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ORDINANCE NO. _____

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF HIAWATHA, IOWA, 1996, BY AMENDING CHAPTER 160 FIRE CODE IN ITS ENTIRETY

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF HIAWATHA, IOWA:

SECTION 1. Chapter 160, Fire Code, of the Code of Ordinances of the City of Hiawatha, Iowa, 1996, is hereby amended as follows:

CHAPTER 160

FIRE CODE

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160.05 Title
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160.01 PURPOSE. The purpose of this chapter is to prescribe regulations governing conditions hazardous to life and property from fire, hazardous materials, or explosion.

160.02 ADOPTION OF ~~2015~~ 2018 INTERNATIONAL FIRE CODE. Thereby is hereby adopted by the City that certain Code known as the *International Fire Code, ~~2015~~ 2018 Edition*, including Appendix B, E, F, G and I, as prepared and edited by the International Code Council, Inc. thereof, and the whole thereof, save and except such portions as are hereafter deleted, modified or amended; and the same is hereby adopted and incorporated as fully as if set out in full herein; and the provisions thereof shall be controlling within the limits of the City effective ~~January 1, 2015~~July 1, 2018. Appendix

C and D in the *International Fire Code, ~~2015~~ 2018 Edition*, will be used as a reference guide.

160.03 FEES. Fees for inspections, re-inspections, plans reviews, acceptance testing, permits and other services related to enforcement of this Code shall be established by the City Council by resolution and paid to the City.

160.04 AMENDMENTS TO FIRE CODE. Certain sections and portions of sections of the *International Fire Code, ~~2015~~ 2018 Edition*, are hereby amended, deleted, modified or added to as more specifically set forth in the following sections of this chapter.

160.05 TITLE. The Hiawatha Fire Code is hereby amended by repealing section 101.1 of the *International Fire Code, ~~2015~~ 2018 Edition*, by replacing said section with the new section, as follows:

> 101.1 Title. These regulations shall be known as the Hiawatha Fire Code, hereinafter referred to as "this code".

160.06 PERMIT APPLICATIONS. The Hiawatha Fire Code is hereby amended by repealing Section 105.2 of the *International Fire Code, 2018~~2015~~ Edition*, by replacing said section with the new section, as follows:

> 105.2 Application. Application for a permit required by this code shall be made to the Fire Code Official in such form and detail as prescribed by the Fire Code Official. Applications for permits shall be accompanied by such plans as prescribed by the Fire Code Official. Application for an operational permit shall be submitted with all required information not less than 14 days prior to the event requiring a permit.

160.07 REQUIRED OPERATIONAL PERMITS. The Hiawatha Fire Code is hereby amended by repealing Section 105.6, of the *International Fire Code, ~~2015~~ 2018 Edition*, by replacing said section with the new section, as follows:

> 105.6 Required operational permits. The Fire Code Official is authorized to issue operational permits for the operations set forth in Sections 105.6.1 through 105.6.8.
>
> 105.6.1 Amusement buildings.
>
> 105.6.2 Carnivals and fairs.
>
> 105.6.3 Explosives.
>
> 105.6.4 Flammable and combustible liquids.
>
> 105.6.5 LP-gas.
>
> 105.6.6 Open burning.
>
> 105.6.7 Pyrotechnic special effects material.

105.6.8 Temporary membrane structure and tents.

105.6.9 Mobile Food Preparation Vehicles

160.08 REQUIRED CONSTRUCTION PERMITS. The Hiawatha Fire Code is hereby amended by repealing Sections 105.7.1 through 105.7.6 of the *International Fire Code, ~~2015~~ 2018 Edition*, by replacing said sections with the new sections, as follows:

105.7.1 Automatic fire-extinguishing systems.

105.7.2 Fire alarm and detection systems and related equipment.

105.7.3 Flammable and combustible liquids.

105.7.4 LP-Gas.

105.7.5 Standpipe systems.

105.7.6 Temporary membrane structures and tents.

105.7.7 Fire pumps and related equipment

160.09 INSPECTIONS. The Hiawatha Fire Code is hereby amended by repealing Section ~~106.2~~107.2 of the *International Fire Code, ~~2015~~ 2018 Edition*, by replacing said section with the new section, as follows:

