

No. _____

1st Reading _____

Ref. to _____ Comm.

Public Hearing _____

2nd Reading & Final
Passage _____

81-or-003

AN ORDINANCE

of the

CITY OF MINNEAPOLIS

Date _____

Date to Mayor _____

Date Returned _____

Date Resubmitted
to Council _____

Alderman Slater

presents the following ordinance:

Amending Title 9, Chapter 173 of the Minneapolis Code
of Ordinances relating to Fire and Police Protection: Fire.

The City Council of the City of Minneapolis do ordain as follows:

Section 1. That Section 173.380 of the above entitled
ordinance be amended to read as follows:

"173.380. Adopted. The UNIFORM Fire Prevention Code,
1970 1973 Edition, recommended by the American-Insurance
Association WESTERN FIRE CHIEFS ASSOCIATION AND THE INTERNATIONAL
CONFERENCE OF BUILDING OFFICIALS, AND AS AMENDED BY THE STATE
COMMISSIONER OF PUBLIC SAFETY, DIVISION OF FIRE MARSHAL , is
hereby adopted and incorporated in this chapter as fully as if
set forth herein, at least one copy of said code being marked
as an official copy and filed in the office of the city clerk,
and the same shall be in force and effect as the fire prevention
code for the city except such portions as are hereinafter
modified or amended."

Section 2. That Section 173.420 of the above entitled ordinance be amended to read as follows:

"173.420. Code amended. The UNIFORM fire prevention code adopted by this article is hereby amended in the following respects:

SECTION 1.210 IS AMENDED BY ADDING THERETO PARAGRAPH (c) TO READ AS FOLLOWS:

(c) WHENEVER ANY OF THE OFFICERS, MEMBERS OR INSPECTORS OF THE FIRE DEPARTMENT OR BUREAU OF FIRE PREVENTION SHALL FIND IN ANY BUILDING OR UPON ANY PREMISES DANGEROUS OR HAZARDOUS CONDITIONS OR MATERIALS AS FOLLOWS, HE OR THEY SHALL ORDER SUCH DANGEROUS CONDITIONS OR MATERIALS TO BE REMOVED OR REMEDIED IN SUCH MANNER AS MAY BE SPECIFIED BY THE CHIEF OF THE BUREAU OF FIRE PREVENTION:

(1) HAZARDOUS CONDITIONS ARISING FROM DEFECTIVE OR IMPROPERLY INSTALLED EQUIPMENT FOR HANDLING OR USING COMBUSTIBLE OR EXPLOSIVE OR OTHERWISE HAZARDOUS MATERIALS;

(2) ACCUMULATIONS OF DUST OR WASTE MATERIAL IN AIR CONDITIONING OR VENTILATING SYSTEMS OR OF GREASE IN KITCHEN OR OTHER EXHAUST DUCTS OR INADEQUATE CLEARANCES TO UNPROTECTED COMBUSTIBLE MATERIAL FROM HOODS, GREASE EXTRACTORS, AND DUCTS;

(3) ANY BUILDING OR OTHER STRUCTURE WHICH, FOR WANT OF REPAIRS, LACK OF ADEQUATE EXIT FACILITIES,

AUTOMATIC OR OTHER FIRE ALARM APPARATUS OR FIRE EXTINGUISHING EQUIPMENT, OR BY REASON OF AGE OR DILAPIDATED CONDITION, OR FROM ANY OTHER CAUSE, CREATES A HAZARDOUS CONDITION.

~~Section 1.6, entitled "Service of orders," is deleted.~~

~~Section 1.8 is hereby amended to read as follows:~~

~~1. Section 1.8. Fire records.~~

~~1(a) The chief of the fire department shall keep, in the office of the bureau of fire prevention, a record of all fires and alarms and of all facts concerning the same, as provided for in this chapter, and of such other information as may be required. -- Such records shall be made daily from the written reports of the officers of the fire department hereinbefore provided for.~~

~~1(b) The chief of the bureau of fire prevention shall keep a record, in the office of said bureau, of all inspections, investigations, complaints, orders, orders complied with, appeals and dispositions of the same, special and peculiar hazards, and such other information as may be required.~~

~~1(c) The chief or any officer of the fire department or the chief of the bureau of fire prevention or any assistant in said bureau may require any fire insurance company agent, adjuster or other proper person or corporation to furnish such information, relative to the person or property involved in any fire, as may be required under and in the enforcement of the provisions of this chapter.~~

Section 1-9 1.302, Permits, is amended to add the following:

'The fee for each permit shall be ~~five~~ TEN dollars
~~(\$5.00)~~ (\$10.00), and all permits shall expire one year
after date of issuance. All permits required to be issued
hereunder shall be issued by the director of inspections.'

