

Introduced by _____

First Reading _____

Second Reading _____

Ordinance No. _____

Council Bill No. B 262-19

AN ORDINANCE

repealing Article II of Chapter 9 of the City Code relating to the 2015 Edition of the International Fire Code and enacting in lieu thereof a new Article II adopting the 2018 Edition of the International Fire Code; and fixing the time when this ordinance shall become effective.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBIA, MISSOURI, AS FOLLOWS:

SECTION 1. Article II of Chapter 9 of the Code of Ordinances, City of Columbia, Missouri, relating to the 2015 Edition of the International Fire Code, is hereby repealed and in lieu thereof a new Article II, relating to the 2018 Edition of the International Fire Code, is hereby enacted reading in words and figures as follows:

CHAPTER 9. FIRE PREVENTION AND PROTECTION

...

ARTICLE II. FIRE CODE

Sec. 9-21. Adopted.

The 2018 Edition of the International Fire Code, published by the International Code Council, Inc., including Appendices A, B, C, D and I, one copy of which has been on file with the city clerk for a period of ninety (90) days prior to the adoption of this article, is hereby adopted by reference and made a part of the Code of Ordinances, City of Columbia, Missouri as fully as if set forth in its entirety. At least one (1) copy of the 2018 Edition of the International Fire Code shall remain on file in the office of the city clerk and shall be kept available for public use, inspection and examination.

Sec. 9-22. - Amendments.

The code adopted by this article is hereby amended by substituting the following sections in lieu of those sections with corresponding numbers in the code, or, where there is no corresponding section in the code, the following sections shall be enacted as additions to the code:

101.1 Title. These regulations shall be known as the Fire Code of Columbia, Missouri, and hereinafter referred to as "this code."

101.2.2 Appendices A, D and I are hereby adopted as published. Appendices B and C are hereby adopted as amended.

Section 103.0 Fire Prevention:

103.1 Director. The administration and enforcement of this ordinance shall be the duty of the director of community development and the fire chief, who are designated as the code officials for purposes of this code. The code officials are hereby authorized to take such action as may be reasonably necessary to enforce the provisions of this code. Such persons may be appointed and authorized as assistants or representatives of the director and the chief as may be necessary to carry out the provisions of this code.

103.2 Appointment. Delete in its entirety.

103.3 Deputies. Delete in its entirety.

103.4 Liability. Any officer or employee charged with the enforcement of this code, while acting on behalf of the city, shall not thereby render such individual liable personally, and is hereby relieved from all personal liability for any damage accruing to persons or property as a result of any act performed in the discharge of official duties. Any suit instituted against any officer or employee because of an act performed by that officer or employee in the lawful discharge of duties and under the provisions of this code shall be defended by the legal representative of the jurisdiction until the final termination of the proceedings. The officer or employee shall not be liable for costs in any action, suit or proceeding that is instituted pursuant to the provisions of this code; and any officer or employee acting within the scope of employment and in good faith and without malice, shall be free from liability for acts performed under any of its provisions or by reason of any act or omission in the performance of official duties in connection therewith. Nothing contained herein shall be deemed a waiver of the immunities and protection afforded to the city or officers and employees pursuant to state and federal law.

103.4.1 Legal defense. Delete in its entirety.

103.5 Restriction of employees. An employee connected with the Department of Community Development - Division of Building and Site Development – Division of Administration or Division of Enforcement and Inspections, or the Fire Department, shall not be engaged in or directly or indirectly connected with the furnishing of labor, materials or appliances for the construction, alteration or maintenance of a building, or the preparation of plans or of specifications therefore, unless the employee is the owner of the building; nor shall such employee engage in any work which conflicts with employee's official duties or with the interest of the department.

105.6.47 Temporary stage canopies and tents. An operational permit is required to operate an air-supported temporary membrane structure, a temporary stage canopy or a tent having an area in excess of 400 square feet (37 m²).