~~106.2~~107.2 Inspections. The Fire Code Official is authorized to conduct such inspections as are deemed necessary to determine the extent of compliance with the provisions of this code and to approve reports of inspection by approved agencies or individuals. All reports of such inspections shall be prepared and submitted in writing for review and approval. Inspection reports shall be certified by a responsible officer of such approved agency or by the responsible individual. The Fire Code Official is authorized to engage such expert opinion as deemed necessary to report upon unusual, detailed or complex technical issues subject to the approval of the governing body. The Fire Code Official at their discretion shall send plans to an outside agency for review. The Fire Code Official shall choose the plans review agency. The applicant shall pay all fees associated with the plan review directly to the outside agency. A certificate of occupancy shall not be issued until the review fees have been paid.

160.10 BOARD OF APPEALS. The Hiawatha Fire Code is hereby amended by repealing Section ~~108~~ 109 of the International Fire Code, ~~2015~~ 2018 Edition, by replacing said section with the new section, as follows:

Any appeals arising from any act of the administrative authority in the determination of the suitability of alternate materials and methods of installation or construction and provide reasonable interpretations, and of variances from the Fire Code shall be heard by the Board of Appeals (hereinafter "Board") as set forth in Chapter 159 of this Code of Ordinances.

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160.11 VIOLATION PENALTIES. The Hiawatha Fire Code is hereby amended by repealing Section ~~109.4~~110.4 of the *International Fire Code,* ~~*2015*~~ *2018 Edition*, by replacing said section with the new section, as follows:

> ~~109.4~~110.4 Violation penalties. Any person, firm or corporation violating any of the provisions of the Code shall be deemed guilty of a misdemeanor, and each such person shall be deemed guilty of a separate offense for each and every day or portion thereof during which any violation of any provisions of this Code is committed, continued, or permitted and upon conviction of any such violations such person shall be punished in a manner provided in Chapter 4 of the Code of Ordinances.

160.12 FAILURE TO COMPLY. The Hiawatha Fire Code is hereby amended by repealing Section ~~111.4~~112.4 of the *International Fire Code,* ~~*2015*~~ *2018 Edition*, by replacing said section with the new section, as follows:

> ~~111.4~~112.4 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 $750 dollars or more than $5,000 dollars per day.

~~**160.13 OPEN FLAME COOKING DEVICES.** The Hiawatha Fire Code is hereby modified by repealing Section 308.1.4 of the *International Fire Code, 2015 Edition*, and replacing said section with the new section, as follows:~~

> ~~308.1.4 Open-flame cooking devices. Charcoal burners and other open-flame cooking devices shall not be operated on combustible balconies or within 10 feet (3048 mm) of combustible construction.~~
>
> ~~Exceptions:~~
>
> ~~1. One- and two-family dwellings.~~
>
> ~~2. Where buildings, balconies and decks are protected by an automatic sprinkler system.~~
>
> ~~3. Townhouses as defined by the International Building Code.~~

~~**160.14 CEILING CLEARANCE.** The Hiawatha Fire Code is hereby modified by adding an exception to Section 315.3.1 of the *International Fire Code, 2015 Edition,* as follows:~~

> ~~Exception: There are no height limitations for storage on shelves against a fixed wall in nonsprinklered areas of a building.~~

~~**160.15 BUILDING EVACUATION.** The Hiawatha Fire Code is hereby modified by adding a section to section 401 of the *International Fire Code, 2009 Edition*, as follows:~~

~~401.9 Building evacuation. Upon activation of the building fire alarm system or upon notification by other means of detecting and reporting unwanted fire, all building occupants shall promptly evacuate the building. Building employees and tenants shall implement the appropriate emergency plan and procedures. Exception: When the emergency evacuation plan, as approved by the fire code official, does not require the immediate total evacuation of the building.~~

