

AN ORDINANCE

AMENDING Chapter 38 of The Winfield City Code by the repeal of Section 38-32 of said Chapter and the adoption in lieu thereof of a new Chapter 38 Section 38-32.

WHEREAS, the Winfield Fire Department and Winfield Community Development Department of the City of Winfield recommended approval of proposed changes to the Fire Prevention Standards,

NOW, THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF WINFIELD, KANSAS, THAT:

Section 1. Chapter 38 Section 38-32 of the Municipal Code of the City of Winfield shall read as follows:

Sec. 38-32. - Amendments/revisions.

The following parts or portions of the 2015 International Fire Code are hereby amended and/or revised:

- (1) Section 101.1 insert: City of Winfield, Kansas.
- (2) Section 105.6.32.2, amended to read: No person shall kindle or maintain any bonfire, rubbish or grass fire or authorize any such fire to be kindled or maintained within the City, and open burning of rubbish, paper, tires, wire insulation, synthetics, leaves or chemicals is prohibited, EXCEPT that the Fire Chief or Fire Marshal for special or unusual occasions may grant permission to kindle or maintain a fire under such safety conditions he or she may prescribe in addition to those conditions provided by the 2015 International Fire Code.

Exception: Recreational Fires

- (3) Section 105.6.34, is amended to read: An operational permit is required to use open flames or candles in connection with all assembly areas. Exceptions may be made by the fire code official on his/her discretion.
- (4) Insert Section 105.6.49 Mobile food preparation vehicles. A permit is required for mobile food preparation vehicles equipped with appliances that produce smoke or grease-laden vapors.
- (5) Section 108 Board of Appeals: is amended to read: Whenever the fire chief disapproves any application or refuses to grant any permit applied for, or whenever it is claimed that the provisions of the 2015 International Fire Code do not apply or that the intent and meaning of such codes has been misconstrued or wrongly interpreted, the applicant may appeal from the decision of the fire chief within five days from the date of the decision to the city manager, who shall, within 20 days, review such appeal and file his order and thereon, and unless the decision is revoked or modified, it shall remain in full force and

be obeyed by such applicant, owner or occupant. The filing of an appeal shall stat the decision of the fire chief pending the order of the city manager. Any applicant, owner or occupant failing to comply with the decision of the fire chief or, if an appeal is taken, with the decision of the city manager, within ten days after the service of the decision shall be subject to any applicable penalties.

- (6) Section 109.4 insert Misdemeanor. \$500.00 30 days.
- (7) Section 111.4 insert \$100, \$500.00.
- (8) Section 202 Definition of recreational fires amended to read: Includes cooking fires, and campfires using charcoal, aged firewood or compressed logs that occur in designated areas or on private property for cooking, pleasure, or ceremonial purposes. Fires used for debris disposal purposes are not considered recreational fires. The size of a recreational fire is limited to 3' in diameter and 2' in height and have all combustibile material removed down to mineral soil with a containment area of rock, metal, concrete or any other noncombustible material.
- (9) Section 307.4, amended to read: Location. This location for open burning shall be not less than 50 feet from any structure, and provisions shall be made to prevent the fire from spreading within 50 feet of any structure.

Exceptions:

- 1. Fires in approved containers, such as recreational fires that are not less than 15 feet from a structure.
 - 2. The minimum required distance from a structure shall be 15 feet where the pile size is 3 feet or less in diameter and 2 feet or less in height.
- (10) Section 307.4.2, amended to read: Recreational Fires shall not be conducted within 15 feet of a structure or combustibile material. Conditions that could cause a fire to spread within 15 feet of a structure shall be eliminated prior to ignition. Fires contained in mobile cooking devices such as charcoal grills, wood smokers and propane or natural gas devices are not considered recreational fires.
- 1. Recreational fires shall be contained in one of the following:
 - a. A commercially manufactured containment device specifically designed, intended, and advertised for the purpose of containing a small outdoor fire.
 - b. An approved containment device constructed of rock, metal, concrete, or any other noncombustible material. The containment area shall be constructed so that the fire contained within is no larger than 3 feet in diameter and 2 feet in height. For containment devices less than 18" in height, the firewood shall extend no higher than 6 inches above the top of the containment.
 - i. Containment devices shall be solid in nature or constructed of a tightly woven mesh type noncombustible material.
 - ii. Containment devices with decorative cutouts shall have no more than 25% of the original material removed.

