

**ORDINANCE NO. 775
SAGINAW CHARTER TOWNSHIP
SAGINAW COUNTY, MICHIGAN**

THE INTERNATIONAL FIRE CODE

An Ordinance of Saginaw Charter Township amending Chapter 30 of the Saginaw Township Code of Ordinances adopting the 2018 edition of the *International Fire Code*, regulating and 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 premises in Saginaw Charter Township; providing for the issuance of permits and collection of fees therefore; repealing Ordinance No. 751 of Saginaw Charter Township and all other ordinances and parts of ordinances in conflict therewith.

Saginaw Charter Township does ordain as follows:

Section 30-61. A certain document being marked and designated as the *International Fire Code*, (2018 edition, including Appendix Chapters A, D, I, J, K and NFPA 96.(see *International Fire Code Section 101.2.1*, 2018 edition), as published by the International Code Council, Inc., be and is hereby adopted as the Fire Code of the Saginaw Charter Township, in the State of Michigan regulating and 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 premises as herein provided; and providing for the issuance of permits and collection of fees therefore; and each and all of the regulations, provisions, penalties conditions and terms of said Fire Code, on file in the Township Clerk's office of Saginaw Charter Township are hereby referred to, adopted and made a part hereof as if fully set out in this ordinance, with the additions, insertions, deletions and changes, if any, prescribed in Section 30-62 of this ordinance.

Section 30-62: That the following sections are hereby revised:

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| Section 101.1 | Amend to read: Title. These regulations shall be known as the <i>Fire Code</i> of Saginaw Charter Township, hereinafter referred to as "this code." |
| Add Section 101.6 | Where referenced in this code, substitute <i>International Building Code, International Mechanical Code, and ICC Electrical Code</i> with <i>Michigan Residential Code, Michigan Plumbing Code, Michigan Mechanical Code, Michigan Building Code, Michigan Rehabilitation Code for Existing Buildings, and the Michigan Electrical Code</i> . |
| Section 105.6.32 | <p>Amend to read: Open burning. An operational permit is required for the kindling or maintaining of an open fire or a fire on a public street, alley, road or other public or private ground. Instructions and stipulations of the permit shall be adhered to.</p> <p>Exceptions:</p> <ol style="list-style-type: none">1. Recreational fires.2. Fires in portable outdoor fireplaces. |

Add Section 105.6.51	Family Child Care Home or Group Child Care Home. An operational permit is required to operate a family child care home or group child care home.
Add Section 108.1.1	Hearing. A hearing shall be set not less than ten (10) business days and not more than sixty (60) business days from the date of the appeal filed with the code official. Written notice of the date, time and place the hearing will be held will be given to the appellant at least ten (10) business days prior to the hearing date. The Fire Code Board of Appeals will have the opportunity to conduct investigations and will render decisions and findings in writing to the code official. The code official shall provide a duplicate copy of the decisions and findings to the appellant.
Section 110.4	Amend to read: Violation penalties. Persons who shall violate a provision of this code or shall fail to comply with any of the requirements thereof or shall 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 this code, shall be guilty of a civil infraction, punishable by a fine of not less than \$95 or greater than \$250.00. Each day that a violation continues after due notice has been served shall be deemed a separate offense.
Section 112.4	Amend to read: Failure to comply. Any person who shall continue to 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 guilty of a civil infraction.
Section 202	Add definition Strip Mall: A commercial building that is divided into separate spaces for business uses such as retail stores and service establishments, and which have outside entrances and share a parking lot.
Section 302.1	Delete Bonfire
Section 305.1	Amend to read: Clearance from ignition sources. Clearance between ignition sources, such as luminaries, heaters, flame-producing devices and combustible materials, shall be a minimum thirty-six inch (36") clear space or the clearance specified by the manufacturer of the source of ignition.
Section 307.1.1	Amend to read: Prohibited burning. Open burning, recreational fires, and portable outdoor fireplaces are prohibited under the following conditions: <ol style="list-style-type: none"> 1. Burning that is offensive or objectionable because of smoke or odor emissions or when atmospheric conditions or local circumstances make such fires hazardous; 2. Burning on land or parcels developed as occupancies other than single family and one-and-two family residential uses, except Special Use Open Burning.

3. Burning of leaves, yard waste, ditch banks, household rubbish, building materials, paper products, or any product other than clean wood.
4. Burning when wind speeds exceed ten (10) miles per hour.
5. No fires may be started before dawn.

