

CHARTER TOWNSHIP OF HURON

FIRE PREVENTION ORDINANCE

Ord. No 12-02

Second Reading

Amendment to Ord. No. 03-03

An ordinance establishing minimum requirements 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 or premises, known as the Fire Prevention Code; to provide penalties and remedies for the violation thereof, and repealing all ordinances or parts of ordinances in conflict therewith.

THE CHARTER TOWNSHIP OF HURON, WAYNE COUNTY MICHIGAN, ORDAINS:

191.001

Adoption of Fire Prevention Code.

Sec. 1. That a certain document, three copies of which are on file in the office of the Township Clerk of the Charter Township of Huron, being marked and designated as "The International Fire Code, 2009 Edition" as published by the International Code Council (ICC), is hereby adopted as the Fire Prevention Code of the Charter Township of Huron, County of Wayne, State of Michigan; for the control of buildings, structures and premises as herein provided; and each and all of the regulations, provisions, penalties, conditions and terms of said "International Fire Code", as hereby referred to, are adopted and made part hereof, as if fully set out in this ordinance.

191.002

Inconsistent ordinances repealed

Sec. 2. That all ordinances or parts of ordinances in conflict herewith are hereby repealed.

191.003

Additions, insertions and changes

Sec. 3. That the following sections are hereby revised as follows:

Section 101.1 Title. Insert: (Charter Township of Huron)

191.004

Establishment of limits

Sec. 4 That the limits referred to in Section 3304 of the International Fire Code 2009, in which the storage of explosive materials are hereby established as follows: No quantity of explosives in excess of the exempt amounts listed in table 3304.3 shall be stored, handled, or used within any structure within the boundaries of the Charter Township of Huron.

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 Michigan Department of Environmental Quality.

Sec. 5. Exceptions: Except for special use by contractors temporary display purposes and only as approved by the authority having jurisdiction (AHJ) shall modification to these exempt amounts be allowed.

Sec. 6. Furthermore, all exempt amounts shall be reported to the authority having jurisdiction (AHJ) for the purpose of hazard material reporting and pre-fire surveys.

191.005

References

Sec. 7. Whenever the word "municipality" is used in the fire prevention code, it shall be held to mean the Charter Township of Huron.

Sec. 8 Whenever the term "corporation counsel" is used in the fire prevention code, it shall be held to mean the Charter Township of Huron Attorney.

191.006

Modification of provisions

Sec. 9 The Chief of the fire department shall have the power to modify any of the provisions of the fire prevention code upon application, in writing by the owner or lessee, or his/her duly authorized agent, when there are practical difficulties in the way of carrying out the strict letter of the code, provided that the spirit of the code shall be observed, public safety secured and substantial justice done. The particulars of such modification when granted or allowed, and decision of the Chief of the fire department thereon, shall be entered upon the records of the department and a signed copy shall be furnished to the applicant. Notice of the change shall be submitted to the Township Board.

191.007

Appeals

Sec. 10. Whenever the Chief of the fire department shall disapprove an application or refuse to grant a permit applied for, or when it is claimed that the provisions of the fire prevention code do not apply or that the true intent and meaning of the code has been misconstrued or wrongly interpreted, the applicant may appeal the decision of the Chief of the fire department to the Township Supervisor within thirty (30) days from the date of the decision appealed.

191.008

New materials, processes or occupancies requiring permits; prerequisites to new construction above grade.

Sec. 11 The Township Supervisor, the Chief of the fire department and the Township Building Official shall act as a committee to determine and specify, after giving affected persons an opportunity to be heard, any new materials, processes or occupancies, which shall require permits, in addition to those now enumerated in such code. The Chief of the fire department shall post such list in a conspicuous place in his/her office, and distribute copies thereof to interested persons.

Sec. 12. No new construction shall be started above grade level until the required water mains and fire hydrants are installed and in service in compliance with fire department and water department specifications.

Sec. 13. Fire hydrants are to be installed in compliance with the fire department and water department specifications. In single-family residential districts, no part of any building shall be more than five-hundred (500) feet from a fire hydrant and there shall be

no more than five-hundred (500) feet between fire hydrants. In all other districts, no part of any building shall be more than three-hundred (300) feet from a fire hydrant, and there shall be no more than three-hundred (300) feet between fire hydrants.

Sec. 14. 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.

Sec. 15. No new construction shall be started above grade level until an adequate roadway, approved by the authority having jurisdiction (AHJ), is provided for fire department access. Proper street signage shall be installed prior to above grade construction.

191.009

Penalty

Sec. 16. Any person who shall violate any of the provisions of the fire prevention code hereby adopted, or fail to comply therewith, or who shall violate or fail to comply with the provisions of this article or any order made thereunder, or who shall build in violation of any detailed statement of specifications or plans submitted and approved thereunder, or any certificate of permit issued thereunder and from which no appeal has been taken, or who shall fail to comply with such an order as affirmed or modified by the Township Supervisor, or by a court of competent jurisdiction, within the time fixed herein, shall severally for each and every violation, and noncompliance respectively, be guilty of a misdemeanor, punishable by a fine not to exceed Five Hundred (\$500.00) Dollars or by imprisonment not to exceed ninety (90) days, or both such fine and imprisonment in the discretion of the court. Each day that a violation of this ordinance shall exist shall constitute a separate and distinct offense and shall be so punishable.

Sec. 17. The application of the above penalty shall not be held to prevent the enforced removal of prohibited conditions.

191.010

Life Safety Code

Sec. 18 Adoption by reference

A certain document, three copies of which are on file in the office of the Township Clerk of the Charter Township of Huron, being marked and designated as Life Safety Code 2009 edition, as published by the National Fire Protection Association, is hereby adopted for the safety of life from fires in buildings and structures for the Charter Township of Huron, County of Wayne, State of Michigan; and each and all of the regulations, provisions, penalties, conditions and terms of the National Fire Protection

Association (NFPA 101) are hereby referred to, adopted and made part of the Ordinance Code of the Charter Township of Huron, as is fully set out in this article.

191.011

Saving Clause

Sect. 19. That nothing in this ordinance or in the Fire Prevention Code hereby adopted shall be construed to affect any suit or proceeding pending in 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 as cited in Section 2 of this ordinance; nor shall any just or legal right or remedy of any character be lost, impaired or affected by this ordinance.

191.012

Severability

Sec. 20. If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held invalid, unconstitutional, or is in conflict with Michigan State Construction Code Act of 1972, being P.A. 1972, Act 230, by any court of competent jurisdiction or the Michigan State Construction Code Commission, such portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portions hereof.

191.013

Effective Date

Sec. 21. This ordinance is hereby declared to be necessary for the preservation of the public health, safety and welfare, and shall be given immediate effect.

This Ordinance is said to have had its first reading by the Township Board of the Charter Township of Huron, County of Wayne, Michigan at their regular meeting called and held on the 22nd day of February, 2012 and the second reading at the regular meeting held on the 14th day of February, 2012 and ordered to be published in the manner described by law.

Kathlene L. Van Wasshnova

Charter Township of Huron

Publish HVNH

3/2/12