

ORDINANCE NO. 16-G-01
TOWNSHIP OF THOMAS
SAGINAW COUNTY, MICHIGAN

AN ORDINANCE ADOPTING AN INTERNATIONAL FIRE CODE PRESCRIBING REGULATIONS GOVERNING CONDITIONS HAZARDOUS TO LIFE AND PROPERTY FROM FIRE OR EXPLOSION, AND ESTABLISHING A BUREAU OF FIRE PREVENTION AND PROVIDING OFFICERS THEREFORE AND DEFINING THEIR POWERS AND DUTIES; PRESCRIBING PENALTIES FOR THE VIOLATION THEREOF AND FOR THE PRESERVATION OF HEALTH, SAFETY AND GENERAL WELFARE OF THE RESIDENTS OF THE TOWNSHIP OF THOMAS.

The Township of Thomas, Saginaw County, Michigan ordains:

International Fire Code Adopted

Section 1. There is hereby adopted by the Township of Thomas, Saginaw County, Michigan, for the purpose of prescribing regulations governing conditions hazardous to life and that a certain code known as the International Fire Code being particularly the 2012 Edition thereof including all Appendices and Tables thereto of which Code not less than one copy has been and is now filed in the office of the Clerk of the Township of Thomas and the same is hereby adopted and incorporated as fully as if set out at length herein and from the date on which this Ordinance shall take effect the provisions thereof shall be controlling within the limits of the Township of Thomas, Saginaw County, Michigan.

Referenced Codes and Standards.

Section 2. That subsection 102.7, "Referenced Codes and Standards," of Section 102 of the International Fire Code, 2012 Edition, is hereby amended to read as follows:

Sub-Section 102.7 Referenced Codes and Standards.

The codes and standards referenced in this code shall be those that are listed in Chapter 80 and such codes and standards shall be considered part of the requirements of this code to the prescribed extent of each such reference. Where conflicts occur between provisions of this code and the referenced codes and standards, the provisions which establish the higher standard for the promotion of the safety and welfare of the public and the protection of the public, or as otherwise determined by State of Michigan law, shall apply.

Enforcement.

Section 3. That subsection 103.1, "General," of Section 103 of the International Fire Code, 2012 Edition, is hereby amended to read as follows:

Sub-Section 103.1 General.

The Thomas Township Fire Department shall be responsible for fire inspection activities and code enforcement of buildings and occupancies as related to the risk of fire or explosion within the Township of Thomas. The department of fire prevention is established within the jurisdiction under the direction of the code official. The function of the department shall be the implementation, administration, and enforcement of the provisions of this code.

Permits.

Section 4. That subsection 105.1, "Permits," of Section 105 of the International Fire Code, 2012 Edition, is hereby amended to read as follows:

Sub-Section 105.1 General. Permits in Section 105 may be required by the code official.

Maintenance

Section 5. That Section 107.2.1, "Test and Inspection records" of the International Fire Code, 2012 Edition, is hereby amended to read as follows:

107.2.1 Required test and inspection records shall be available to the fire code official at all times or such records as the fire code official designates shall be submitted via a web-based inspection management system that is approved by the fire code official.

Violations and Penalty.

Section 6. That subsection 109.4, "Violations and Penalties," of Section 109 of the International Fire Code, 2012 Edition, is hereby amended to read as follows:

Sub-Section 109.4 Violations; Penalty.

- A. Any person who shall violate any of the provisions of this Code hereby adopted or who fails to comply therewith, or who shall violate or fail to comply with 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 or 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 Thomas Township Board or by a court or competent jurisdiction within the time fixed herein shall severally for each and every such violation and non-compliance respectively be guilty of a misdemeanor punishable by a fine of not more than \$500 or by imprisonment for not more than ninety days or by both such fine and imprisonment. The imposition of one penalty for any violation shall not excuse the violation or permit it to continue; and all such persons shall be required to correct or remedy such violations or defects

within a reasonable time and when not otherwise specified each ten days that prohibited conditions are maintained shall constitute a separate offense. Further, a violation or threatened violation of this ordinance may be abated, restrained and enjoined by application to a court of competent jurisdiction.