Delete exception

Section 307.3

Amend to read: Extinguishment authority: The fire code official or other identified member of the fire department is authorized to order the extinguishment by the permit holder, another person responsible or the fire department of open burning, recreational fires, or fires in portable outdoor fireplaces that creates or adds to a hazardous or objectionable situation.

Section 307.4

Amend to read: Location. The location for open burning shall not be less than 50 feet (15 240 mm) from any structure, and provisions shall be made to prevent the fire from spreading to within 50 feet (15 240 mm) of any structure. The pile size for opening burning shall be 5 feet (1524 mm) or less in diameter, and 3 feet (914 mm) or less in height.

Special Use open burning shall be permitted on land or parcels developed as occupancies other than single family and one-and-two family residential uses and where the location for open burning shall not be less than 300 feet (91.4 m) from any structure, and provisions shall be made to prevent the fire from spreading to within 300 feet (91.4 m) of any structure. The pile size for opening burning shall be 10 feet (3048 mm) or less in diameter, and 6 feet (1828 mm) or less in height. All Special Use open burning sites shall be inspected by a fire code official prior to the initiation of the burn.

Delete exceptions 1 and 2

Section 307.4.1

Delete entire section.

Section 307.4.2

Amend to read: Recreational fires shall not be conducted within 15 feet (4572 mm) of a structure or combustible material. Conditions which would cause a fire to spread within 15 feet (4572 mm) of a structure shall be eliminated prior to ignition. Recreational fires shall be 3 feet or less (914 mm) in diameter, and 2 feet or less (610 mm) in height

Section 307.4.3

Delete exception

Section 307.5

Amend to read: Attendance. Open burning, recreational fires and use of portable outdoor fireplaces shall be constantly attended, by a responsible adult, at least eighteen (18) years of age, until the fire is extinguished. A minimum of one portable fire extinguisher complying with Section 906 with a minimum 2-A rating or other approved on-site fire-extinguishing equipment such as dirt, sand, water barrel, garden hose or water truck, shall be available for immediate utilization.

Add Section 307.6

Extinguishment. Recreational fires and fires in portable outdoor fireplaces shall not be ignited before 7 a.m. and shall be extinguished

by 11:00 p.m. daily. Open burning shall not be ignited before 7 a.m. and shall be extinguished by dusk each day.

- Add Section 311.1.3 Fire damaged premises. Buildings, structures, premises or portions thereof damaged by fire shall be secured. Exterior openings and interior opening accessible to unauthorized persons shall be boarded, locked, blocked or otherwise protected to prevent entry by unauthorized persons. Fire damaged premises that in the opinion of the fire official are considered uninhabitable shall be declared unsafe and abated by demolition or rehabilitation in accordance with the currently adopted version of the International Property Maintenance Code and the International Building Code.
- Section 315.3 Amend to read: Storage of combustible materials shall be orderly and stacks shall be stable. Storage of combustible materials shall be separated from heaters, heating and fuel fired devices by a distance of thirty-six inches (36") or by shielding, tested and approved by the manufacturer of the fuel fired device so that ignition cannot occur.
- Section 315.3.3 Amend to read: Equipment rooms. Combustible material shall not be stored in boiler rooms, mechanical rooms or electrical equipment rooms. A minimum of thirty-six inches (36") of clear unobstructed space shall be maintained on all sides of mechanical and electrical equipment.
- Add Section 401.3.2.1 Non-emergency alarm activations. Contractors, service and maintenance personnel shall be responsible for notifying the fire alarm monitoring central station and the fire department prior to servicing or testing fire suppression and fire alarm equipment and systems. Alarm activations created by systems service, maintenance or testing that result in fire department response shall be unlawful. The person, firm or company responsible for failing to notify the alarm central station and the fire department prior to generating an alarm shall be liable for a fine of \$250.00.
- Non-emergency alarm activations created by commercial tenants or alarm system owners during testing, conducting routine fire drills, or due to user error, improperly installed or maintained alarm systems that result in fire department response shall be considered unlawful. Any person responsible for said non-emergency alarm activations shall be guilty of a civil infraction. A notice of violation shall be issued to the tenant or alarm owner for the first fire department response within a calendar year; the second non-emergency fire department response shall result in a civil infraction fine of \$150.00. The third and subsequent non-emergency alarm responses shall result in a civil infraction fine of \$250.00 each.
- Non-emergency alarm activations created by residential tenants or alarm system owners during testing or due to user error, improperly installed or maintained alarm systems that result in fire department response shall be considered unlawful. Any person responsible for said non-emergency alarm activations shall be guilty of a civil infraction. A notice of violation shall be issued to the tenant or alarm owner for the first two (2) fire department responses within a calendar year; the 3rd, 4th, and 5th non-emergency fire department responses shall result in a civil infraction fine of \$35.00. The 6th and subsequent

non-emergency alarm responses shall result in a civil infraction fine of \$50.00 each.

