CHAPTER 18
FIRE CODE

18.01 Adoption by Reference.

There is hereby adopted by reference, pursuant to the provisions of Act 279 of Michigan Public Acts of 1909, as amended, the International Fire Code, 2015 Edition, copyrighted in 2014, promulgated and adopted by the International Code Council, of 4051 W. Flossmoor Road, Country Club Hills, Illinois 60478-5795.
(History: Amnd 01-10-13; Amnd 12-22-16;-)

18.02 Purpose.

The purpose and intent of the International Fire Code is to prescribe minimum requirements and controls to safeguard 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 and the occupancy of buildings and premises in the City of Lapeer; providing for the issuance of permits and collection of fees therefore, and prescribing penalties for the violation of this Code.

18.03 Availability of Code.

A complete copy of the International Fire Code shall be available to the public at the office of the Lapeer City Clerk.

18.04 References in Code.

(A) Reference in the International Fire Code to name of jurisdiction shall mean the City of Lapeer.

(B) Reference in the International Fire Code to violation penalties in Section 109.4 shall be a civil infraction punishable by a fine of not more than $500.00. The City may also pursue injunctive relief.
(History: Amnd 01-10-13;-)

(C) Reference to the penalty for failure to comply in Section 111.4 means the violator shall be liable for a fine of not less than $100.00 or more than $500.00.

(D) Reference to the International Building Code shall mean the Michigan Building Code.

(E) Reference to the International Mechanical Code shall mean the Michigan Mechanical Code.

(F) Reference to the Department of Fire Prevention shall mean the City of Lapeer's Fire and Rescue Department.

18.05 **Changes in Code.** The following subsections are modified or deleted as follows:
(History: This section was amended to provide the flow of information in numerical order: Amnd 01-10-13;-)

105.3.3 – Occupancy prohibited before approval. The building or structure shall not be occupied prior to the fire code official conducting an inspection to determine that applicable provisions of this code have been met and occupancy authorized.

105.6 – Required operational permits. The fire code official is authorized to issue operational permits or otherwise give approvals for the operations set forth in sub-sections 105.6.1 through 105.6. 48.
(History: Amnd 12-22-16;-)

105.6.32 – Open Burning Without exception as to type, kind or location, an operational permit is *required* for the kindling or maintaining of an open fire or a fire on any public street, alley, road, or other public or private ground. Instructions and requirements of the permit shall be strictly followed.
(History: Amnd 01-11-07; Amnd 12-22-16;-)

108.1 – Board of Appeals established. In order to hear and decide appeals of orders, decisions or determinations made by the fire code official relative to the application and interpretation of this code, there shall be a board of appeals established by the Fire Department. The Board of Appeals shall consist of three or more individuals. The fire code official shall be an ex officio member of said board but shall have no vote on any matter before the board. Board members need not be residents of the City of Lapeer. The board shall adopt rules of procedure for conducting its business, and shall render all decisions and findings in writing to the appellant with a duplicate copy to the fire code official.
(History: Amnd 09-18-08; Amnd 01-10-13;-)

109.4 – Violation penalties. Persons who shall violate a provision of this code or shall fail to comply with any of the requirements thereof or who 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 more than $500.00. Each day that a violation continues after due notice has been served shall be deemed a separate offense. The City of Lapeer may also pursue injunctive relief, and may recover inspection fees per the City of Lapeer Fee Schedule.
(History: Amnd 01-10-13;-)

110.1 – General. If during the inspection of a premises, a building or structure or any building system, in whole or in part, constitutes a threat to human life, safety or health, the fire code official shall issue such notice or orders to remove or remedy the conditions as shall be deemed necessary in accordance with this section. The owner, occupant, or person in possession or control shall immediately comply with such notice or order, including the payment of any fees or obtaining any permits from applicable departments or agencies for any of the repairs, alterations, remodeling, removing or demolition required.
(History: Amnd 01-11-07;-)

111.4 – Failure to Comply. Any person who shall continue any 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 liable to a fine of not less than $100 or more than $500. Each day a violation occurs shall be a separate offense. The City of Lapeer may also pursue injunctive relief.
(History: Amnd 01-11-07; 01-10-13;-)

Section 202 – General Definitions.

