



**Windsor Heights Fire Dept.**

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Windsor Heights, Iowa 50324

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## MEMO

To: Jeff Fiegenschuh, City Administrator  
From: Christopher Cross, Fire Chief  
CC: Jason VanAusdall, Director of Public Works  
Date: January 27, 2014  
Re: Agenda statement for codes

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Staff is proposing we update all applicable International Codes and amendments to the 2012 edition. Staff feels it is important to update all international codes and amendments at the same time, since the code sets are designed to work together. For example, fire codes reference applicable codes in the mechanical code. The 2012 code is more congruent to editions adopted by our neighbors thereby eliminating the competitive disadvantage for builders and developers. One of the goals of the Capital Crossroads Project is to have common fire and building codes with local amendments. This update will bring Windsor Heights closer to that goal. Accompanying this memo is a list of proposed amendments to the 2012 International Fire Code to be adopted by the City Council.

*The Windsor Heights Fire Department's mission is to deliver excellent EMS and Fire service to the public through continuous training, rapid response, public education and fire prevention.*



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## **WINDSOR HEIGHTS 2012 INTERNATIONAL FIRE CODE SUMMARY OF LOCAL AMENDMENTS**

- The Chapter of the IFC 2012 dealing with historical buildings has been repealed and does not apply to the City of Windsor Heights. All buildings will comply with this code.
- Many definitions have been updated to include a common title for the “Fire Code”. Other definitions include using common terms such as *Fire Marshal’s Office*, alarm user, charcoal grill, false alarm, reckless use of fire, and who a “Qualified” person is to install and inspect fire protection equipment.
- Members of the FD are now allowed to take photographic evidence during inspections, examinations, and enforcements to study hazards for fire safety.
- Impersonating a member of the FD will now be a violation of this code.
- The Fire Code official will have the right to stop any event that has a fire or life safety hazard.
- Added a 100% additional fee of the original permit fee for starting work before being issued a permit.
- Fee schedule will still be determined by council resolution.
- Fire officials are now authorized to issue citations in violations of this code.
- Failure of persons to pay a civil citation is now addressed. Any fees associated with collection of a fine, fee, or penalty will be charged to the offender.
- All Fire Equipment will be serviced by a “Qualified Person”, and must have their licenses on file with the West Des Moines Finance Director.
- All Fire Equipment will be tagged with an approved inspection tag. Such tags are required to be purchased from the West Des Moines Fire Prevention Bureau for use in Windsor Heights. They will be the West Metro tags. Other departments that follow these guidelines are Clive, Urbandale, West Des Moines, Waukee, Grimes and Johnston.
- The penalties for not following these agreed upon guidelines from the 7 surrounding departments are described.
- If an existing structure is altered it shall comply with all new structure requirements, including the addition of an approved fire protection system.

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- If new buildings exceed 5,999 square feet, including outside wall dimensions, attached overhangs, and structures within 20 feet, the building shall comply with all requirements for an approved fire sprinkler system.
- If any business sells illegal or non-approved devices that are in violation of this code, a sign is required next to the item of sale indicating it is illegal to use in the City of Windsor Heights. Such items include fire pits, chimineas, sky lanterns, and other fire/ember producing devices.
- Charcoal grills shall not be on any balconies and be at least 10 feet from any multi-story building.
- Only one, 20 pound LP tank is allowed per living unit of multi-family buildings. Lp tanks cannot be stored inside living units.
- No person shall drop, throw, or release into the atmosphere ignited material from the ground, a structure, or vehicle.
- Fire drills at schools may be ordered by the Fire Chief at any time.
- The provisions for Fire Lanes are now clearly established.
- Any building with a sprinkler or alarm system is required to have a Knox Box.
- Fire hydrants shall be marked with reflective markers *when required*.
- Cut trees may be displayed in non-residential buildings not longer than 15 days from when the tree was purchased or cut; whichever is sooner.
- Wall art is limited to 20% in classrooms and corridors.
- You may mount a fire extinguisher on a wall or store in a marked pantry or closet.
- Exterior walking surfaces of exit discharges must now be hard surfaces and have frost protection.
- The Fire Department shall seize, take, remove or cause to be removed fireworks in violation of this code.
- Effective July 1st, 2015, all multi-family and rental dwelling units and buildings having more than 16 units shall have a manual fire alarm system installed. (monitored)
- Effective July 1, 2015, all rental units and existing multi-family dwelling units shall have installed a carbon monoxide alarm.
- Effective July 1, 2015, all multi-family dwelling units shall have approved exit sign illumination, and emergency power illumination.

**ORDINANCE 14-06**

**AN ORDINANCE AMENDING CHAPTER 37 FIRE CODE, OF THE MUNICIPAL CODE OF THE CITY OF WINDSOR HEIGHTS, IOWA, BY ADOPTING THE 2012 INTERNATIONAL FIRE CODE WITH AMENDMENTS**

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**WHEREAS**, the City Council of the City of Windsor Heights, Iowa desires to continue to protect life, safety and property through the adoption and enforcement of construction codes, and to establish the minimum requirements consistent with nationally recognized good practice for providing a reasonable level of life safety and property protection from the hazards of fire, explosion or dangerous conditions in new and existing buildings, structures and premises and to provide safety to fire fighters and emergency responders during emergency operations.

