

BILL NO. _____

ORDINANCE NUMBER _____

AN ORDINANCE ESTABLISHING MINIMUM REGULATIONS GOVERNING THE SAFEGUARDING OF LIFE AND PROPERTY FROM FIRE AND EXPLOSION HAZARDS KNOWN AS *THE FIRE PREVENTION CODE* OF THE CITY OF WARRENSBURG, STATE OF MISSOURI

NOW THEREFORE BE IT ORDAINED BY THE COUNCIL OF THE CITY OF WARRENSBURG, MISSOURI, AS FOLLOWS:

Section 1. That Section 10-36 of Article III of Chapter 10 of the Code of the City of Warrensburg, adopted by Ordinance Number 3700, and entitled, "Adoption of International Fire Code", is hereby repealed and a new Section 10-36 is enacted in lieu thereof, as follows:

SECTION 10-36. ADOPTION OF INTERNATIONAL FIRE PREVENTION CODE.

That a certain document, three (3) copies of which are on file in the office of the City Clerk of the City of Warrensburg, being marked and designated as the *2018 International Fire Code*, including Appendix Chapters A,B, C, D, E, F, G, H, and I, as published by the International Code Council, be and is hereby adopted as the Fire Prevention Code of the City of Warrensburg in the State of Missouri; for the control of buildings, structures and premises as herein provided; and each and all of the regulations, provisions, conditions and terms of said *2018 International Fire Code*, are hereby referred to, adopted and made a part hereof as of fully set out in this Ordinance, with the additions, insertions, deletions and changes, if any, prescribed in Section 10-37 of this Article.

Section 2. That Section 10-37 of Article III of Chapter 10 of the Code of the City of Warrensburg, adopted by Ordinance Number 3700, and entitled, "Amendment" is hereby repealed and a new Section 10-37 is enacted in lieu thereof, as followed:

SECTION 10-37. ADDITIONS, INSERTIONS AND CHANGES.

The code adopted by Section 10-37 is hereby amended by substituting the following sections or portions of sections for those sections or portions of sections with Corresponding number of the *2018 International Fire Code*, or where there is no corresponding section in the code the following sections shall be enacted as additions to the code.

- A. Section 101.1 Insert: "City of Warrensburg".
- B. Change **Section 103.1 General**. The first sentence shall read, "The department of fire prevention is established within the jurisdiction under the direction of the Fire Chief, or their designee."
- C. Change **Section 103.2 Appointment** to read: The fire code official shall be the Fire Chief of the City.
- D. Add in **Section 104.3** after 'reasonable times', "pursuant to the requirements of **Section 1-19** of the Code of Ordinances". Add at the end of this section,

“Application for a permit shall constitute consent to entry by building department officials at all reasonable times for purposes of inspection. Any refusal to permit entry will justify an immediate Stop Work order.”

- E. Add new **Section 105.7.26 Matters not specified.** It shall read, “The Fire Code Official shall have the ability to promulgate rules, regulations, policies, and procedures regarding open burning, open flames, open torches, and other such similar uses of fire to insure the safety of the public when such rules, regulations, policies or procedures are not specified by the 2018 International Fire Code.”
- G. Delete **Section 109.1 Board of appeals established** and add new **Section 109.1 Board of appeals established** that shall read, “The formation of the board of appeals shall be designated as in the 2018 International Building Code, Appendix A, as adopted by the City of Warrensburg.”
- H. **Section 110.4 Violation Penalties.** Add “an offense”, “\$500.00”, “90 days” Add after ‘both such fine and imprisonment’, “as provided in Section 1-15 of the Code of Ordinances.”
- I. Add new last sentence to **Section 111.1.1 Unsafe conditions**, which states, “Article VI of Chapter of the Warrensburg Code of Ordinance shall apply”.
- J. **Section 112.4. Failure to comply**, shall read, “Any person who 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, shall be liable to punishment under **Section 1-15** of the **Code of Ordinances.**”
- K. Delete tall matter appearing after “or rehabilitation in accordance with” of **Section 311.1.1. Abandoned premises.** Replace with, “with Article VI of Chapter 6 of the Warrensburg Code of Ordinances”.
- L. Strike all of Section 319 and insert:

319.1 All mobile food vending devices must be inspected annually, in conjunction with their business license renewal to ensure that the minimum requirements of this chapter are met. No city business license will be issued without an inspection being performed by the fire department and building department for fire and life safety.

- a. The fire code official is authorized to approve an alternative material or method of construction where the fire code official finds that the proposed design is satisfactory and complies with the intent of the provisions of this code, and that the material, method or work offered is, for the purpose intended, at least the equivalent of that prescribed in this code in quality, strength, effectiveness, fire resistance, durability, and safety.