Add Section 401.3.2.2 Non-emergency alarm activations during construction, demolition, and renovations. Contractors, service and maintenance personnel shall be responsible to take proper precautions and corrective measures during all construction, demolition, and renovation operations to prohibit non-emergency alarm activations. Alarm activations created by contractors, service and maintenance personnel that result in fire department response shall be unlawful. The person, firm or company responsible for failing to take proper precautions and corrective measures during construction, demolition, and renovation operations prior to generating an alarm shall be liable for a fine of \$250.00.

Section 401.5 Amend to read: Making false report. It shall be unlawful for a person to give, signal or transmit a false alarm. Any person convicted of knowingly making a false report shall be liable for a fine equal to the actual costs of the fire department response, but not less than \$1,000.00.

Section 503.3 Amend to read: Marking. Where required by the fire code official, approved signs or other approved notices or markings that include the words NO PARKING-FIRE LANE shall be provided, at maximum 50-foot intervals, for fire apparatus access roads to identify such roads or prohibit the obstruction thereof. The enforcement zone for NO PARKING-FIRE LANE areas shall encompass a radius of twenty-five feet (25') from the center of the sign. The means by which fire lanes are designated shall be maintained in a clean and legible condition at all times and replaced or repaired when necessary to provide adequate visibility.

Section 603.5.2 Amend to read: Heating appliance installation and maintenance. Heating appliances shall be installed and maintained in accordance with the manufacturer's instructions, the *International Building Code*, the *International Mechanical Code*, the *International Fuel Gas Code* and the *ICC Electrical Code*. A minimum of thirty-six inch (36") clear-space shall be maintained around the perimeter of all heating appliances.

Add Section 901.1.1 Installation and maintenance. Persons, companies, or corporations that service, recharge, install, hydro-test, inspect, maintain, alter, repair, or replace fire extinguishers, fire suppression devices or systems, other than water based fire sprinkler systems, within the jurisdiction of Saginaw Charter Township, shall have a *Contractor Registration* issued by the Saginaw Township Fire Prevention Bureau.

Persons, companies, or corporations who shall violate a provision of this code or shall fail to comply with any of the requirements thereof, shall be guilty of a civil infraction, punishable by a fine of not less than \$95 or greater than \$250.00.

Add Section 901.1.1.1 Registration. An application for contractor registration shall be filed with the Saginaw Township Fire Prevention Bureau. Applications shall include written proof of liability coverage with a limit of not less than one (1) million dollars (\$1,000,000), and one (1) of the following:

1. A certificate of training or certification issued by the manufacturer of the extinguisher, suppression device or system the applicant will be servicing, recharging, installing, hydro-testing, inspecting, maintaining, altering, repairing or replacing.
2. Authorization, certification, agreement or registration from the manufacturer of the fire extinguisher, suppression device or system the applicant will be servicing, recharging, installing, hydro-testing, inspecting, maintaining, altering, repairing or replacing.
3. Certification as an individual for fire extinguisher, fire suppression device or system training by a nationally recognized agency, association or testing firm acceptable to the fire code official.

An approved registration shall constitute permission to service, recharge, install, hydro-test, inspect, maintain, alter, repair, or replace fire extinguishers, fire suppression devices or systems.

Add Section 901.1.1.2 Expiration. A *Contactors Registration* shall remain in effect until reissued, renewed, or revoked, for a period of four (4) years from the date of issuance specified on the registration.

Add Section 901.1.1.3 Termination of Registration. Registration of a contractor that leaves the employment of a company certified by an equipment manufacturer, a distributor of a certifying distributor or under the sponsorship of a distributor will be terminated on the date of unemployment.

Section 902 Add definition Strip Mall: A commercial building that is divided into separate spaces for business uses such as retail stores and service establishments, and which have outside entrances and share a parking lot.