2. Only aged logs or commercially produced compressed logs shall be burned. Burning of lumber, pallets, scrap wood, tree trimmings, leaves, yard waste, paper, cardboard, garbage, and other similar items is prohibited.
 - a. Aged log – Natural firewood that has been sized and aged for use in wood burning stoves or fireplaces.
 - b. Compressed logs – Commercial wood products that have been designed for use in wood burning stoves or fireplaces.
3. No recreational fire shall be permitted to emit offensive or objectionable smoke or odors or when other circumstances create hazardous conditions that could lead to injury or damage to persons or property. If the fire or smoke is deemed to be objectionable or hazardous, fire department or law enforcement officials are authorized to order the extinguishment of the fire.
4. Recreational fires are not allowed if the wind speed exceeds 15 mph.
5. Commercially manufactured containment devices shall be used strictly in adherence with all manufacturer’s guidelines and specifications issued with respect to the make and model of said containment device.
6. Recreational fires shall be attended and supervised at all times by a person 18 years of age or older until the fire is out or extinguished.
7. A water source or other provisions for extinguishing the fire shall be immediately accessible at all times when a recreational fire is lit.
8. Hours of operation. A person shall not conduct a recreational fire between the hours of 12:00 A.M. and 6:00 a.m.
 - a. Exception: Recreational Fires at campgrounds at the Winfield Fairgrounds and Winfield City Lake.
9. Nothing in this section shall preempt the applicability of “burn ban” periods issued by appropriate state, county, or local authorities.

(11) Insert Section 319 Mobile Food Preparation Vehicles

319.1 General

Mobile food preparation vehicles that are equipped with appliances that produce smoke or grease-laden vapors shall comply with this section.

319.2 Permit required.

Permits shall be required as set forth in section 105.6.

319.3 Exhaust hood.

Cooking equipment that produces grease-laden vapors shall be provided with a kitchen exhaust hood in accordance with Section 609.

319.4 Fire protection.

Fire protection shall be provided in accordance with Sections 319.4.1 and 319.4.2.

319.4.1 Fire protection for cooking equipment.

Cooking equipment shall be protected with automatic fire extinguishing systems in accordance with Section 904.12.

319.4.2 Fire extinguisher.

Portable fire extinguishers shall be provided in accordance with Section 906.4.

319.5 Appliance connection to fuel supply piping.

Gas cooking appliances shall be secured in place and connected to fuel-supply piping with an appliance connector complying with ANSI Z21.69/CSA 6.16. The connector installations shall be configured in accordance with the manufacturer's installation instructions. Movement of appliances shall be limited by restraining devices installed in accordance with the connector and appliance manufacturers' instructions.

319.6 Cooking oil storage containers.

Cooking oil storage containers within mobile food preparation vehicles shall have a maximum aggregate volume not more than 120 gallons (454 L), and shall be stored in such a way as to not be toppled or damaged during transport.

319.7 Cooking oil storage tanks.

Cooking oil storage tanks within mobile food preparation vehicles shall comply with sections 319.7.1 through 319.7.5.2.

319.7.1 Metallic storage tanks.

Metallic cooking oil storage tanks shall be listed in accordance with UL 80 or UL 142, and shall be installed in accordance with the tank manufacturer's instructions.

319.7.2 Nonmetallic storage tanks.

Nonmetallic cooking oil storage tanks shall be installed in accordance with the tank manufacturer's instructions and shall comply with both of the following.

1. Tanks shall be listed for use with cooking oil, including maximum temperature to which the tank will be exposed during use.
2. Tank capacity shall not exceed 200 gallons (757 L) per tank,

319.7.3 Cooking oil storage system components.

Metallic and nonmetallic cooking oil storage system components shall include, but are not limited to, piping, connections, fittings, valves, tubing, hose, pumps, vents, and other related components used for the transfer of cooking oil.

319.7.4 Design criteria

The design, fabrication, and assembly of system components shall be suitable for the working pressures, temperatures, and structural stresses to be encountered by the components.

319.7.5 Tank venting.

Normal and emergency venting shall be provided for cooking oil storage tanks.

319.7.5.1 Normal vents.

Normal vents shall be located above the maximum normal liquid line and shall have a minimum effective area not smaller than the largest filling or withdrawal connection. Normal vents are not required to vent to the exterior.

319.7.5.2 Emergency vents.

Emergency relief vents shall be located above the maximum normal liquid line and shall be in the form of a device or devices that will relieve excessive internal pressure caused by an exposure fire. For nonmetallic tanks, the emergency relief vent shall be allowed to be in the form of construction. Emergency vents are not required to discharge to the exterior.

319.8 LP-gas systems.

Where LP-gas systems provide fuel for cooking appliances, such systems shall comply with Chapter 61 and Sections 319.8.1 through 319.8.5.

319.8.1 Maximum aggregate volume.

The maximum aggregate capacity of LP-gas containers transported on the vehicle and used to fuel cooking appliances only shall not exceed 200 pounds (91 kg) propane capacity.