Key Box. Key box as used in this ordinance shall mean a repository container, similar to the key box described in Section 506, for storing keys for entry to premises, a building, rooms in a building, elevators in a building, and other boxes or areas within a building.

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

Bonfire, Hi-Boy, High Voltage Transmission Line, Portable Outdoor Fireplace, Powered Industrial Truck, Recreational Fire, and Sky Lantern – all unchanged.
(History: Amnd 12-22-16;-)

Open burning. The burning of materials wherein products of combustion are emitted directly into the ambient air. Open burning does not include road flares, smudge pots and similar devices associated with safety or occupational uses.
(History: Amnd 01-11-07;-)

Outdoor Solid Fuel Fired Furnace. Means a free-standing accessory structure, housing a solid fuel fired furnace, with a smokestack, used to provide heat or hot water to a building, other accessory structure, swimming pool or hot tub, via air, liquid or other means.
History: (Amnd 09-13-07;-)

304.3.3, 304.3.4 – The clearance distances from combustible walls, openings or combustible roof eave lines shown in both sections are increased to 10 feet. The remainder of these sections remain unchanged.
(History: Amnd 01-10-13;-)

307.1.1 – Prohibited Burning. Open burning, bon fires, and recreational fires (including use of portable outdoor fireplaces) are prohibited within the corporate limits of the City. This restriction shall not apply to the use of charcoal and similar materials for the purpose of food preparation. The lighting of, use, and release of untethered *sky lanterns* is also prohibited.
(History: Amnd 01-10-13; Amnd 12-22-16;-)

Exceptions:

1) Prescribed burning for the purpose of vegetation mitigation and control in City Parks when authorized by the fire code official.

2) The fire code official may permit the burning of firewood for warming purposes only, and only at construction locations or special events. Permits will be issued solely at the discretion of the fire code official, based on weather and property conditions.
(History: Amnd 01-11-07;-)

3) Daily use of the designated fire pit at the Water Tower Travel Trailer Park is permitted between May 1 and October 31, unless a local burning ban has been imposed by the fire code official. The fire pit is available for the use of persons staying at the campground and the use of City residents by appointment.
(History: Amnd 09-18-08;-)

307.2 – Permit required. A permit shall be obtained from the fire code official in accordance with Section 105.6 prior to any open burning in the City. Open burning includes, but is not limited to, silvicultural or range or wildlife management fires, prevention or control of disease or pests, bonfires, and recreational fires. Application for such approval shall only be presented by, and permits issued to, the owner of the land upon which the fire is to be kindled.
(History: Amnd 01-11-07;-)

307.4.1, 307.4.2, and 307.4.3 are hereby deleted.
(History: Amnd 01-11-07; Amnd 01-10-13;-)

307.5 – Attendance. Authorized, open burning fires shall be constantly attended until the fire is extinguished. A minimum of one (1) portable fire extinguisher complying with Section 906 with a minimum 4-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.
(History: Amnd 01-11-07;-)

403.11.1.5 – Tenant Identification. Tenant identification shall be provided for secondary exits from occupied tenant spaces that lead to an exit corridor or directly to the exterior of the building. Tenant identification shall be posted on the exterior side of the exit or exit access door and shall identify the business name and address using plainly legible letters and numbers that contrast with their background. There are no exceptions.
(History: Amnd 12-22-16;-)

503.3 – Marking. All fire apparatus access roads shall be conspicuously posted with uniform (No Parking-Fire Lane) signs in keeping with the standard established in the Michigan Manual of Traffic Control Devices, as revised, and as prescribed by the fire code official and erected on both sides of the fire apparatus access roads. Signs shall be erected no farther than 100 feet apart in all areas designated as fire apparatus access roads. Signs shall be maintained in a clean and legible condition at all times and shall be replaced or repaired when necessary to provide adequate visibility.
(History: Amnd 01-11-07;-)

504.1 – Required Access.

1) Exterior doors and openings required by this code or the Michigan Building Codes shall be maintained readily accessible for emergency access by the fire department. An approved access walkway leading from fire apparatus access road to exterior openings shall be provided when required by the fire code official.