**WHEREAS**, the Council now deems it appropriate to revise the Municipal Code by adopting the latest edition of the International Code Council Fire Code and Appendix Chapters 2012 Edition.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF WINDSOR HEIGHTS, IOWA:**

**Section 1.** ADOPTION. That Chapter 37 of the Municipal Code of the City of Windsor Heights, Iowa, the Fire Regulations be repealed and there be enacted in lieu thereof the following Chapter;

**CHAPTER 37**

**FIRE CODE**

- |                                                           |                                                     |
|-----------------------------------------------------------|-----------------------------------------------------|
| 37.01 Short Title                                         | 37.27 Business that sell Fire Pits, Chiminea, Sky   |
| 37.02 Adoption of the Fire Code                           | Lanterns, and other Outdoor Recreational Devices    |
| 37.03 Amendments, Modifications, Additions, and deletions | 37.28 Open-flame Cooking Devices                    |
| 37.04 Deletions                                           | 37.29 Projection of Ignited Materials               |
| 37.05 Title                                               | 37.30 False Alarm                                   |
| 37.06 Department of Fire Prevention                       | 37.31 Fire Drills for E Occupancies                 |
| 37.07 General                                             | 37.32 Fire Apparatus Access Roads                   |
| 37.08 Legal Defense                                       | 37.33 Key Boxes                                     |
| 37.09 Right of Entry                                      | 37.34 Fire Hydrant Markers and Identification Color |
| 37.10 Photographic Documentation                          | 37.35 Decorative Vegetation in New and Existing     |
| 37.11 Impersonation                                       | Buildings                                           |
| 37.12 Stopping Use, Evacuation                            | 37.36 Artwork                                       |
| 37.13 Types of Permits                                    | 37.37 Conspicuous Location                          |
| 37.14 Compliance with Orders and Notices                  | 37.38 Single and Multi-station Smoke Alarms         |
| 37.15 Board of Appeals Established                        | 37.39 Overcrowding                                  |
| 37.16 Work Commencing before Permit Issuance              | 37.40 Continuity and Components                     |
| 37.17 Permit Fees and Departmental Charges                | 37.41 Frost Protection                              |
| 37.18 Citations                                           | 37.42 Handrails                                     |
| 37.19 Failure to Pay Citations                            | 37.43 (Handrail) Continuity                         |
| 37.20 Licenses                                            | 37.44 Walking Surfaces                              |
| 37.21 Life Safety Plans                                   | 37.45 (Emergency Escape and Rescue) Maximum         |
| 37.22 Penalties for Violation of Licenses                 | Height from floor-Exception                         |
| 37.23 General                                             | 37.46 Fire Safety and Means of Egress Requirements  |
| 37.24 General                                             | for Existing Buildings                              |
| 37.25 General Definitions                                 | 37.47 Iowa Right to Know                            |
| 37.26 Reckless Use of Fire                                | 37.48 Seizure of Fireworks                          |

**37.01 SHORT TITLE.** This Chapter shall be known as the Fire Code, and may be cited as such, and may be referred to herein as this chapter.

**37.02 ADOPTION OF THE FIRE CODE.** The City of Windsor Heights has adopted, as a part of the City's Building Code (chapter 155 of this Code of Ordinances) the *International Fire code, and Appendix Chapters 2012 Edition, including Appendices B, C, D, E, F and G*, (hereinafter known as the IFC) as published by the International Code Council, Inc. The provisions of said fire code shall be controlling for the safeguarding of life and property from the hazards of fire and explosion arising from storage, handling, and using of hazardous substances, materials, and devices, and from conditions hazardous to life and property in the use of occupancy of buildings or premises and in all matters covered by said Fire Code within the corporate limits of the City of Windsor Heights, Iowa, and shall be known as the "Fire Code". A copy of this chapter is on file in the office of the Code Official.

**37.03 AMENDMENTS, MODIFICATIONS, ADDITIONS, AND DELETIONS.** The *International Fire Code, 2012 Edition* (hereinafter known as the IFC), is amended as hereinafter set out in Sections 37.04 through 37.48.

**37.04 DELETIONS.** The following are deleted from the IFC and are no force or effect in this chapter:

Subsection 102.6 Historic Buildings, Section 108 Board of Appeals.

**37.05 (SUBSECTIONS 101.1 AMENDED)—TITLE.** Subsection 101.1 Title, of the IFC, is hereby deleted and there is enacted in lieu thereof the following section:

Subsection 101.1 Title. These regulations shall be known as the *Fire Code of Windsor Heights, Iowa*, hereinafter referring to as "this code."