Exception: Food preparation vehicles that are semi-permanently set in a specific location may be approved for a propane tank with up to a 150-gallon propane capacity. The site and installation must be approved by the city building and fire code officials.

319.8.2 Protection of container.

LP-gas containers installed on the vehicle shall be securely mounted and restrained to prevent movement.

319.8.3 LP-gas container construction.

LP-gas containers shall be manufactured in compliance with the requirements of NFPA 58.

319.8.4 Protection of system piping.

LP-gas system piping, including valves and fittings, shall be adequately protected to prevent tampering, impact damage, and damage from vibration.

319.9 CNG systems.

Where CNG systems provide fuel for cooking appliances, such systems shall comply with Sections 319.9.1 through 319.9.4.

319.9.1 CNG containers supplying only cooking fuel.

CNG containers installed solely to provide fuel for cooking purposes shall be in accordance with Sections 319.9.1.1 through 319.9.1.3

319.9.1.1 Maximum aggregate volume.

The maximum aggregate capacity of CNG containers transported on the vehicle shall not exceed 1,300 pounds (580 kg) water capacity.

319.9.1.2 Protection of container.

CNG containers shall be securely mounted and restrained to prevent movement. Containers shall not be installed in locations subject to a direct vehicle impact.

319.9.1.3 CNG container construction.

CNG containers shall be an NGV-2 cylinder.

319.9.2 CNG containers supplying transportation and cooking fuel.

Where CNG containers and systems are used to supply fuel for cooking purposes in addition to being used for transportation fuel, the installation shall be in accordance with NFPA 52.

319.9.3 Protection of system piping.

CNG system piping, including valves and fittings, shall be adequately protected to prevent tampering, impact damage and damage from vibration.

319.9.4 Methane alarms.

A listed methane gas alarm shall be installed within the vehicle in accordance with manufacturer's instructions.

319.10 Maintenance.

Maintenance of systems on mobile food preparation vehicles shall be in accordance with Sections 319.10.1 through 319.10.3

319.10.1 Exhaust system.

The exhaust system, including hood, grease-removal devices, fans, ducts, and other appurtenances, shall be inspected, and cleaned in accordance with Section 609.3.

319.10.2 Fire protection systems and devices.

Fire protection systems and devices shall be maintained in accordance with Section 901.6.

319.10.3 Fuel gas systems.

LP-gas containers installed on the vehicle and fuel-gas piping systems shall be inspected annually by an approved inspection agency or a company that is registered with the U.S. Department of Transportation to requalify LP-gas cylinders, to ensure that system components are free from damage, suitable for the intended service and not subject to leaking. CNG containers shall be inspected every 3 years in a qualified service facility. CNG containers shall not be used past their expiration date as listed on the manufacturer's container label. Upon satisfactory inspection, the approved inspection agency shall affix a tag on the fuel gas system or within the vehicle indicating the name of the inspection agency and the date of satisfactory inspection.

(12) Section 603.8 insert: The use of incinerators is prohibited within the City Limits.

(13) Section 903.2.1.2 Group A-2, Condition 2 is amended to read: The fire area has an occupant load of 200 or more.

(14) Section 907.2.1 is amended to read: A manual fire alarm system that activates the occupant notification system in accordance with Section 907.5 shall be installed in Group A occupancies having an occupant load of 100 or more. Portions of Group E occupancies occupied for assembly purposes shall be provided with a fire alarm system as required for the Group E occupancy.

Exceptions:

(1) Manual fire alarm boxes are not required where the building is equipped throughout with an automatic sprinkler system installed in accordance with Section 903.3.1.1 and the occupant notification appliances will activate throughout the notification zones upon sprinkler water flow.

(2) A manual fire alarm system that activates the occupant notification system in accordance with Section 907.5 shall be installed in places of religious worship (Group A-3) occupancies having an occupant load of 300 or more.

(15) Section 5608: Supplement to read: The provisions of Section 5608 are in addition to Article III Fireworks of the Municipal Code which remains in effect.

(16) Chapter 61, Liquefied Petroleum Gases is hereby SUPPLEMENTED with the following: There shall be no LPG fuel tanks installed within the City where there is natural gas available, except as authorized by Section 38-36 of the Municipal Code.

Section 2. This ordinance shall be in full force and effect on February 1, 2021 and after its publication in the official city newspaper.

ADOPTED this 19th day of January 2021.

CITY OF WINFIELD, KANSAS

By _____
Gregory N. Thompson, Mayor

ATTEST:

Brenda Peters, City Clerk

Approved for agenda action: _____
Taggart Wall, City Manager

Approved as to form: _____
William E. Muret, City Attorney