2) All required rescue windows shall be accessible by a 35 foot ground extension ladder placed so that the inclination of the ladder does not exceed 70 degrees. An area of discharge, 36 inches in all directions around the base of the ladder, shall be provided. Ladders and associated areas of discharge shall be located within the property line.
(History: Amnd 01-11-07;-)

505.1 – Address numbers. New and existing buildings shall have approved address numbers, building numbers, or approved building

identification placed in a position that is plainly legible and visible from the street or road fronting the property. These numbers shall contrast with their background. Address numbers shall be Arabic numerals or alphabet letters. Numbers shall not be spelled out and each character shall be a minimum of six (6) inches high with a minimum stroke width of 0.5 inch. Where required by the fire code official, address identification shall be provided in additional approved locations to facilitate emergency response. Where access is by means of a private road and the building cannot be viewed from the public way, a monument, pole or other sign or means shall be used to identify the structure. Address identification shall be maintained.
(History: Amnd 01-11-07; Amnd 12-22-16;-)

506.1 – Key Box Required. Key boxes are required for the following premises:

1) All commercial and manufacturing buildings over 3500 square feet constructed after February 1, 1992.
2) All existing commercial and manufacturing buildings over 3500 square feet which undergo renovation or remodeling which affects an area of 2,000 square feet or more, or which is done at a cost of $25,000 or more.
3) Any building having a gate capable of being locked and which could hinder fire department access to the premises.
4) Any commercial or manufacturing building equipped with a fire alarm or sprinkler system.

Single occupancy businesses are required to have a key box installed at the location designated by the fire code official, normally the main entrance. Additional key boxes may be required by the fire code official depending on the size and layout of the building.

In strip malls, up to 3 businesses with connected common walls and on the same level may share a key box between them (up to a maximum of 5 businesses may be permissible with approval of the fire code official). All the businesses are equally responsible for maintaining the key box and alarm system. All key boxes shall be alarmed.

In businesses that have an existing alarm system (i.e., burglar or fire alarm) or have an automatic fire suppression system such as a sprinkler, CO^2, dry or wet chemical, the key box(es) shall be connected to the alarm system. In buildings without or not requiring an alarm or automatic fire suppression system, an audible alarm approved by the fire code official shall be mounted on the outside of the building. This alarm shall activate any time the key box is

opened or physically removed from the building. The key box(es) to be ordered must be one approved by the fire code official.

For some locations, a key box padlock may be required. The Lapeer Fire and Rescue Department shall provide key box order forms, and shall keep a copy of the completed order form in the business inspection file. Installation requirements for the key box include:

a) The key box will be installed at the location specified by the fire code official, normally at the main entrance.

b) The key box will be mounted at five (5) feet from grade level.

c) All key boxes must be connected to the building alarm system or audible alarm prior to being closed.
(History: Amnd 01-11-07;-)

507.5.1 – Where required. Where a portion of the facility or building hereafter constructed or moved into or within the jurisdiction is more than 300 feet from a hydrant on a fire apparatus access road, as measured by an approved route around the exterior of the facility or building, on site fire hydrants and mains shall be provided where required by the fire code official.
(History: Amnd 01-11-07;-)

509.1 – Identification. Fire protection equipment shall be identified in an approved manner. Rooms containing controls for air conditioning systems, sprinkler risers and valves, or other fire detection, suppression or control elements shall be identified for the use of the fire department. Approved signs required to identify fire protection equipment and equipment location, shall be constructed of durable materials, permanently installed and readily visible. All fire department connections shall have a sign approved by the fire code official. The sign shall specify the type of water based fire protection system it serves and the building areas served.
(History: Amnd 01-11-07;-)

609.3.3.1 – Inspection. An inspection shall be performed on all hoods, grease-removal devices, fans, ducts and other appurtenances at intervals specified on Table 609.3.3.1 or as approved by the fire code official. Inspections shall be made by the manufacturer, installer, or maintenance company. The inspections shall ascertain that the system will cover all the cooking surfaces with the extinguishing agent when manually or automatically actuated. The manual actuation, automatic actuation, and system interconnections shall also be inspected to determine that they

operate as required. A written inspection report shall be filed with the fire code official upon completion of each inspection.
(History: Amnd 01-10-13;-)