**37.06 (SECTION 103 REPEALED AND REPLACED)—DEPARTMENT OF FIRE PREVENTION.** The title of SECTION 103 DEPARTMENT OF FIRE PREVENTION, of the IFC, is hereby repealed and replacing with a new title to read as follows:

#### **SECTION 103 FIRE MARSHAL'S OFFICE**

**37.07 (SECTION 103.1 AMENDED)—GENERAL.** Section 103.1 General, of the IFC, is hereby modified by replacing the words *Department of Fire Prevention* with the words *Fire Marshal's Office*, as follows:

Section 103.1 General. The *Fire Marshal's Office* is established within the jurisdiction under the direction of the fire code official. The function on the department shall be the implementation, administration, and enforcement of the provisions of this code.

**37.08 (SECTION 103.4.1 AMENDED)—LEGAL DEFENSE.** Section 103.4.1 Legal Defense, of the IFC, is hereby amended by replacing the words *Department of Fire Prevention* with the words *Fire Marshal's Office*, as follows:

Section 103.4.1 Legal defense. 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 fire code official or any subordinate shall not be liable for costs in an action, suit, or proceeding that is instituted in pursuance of the provisions of this code; and officer of the *Fire*

*Marshal's Office*, acting 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.

**37.09** (SECTION 104.3 ADDITION)—**RIGHT OF ENTRY.** Section 104.3 Right of Entry, of the IFC, is hereby amended by adding a second paragraph in order after said subsection to read as follows:

No owner or occupant or any other person having charge, care, or control of any building or premise shall fail or neglect, after proper demand is made as herein provide, to properly permit entry therein by the Fire Chief or his authorized representative for the purpose of inspection or examination under such exigent circumstances affecting the safety of persons and/or property, or to take such prudent action to extinguish a fire or abate a fire hazard.

**37.10** (SECTION 104.3.2 ADDITION)—**PHOTOGRAPHIC DOCUMENTATION** Section 104.3 Right of Entry, of the IFC, is hereby amended by adding subsection *104.3.2 Photographic Documentation* to read as follows:

Section 104.3.2 Photographic Documentation. Members of the Fire Department making such examinations, inspections, or enforcements shall have the right, with proper credentials, and be authorized to take a reasonable number of photographs or videotapes for evidence and for records for use by the Fire Department to study hazards and scientific control for fire safety.

**37.11** (SECTION 104.4.1 ADDITION)—**IMPERSONATION.** Section 104.4 Identification, of the IFC, is hereby amended by adding subsection *104.4.1 Impersonation* to read as follows:

Section 104.4.1 Impersonation. A person shall not impersonate the fire code official or his designee through the use of a uniform, identification card, badge, or any other means. And such impersonation shall be a violation of this code.

**37.12** (SECTION 104.13 ADDITION)—**STOPPING USE, EVACUATION.** Section 104 General Authority and Responsibilities, of the IFC, is hereby amended by adding subsection *104.13 Stopping use, Evacuation* to read as follows:

Section 104.13 Stopping Use, Evacuation. The fire code official is authorized to order an operation or use stopped or the evacuation of any premises, building, or vehicle or portion thereof which has or is a fire life safety hazard.

**37.13** (SECTION 105.1.2 ADDITION)—**TYPES OF PERMITS.** Subsection 105.1.2, Types of Permits, of the IFC, is hereby amended by adding the following paragraphs to said subsection:

Subsection 105.1.2.1 Certificate of Occupancy. A certificate of occupancy issued pursuant to provisions of the *International Building Code* may be assumed to comply with section 1, Operational Permit.

Subsection 150.1.2.2 Other Permits. Building, Mechanical, Electrical, and Plumbing permits issued pursuant to provisions of their respective codes may be assumed to comply with Section 2. Construction Permit.

**37.14** (SECTION 106.5 ADDITION)—**COMPLIANCE WITH ORDERS AND NOTICES.** Section 106 Inspections, of the IFC, is hereby amended by adding subsection *106.5 Compliance with Orders and Notices* to read as follows:

Section 106.5 Compliance with orders and notices. Orders and notices issued or served as provided by this code shall be complied with by the owner, operator, occupant or other person responsible for the condition or violation to which the order or notice pertains. In case of extreme danger to persons or property, immediate compliance is required.

**37.15 (SECTION 108.1 REPEALED AND REPACED)—BOARD OF APPEALS ESTABLISHED.** Section 108.1 Board of Appeals Established, of the IFC, is hereby repealed and replacing with a new *108.1 Board of Appeals Established*, to read as follows:

**37.16 (SECTION 113.3 ADDITION)—WORK COMMENCING BEFORE PERMIT ISSUANCE.** Subsection 113.3, Work Commencing Before Permit Issuance, of the IFC, is hereby amended by adding the following sentence after said subsection:

Subsection 113.3 Work commencing before permit issuance. Said fee shall be 100 percent of the usual permit fee in addition to the required permit fee.