- B. The application of the above penalty shall not be held to prevent the provisions of this ordinance or of the Code hereby adopted from being fully enforced.

Definitions.

Section 7. That subsection 201.5, "Definitions," of Section 201 of the International Fire Code, 2012 Edition, is hereby amended to read as follows:

Sub-Section 201.5 Terms Defined in code.

Whenever the term(s) "jurisdiction" or "authority having jurisdiction" is used in the International Fire Code, it shall be held to mean the Township of Thomas, Saginaw County, Michigan.

General Definitions.

Section 8. That Section 202, "General Definitions," of the International Fire Code, 2012 Edition, is hereby amended to add and define the term "Fire Watch":

Section 202 General Definitions.

FIRE WATCH - A temporary measure intended to ensure continuous and systematic surveillance of a building or portion thereof by one or more qualified individuals for the purposes of identifying and controlling fire hazards, detecting early signs of unwanted fire, raising an alarm of fire and notifying the fire department by method(s) approved or recommended by the code official.

Open Burning Provisions Repealed.

Section 9. That Section 307, "Open Burning, Recreational Fires, and Portable Outdoor Fireplaces," of the International Fire Code, 2012 Edition, is hereby amended to read as follows:

Section 307. Open Burning, Recreational Fires, and Portable Outdoor Fireplaces

Section 307 pertaining to open burning is hereby repealed, the same being covered in Thomas Township Ordinance No. 95-F-01.

Premises Identification.

Section 10. That subsection 505.1, "Address Identification," of Section 505 of the International Fire Code, 2012 Edition, is hereby amended to read as follows:

Sub-Section 505.1 Pertaining to Premises Identification, is hereby repealed, the same being covered by Saginaw County Ordinance No. 113 of 1997.

Requirements.

Section 11. That subsection 507.1.1, "Local Requirements," of Section 507 of the International Fire Code, 2012 Edition, is hereby added to read as follows:

Sub-Section 507.1.1 Local Requirements

All water lines, water systems, hydrants, and valves shall meet Thomas Township specifications and standards and have the approval of the Thomas Township Department of Public Works.

Restricted Occupancies.

Section 12. That subsection 806.1.1, "Restricted Occupancies," of Section 806 of the International Fire Code, 2012 Edition, is hereby amended to read as follows:

Sub-Section 806.1.1 Restricted Occupancies.

Natural cut trees shall be prohibited in Group A,B,E,F,H,I,M,R-1,R-2,R-4,S and U occupancies.

EXCEPTION: Trees may be allowed in living spaces of R-1, R-2, R-3 and R-4 type occupancies.

Installation Standard.

Section 13. That subsection 901.4.7, "Local Installation Standard," of Section 901 of the International Fire Code, 2012 Edition, is hereby amended to read as follows:

Sub-Section 901.4.7 Local Installation Standard.

When a sprinkler system is required; The Fire Department Connection(s) shall be located not more than 100 feet from the nearest fire hydrant, on an approved water line, and not less than 18 inches nor more than 48 inches above the level of the adjoining ground, sidewalk, or grade surface. Threads shall be of National Standard Thread or as approved by the code official.

Installation Standards.

Section 14. That Section 905, "Installation Standards," of the International Fire Code, 2012 Edition, is hereby amended to read as follows:

Sub-Section 905.2 Installation Standards.

When Standpipes are required; Standpipe systems shall be installed in accordance with this section and NFPA 14. Standpipes shall be located not more than 100 feet from the nearest fire hydrant on an approved water line, and not less than 18 inches nor more than 48 inches above the level of the adjoining ground, sidewalk, or grade surface. Threads shall be of National Standard Thread or as approved by the code official.

Explosive Material Standard.