609.3.3.3 – Records. Records for inspections shall state the individual and company performing the inspection, a description of the inspection and when the inspection took place. Records for cleanings shall state the individual and company performing the cleaning and when the cleaning took place. Such records shall be completed after each inspection or cleaning, maintained on the premises for a minimum of three years, and a copy of each report shall be forwarded to the fire code official within 30 days of the date of the inspection, cleaning, test, or maintenance performed.
(History: Amnd 01-10-13;-)

901.6.2 – Records. Records of all system inspections, tests, and maintenance required by the referenced standards shall be maintained on the premises for a minimum of three years. A copy of each inspection, test, or maintenance record shall be forwarded to the fire code official within 30 days of the date of that the inspection, test, or maintenance occurred.
(History: Amnd 01-11-07;-)

903.3.7 – Fire department connection. The location of fire department connections shall be approved by the fire code official as outlined in sections 912.2 through 912.2.2.
(History: Amnd 01-11-07;-)

907.3.1 – Duct smoke detectors. Smoke detectors installed in ducts shall be listed for the air velocity, temperature and humidity present in the duct. Duct smoke detectors shall be connected to the building's fire alarm control unit when a fire alarm system is required by Section 907.2. Activation of a duct smoke detector shall initiate a visible and audible supervisory signal at a constantly attended location and shall perform the intended fire safety function in accordance with this code and the Michigan Mechanical Code. In facilities that are required to be monitored by a supervising station, duct smoke detectors shall report as a fire alarm. They shall not be used as a substitute for required open area detection. *The remainder of this section remains unchanged*.
(History: Amnd 12-22-16;-)

912.4 – Access. Immediate access to fire department connections shall be maintained at all times and without obstruction by vehicle parking, carports, garages, refuse storage containers, fences, landscaping or other obscuring features for a minimum of three (3) feet. Access to fire department connections shall be approved by the fire chief.

(History: Amnd 01-10-13;-)

5601.1.3 – Fireworks. The exception shown as #4 is hereby modified as follows:

> **Exceptions - #4.** The possession, storage, sale, handling, and use of fireworks shall comply with the provisions of PA 257 of 2012 and Chapter 19 of the General Ordinances of the City of Lapeer.

The remainder of the section remains unchanged.
(History: Amnd 01-10-13;-)

5601.2.2 Sale and Retail Display. The sale and retail display of fireworks shall comply with the provisions of PA 257 of 2012.
(History: Amnd 01-10-13)

18.06 Additions to Code.

The following provisions are hereby added to the International Fire Code:

104.12 – Open Buildings Due to Fire. The fire code official or a duly authorized representative is empowered to order the securing of fire damage buildings. If the owners of the affected building are present, this order shall be given to them. If no owners or representatives of the building are present, the fire code official or a duly authorized representative may have the building secured. The expense of securing the building shall be a debt to the City from the responsible owner and shall be collected as any other debt to the City. Fire damaged buildings or sites are subject to the same abatement procedures as contained in Section 110 for unsafe buildings.
(History: Amnd 01-11-07;-)

105.1.7 – Building Permit Requirements. No building permit shall be issued by any City department until all plans required by this section have been submitted and approved in accordance with the provisions of this section.

304.4 – Outdoor containers. Dumpsters or containers stored outdoors shall be provided with lids and shall be constructed (including the lids) of non-combustible materials or approved combustible materials. They shall not be placed within 10 feet of combustible walls, openings or combustible roof eave lines.
(History: Amnd 09-13-07;-)

Exception: Existing enclosures or container storage areas are exempt from this requirement where:

1. In the opinion of the fire code official there is no other location in which to locate them.

2. They are not currently within 10 feet of an exit or utility meters.

(History: Amnd 01-11-07;-)

307.6 – Outdoor Solid Fuel Fired Furnace Prohibition. The installation and use of Solid Fuel Furnaces is prohibited. No property owner, lessee, or person in possession or control of real property in the City of Lapeer shall use or permit the use of solid fuel fired furnaces.

(History: Amnd 09-13-07;-)

Existing Non-Conforming Outdoor Solid Fuel Fired Furnaces. The lawful use of a non-conforming outdoor solid fuel fired furnace existing at the time of the adoption or amendment of this ordinance may be continued although such furnace does not conform to the provisions of this ordinance. However, the use of a non-conforming outdoor solid fuel fired furnace must not create a public nuisance or cause a human health hazard.