**37.17 (SECTION 113.6 ADDITION)—PERMIT FEES AND DEPARTMENTAL CHARGES.** Section 113.6 Permit Fees and Departmental Charges is added as follows:

Subsection 113.6 Permit Fees and Departmental Charges. The City Council of the City of Windsor Heights, Iowa may by resolution prescribe the occasions when permits are required and may also prescribe the fees required for such permits. The City Council of the City of Windsor Heights, Iowa may by resolution prescribed the occasions when other fees for response or other fire department services are required. All permit fees and departmental charges for services shall be as detailed in Exhibit A of this chapter.

**37.18 (SECTION 114.1 AMENDED)—CITATION.** Chapter 114 Scope and Administration, of the IFC, is hereby amended by adding *Section 114 Citations*, and following subsections to read as follows:

#### **SECTION 114 CITATIONS**

Subsection 114.1 Citation. Persons operating or maintaining an occupancy, premises, or vehicle subject to the requirements of this code who allow a hazard to exist, or fail to take immediate action to abate a hazard in regard to such occupancy, premises, or vehicle, when ordered or notified to do so by the fire code official shall be guilty of a misdemeanor.

Fire code officials, or designees, are herewith authorized to issue and deliver citations on form prepared and approved by the City of Windsor Heights, Iowa to persons accused of violating any of the provisions of this ordinance.

**37.19 (SECTION 114.2 ADDITION)—FAILURE TO PAY A CIVIL CITATION.** Section 114 Citations, of the IFC, is hereby amended by adding subsection *114.2 Failure to Pay Civil Citation* to read as follows:

Section 114.2 Failure to Pay Civil Citation. A default in the payment of a fine or penalty or any installment of a fine or penalty may be collected by any means authorized for the collection of monetary judgments. The City Attorney may retain attorneys and/or private collection agents for the purpose of collecting any default in payment of any fine or penalty or installment of the fine or penalty. Any fees or cost incurred by the City with respect to attorneys or private collection agents retained under this Section shall be charged to the offender.

**37.20** (SECTION 115.1 ADDITION)—**LICENSES.** Chapter 115 Scope and Administration, of the IFC, is hereby amended by adding section *115 Licenses and Plan Review* and following subsections to read as follows:

### **SECTION 115 LICENSE AND PLAN REVIEW**

Subsection 115.1 Licenses. All installations, modifications, maintenance, or servicing of life safety systems are to be performed by an approved licensed business or person(s). A business or person(s) shall obtain a license to do work in the City of Windsor Heights from the West Des Moines Finance Director Office.

**37.21** (SECTION 115.2 ADDITION)—**LIFE SAFETY PLANS.** Section 115 Licenses and Plan Review, of the IFC, is hereby amended by adding subsection *115.2 Life Safety Plans* to read as follows:

Subsection 115.2 Life Safety Plans. All life safety plans submitted for review to include, but not limited to, fire sprinkler system plans, fire alarm plans, and clean agent system plans shall be designed and stamped by a person with a minimum of NICET III certification, fire protection engineer, qualified engineer with two (2) years demonstrated experience in life safety system design, or equivalency as determined by the Code Official. Plan approval will be based upon the plans submitted by the equipment supplier utilizing the above requirements.

**37.22** (SECTION 115.3 ADDITION)—**PENALTIES FOR VIOLATION OF LICENSES.** Section 115 License and Plan Review, of the IFC, is hereby amended by adding subsection *115.3 Penalties for Violation of Licenses* to read as follows:

Subsection 115.3 Penalties for Violation of Licenses. Violation of rules and regulations pertaining to licensing shall result in a fine of \$500.00 for the first violation. A second violation within one (1) year of license issuance shall result in a fine of \$750.00. A third violation within one (1) year of license issuance shall result in a fine of \$1,000.00 and revocation of the license for the remainder of the license issuance period.

**37.23** (SECTION 116.1 ADDITION)—**GENERAL.** Chapter 116 Scope and Administration, of the IFC, is hereby amended by adding Section *116 Inspection Tags* and following subsections to read as follows:

### **SECTION 116 INSPECTION TAGS**

Subsection 116.1 General. Tags for inspection of fire suppression systems, fire extinguishers, and fire alarm systems are required to be purchased from West Des Moines Fire Prevention Bureau for use in the City of Windsor Heights. West Metro tags are also acceptable.

**37.24** (SECTION 117.1 ADDITION)—**GENERAL.** Chapter 117 Scope and Administration, of the IFC, is hereby amended by adding Section *117 Additions to Buildings or Structures* and following subsections to read as follows:

### **SECTION 117 ADDITIONS TO BUILDINGS OR STRUCTURES.**

Subsection 117.1 General. Additions to buildings or structures shall comply with all of the requirements of section 903.2 of the Code for new buildings or structures. The entire building or structure, existing and proposed additions, shall comply with all of the requirements of the fire sprinkler section 903.2 of the Fire Code for new buildings and structures when the total square footage of the building exceeds 5,999 square

feet, including outside wall dimensions, attached overhangs, and structures within 20 feet of the footprint of the building.