160.~~16~~ 13 EMERGENCY EVACUATION DRILL FREQUENCY. The Hiawatha Fire Code is hereby amended by repealing Section 405.2 of the *International Fire Code, ~~2015~~ 2018 Edition*, by replacing said section with the new section, as follows:

405.2 Frequency. Required emergency evacuation drills shall be held at the intervals specified in Table 405.2 or more frequently where necessary to familiarize all occupants with the drill procedure. Fire and evacuation drills in Group E occupancies, excluding daycares and preschools shall be conducted in accordance with Section 100.31 of the Code of Iowa. Emergency evacuation/fire drills shall be conducted at least four times a year. Not less than two drills shall be conducted between July 1 and December 31 of each year and not less than two drills shall be conducted between January 1 and June 30 of each year.

160.~~17~~ 14 IDENTIFICATION OF INTERIOR DOORS. The Hiawatha Fire Code is hereby modified by adding a section to section ~~504~~ 509 of the *International Fire Code, ~~2015~~ 2018 Edition*, as follows:

~~504.4~~509.3 Identification of Interior Doors. The Fire Code Official may require that certain interior doors be identified. The Fire Code Official shall approve the type, size, and location of the sign.

~~**160.18 ADDRESS IDENTIFICATION DURING CONSTRUCTION.** The Hiawatha Fire Code is hereby amended by adding Section 505.3, as follows:~~

~~505.3 Address identification during construction. All new commercial and residential buildings under construction shall have plainly visible addresses from the street. The temporary address sign shall be approved by the Fire Code Official. Additional address signage may be required at the discretion of the Fire Code Official.~~

~~**160.19 FIRE SPRINKLER SYSTEM & STANDPIPE SYSTEM SUPPORT**. The Hiawatha Fire Code is hereby amended by adding Section 507.5.1.1, as follows:~~

~~507.5.1.1 Fire Sprinkler System & Standpipe System Support. A fire hydrant shall be located no more than 100 feet from a fire sprinkler or standpipe system connection on hard surface, easily accessible by fire apparatus and meeting the approval of the Fire Code Official.~~

160.~~20~~ 15 CLEAR SPACE AROUND HYDRANT. The Hiawatha Fire Code is hereby amended by repealing section 507.5.5 of the *International Fire Code, 2015 Edition,* by replacing said section with the new section, as follows:

507.5.5 Clear space around hydrants. A 5-foot clear space shall be maintained around the circumference of fire hydrants except as otherwise required or approved, as measured from the center of the hydrant.

160.~~21~~ 16 FIRE HYDRANT INSTALLATION. The Hiawatha Fire Code is hereby amended by adding the following sections reference fire hydrant installation to the International Fire Code, 2018 Edition. The sections shall read as follows:

507.5.7 Fire hydrant Installation. Fire hydrants within the City of Hiawatha shall be installed in accordance with the Hiawatha Water Department Rules and Regulations, the applicable Metro Standards and with regard to the following.

507.5.7.1 Fire hydrant outlet direction. All fire hydrants shall be positioned so that the five (5) inch Storz connection is facing the street or driveway accessible to fire department apparatus.

507.5.7.2 Fire hydrants threads. All new fire hydrants within the limits of the City of Hiawatha shall have National Standard Threads (NST) on the two and one-half (2 1/2) inch connections and the five (5) inch connection will have a Storz connection.

507.5.7.3 Fire hydrant flow. The minimum flow requirements for a water main serving a fire hydrant, is the rate of water flow, at a residual pressure of twenty pounds per square inch (20 psi) and for a specified duration, as specified in appendix B of this code.

507.5.7.4 Fire hydrant height. Fire hydrants shall be installed a minimum of eighteen (18) inches from the nominal ground level to the center of the lowest water outlet.