Add section 914.2.1.1 Strip Mall Control Valves and Flow Alarms: Where required by the Fire Code Official, an approved supervised indicating control valve, water flow alarm device, and inspectors test shall be installed in each tenant space at all protected strip malls.

Add Chapter 81 Family Child Care Home and Group Child Care Home

Add Section 8101 General. The provisions of this chapter shall govern the occupancy and maintenance of all structures and premises permitted for use as family child care homes and group child care homes.

Add Section 8101.2 Permits. An operational permit approving family child care and group child care homes shall be required as set forth in Section 105.6.50. Operational permits shall expire one (1) year from the date of issuance.

Family child care homes and group child care homes shall be licensed by and comply with the licensing requirements of the Michigan Department of Human Services, the home occupancy business

license of Saginaw Charter Township and the requirements of Chapter 81.

Add Section 8102.1

Definitions. The following words and terms shall, for the purposes of this chapter and as used elsewhere in this code, have the meanings shown herein.

Private home. A private residence in which the licensee permanently resides as a member of the household, which residency is not contingent upon caring for children or employment by a licensed or approved child placing agency.

Family child care home. A private home in which one (1) but fewer than seven (7) minor children are received for care and supervision for periods of less than twenty-four (24) hours a day, home includes a home in which care is given to an unrelated minor child for more than four (4) weeks during a calendar year, unattended by a parent or legal guardian, except children related to an adult member of the family by blood, marriage or adoption.

Group child care home. A private home in which more than six (6) but not more than twelve (12) minor children are given care and supervision for periods of less than twenty-four (24) hours a day unattended by a parent or legal guardian, except children related to an adult member of the family by blood, marriage, or adoption. Group care home includes a home in which care is given to an unrelated minor child for more than four (4) weeks during a calendar year.

Related. A parent, grandparent, brother, sister, step-parent, step-sister, step-brother, uncle, aunt, cousin, great aunt, great uncle, or step grandparent related by marriage, blood or adoption.

Add Section 8103

Smoke Detection

Add Section 8103.1

Smoke detection in family and group child care homes licensed for day and evening care. Smoke detectors in existing family and group childcare homes shall be capable of emitting an audible alarm signal of low battery supply.

Newly licensed family and group childcare homes and existing family and group childcare homes within three (3) years of approval of the initial child care operational permit shall be provided with interconnected smoke detectors that sound an alarm in unison. All hard-wired smoke detectors shall be installed by a licensed electrician. All electrical wiring and installation shall be approved by the electrical authority.

Add Section 8103.2

Smoke detection in new and existing family and group childcare homes licensed for overnight care shall have approved smoke detectors in locations as required in Section 5003.4 that are supervised by a listed residential fire alarm control panel. The fire alarm control panel shall be monitored twenty-four (24) hours daily at a UL listed Central Station.

Add Section 8103.3	Smoke detector replacement. Smoke detectors shall be replaced before expiration of the manufacturer's warranty or not less than every ten (10) years.
Add Section 8103.4	<p>Smoke detector location. Approved smoke detectors shall be installed, as required by the manufacturer's installation requirements, in the following locations:</p> <ol style="list-style-type: none"> 1. In each sleeping room 2. In the hallway or path of egress immediately outside the sleeping rooms. 3. On each level of the structure. 4. At the top of the basement stairs. 5. In each room occupied by childcare.
Add Section 8104	Carbon Monoxide Detection. Carbon monoxide detectors shall be installed on each level of the home in locations where they will be audible in the childcare areas. Carbon monoxide detectors shall be installed maintained and replaced as directed by the manufacturer's instructions and warranty.
Add Section 8105	Heating and Electrical Equipment
Add Section 8105.1	<p>Heat producing appliances shall be installed and maintained as required in the Michigan Mechanical and Michigan Electrical Code.</p> <p>Portable electric, portable fuel fired and ventless heating appliances are prohibited.</p>
Add Section 8105.2	Fuel and gas-fired furnaces, boilers, water heaters and appliances shall be inspected and determined in safe operable condition every two (2) years by qualified personnel licensed by the State of Michigan. A copy of the inspection report shall be submitted to the fire official at the time of annual inspections.
Add Section 8105.2.1	A method to prevent storage from within thirty-six inches (36") around the perimeter of all fuel and gas fired appliances and electrical panels shall be approved by the fire official at the time of permit inspections.
Add Section 8106	<p>Wood Burning Fireplaces, Wood Burning and Solid Fuel Burning Appliances. Wood burning fireplaces, wood and solid fuel burning appliances and vents and chimneys shall be inspected every two (2) years by a qualified individual.</p> <p>Wood burning fireplaces shall be provided with tight fitting glass enclosure doors. Glass doors shall be maintained closed at all times during burning in the fireplace.</p> <p>An approved physical barricade shall be provided around the perimeter of all wood and solid fuel burning appliances to prevent children from reaching within thirty-six inches (36") of the appliance.</p>