Subsection 117.2 Occupancy Requirement. When a building is used for more than one occupancy purpose or use, the entire building shall meet the requirements of the fire sprinkler section 903.2 of the Fire Code based on the requirements for the most restrictive occupancy group as defined in Chapter 2 of the 2012 *International Fire Code*.

**37.25 (SECTION 202 ADDITION)—GENERAL DEFINITIONS.** Section 202 General Definitions, of the IFC, shall be amended by adding the following definitions:

**ALARM USER.** Any person or business on whose premises a fire alarm system or sprinkler system is located within the City of Windsor Heights, Iowa.

**CHARCOAL GRILL.** An outdoor cooking device using solid fuels as a heat source for cooking food. Examples not limited to: charcoal, wood, wood chips, coal, or coke.

**FALSE ALARM.** The willful and knowing initiation or transmission of signal, message or other notification of an event of fire when no such danger exists or an alarm caused by careless use, improper maintenance, or negligence of a fire alarm system or sprinkler system which causes response of fire department apparatus and personnel.

**MULTIFAMILY COMPLEX/DEWLING.** A residential occupancy such as: apartment building, or condominium, or townhouse, or similar buildings with similar use.

**QUALIFIED PERSON.** Sprinkler or Fire Alarm system design. A qualified person for plan design shall have the minimum National Institute for Certification in Engineering Technologies (NICET) Level III certification for sprinkler system design OR have NICET Level III certification for Fire Alarm System design. Other qualifications for sprinkler or fire alarm system design may be approved by the fire code official, including a licensed engineer with experience in life safety system design.

Sprinkler system installation or Inspection, Testing, and Maintenance. A qualified person for Automatic Sprinkler System installation shall have a minimum National Institute for Certification in Engineering Technologies (NICET) Level II certification for Automatic Sprinkler System installation. A qualified person for Automatic Sprinkler System Inspection, Testing, and Maintenance shall have a minimum NICET Level II certification for Automatic Sprinkler System Inspection and Testing of Water Based Systems. Other qualifications for fire sprinkler system installation or inspection, testing, and maintenance may be approved by the fire code official, including a person who successfully completes a five-year approved apprenticeship program as a journeyman sprinkler fitter (e.g. American Fire Sprinkler Association [AFSA], National Fire Sprinkler Association [NFSA]).

Fire Alarm System installation or Inspection, Testing, and Maintenance. A qualified person for Fire Alarm System installation shall have a minimum National Institute for Certification in Engineering Technologies [NICET] Level II certification for Fire Alarm Systems OR be factory trained and certified for the specific Fire Alarm System, OR be International Municipal Signal Association Fire Alarm Certified, OR be a trained and qualified person employed by an organization listed by a national testing laboratory for the servicing of fire alarm systems. Other qualifications may be approved by the fire code official.

**37.26 (SECTION 305.5 ADDITION)—RECKLESS USE OF FIRE.** Section 305 Ignition Sources is hereby amended by adding subsection 305.5 *Reckless Use of Fire* to read as follows:

Subsection 305.5 Reckless Use of Fire. No person shall so use fire or discharge any incendiary device or material as to recklessly endanger any property or safety of another.

**37.27** (SECTION 307.2 .2 ADDITION)—**BUSINESS THAT SELL FIRE PITS, CHIMINEA, SKY LANTERNS, AND OTHER OUTDOOR RECREATIONAL DEVICES.** Section 307.2 Permit Required is hereby amended by adding subsection 307.2.2 *Business that Sell Fire Pits, Chiminea, Sky Lanterns, and other Outdoor Recreational Devices* to read as follows:

Subsection 307.2.2 Business that Sell Fire Pits, Chiminea, Sky Lantern, and other Outdoor Recreational Devices. Within the City limits of Windsor Heights, any business that sells fire pits, chiminea, sky lanterns, and other outdoor recreational fire/ember producing devices are required to have signage installed on the display devices notifying customers they are not allowed to be used in the City of Windsor Heights.

**37.28** (SECTION 308.1.4 AMENDED)—**OPEN-FLAME COOKING DEVICES.** Subsection 308.1.4 Open-flame Cooking Devices, of the IFC, is amended by deleting exception 2 to renumber and read as follows:

Subsection 308.1.4. Open-flame cooking devices. Charcoal burners and other open-flame cooking devices which produce ash or embers shall not be operated on combustible balconies or within (10) feet of multi-story buildings, such as apartment buildings and/or condominiums. Cooking devices and/or propane cylinders shall not be stored inside the living unit of apartment buildings and/or condominiums.

A maximum of one 20lb. propane cylinder attached to the cooking device shall be allowed per living unit.