Exceptions: All exceptions remain as written in the code.

105.6.49 Fire performance art. An operational permit is required to use open flames defined as fire performance art under amended code section 316.

105.7 Required construction permits. The building code official is authorized to issue construction permits for work as set forth in sections 105.7.1 through 105.7.16.

105.7.22 Stage canopy. A single construction permit is required to erect and take down a temporary stage canopy.

109.1 Appeals. The owner of a building or structure or any person directly affected by a decision of the fire chief or code official may appeal to the building construction codes commission from a decision of the fire chief or code official refusing to grant modifications of the provisions of the Fire Code covering the manner of installation, or materials to be used in the installation. The procedure for appeal shall be governed by Section 113 of the Building Code of Columbia, Missouri.

109.2 Limitation on authority. Delete in its entirety.

109.3 Qualifications. Delete in its entirety.

110.4 Violation penalties. Any person who shall violate a provision of this code or shall fail to comply with any of the requirements thereof, shall be guilty of a misdemeanor and upon conviction thereof, shall be punished by a fine of not more than one thousand dollars (\$1,000.00) or by imprisonment not exceeding one (1) year, or by both such fine and imprisonment. Each day that a violation continues shall be deemed a separate offense.

112.4 Failure to comply. Delete in its entirety.

SECTION 202 – GENERAL DEFINITIONS

Temporary special event structure. Delete in its entirety.

Add the following definition:

Temporary stage canopy. A temporary ground supported membrane-covered frame structure used to cover stage areas and support equipment in the production of outdoor entertainment events.

308.1.4 Open-flame cooking devices. Charcoal burner and other open flame cooking devices shall not be operated on combustible balconies or within ten (10) feet of combustible construction.

Exceptions:

1. One- and two-family dwellings.
2. Apartment buildings and condominiums.
3. Where buildings, balconies and decks are protected by an automatic sprinkler system.

Section 320 Fire Performance Art:

320.1 General. Fire Performance Art shall be defined as any act (fire juggling, fire eating, etc.) in a public or private place, which utilizes fire for entertainment purposes, outside of a protective housing or in ways in which it travels through the air (by one person or multiple persons). These acts do not include pyrotechnics or other open flame devices as regulated by other code sections or permits.

320.2 Permits. A permit in accordance with 105.6.32 shall be secured from the fire code official prior to the date of the fire performance art taking place.

320.3 Space considerations. A ten (10) foot distance shall be maintained between the fire-involved item and any member of an audience, any combustible decoration, and any combustible item within the immediate performance area. A minimum ten (10) foot ceiling height is required.

320.4 Extinguishing agents. At minimum, one (1) 2A-10BC multipurpose fire extinguisher shall be required for every five (5) performers at each performance. Additional fire extinguishers may be required by the code official based upon the unique circumstances of the performance and occupancy.

320.4.1 One (1) wet towel for each active fire performer shall be provided to extinguish the fire implement. The towel shall be white in color to differentiate its use from other colors that may be used to clean up flammable or combustible liquid spills. Towels used for cleaning up flammable or combustible liquid spills shall be stored in a metal container with a tight fitting lid.

320.4.2 One (1) listed fire blanket shall be provided for every five (5) performers.

320.5 Personal safety. A five (5) gallon open-topped bucket of water will be provided for each fire performance area.

320.5.1 Spotter. One (1) trained spotter shall be provided for each performance. The spotter shall be positioned between the active fire performer and the audience. Spotters should be trained in the proper use of fire extinguishers. The spotter may be a performer who is not engaged in the current performance. The fire code official may require additional spotters based on the unique circumstances of the performance and occupancy.

320.6 Fuels. Approved common fuels used for fire performance art include:

Denatured alcohol;
Lamp oil (odorless and smokeless);
Kerosene (for outdoor performances only);
Stove Fuel;
"Shell Sol T" brand fuel;
"Allume Fue" brand fuel;
"Fire Water" brand fuel;

Gasoline is prohibited under any circumstances.