- b. The fire code official is authorized to prevent the operation of any existing stove, oven, furnace, incinerator, boiler or any other heat-producing device or appliance found to be defective or in violation of code requirements for existing appliances after giving notice to this effect to any person, owner, firm or agent or operator in charge of the same.
- c. The fire code official is authorized to take measures to prevent the operation of any device or appliance without notice when inspection shows the existence of an immediate fire hazard or when imperiling human life. The defective device shall remain withdrawn from service until all necessary repairs or alterations have been made.
- d. It shall be a violation of this code for any person, user, firm or agent to continue the utilization of any device or appliance fire extinguisher unless written authority to resume operation is given by the fire code official.

319.2 At least one (1) 2A:10BC fire extinguisher is required for all mobile food vending operations, regardless of type of product served.

a. If grease vapors are present from cooking, a class K of appropriate size is required, based on the volume of cooking grease used or created from cooking with 6 liters being the minimum size, based on the requirements as found in Section 904.11.5.2 of the 2012 International Fire Code.

b. Extinguishers must be readily accessible and in an approved location, as outlined in your license issuance during inspection by the fire code official, prior to beginning operations and for the entire duration of operations.

c. Fire extinguishers must be serviced annually by a certified inspector/service company and tagged as appropriate or replaced each year with a new and operational extinguisher of the appropriate size and type. Upon request proof of annual service must be provided to the fire code official.

319.3 If propane powered appliances are used a maximum aggregate volume of 200 pounds, with no container exceeding 100 pounds per volume, unless it is approved by the Department of Transportation specifically for this purpose, is allowed.

a. If CNG powered appliances are present a maximum aggregate volume of 1,300 pounds of fuel is allowed.

b. The container must be secured to a solid surface capable of supporting its weight and in a way that it cannot be easily moved or fall over during operations.

319.4 All solid fuel cooking appliances may not have in stock a supply of fuel greater than will be used in one operational use. Storage of fuel must be

done in a place where it is protected from ignition sources until it is ignited to be used for cooking.

319.5 All mobile food preparation vehicles must be setup no closer than 10ft from one another or any combustible or flammable materials

a. Any operation using a portable generator must ensure that the portable generator is at least 10ft from any combustible or flammable materials, to include its path of exhaust.

319.6 A mechanical. Manual or automatic, fuel gas shut off device is required to be installed on the exterior of the vehicle when liquid or gas fuel sources are used to power the cooking equipment. All internal safeties on cooking appliances must be in operational order when the equipment is being operated.

319.7 All appliances and cooking equipment used must be used as manufactured and as intended by the manufacturer. No modifications to manufactured equipment or existing safety devices will be approved for use.

319.8 No extension cords, other than commercial grade cords that are UL listed for long term use, shall be used in lieu of permanent wiring for any cooking appliances or device used to cook or heat foods. All permanent wiring must be running into an overcurrent protection device.

a. The ampacity of the extension cords shall not be less than the rated capacity of the portable appliance supplied by the cord.

b. Extension cords shall be plugged directly into an approved receptacle, power tap or multiplug adapter and, except for approved multi-plug extension cords, shall serve only one portable appliance.

319.9 All wiring from portable or fixed electrical generating devices must be secured so that they do not cause a tripping hazard in any public way or means of egress.

a. All exhaust from fixed generators must be oriented so that it does not blow into the public means of egress or toward any flammable or combustible materials in a way that it could create a fire hazard.

b. Any portable generator must not be placed within the public way or means of egress from any location. Any portable generators directly adjacent to the public way must be protected so that the public cannot easily contact it in any way.

c. Fuel from generators must be stored separate from any source of ignition and within approved containers during transportation and operation, and cans must have flame arresting screens in place.

319.10 If a mobile food vending apparatus has a commercially installed hood and fire suppression system, the system must be maintained in accordance with the International Fire Code and manufacturers requirements or must be removed from the apparatus.