~~Article I is amended by adding the following additional require-~~
~~ments to apply to the city:~~

~~'Vacant buildings.--The owner of any building whenever
it becomes vacant, shall remove therefrom all paper or other
combustible materials accumulated therein, and shall
securely close and keep closed all doors, windows or other
openings into such building while it remains unoccupied.'~~

~~Section 3.4 is amended to read as follows:~~

~~'Section 3.4.--Burning operations--~~

~~'The burning of wrecked or discarded automobiles or
any parts thereof or junk or any waste materials shall be
done only in incinerator enclosures approved for burning
purposes by the bureau of fire prevention, and then only
as permitted by the provisions of chapter 47 of the
Minneapolis Code of Ordinances.'~~

Section 12.103 is amended as follows:

The permittee shall furnish a bond or certificate of insurance in an amount deemed adequate by the Chief FIRE ENGINEER for the payment of all damages which may be caused either to a person or persons or to property by reason of the permitted display, and arising from any acts of the permittee, his agents, employees or subcontractors. THIS REQUIREMENT SHALL NOT APPLY TO ANY PYROTECHNICAL DISPLAY THAT RECEIVES FINANCIAL SPONSORSHIP FROM THE MINNEAPOLIS PARK AND RECREATION BOARD.

~~Section 12.3, Permits required, is amended to eliminate the requirement of a permit for small arms ammunition.~~

~~Section 12.5(b) is amended to read as follows:~~

~~1(b) No person shall possess, keep, store, sell, offer for sale, give away, use, discharge, transport or dispose of in any manner any explosives within the city, but by the authority of a written permit therefor as specified in section 12.3 except permits shall not be required by the fire prevention code for small arms ammunition.1-~~

Article ~~14~~ 13, 'Fire Prevention-Equipment¹ PROTECTION,' is amended by RENUMBERING SECTION 13.302 TO BE 13.302(a) AND BY adding the following additional requirements:

~~'14-6~~ 13.302(b). Hand fire extinguishers. Wherever portable fire extinguishers are required by this code, the person who owns or controls such extinguishers shall comply with the following requirements:

- ~~{a}~~ 1. A portable stored pressure fire extinguisher equipped with pressure indicators or gauges shall be serviced and recharged MAINTAINED by a licensed serviceman not less than once every two (2) years. All other portable fire extinguishers shall be serviced and recharged MAINTAINED not less than once each year. BY A LICENSED SERVICEMAN. All such fire extinguishers shall meet all requirements and specifications as set forth in National Fire Protection Association STANDARD Pamphlet No. 10, Installation of Portable Fire Extinguishers, ~~1975~~, 1978, copies of which are on file in the offices of the city clerk and the fire department.
- ~~{b}~~ 2. All such portable fire extinguishers shall be inspected every six (6) months and such inspection shall be recorded. After such inspection a licensed serviceman shall service THOROUGHLY CHECK said extinguisher immediately whenever any one of the following conditions occur:
 - a. A dated licensed serviceman's tag is not attached to the extinguisher.

- b. The ~~servicing~~ MAINTENANCE interval as set forth in paragraph 1. above of this section has expired.
 - c. The extinguisher's tamper seal is broken.
 - d. The extinguisher is damaged, impaired, leaking, under or over charged, or has obvious corrosion.
 - e. The extinguisher has been used.
 - f. MAINTENANCE ~~Servicing~~ of the extinguisher is ordered by the fire marshal.
- (e) 3. The use of inverted-type fire extinguishers shall be discontinued and they shall be discarded by January 1, 1980, ~~or at the next required hydrostatic test interval set forth in NFPA Pamphlet No. 10, current edition, whichever occurs first.~~ "Inverted-type fire extinguisher" means all fire extinguishers that require the device to be turned upside down to be activated. This includes: Soda acid, foam, water cartridge and loaded stream cartridge fire extinguishers. No person shall hydrostatically test any inverted-type fire extinguisher.