~~**160.22 CLEARANCE TO BUILDING.** The Hiawatha Fire Code is hereby amended by repealing section 603.4.2.1.2 of the *International Fire Code, 2015 Edition*, by replacing said section with the new section, as follows:~~

~~603.4.2.1.2 Clearance to building. Portable outdoor gas-fired heating appliances shall be located at least 10 feet from building or per manufacturer recommendations which must be provided upon request to Fire Code Official.~~

160.~~23~~ 17 CONSTRUCTION DOCUMENTS. The Hiawatha Fire Code is hereby amended by adding sections 901.2(a) and 901.2(b), as follows:

901.2 (a) Water based fire protection systems. Working plans submitted to the fire department for water based fire protection systems shall be stamped and approved by a qualified person to be in compliance with applicable NFPA standards and the Hiawatha Fire Code. Any changes to the working plans shall be approved by a qualified person. A qualified person shall have a minimum National Institute for Certification in Engineering Technologies [NICET] Level III certification for Automatic Sprinkler System Layout ~~or a licensed engineer with experience in life safety system design~~. Other qualifications may be approved by the Fire Code Official.

901.2 (b) Fire alarm systems. Working plans submitted to the fire department by a qualified person for fire alarm systems shall be stamped and approved by a qualified person to be in compliance with applicable NFPA standards and the Hiawatha Fire Code. Any changes to the working plans shall be approved by a qualified person. A qualified person shall have a minimum National Institute for Certification in Engineering Technologies [NICET] Level III certification for Fire Alarm Systems~~ or a licensed engineer with experience in life safety system design~~. Other qualifications may be approved by the Fire Code Official.

160.~~24~~ 18 QUALIFICATIONS. The Hiawatha Fire Code is hereby amended by adding sections 901.2.2 to the International Fire Code, 2018 Edition, as follows:

901.2.2 Qualifications. For the installation, inspection and maintenance of water-based fire protection systems and fire alarm systems, the contractor must be certified by the State Fire Marshal's Office. When requested by the Fire Code Official, the contractor must provide a copy of their certificate.

160.~~25~~ 19 PUMP AND RISER ROOM SEPARATION. The Hiawatha Fire Code is hereby amended by adding section 901.4.7 to the International Fire Code, 2018 Edition, as follows:

901.4.7 Pump and Riser Room Separation. Fire pump and automatic fire sprinkler system riser rooms shall be separated from electrical room and have no electrical panels inside the rooms other than the outlets required for the use of the fire sprinkler system or fire alarm panel. The fire pump and automatic fire sprinkler system riser rooms shall have an exterior access door.

Exception: Non-mixed use R-2 Occupancies or approval by the Fire Code Official.

160.~~26~~ 20 AUTOMATIC FIRE SPRINKLER SYSTEMS. The Hiawatha Fire Code is hereby amended by repealing Section 903.2.8.1 of the *International Fire Code, ~~2015~~ 2018 Edition,* and by replacing said section with a new section as follows:

903.2.8.1 Townhouse automatic fire sprinkler systems. An automatic residential fire sprinkler system shall be installed throughout all attached townhouse dwelling units when any of the following conditions exist:

1. The townhouses are constructed in a group of more than four attached units.

2. Any individual townhouse dwelling unit of a structure with four or fewer attached townhouses has a floor area greater than 4,000 square feet on any one story or greater than 8,000 square feet of total floor area for all stories, excluding non-habitable areas separated from the rest of the building by a minimum of one-hour fire-resistive construction and containing smoke or heat detection interconnected with the dwelling unit smoke detectors.

~~2.~~3. The floor area of the structure, excluding the basement, exceeds 10,000 square feet regardless of fire separations creating separate buildings, fire areas or occupancies.

903.2.8.1.1 Design and installation. Automatic residential fire sprinkler systems for townhouses shall be designed and installed in accordance with NFPA 13D or Section P2904.

903.2.8.1.2 One and two-family dwellings automatic fire sprinkler systems. An automatic residential fire sprinkler system shall be installed in one and two-family dwellings when the following conditions exist:

1. The one or two-family dwelling has a floor area greater than 4,000 square feet on any one story or greater than 8,000 square feet or total floor area for all stories, excluding non-habitable areas separated from the rest of the building by a minimum of one-hour fire-resistive construction and containing smoke or heat detection interconnected with the dwelling unit smoke detectors.

~~1.~~2. The floor area of the structure, excluding the basement, exceeds 10,000 square feet regardless of fire separations creating separate buildings, fire areas or occupancies.