320.6.1 Fuel quantities and storage. All fuels shall be stored in their original container(s) with the caps in place when not in use. The maximum quantity of fuel on the site shall be one (1) U.S. gallon per performer.

320.7 Wicks. Wick material shall consist of cotton wrapped in Kevlar to prevent the breakdown of the cotton as it burns. Synthetic wick material shall be avoided.

320.8 Clothing. It is recommended that the clothing worn by the performers be made of fire resistive materials such as natural fibers or Nomex™/PBI.

320.9 Smoking. Smoking is prohibited by within fifty (50) feet of the performance area and fuel storage. No smoking signs shall be posted accordingly.

507.3 Fire flow. Delete in its entirety.

507.5.1 Fire hydrant systems; where required. Delete in its entirety.

604.6 Emergency lighting equipment. Delete in its entirety.

607.3.5 Fire suppression systems. Existing fire suppression systems not meeting the UL 300 criteria shall be upgraded to UL 300 compliant systems within three (3) years of the adoption of this code.

903.2.1.2 Group A-2. An automatic sprinkler system shall be provided throughout stories containing Group A-2 occupancies and throughout all stories from the A-2 occupancy to and including the levels of exit discharge serving that occupancy where one of the following conditions exists:

1. The fire area exceeds five thousand (5,000) square feet (465m²);
2. The fire area has an occupancy load of two hundred (200) or more; or
3. The fire area is located on a floor other than the level of exit discharge serving such occupancies.

903.2.8.3 Fraternity and sorority houses. Each fraternity and sorority house and fraternity and sorority annex with sixteen (16) or more occupants existing on March 16, 2009 shall install at a minimum an automatic fire sprinkler system, designed and installed under the current edition of the National Fire Protection Association Standard 13R, in accordance with Section 903.3 of the 2006 International Fire Code, no later than June 1, 2016.

New fraternity and sorority houses and fraternity and sorority annexes and such houses and annexes that undergo renovation of their space, shall install at a minimum an NFPA 13R fire sprinkler system.

Existing fraternity and sorority houses and fraternity and sorority annexes that cannot be compliant by June 1, 2016 must submit to the fire chief, or the chief's designee, a plan to achieve compliance and receive approval of such plan prior to June 1, 2016. The fire chief, or the chief's designee, will review the plan, establish a benchmark, identify additional interim safety measures required and, if approved, establish a new deadline not to exceed three (3) years, or no later than June 1, 2019. Additional interim safety measures may include, but are not limited to, the following:

- a. Occupancy restrictions,
- b. Special event restrictions,
- c. Alarm system enhancements,
- d. Monthly fire alarm battery checks and certification by governing board president and secretary, or equivalent (adult governing board or advisor, not student leadership),
- e. Fire watch, and/or
- f. Temporary sprinkler system.

Written quarterly reports to the fire chief, or the chief's designee, will be required to be submitted by any fraternity or sorority who receives an extension.

If the fraternity or sorority disagrees with the determination of the fire chief, a written request for review and a variance from the requirements established by the fire chief may be requested by the fraternity or sorority from the city council. Compliance with the requirements of this section shall not be stayed pending review of the request by the city council.

For purposes of this section, "fraternity and sorority house" means any building used as a dwelling and occupied by and maintained exclusively or primarily for college, university or professional school students who are affiliated with a social, honorary or professional organization recognized currently or in the past by a college, university or professional school.

904.1.1 Certification of service personnel for fire-extinguishing equipment. Certification of service personnel shall include those who install and service water based fire protection

systems. At least one person employed by the company providing the service shall possess either UL or NICET Level 1 certification for the system they are working on.

912.4.1 Locking fire department connection caps. Add the following sentence to the end of the paragraph: Fire department connections (FDC) shall be a four (4) inch Storz™ connection and shall utilize a Knox™ locking FDC cap.