~~'14-7~~ 13.302(c). Tampering with fire extinguishers. No person shall tamper, meddle or interfere in any way with any fire extinguisher or part thereof, or hose connected therewith, or any inside or outside standpipe or its connection or hose connected therewith, in or upon any public building, or empty, injure, break or destroy the extinguisher or standpipe, or the machinery, hose, fixtures or connections of said extinguisher or standpipe; provided, that nothing herein contained shall prevent the use of such extinguisher, hose or connections,

inside or outside standpipe, or its connections or hose connected therewith, in the event of fire in the building in or upon which said apparatus is kept, or its vicinity, nor prevent the filling or repair of any extinguisher or the repair of any standpipe, connection or hose connected therewith, or the inspection of any of said auxiliary firefighting equipment by persons regularly authorized to inspect the same.

~~Section 13.4(a) -- The Chief of the Bureau of Fire Prevention shall require a bond from each permittee in a sum not less than \$1,000.00 conditioned on compliance with the provisions of this article. -- This requirement shall not apply to any pyrotechnical display that receives financial sponsorship from the Minneapolis Park Board.~~

Section ~~16.13~~ 15.103 is hereby amended to add the following subsections and requirements for permits:

- ~~(e)~~ 4. For the removal of flammable liquid tanks abandoned or closed.
- ~~(f)~~ 5. For the repair operation on flammable liquid tanks.
- ~~(g)~~ 6. For the installation or replacement of tanks for use or storage of glass or glass-like flammable liquids.

Article 16 15 is further amended by adding to Division 1, General Provisions, the following requirements for the abandonment or removal of flammable liquid tanks:

- ~~(a)~~ 15.113(a) Whenever a filling station, or bulk oil plant, or other flammable liquid tank on private property are abandoned or closed temporarily or

permanently, a written notice to that effect posted no later than the date of abandonment or closing shall be given to the chief of the bureau of fire prevention, and if closed or abandoned for a temporary period only, any fill pipes shall be enclosed in concrete or secured in a manner approved by the chief of the bureau of fire prevention. If such filling station or bulk oil plant shall be closed, or abandoned permanently, all pumps and tanks shall be removed from the premises.

(b) All tanks which have contained gasoline or any flammable liquid with a flash-point under 100-degrees-Fahrenheit shall be completely emptied of their contents and safely disposed of by removing from the premises. Emptied tank shall be thoroughly purged with an inert gas such as carbon dioxide gas at the rate of 50 pounds per 1,000 gallons of tank capacity and then securely plugged and capped at all openings and removed from the premises to a safe location approved for such storage by the bureau of fire prevention.

Section ~~16-22(a)~~ 15.201(a) is hereby amended to read as follows:

(a) Restricted locations. Aboveground tanks for the storage of gasoline in connection with any filling station are prohibited. The storage of Class I and II flammable liquids in aboveground tanks outside of building is prohibited within the fire limits.

Section ~~16-61~~ 15.601 is hereby amended to read as follows:

Section ~~16-61~~ 15.601. Location of plants.

No new bulk plant shall be constructed within the fire limits.

~~Section-16-75(f);-entitled-"Special-Type-Dispensers;"-is-hereby-deleted.~~

~~Section-18-3;-entitled-"Permit-Required;"-is-hereby-deleted.~~

Article ~~19~~ 18 is amended to add the following requirement SECTION:

18.106. There shall be no pit in any floor of any garage or service station without the approval of the chief of the fire prevention bureau. All lighting and wiring shall comply with state law. Mechanical ventilation shall be provided and shall be interlocked with the lighting system to provide

ventilation when the lights are turned on.

~~Section 21-6a--is hereby amended to read as follows:~~

~~a--Within the fire limits established by law, the aggregate capacity of any one installation for the bulk storage of liquefied petroleum gas shall not exceed 2,000 gallons water capacity; except that in particular installations this capacity limit may be altered at the discretion of the chief of the bureau of fire prevention after consideration of special features such as topographical conditions, nature of occupancy and proximity to buildings, capacity of proposed tanks, degree of private fire protection to be provided, and facilities of the local fire department.~~

~~Article 24,--1011-Burning-Equipment;--is deleted.~~

~~Section 28-1(b)-is hereby amended to read as follows:~~

~~(b)--Prohibition--No fire or burning referred to in this chapter shall be permitted or authorized which is prohibited by the provisions of chapter 47 of the Minneapolis Code of Ordinances.~~