- M. Add **New Section 506.1.3** that shall state, "To insure compatibility with our present key box system, the manufacturer shall be the 'KNOX COMPANY'. A "Knox Box" will be required on all commercial buildings with a fire alarm or fire suppression system and other occupancies as determined by the Fire Code Official.
- N. Replace **904.1.1** with "Service personnel providing maintenance or conducting maintenance on automatic fire extinguishing systems, other than automatic sprinkler systems, shall possess a valid certificate of training in accordance with the manufacturer of the system, or other approved organizations for the type of system installed."
- O. *Add two new sentences at the end of **Section 907.2.9.2**, which states, "Batteries in battery operated smoke detectors shall be replaced at least once ever twelve (12) months. Replacement shall be dated, in a permanent fashion, when installed "*
- P. Add new **Section 903.4.2.1** "An approved indication or strobe light must be provided no more than 6 feet above Fire Department Connections and must activate upon water flow or fire alarm activation in addition to the required audible alarm".
- Q. Add at the end of **Section 912.3** add "Fire department connection (FDC's) shall be 4 inch Storz connections on a 30 degree down elbow".
- R. Add a new **Section 907.9.1**, Any commercial building that is not required by section 907 to have a fire/smoke detection or alarm system, but elects to install one, may elect to have an alarm and security company design and install a system for their facility, without being required to submit plans provided:
- a. Notify the Warrensburg Fire Dept that they are having a system installed
 - b. Remove the system if it is no longer operational.
 - c. Maintain all records and tests as required by section 907 of 2018 IFC
 - d. Provide a KNOX box on their premises for Fire Dept access in the event of an alarm as required by local ordinance
- S. **912.4.1** Replace with "Knox Company brand locking caps are required on fire department connections for water based fire protection".
- T. **1010.1.9.4**, item 2 replace after 'equipped with' "locking devices that are readily openable from the egress side without the use of a key or special knowledge or effort:"
- U. **1103.5.1.1** Where alcoholic beverages are consumed in a group A-2 occupancy having an occupant load of 300 or more, the fire area containing the Group A-2 occupancy shall be equipped with an automatic sprinkler system in accordance with section 903.3.1.1

- a. **Upon adoption of this Code**, all occupancies that this section applies to must be served written notice within 30 days to the owner if possible, or a managing representative of the premises of this new requirement
- b. All occupancies that this section applies to must make application for installation of a sprinkler system to the Warrensburg building department within 90 days of receipt of notice.
- c. All occupancies that this section applies to must begin installation of sprinkler system 1 year and have the work completed within 180 days of beginning retrofitting.

V. *Add new exception number 3, as follows, to Section D107.1.3.*

Where fire apparatus access roads are proposed to connect with future development, the fire code official may approve a temporary alternative fire apparatus access road to serve as the second required fire apparatus access road when all the following conditions are met:

- a.
 - The alternative fire apparatus access road shall be at least 300' from the primary fire apparatus access road at the point closest to the two fire apparatus access road, and;
- b.
 - The alternative fire apparatus access road shall be asphalt, concrete or other approved driving surface capable of supporting the imposed load of fire apparatus weighing at least 80,000 pounds, and;
- c.
 - The alternative fire apparatus access road shall provide at least 20' of unobstructed width and shall be posted in accordance with the provisions of D 103.6, and;
- d.
 - The alternative fire apparatus access road shall not exceed 10 percent in grade, and;
- e.
 - The alternative fire apparatus access road shall be equipped with gates or other means necessary to ensure that the alternative fire apparatus access road is always available for use by fire apparatus.

When development progresses to the point that the provisions of Section D 104.3 and the requirement to provide a second fire apparatus access

road are met by the development, the temporary alternative fire apparatus access road shall no longer be required.

Section 3. That Section 10-38 of Article III of Chapter 10 of the Code of Ordinance is hereby adopted to read as follows:

SECTION 10-38. VIOLATIONS. Any violation of a code adopted under this article shall be punishable as an offense under the provisions of Section 1-15 of the Code of Ordinances.

Section 4. **SAVING CLAUSE.** Nothing in this Chapter or in the Fire Prevention Code hereby adopted shall be construed to effect any suit or proceeding pending in any court, or any rights acquired, or liability incurred, or any cause or causes of action acquired or existing, under any act or ordinance hereby repealed; nor shall any just or legal right or remedy of any character be lost, impaired or affected by this Chapter; nor shall any sentence or word of this Chapter of the Code or Standards hereby adopted be declared for any reason to be invalid, it is the intent of the City Council that it would have passed all other portions of this Chapter independent of the elimination here from of any such portion as may be declared invalid.

Section 5. **VALIDITY.** That if any section, subsection, sentence, clause or phrase of this ordinance is, for any reason, held to be unlawful, such decision shall not affect the validity of the remaining portions of this ordinance. The City of Warrensburg hereby declares that it would have passed this ordinance, and each section, subsection, clause or phrase thereof, irrespective of the fact that any one or more sections, clauses and phrases be declared unlawful. In the event any portion of the ordinance is declared invalid, the repeal of the corresponding prior code shall also be invalid to the same extent.

Section 6. **INCORPORATION.** It is intended that the provisions of this ordinance be incorporated into the Code of Ordinances.

Section 7. **DATE OF EFFECT.** That the Warrensburg City Clerk shall certify to the adoption of this ordinance, and this ordinance shall be in full force and effect from and after its passage by the City Council.

Read two times and passed by Title this _____ day of _____, 2018.

Danielle Johnston, Mayor

ATTEST.

Cindy Gable, City Clerk