1013.2 Floor level exit signs in groups A1, A2 over 5,000 square feet or greater than 200 occupants, and R-1. Illuminated exit signs in A1, A2 and R-1 use groups shall be placed above exit doors and to the side of exit doors eighteen (18) inches from the floor. The floor level exit signs shall be protected by a guard to prevent physical damage. This amendment shall not be retroactive in nature, and shall not apply to structures prior to January 1, 2007.

1013.6.2 Exit sign illumination. Add the following sentence to the end of the paragraph: Internally illuminated exit signs shall not use incandescent light bulbs relying upon a filament for the source of illumination. This amendment shall be applicable under the following conditions:

In all new and remodeled construction where illuminated exit signs are required or provided; and when exit signs are replaced or deemed inoperable by the jurisdiction having authority; and where an exit sign is installed in new locations in existing buildings, upon order of the City Fire Marshall.

This amendment shall not be retroactive in nature, and shall not apply to structures constructed prior to January 1, 2003.

1103.4.2 Three to five stories. Add exception 5. as follows:

5. Where any structure has previously received a certificate of compliance or a certificate of occupancy, has been maintained accordingly and complies with the following:
 - a. Smoke detectors shall be installed in all shafts and corridors, if such exist.
 - b. Shaft and corridor smoke detectors shall receive their primary power from the building wiring and when primary power is interrupted, shall receive power from a battery. Wiring shall be permanent and without a disconnecting switch other than those required for over-current protection.
 - c. All smoke detectors in shafts and corridors, if such exist, shall be interconnected such that the actuation of one alarm will actuate all alarms in the shafts and corridors.
 - d. Existing windows in a sleeping room shall not be eliminated.

1103.5.1 Group A-2. Delete in its entirety.

1104.16.5 Materials and strength. Add the following exception:

Exception: If the existing fire escape stairway does not serve an assembly occupancy and is less than or equal to 30 inches wide than it shall support a live load of 40 pounds per square foot and a concentrated load of 300 pounds as for catwalks in IBC Table 1607.1.

1104.20 Common path of egress travel. Add the following exception:

Exception: R-2 occupancies that meet the following:

Where any structure has previously received a certificate of compliance or a certificate of occupancy, has been maintained accordingly and complies with the following:

- a. Smoke detectors shall be installed in all shafts and corridors, if such exist.
- b. Shaft and corridor smoke detectors shall receive their primary power from the building wiring and when primary power is interrupted, shall receive power from a battery. Wiring shall be permanent and without a disconnecting switch other than those required for over-current protection.
- c. All smoke detectors in shafts and corridors, if such exist, shall be interconnected such that the actuation of one alarm will actuate all alarms in the shafts and corridors.
- d. Existing windows in a sleeping room shall not be eliminated.

3103.2 Approval required. Tents and membrane structures having an area in excess of four hundred (400) square feet (37 m²) shall not be erected, operated or maintained for any purpose without first obtaining a permit from the community development department and inspection from the fire code official.

Exceptions to permit and inspection:

1. Tents used exclusively for recreational camping purposes.

Exceptions to inspections (permit required):

1. Tents which comply with all of the following:
 - 1.1. Individual tents having a maximum size of one thousand (1,000) square feet (92.9 m²) and erected for less than three (3) days.
 - 1.2. The aggregate area of multiple tents placed side by side without a fire break clearance of twelve (12) feet (3,658 mm), not exceeding one thousand (1,000) square feet (92.9 m²) total and erected for less than three (3) days.

3103.8.2 Location. Delete in its entirety.

3103.8.6 Fire break. An unobstructed fire break passageway or fire road not less than twelve (12) feet (3658 mm) wide and free from guy ropes or other obstructions shall be maintained on all sides of all tents and membrane structures where separation is required per Section 3103.8.2 unless otherwise approved by the fire code official.

3103.12.7 *Means of egress illumination.* Add the following exception:

Exception: Tents used during daylight hours and open on all sides are not required to provide means of egress illumination unless required by the fire code official.