Section 28-3 29.102 is hereby amended to add the requirements of the following additional subsections to apply in the city:

{e} (c) Smoking in hotels, etc. No person in any hotel, rooming house or other place of public abode shall smoke carelessly or negligently so as to set fire to any bedding, drapes, furniture or the like, thereby endangering life or property, and the manager or person in charge of any hotel, rooming house or other place of public abode shall make reasonable efforts to enforce these provisions. Notice of these provisions shall be conspicuously maintained in each sleeping room of every hotel, rooming house or other place of public abode.

{f} (d) Smoking in stores. No person shall smoke or carry a lighted cigar, cigarette, pipe or match in any retail store which is designed and arranged to accommodate more than one hundred (100) persons or in which more than ten (10) persons are employed, and the manager or person in charge of

... a retail store shall make reasonable efforts to enforce these provisions. A person may smoke or carry lighted cigars, cigarettes, pipes or matches in designated smoking and rest rooms, restaurants, executive offices, beauty parlors and barbershops in such retail stores.

~~(g)~~ (e) Smoking in theaters. No person shall smoke in any public area in any theater except in such parts of the theater as shall be designated and authorized by the management and approved by the fire prevention bureau. The manager or person in charge of a theater shall make reasonable efforts to enforce this provision.

~~(h)~~ (f) Smoking in elevators. No person shall smoke, or carry a lighted cigar, pipe, cigarette or match in any elevator used by the public. Notice of this provision shall be conspicuously displayed by means of a lettered sign at least one and one-half (1-1/2) inches high, with the words "No Smoking" located in a prominent place within all such elevators.

~~(i)~~ (g) Smoking at public meetings. No person shall smoke or carry a lighted cigar, pipe, cigarette, or other lighted smoking apparatus in any auditorium, room or enclosed place during the time that a public meeting is being held. In addition to it being a violation for a person to smoke or carry such prohibited articles, the person conducting the meeting and the person in charge of the auditorium or other facility shall be responsible for notifying persons present at the meeting of the provisions of this subsection and for the conspicuous posting of "No Smoking" signs at all entrances to such meeting place normally used by the public. As used herein, public meeting shall include all meetings open to the public pursuant to Minnesota Statutes 471.705, Subd. 1, and any meeting of committees, groups, associations or other organizations held under the auspices of a body subject to Minnesota Statutes 471.705, Subd. 1. A violation of this subsection shall be punishable by a fine of not to exceed one hundred dollars (\$100.00).

Section-28-16-is-hereby-amended-to-add-the-requirements-of-the-following-addi-
tional-subdivisions:

(c)--The-width-of-said-fire-lanes-shall-be-fourteen-(14)-feet.

(d)--Whenever-the-parking-of-motor-vehicles-or-other-obstructions-on
private-property-shall-interfere-with-the-ingress-and-egress-of-fire-depart-
ment-vehicles-in-case-of-an-emergency;-such-as-at-shopping-centers;-theaters,
hospitals;-churches;-multiple-dwelling-complexes;-factory-areas;-and-similar
locations;-the-chief-of-the-bureau-of-fire-prevention-may-require-such-fire
lanes-be-established.

APPENDIX-B-AND-D-DELETED--Appendix-B;-¹Abandonment-or-Removal-of-Underground-Tanks;¹
and-Appendix-D;-¹Adopting-Ordinance;¹-are-deleted.

RECORD OF COUNCIL VOTE													
Alderman	Aye	Nay	N. V.	Abs.	Ovrd.	Sust.	Alderman	Aye	Nay	N. V.	Abs.	Ovrd.	Sust.
Dzied.	X						Scallon	X					
Corre	X						Howard	X					
Daugh...	X						Rockenstein	X					
White	X						Schulstad	X					
Slater	X						Hoyt	X					
Trostel	X						Pres. Rainville	X					
Kaplan	X												

X INDICATES VOTE N.V. — Not Voting Abs. — Absent Ovrd. — Vote to Override Sust. — Vote to Sustain

PASSED JAN 16 1981 19

APPROVED } JAN 22 1981 19
NOT APPROVED }
VETOED }

ATTEST [Signature] City Clerk

[Signature]
President of Council
[Signature]
Mayor