Section 15. That subsection 3307.1.4, "Local Explosive Material Standard," of Section 3307 of the International Fire Code, 2012 Edition, is hereby added to read as follows:

Sub-Section 3307.1.4 Explosive Material Standard

In addition to the requirements of this chapter, NFPA 495 shall govern the manufacture, transportation, storage, sale, handling, and use of explosive materials, and the Michigan Explosives Law 1970 PA 202, as amended, or its equivalent.

Fireworks.

Section 16. That subsection 5601.1.3, "Fireworks," of Section 5601 of the International Fire Code, 2012 Edition, is hereby amended to read as follows:

Sub-Section 5601.1.3 Fireworks.

The possession, manufacture, storage, sale, handling, and use of fireworks are prohibited unless in compliance with the Michigan Fireworks Law 1931 PA 328, as amended, or its equivalent.

Permit Required.

Section 17. That subsection 5601.2, "Permit Required," of Section 5601 of the International Fire Code, 2012 Edition, is hereby amended to read as follows:

Sub-Section 5601.2 Permit Required.

Permits shall be required as set forth in Section 105.6 and regulated in accordance with this section, and the standards used in Thomas Township.

Permit Application.

Section 18. That subsection 5608.2, "Permit Application," of Section 5608 of the International Fire Code, 2012 Edition, is hereby amended to read as follows:

Sub-Section 5608.2 Permit Application.

Prior to issuing permits for fireworks display, plans for the display, inspections of the display site, and demonstrations of the display operations shall be approved by the Township Board. A plan establishing procedures to follow and actions to be taken in the event that a shell fails to ignite in, or discharge from, a mortar or fails to function over the fall out area or other malfunctions shall be provided to the fire code official.

Insurance for Public Display.

Section 19. That Section 5608, "Fireworks Display" of the International Fire Code, 2012 Edition, is hereby added to read as follows:

Section 5608.11 Insurance for Public Display.

The permit holder shall furnish an insurance policy in an amount approved by the Township of Thomas and naming Thomas Township, its officers, employees, agents, and contractors as additional insured.

Fire Protection for Public Display.

Section 20. That Section 5608, "Fire Protection," of the International Fire Code, 2012 Edition, is hereby added to read as follows:

Sub-Section 5608.12 Fire Protection for Public Display.

The permit holder shall fund a fire apparatus and fire personnel as a fire watch at any public display of fire works. The amount to be paid shall be and approved by the Thomas Township Board.

Chapter 80 Referenced Standards.

Section -21. The following are added referenced standards. State of Michigan Laws, Rules, or Requirements including but not necessarily limited to the following with amendments:

Michigan Fire Prevention Code 1941 PA 207

Michigan Explosives Law 1970 PA 202

Michigan Fireworks Law 1931 PA 328

Michigan Model Rocket Law 1965 PA 333

Michigan Storage and Handling of Flammable and Combustible Liquids Rules

Michigan Underground Storage Tank Rules 1999

Repealer and Saving Provision

Section 22 All ordinances or parts of ordinances in conflict with the provisions of this ordinance and the Fire Code hereby adopted are hereby repealed; provided, however, any administrative or judicial proceedings commenced under any provision hereby repealed shall continue to final decision as if such provision had not be repealed.

Severability Clause.

Section 23. The Township of Thomas hereby declares that should any section, paragraph, sentence or word of this ordinance or of the Code hereby adopted be declared for any reason to be invalid, it is the intent of the Township of Thomas that it would have passed all other portions of this ordinance independent of the elimination herefrom of any such portion that may be declared invalid.

Publication; Effective Date.

Section 24. This ordinance or a summary thereof is ordered to be published in the Township Times, a newspaper of general circulation within the Township of Thomas and it shall take effect and be enforced from and after thirty days after publication.

Robert Weise, Supervisor

Edward Brosowski, Clerk

CERTIFICATE

I, hereby declare, that the foregoing constitutes a true, complete and correct copy of an ordinance, namely Ordinance No. 16-G-01 adopted by the Township Board of the Township of Thomas at a regular meeting of said Board held on May 2, 2016.

Edward Brosowski, Clerk