SECTION 3105 – TEMPORARY STAGE CANOPIES

3105.1 *General.* A temporary stage canopy shall comply with Section 3104, Sections 3105.2 through 3105.9 and ANSI E1.21.

3105.2 *Approval.* Temporary stage canopies in excess of 400 square feet (37 m²) shall not be erected, operated or maintained for any purpose without first obtaining approval and a permit from the fire code official and the building official.

3105.4 *Use period.* Temporary stage canopies erected in accordance with ANSI E1.21 shall not be erected for a period of not more than six consecutive weeks.

3105.5 *Required documents.* Subsection 2. is amended to read as follows:

2. *Designation of responsible party:* The owner of the temporary special event structure stage canopy shall designate in writing a person to have responsibility for the temporary special event structure stage canopy on the site. The designated person shall have sufficient knowledge of the construction documents, manufacturer's recommendations and operations plan to make judgements regarding the structure's safety and to coordinate with the fire code official.

3105.6.1 *Independent inspector.* The owner of a temporary stage canopy shall employ a qualified, independent approved agency or individual to inspect the installation of the temporary stage canopy.

3105.6.2 *Inspection report.* The inspecting agency or individual shall furnish an inspection report to the fire code official. The inspection report shall indicate that the temporary stage canopy was inspected and was or was not installed in accordance with the approved construction documents. Discrepancies shall be brought to the immediate attention of the installer for correction. Where any discrepancy is not corrected, it shall be brought to the attention of the fire code official and the designated responsible party.

3105.7 *Means of egress.* The means of egress for temporary stage canopies shall comply with chapter 10.

3105.8 *Location.* Temporary stage canopies shall be located a distance from property lines and buildings to accommodate distances indicated in the construction drawings for guide wires, cross bracing, ground anchors or ballast. Location shall not interfere with egress from a building or encroach on fire apparatus roads.

5601.3 *Prohibited explosives.* Add the following prohibited explosive:

11. *Fireworks.* The possession, manufacture, storage, sale and use of fireworks are prohibited, except where allowed under section 16-234 of the Code of Ordinances.

B105.1 One- and two-family dwellings. The minimum fire flow requirements for one- and two-family dwellings having a fire area which does not exceed three thousand six hundred (3,600) square feet (344m²) shall be eight hundred (800) gallons per minute (3785L/min) for a minimum of four (4) hours.

B105.2 Buildings other than one- and two-family dwellings. The minimum fire flow and flow duration for buildings other than one- and two-family dwelling units shall be one thousand five hundred (1,500) gallons per minute for a minimum of four (4) hours. The code official may use table B105.1 to determine fire flows under special circumstances.

C103.2 Average spacing. Fire hydrants shall have a maximum spacing of 500 feet in all R-1 (Single family) and R-2 (Duplex) developments and 300 feet in all other zoning districts. Fire hydrant spacing for buildings that are required by the 2018 edition of the International Fire Code to have a fire flow greater than or equal to 6,000 gallons per minute shall be regulated by Table C102.1.

C103.4 Additional fire hydrant spacing requirement. A fire hydrant capable of flowing a minimum of one thousand five hundred (1,500) gallons per minute for a minimum of four (4) hours shall be placed within one hundred (100) feet of any fire department connection (FDC). This hydrant shall be placed so that it does not impede access to the building or area by responding fire department equipment.

SECTION 2. The repeal of Article II of Chapter 9 of the Code of Ordinances, City of Columbia, Missouri, relating to the 2015 Edition of the International Fire Code shall not affect any offense or act committed or done or any penalty or forfeiture incurred before the effective date of this ordinance.

SECTION 3. This ordinance shall be in full force and effect from and after October 1, 2019.

PASSED this _____ day of _____, 2019.

ATTEST:

City Clerk

Mayor and Presiding Officer

APPROVED AS TO FORM:

City Counselor