Exception: Two family homes separated as required for a townhouse shall have automatic fire sprinkler requirements as for townhouses.

Exception: An automatic residential fire sprinkler system shall not be required when additions or alterations are made to existing one and two-family dwellings that do not have an automatic residential fire sprinkler system installed.

903.2.8.1.3 Design and installation. Automatic residential fire sprinkler systems for one and two-family dwellings shall be designed and installed in accordance with NFPA 13D or Section P2904.

~~903.2.8.1.4 Alternative Methods. Maximum floor area square footages of Sections R 313.1 and R 313.2 may be increased by 25% for buildings or floors containing more than one egress door as specified in Section R311.4 or other approved alternate methods of building occupant egress enhancement.~~

160.~~27~~ 21 EXISTING SPRINKLER SYSTEMS MONITORING. The Hiawatha Fire Code is hereby amended by adding section ~~907.7.5.3~~907.6.6.3 to the International Fire Code, 2018 Edition, as follows:

~~907.7.5.3~~907.6.6.3 Existing sprinkler systems monitoring requirements. Existing sprinkler systems shall have all valves controlling the sprinkler system and water flow electrically supervised and monitored by an approved UL listed Central Station in accordance with sections 903.4 and 903.4.1 within ~~one year~~three months from receiving notice unless otherwise approved by the Fire Code Official.

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160.~~28~~ 22 FIRE EXTINGUISHER SIZE. The Hiawatha Fire Code is hereby amended by adding the following sentence to the end of section 906.3 of the *International Fire Code, ~~2015~~ 2018 Edition*, as follows:

> The minimum size and rating of any required portable fire extinguisher for Class A, Class B, or Class C hazard shall be 5 lb. 2-A, 10-B C.

160.~~29~~ 23 FIRE ALARM CONTROL PANELS AND FIRE ALARM ANNUNCIATOR PANELS. The Hiawatha Fire Code is hereby amended by adding section 907.1.4 to the International Fire Code, 2018 Edition, as follows:

> 907.1.4 Fire Alarm Control Panel and Fire Alarm Annunciator Panels. Installation of fire alarm control panels and fire alarm annunciator panels shall be installed in accordance with section 907.1.~~5~~4.1 through 907.1.~~5~~4.5.
>
> 907.1.4.1 Fire Alarm Panel Height. Installation of fire alarm panels shall not exceed 6 feet in height measured from the floor to the top of the panel.
>
> Exception: Panel height may be altered by the Fire Code Official.
>
> 907.1.4.2 Number of Fire Alarm Control Panels in Buildings. Only one listed fire alarm control panel shall be allowed per building and shall lock in the alarm until the system is reset and shall not be canceled by the operation of an audible – alarm silencing switch. This control panel shall only receive alarm signals from fire protection equipment.
>
> ~~907.1.4.3 Combination Fire/Security Alarm System Panels. A listed combination fire/security alarm system panel that meets all the requirements of this code and amendments may be permitted by approval of the Fire Code Official. The fire/security panel shall be capable of providing a signal that can differentiate between the fire and security alarm.~~
>
> 907.1.4.~~4~~ 3 Password/PIN Protection Prohibited. Fire alarm control panels and/or fire alarm annunciator panels that require a password/PIN to silence an alarm/supervisory/trouble signal and/or to reset an alarm/supervisory/trouble signal shall be prohibited.
>
> 907.1.4.~~5~~ 4 Fire Alarm Annunciator Panels. The Fire Code Official can require the addition of fire alarm annunciator panels based on the size of building and access to the building. These panels shall meet the requirements of sections 907.1.4 and 907.4.2.

160.~~30~~ 24 EXISTING FIRE ALARM SYSTEMS MONITORING. The Hiawatha Fire Code is hereby amended by adding section ~~907.7.5.2~~907.6.6 to the International Fire Code, 2018 Edition, as follows:

> 907.7.5.2 Existing fire alarm systems monitoring requirements. Existing fire alarms systems that are currently not monitored by an approved UL listed Central Station shall become monitored within ~~1 year~~three months from receiving notice

in accordance with section 907.7.5 unless otherwise approved by the Fire Code Official.

