 905.6 are deleted.

(28) IFC 907.2.10.1 is amended to read as follows:

IFC 907.2.10.1 Group R-1.

Single- or multiple-station smoke alarms shall be installed in all of the following location in group R-1:

1. In sleeping areas.
2. In every room in the path of the means of egress from the sleeping areas to the door leading from the sleeping unit.
3. In each story within the sleeping unit, including basements. For sleeping units with split levels and without an intervening door between the adjunct levels, a smoke alarm installed on the upper level shall suffice for the adjacent lower level provided that the lower level is less than one full story below the upper level.
4. In dwelling units where the ceiling height of a room open to the hallway serving the sleeping rooms exceeds that of the hallway by 24 inches (610 mm) or more, smoke detectors shall be installed in the hallway and in the adjacent room.

(29) IFC 907.2.10.2 is amended to read as follows:

IFC 907.2.10.2 Group R-2, R-3, R-4 and I-1.

Single- or multiple-station smoke alarms shall be installed in all of the following location in group R-2, R-3, R-4 and I-1 regardless of occupant load at all of the following locations:

1. On the ceiling or wall outside of each separate sleeping area in the immediate vicinity of bedrooms.
2. In each room used for sleeping purposes
3. In every room in the path of the means of egress from the sleeping areas to the door leading from the sleeping unit.
4. In each story within the dwelling unit, including basements, but not including crawl spaces and uninhabitable attics. In dwellings or dwelling units with split level and without an intervening door between the adjacent levels, a smoke alarm

installed on the upper level shall suffice for the adjacent lower level provided that the lower level is less than one full story below the upper level.

5. In dwelling units where the ceiling height of a room open to the hallway serving the sleeping rooms exceeds that of the hallway by 24 inches (610 mm) or more, smoke detectors shall be installed in the hallway and in the adjacent room.

(30) IFC 907.8.3 is deleted.

(31) IFC 1030.3 is amended to read as follows:

IFC 1030.3 Maximum Height from floor. Emergency Escape and rescue opening shall have the bottom of the clear opening not greater than 48 inches measure from the floor.

(32) IFC 2303.1 is amended to read as follows:

IFC 2303.1 Location of dispensing devices: Dispensing devices shall be located as follows:

1. 10 feet or more from lot lines.
2. 10 feet or more from buildings having combustible exterior wall surfaces that are not part of a 1-hour fire-resistance-rated assembly or buildings having combustible overhangs. Exception; Canopies constructed accordance with the International building Code providing weather protection for the fuel island.
3. Such that all portions of the vehicle being fueled will be on the premises of the motor fuel-dispensing facility.
4. Such that the nozzle, when the hose is fully extended, will not reach within 5 feet of the building openings.
5. Twenty feet or more from fixed sources of ignition.
6. On new installations, dispensing devices used to fill portable containers with home heating fuels shall not be located on the same island where class I liquids are dispensed.

(33) IFC section 6103.2.1.6 is amended to read as follows:

IFC 6103.2.1.6 Portable LP- Gas Containers. Portable LP-gas containers are allowed to be used to supply approved self-contained torch assemblies or similar appliances. Such containers shall not exceed a water capacity of 12 pounds.

(34) Adopt Appendix B in its entirety.

(35) Adopt Appendix C in its entirety.

(36) Adopt Appendix D in its entirety.

§2. This Ordinance shall become effective upon final passage and approval.

Passed 1st Reading:

Passed 2nd Reading:

ATTEST:

APPROVED:

Kelly Matalka, City Clerk

Shaun Sipma, Mayor