**Exception:**

1. One-and-two-family dwellings.
- ~~2. Where buildings, balconies and decks are protected by an automatic sprinkler system.~~
2. ~~{3-}~~ LP-gas cooking devices having LP-gas container with a water capacity not greater than 47.7 pounds ~~{normal 20 pound LP-gas capacity}.~~

**37.29** (SECTION 308.1.9 ADDITION)—**PROJECTION OF IGNITED MATERIALS.** Subsection 308.1 General is amended by adding the subsection 308.1.9 *Projection of Ignited Materials* to read as follows:

Subsection 308.1.9 Projection of Ignited Materials. No person shall drop, throw, or release into the atmosphere ignited material from the ground, a structure, or vehicle.

**37.30** (SECTION 401.3.4 ADDITION)—**FALSE ALARM.** Subsection 401.3 Emergency Responder Notification is amended by adding subsection 401.3.4 *False Alarm* to read as follows:

Section 401.3.4 False Alarm. An alarm user may be charged a fee for each false alarm to which the Fire Department responds.

**37.31** (SECTION 405.2.2 ADDITION)—**FIRE DRILLS FOR E OCCUPANCIES.** Subsection 405.2 Frequency is amended by adding subsection 405.2.2 *Fire Drills for E Occupancies* to read as follows:

Subsection 405.2.2 Fire Drills for E Occupancies. FIRE CHIEF'S POWER TO ORDER FIRE DRILL. The Fire Chief may require a fire drill at any E occupancy at any time.

**37.32 (SECTION 503.7 ADDITION)—FIRE APPARATUS ACCESS ROADS.** Section 503 Fire Apparatus Access Roads is amended by adding subsections 503.7 *Fire Marshal Authority to Designate Fire Lanes*, 503.8 *Signs and Markings*, 503.9 *Summons to be Issued for Parking Violation*, 503.10 *Removal of Vehicle by Property Owner*, 503.11 *Removal of Vehicle by Fire Chief*, 503.12 *Abandonment of Fire Lane*, and 503.13 *Maintenance of Fire Lane* to read as follows:

Subsection 503.7 Fire Marshal Authority to Designate Fire Lane. The Fire Marshal is hereby authorized to designate fire lanes on designated premises where such areas must be free of parked vehicles and other obstructions to provide ready access to buildings, therein, in case of fire or other emergencies. The Fire Marshal's designation of such fire lanes does not obviate the owner of such property of their responsibility to maintain the area. Further, owners of the private property or their designated representative may request that additional fire lanes be designated by the Fire Marshal.

Subsection 503.8 Signs and Markings. Wherever a fire lane has been designated, the Code Official shall cause appropriate signs and markings to be placed identifying such fire lane. Fire lanes may be painted traffic red in addition to fire lane signage. Fire lane signs shall be permanently mounted and the front of the sign set 90 degrees to the street facing the direction of travel, or as otherwise approved by the Code Official. Signs shall be 18 inches tall x 12 inches wide with red letters on a white reflective background to read "Fire Lane-No Parking Except for Emergency Vehicles, Fine \$50.00", unless otherwise directed and approved by the Code Official, conforming to State Law.

Subsection 503.9 Summons to be Issued for Parking Violation. A summons or notice to appear in answer to a charge of parking in violation of this section specifying the location of the fire lane in which such violation occurred and the date and time of such violation, may be issued by any police officer or any member or the Fire Department designated by the Fire Chief.

Subsection 503.10 Removal of Vehicle by Property Owner. Except an authorized emergency vehicle, the owner of private property, or their agent, may have any motor vehicle that is parked in a legally designated fire lane removed and stored at either their own expense or that of the vehicle operator.

The owner of the premises, or their agent, who has a vehicle removed and stored, is not liable for damages incurred as a result of removal or storage, if the vehicle is removed by a vehicle wrecker service insured against liability for property damage incurred in towing vehicles and is stored by a storage company insured against liability for property damage incurred in the storage of vehicles.

Subsection 503.11 Removal of Vehicle by Fire Chief. Any vehicle parked in any designated fire lane may be removed at the vehicle owner's expense upon the authorization of the Fire Chief under the following conditions:

1. When the vehicle violates Ordinance number WH60.10.07.23 (the Fire Lane Ordinance) by parking in a fire lane, or
2. When a vehicle blocks the ingress/egress of a business, educational facility, theater, night club, apartment complex, gymnasium or place of assembly, or
3. When a vehicle's presence threatens the life safety of the public by impeding the ability of the fire apparatus and emergency medical equipment to respond to an emergency.

The Fire Chief shall cause such vehicle to be removed by the towing service operating under a contract with the city and shall further cause such vehicle to be impounded.

Subsection 503.11 Abandonment of Fire Lane. No owner, manager or person in charge of any premises served by a required fire lane shall abandon or close any such fire lane without the written permission of the Fire Marshal.

Subsection 305.12 Maintenance of Fire Lanes. Maintenance of the fire lane signage and painting shall be the responsibility of the property owner/tenant.