(History: Amnd 09-13-07;-)

503.4.2 – Authority to remove obstructions. If any vehicle, trailer or other object is so located within a fire apparatus access road or at any other location prohibited by this ordinance, or any City ordinance, at a time the fire department is responding to an alarm which necessitates use of such fire apparatus access road and/or other location, then any member of the City Police or Fire Departments may move or cause same to be moved by any means necessary without liability for any damage being occurred by the City of Lapeer or any officer, agent or employee thereof.

(History: Amnd 01-11-07;-)

901.6.3 – Certification required. Any installation, testing, repair or maintenance of fire alarm or suppression systems required by this Code or the Building Code shall be performed only by a certified fire alarm or suppression firm and/or individual or by a firm and/or individual licensed pursuant to Act 192 of the Public Acts of 1984, as amended, and/or Act 217 of the Public Acts of 1956, as amended.

(History: Amnd 01-11-07;-)

912.2.3 – Remove location. Fire department connections (F.D.C's) serving sprinkler systems shall be installed at an approved remote location away from the building or structure, and shall not be located on the wall of a building unless approved by the fire code official. F.D.C.'s serving class 1 or 3 standpipe systems

may be located on walls, provided such walls are of fire resistive or noncombustible construction.
(History: Amnd 09-13-07;-)

912.2.4 – Fire Department Connection Locations. Unless approved by the fire code official, a fire department connection location (FDCs) shall not be located more than 50 feet from a fire hydrant. FDCs shall be installed not less than 18 inches nor more than 36 inches above the finished grade of an approved fire apparatus access road. FDCs shall not be obstructed by vehicle parking, carports, garages, refuse storage containers, fences, landscaping or other obscuring features.

Exception.
1. Existing FDC's.
2. FDCs that are not able to be located away from a wall due to physical restrictions may be located in an area approved by the fire code official.
(History: Amnd 09-13-07;-)

SECTION 114
RESTITUTION

114.1 – Arson. In any case in which arson takes place, the person(s) convicted of that crime, or of any lesser charge, or by way of a plea bargain, shall be financially responsible for all costs of investigating, fighting and extinguishing the fire, for any property securing services and/or for any other security procedures performed by the City of Lapeer or its agents or representatives.
(History: Amnd 01-11-07;-)

114.2 – Alcohol and Drugs. In any case where abuse of alcohol or drugs can be proven to have contributed to the cause of the emergency response by the City of Lapeer or its agents, the person(s) proven to be on alcohol or drugs shall be financially responsible for the cost of any work performed by the City of Lapeer or its agents or representatives.
(History: Amnd 01-11-07;-)

SECTION 115
MISCELLANEOUS
(History: Section added. Amnd 01-10-13;-)

115.1 – Fire Alarms. No person shall willfully or knowingly raise or circulate any false alarms of fire.

115.2 – Crossing of Fire Hose. A vehicle shall not be driven or propelled over any unprotected fire hose of the fire department when laid down on any street, alleyway, private drive, or any other vehicular roadway without the consent of the fire official in command of said operation.

115.3 – Defacing Fire Equipment. No person shall damage, deface, or attempt, or conspire to damage or deface any fire department vehicle at any time, or to injure, or attempt to injure, fire department personnel while performing departmental duties.

115.4 – Fire Hydrant Use. A person shall not use or operate any fire hydrant intended for the use of the fire department for fire suppression purposes unless such person first secures written permission from the Director of Public Works. In addition, no person shall obstruct, remove, tamper with or otherwise disturb any fire hydrant except for the purpose of fire extinguishment, training, testing purposes, making necessary repairs, or when permitted by the fire code official or Director of Public Works.

18.07 That nothing in this ordinance or in the Fire Code hereby adopted shall be construed to affect any suit or proceeding pending in any court, or any rights acquired, or liability incurred, or any cause or causes of action acquired or existing, under any ordinance hereby repealed; nor shall any just or legal right or remedy of any character be lost, impaired or affected by this ordinance.

18.08 Unless specifically preserved or provided for herein, all sections in this Chapter 18, formerly Fire Prevention, are hereby repealed.

18.09 That if any section, subsection, sentence, clause or phrase of this ordinance is, for any reason, held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this ordinance. The Lapeer City Commission hereby declares that it would have passed this ordinance, and each section, subsection, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases be declared unconstitutional."