Add Section 8107	Attached Garage. Doors that open from a home into an attached garage shall be a minimum of 1 ¾ inch, solid wood core door, or a “B” labeled fire door.
Add Section 8108	Use of Multiple Stories
Add Section 8108.1	Basements. Basements that are not provided with two (2) approved means of egress shall not be occupied by children. An approved means of egress shall be considered stairs constructed as required in the Michigan Building Code. One (1) means of egress from the basement shall lead directly to the exterior of the home. An approved rescue or escape window with stairs that lead to finished grade shall be considered as an approved means of egress.
Add Section 8108.2	Second story homes. Second stories in family and group child care homes shall not be used for child occupancy without two (2) approved means of egress from the second story. Approved escape ladders permanently fastened to a rescue or escape window, constructed as required in the Michigan Building Code, in each room that will be occupied by children shall be approved as a means of egress.
Add Section 8109	Exits and interior doors. Exit doors shall be openable from the inside without the use of keys, special knowledge or effort. Exit doors shall open with a single motion. Clasp and padlocks, and surface mounted bolts and latches are prohibited. Interior doors that are provided with locking mechanisms shall be openable from the entry side by an approved method, tool or releasing mechanism. The tool or releasing mechanism shall be mounted on the wall within reach of the locking door.
Add Section 8110	Fire extinguishers. Each floor in family and group child care homes shall be provided with a readily accessible minimum type 2:A:10:BC rated fire extinguisher. Fire extinguishers shall be inspected and certified annually by a qualified firm.
Add Section 8111	Address identification. Family and group child care homes shall have address numbers permanently affixed to the structure. Address numbers shall be a minimum of six inches (4”) high, ½ inch (.75”) stroke and shall contrast with their background in a manner that will be clearly legible and visible from the roadway.
Section C105.1	Amend to read: Hydrant spacing. Hydrants shall be provided at all intersections within all plats. In residential areas, hydrants shall have a maximum spacing of 550 feet. Hydrant spacing in commercial, industrial, or high density residential areas shall not exceed 300 feet. All hydrants will be considered as part of the township water supply and easements shall be provided along the main and hydrant lead for access, repair, and/or replacement. Reference Saginaw Charter Township Code of Ordinances Section 62-101 (c).

Violation of this Section is a Municipal Civil Infraction and may be enforced under Chapter 2, Article VII of this Code and MCL 600.3202.

The foregoing shall be published in the Saginaw News, a newspaper of general circulation in the Charter Township of Saginaw, on the 15th day of July, 2021.

This Ordinance shall take effect upon publication.

The adopted ordinance, the Saginaw Charter Township Zoning Ordinance, and Zoning Map are available for public inspection at the Saginaw Charter Township Offices, 4980 Shattuck Road, Saginaw, Michigan 48603, during regular business hours. For further information, please contact the Township Clerk's Office, Saginaw Charter Township Hall, (989) 791-9830.

ROLL CALL VOTE:

AYES: Supervisor Braun, Clerk Wazny, Treasurer Gerhardt, Trustees Gorney,
Howell, Kelly and Ryan

NAYS: _____

ABSENT: _____

ORDINANCE DECLARED ADOPTED.

Date: July 12, 2021

TIMOTHY J. BRAUN, Supervisor

SHIRLEY M. WAZNY, Clerk

(Z-21-05)

CERTIFICATION

I, the undersigned, duly acting Township Clerk of Saginaw Charter Township, Saginaw County, Michigan, do hereby certify that the above ordinance, or a summary thereof, was published in the Saginaw News, a newspaper of general circulation in the Township on July 15, 2021, and that such ordinance was entered in the Ordinance Book of the Township on July 12, 2021.

Date: July 12, 2021

SHIRLEY M. WAZNY, Clerk