**37.33** (SECTION 506.3 ADDITION)—**KEY BOXES (INSTALLATION REQUIREMENTS).** Section 506 Key Boxes is amended by adding subsection 506.3 *Key Box (Installation Requirements)* to read as follows:

Subsection 506.3 Key Box Installation Requirements. Buildings provided with an alarm system or a sprinkler system shall be provided with a key box at the front of the building, typically adjacent to the main front door(s) at a height of five (5) feet above grade or at a location approved by the Code Official.

**37.34** (SECTION 507.5.7 ADDITION)—**FIRE HYDRANT MARKERS AND IDENTIFICATION COLOR.** Subsection 507.5 Fire Hydrant Systems, of the IFC, is hereby amended by adding subsection 507.5.7 *Fire Hydrant Markers and Identification Color* to read as follows:

Subsection 507.5.7 Fire Hydrant Markers and Identification Color. When required by the Code Official, hydrant locations shall be identified by the installation of an approved reflective marker. Both public and private hydrants shall be painted to the City of Des Moines Water Works specifications.

**37.35** (SECTION 806.6 ADDITION)—**DECORATIVE VEGETATION IN NEW AND EXISTING BUILDINGS.** Section 806 Decorative Vegetation in New and Existing Buildings, of the IFC, is hereby amended by adding subsection 806.6 *Length of Display* to read as follows:

Section 806.6 Length of Display. No cut natural Christmas tree shall be displayed in a non-residential occupancy for more than 15 days from the date it was purchased or cut, whichever is sooner.

**37.36** (SECTION 807.4.3.2 AMENDED)—**ARTWORK.** Subsection 807.4.3.2 Artwork, of the IFC, is hereby amended to read as follows:

Subsection 807.4.3.2 Artwork. Artwork and teaching material shall be limited to the walls of *corridors and classroom walls* to not more than 20 percent of the wall area.

**37.37** (SECTION 906.5 ADDITION)—**CONSPICUOUS LOCATION.** Subsection 906.5 Conspicuous Location, of the IFC, is hereby amended by adding a second paragraph in order to read as follows:

Section 906.5 Conspicuous Location. In addition to other areas listed herein or in NFPA 10, fire extinguisher in R occupancies may also be placed in any of the following locations to satisfy the requirements.

1. On a wall in the unit.
2. Inside the closet or pantry, mechanical closet or storage closet as long as the door has a label indicating that there is a fire extinguisher inside and there is no locking device on the door that requires a key, combination, or special knowledge to open.

**37.38** (SECTION 907.2.11 AMENDED)—**SINGLE AND MULTI-STATION SMOKE ALARMS.** Subsection 907.2.11, Single and Multi-station Smoke Alarms, of the IFC, is hereby amended by deleting said subsection and inserting in lieu thereof the following:

Subsection 907.2.11 Single and Multi-station Smoke Alarms. Listed single and multi-station smoke alarms complying with UL 217 shall be installed in accordance with provisions of the code and the household fire warning equipment provisions of NFPA 72. Smoke alarms shall be addressable with sounder bases and tied into the building fire alarm system as a supervisory signal only. Mini horns are not required if notification from a building fire alarm system is through the smoke alarms with sounder bases. Note: Section 907.2.11 only applies to R-1, R-2, R-4 and I-1 occupancy classifications.

**37.39** (SECTION 1004.7 ADDITION)—**OVERCROWDING.** Section 1004 Occupant Load, of the IFC, is hereby amended by adding Subsection *1004.7 Overcrowding* to read as follows:

Subsection 1004.7 Overcrowding. Overcrowding and admittance of persons beyond the approved capacity of a place of assembly are prohibited. The Fire Code Official, upon finding overcrowding conditions, 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 the performance, presentation, spectacle, or entertainment to be stopped until such condition or obstruction is corrected.

**37.40** (SECTION 1007.2 ADDITION)—**CONTINUITY AND COMPONENTS.** Subsection 1007.2 Continuity and Components, of the IFC, is amended by adding the following #11 to said subsection to read as follows:

Section 1007.2 Continuity and Components #11. Components of exterior walking surfaces shall be hard surfaced.

**37.41** (SECTION 1008.1.6.1 ADDITION)—**FROST PROTECTION.** Subsection 1008.1.6 Landings at Doors, of the IFC, is hereby amended by adding subsection *1008.1.6.1 Frost Protection* to read as follows:

Subsection 1008.1.6.1 Frost Protection. Exterior landings at doors shall be provided with frost protection.

**37.42** (SECTION 1009.15 ADDITION)—**HANDRAILS.** Subsection 1009.15 Handrails, of the IFC, is amended by adding the following exception to said subsection to read as follows:

Section 1009.15 Handrails exception 6. Change in elevation of four or more risers within individual units of Group R-2 and R-3 occupancies require a handrail on at least one side.