~~**160.31 CARBON DIOXIDE ALARM.** The Hiawatha Fire Code is hereby amended by adding section 908.8, as follows:~~

~~908.8 Carbon dioxide alarm. Existing buildings containing or using liquid carbon dioxide shall provide a single station audible carbon dioxide alarm for each habitable enclosed area that has components of the operating system located within the room and/or within the ceiling space of the room.~~

160.~~32~~ 25 FDC SIZE. The Hiawatha Fire Code is hereby amended by adding section 912.8 to the International Fire Code, 2018 Edition, as follows:

912.8 FDC Size. Minimum fire department connection size shall be 2 ½" National Standard Thread.

160.~~33~~ 26 OVERCROWDING. The Hiawatha Fire Code is hereby amended by adding section 1004.10 to the International Fire Code 2018 Edition, as follows:

1004.10 Overcrowding. Overcrowding and admittance of persons beyond the approved capacity in a place of assembly are prohibited. The Fire Code Official with assistance from ~~the police department~~law enforcement, upon finding overcrowding conditions or obstructions in aisles, passageways, or other means of egress, or upon finding a condition which constitutes a serious menace to life, is authorized to cause performance, spectacle, or entertainment to be stopped until such condition or obstruction is corrected.

~~**160.34 EXIT SIGNS.** The Hiawatha Fire Code is hereby amended by adding sections 1013.7, as follows:~~

~~1013.7 Additional Exit Signs. Exit signs may be required at the discretion of the Fire Code Official to clarify an exit or exit access.~~

160.~~35~~ 27 SEIZURE OF FIREWORKS. The Hiawatha Fire Code is hereby amended by adding sections 5601.7.1, as follows:

5601.7 Seizure of fireworks. It shall be unlawful for any person to possess, store, to offer for sale, sell at retail or use or explode any fireworks. The Fire Code Official may issue an Operational Permit for Explosives and/or Pyrotechnic Special Effects Materials for the use of fireworks by artisans in pursuit of their trade in accordance with the Fire Code. Every such use or display shall be handled by a competent operator approved by the Fire Code Official and after proper investigation, not be hazardous to property or endanger any person.

The Fire Code Official shall seize, take, remove, or cause to be removed, at the expense of the owner, all stocks of fireworks offered or exposed for sale, stored, or held in violation of the section.

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160.~~36~~ 28 INFRACTIONS. The Fire Code Official are herewith authorized to issue and deliver citations on forms prepared and approved by the City Attorney's Office to person accused of violation any of the provisions of this code.

160.~~37~~ 29 SEVERABILITY. If any section, provision or part of the Ordinance shall be adjudged to be invalid or unconstitutional, such adjudication shall not affect the validity of the Ordinance as a whole or any section, provision or part thereof not adjudged invalid or unconstitutional.

160.~~38~~ 30 EFFECTIVE DATE. This Ordinance and the rules, regulations, provisions, requirements, orders and matters established and adopted shall be in full force and effect after its final passage, approval and publication, as provided by law.

SECTION 2. SEVERABILITY CLAUSE. If any section, provision or part of this ordinance shall be adjudged invalid or unconstitutional, such adjudication shall not affect the validity of the ordinance as a whole or any section, provision or part thereof not adjudged invalid or unconstitutional.

SECTION 3. WHEN EFFECTIVE. This ordinance shall be in effect from and after its final passage, approval and publication as provided by law.

PASSED AND APPROVED this 2nd day of May, 2018.

_____
Bill Bennett, Mayor

ATTEST:

_____
Kelly Kornegor, City Clerk

I, Kelly Kornegor, City Clerk of the City of Hiawatha, Iowa, do hereby certify that the foregoing ORDINANCE was PASSED and APPROVED by the City Council of the City of Hiawatha, Iowa, on the 2nd day of May, 2018, and was posted as Ordinance No. _____ on the _____ day of May, 2018.

_____
Kelly Kornegor, City Clerk