**37.43** (SECTION 1012.4 ADDITION)—**(HANDRAIL) CONTINUITY.** Subsection 1012.4 (Handrail) Continuity, of the IFC, is amended by adding the following exception to said subsection to read as follows:

Subsection 1012.4 Continuity exception 5. Handrails within a dwelling unit or serving an individual dwelling unit of groups R-2 and R-3 shall be permitted to be interrupted at one location in a straight stair when the rail terminates into a wall or ledge and is offset and immediately continues.

**37.44** (SECTION 1027.5.1 ADDITION)—**WALKING SURFACES.** Subsection 1027.5 Access to a Public Way, of the IFC, is amended by adding subsection *1027.5.1 Walking Surfaces* to read as follows:

Subsection 1027.5.1 Walking Surfaces. Components of exterior walking surfaces shall be hard surfaced.

**37.45 (SECTION 1029.3 ADDITION)—(EMERGENCY ESCAPE AND RESCUE) MAXIMUM HEIGHT FROM FLOOR-EXCEPTION.** Subsection 1029.3, Maximum Height from Floor, of the IFC, is hereby amended by adding the following exception after said subsection to read as follows:

Subsection 1029.3. Maximum Height from Floor-Exception. Exception. Within individual units of Group R-2 and R-3 occupancies where a window is provided as a means of escape and rescue opening from a basement, it shall have a sill height of not more than 44 inches above the floor of landing. Where a landing is provided, the landing shall be not less than 36 inches wide, not less than 18 inches out from the exterior wall, and not more than 24 inches in height. The landing shall be permanently affixed to the floor below and to the wall under the openable area of the window it serves.

**37.46 (CHAPTER 11 AMENDED)—FIRE SAFETY AND MEANS OF EGRESS REQUIREMENTS FOR EXISTING BUILDINGS.** Chapter 11, Construction Requirements for Existing Buildings, of the IFC, is amended by adding the following subsections, *1103.7.6.1 Manual Fire Alarms, Group R-2, Including Multi-Family Rental Dwelling Units and Buildings*, *1103.9.1 Carbon Monoxide Alarms, Group R-2, Including Existing Multi Family Rental Units and Building*, *1104.3.1 Exit Sign Illumination, Group R-2, Including Existing Multi Family Rental Dwellings Units and Buildings*, *1104.5.1 Illumination Emergency Power, Group R-2, Including Existing Multi-Family Rental Dwelling Units and Buildings*, and an effective date for these requirements in multi-family residential buildings including rental dwelling units to read as follows:

Subsection 1103.7.6.1 Manual Fire Alarms, Group R-2, Including Multi-Family Rental Dwelling Units and Buildings. – Effective July 1, 2015, a manual fire alarm system shall be installed in buildings with more than 16 units in accordance with subsection 1103.7.6 of the IFC and for rental dwelling units and buildings shall be confirmed no later than the next rental registration renewal inspection thereafter.

Subsection 1103.9.1 Carbon Monoxide Alarms, Group R-2, Including Existing Multi Family Rental Units and Buildings. – Effective July 1, 2015, carbon monoxide alarms shall be installed in accordance with subsection 1103.9 of the IFC and for rental dwelling units and buildings shall be confirmed no later than the next rental registration renewal inspection thereafter.

Subsection 1104.3.1 Exit Sign Illumination, Group R-2, Including Existing Multi Family Rental Dwellings Units and Buildings. – Effective July 1, 2015, exit sign illumination shall be installed in accordance with subsections 1104.3 and 1104.4 of the IFC and for rental dwelling units and buildings shall be confirmed no later than the next rental registration renewal inspection thereafter.

Subsection 1104.5.1 Illumination Emergency Power, Group R-2, Including Existing Multi-Family Rental Dwelling Units and Buildings. – Effective July 1, 2015, illumination emergency power shall be installed in accordance with subsection 1104.3 of the IFC and for rental dwelling units and buildings shall be confirmed no later than the next rental registration renewal inspection thereafter.

**37.47 (SECTION 5003.5.2 ADDITION)—IOWA RIGHT TO KNOW.** Subsection 5003.5 Hazard Identification Signs, of the IFC, is hereby amended by adding subsection *5003.5.2 Iowa Right to Know* to read as follows:

Subsection 5003.5.2 Iowa Right to Know. Hazard identification signs shall also comply with the Iowa Right to Know law.

**37.48** (SECTION 5601.7.1 ADDITION)—**SEIZURE OF FIREWORKS.** Subsection 5601.7 Seizure, of the IFC, is hereby amended by adding subsection *5601.7.1 Seizure of Fireworks* to read as follows:

Section 5601.7.1 Seizure of Fireworks. Except as hereinafter provided, it shall be unlawful for any person to possess, store, to offer for sale, sell at retail, or use or explode any fireworks, provided the fire code official or authorized official may issue permits for supervised public displays of fireworks by jurisdiction, fair association, amusement parks, other organizations 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 or authorized official and shall be of such character and so located, discharge, or fire so as, in the opinion of the fire code official, after proper investigation, not to be hazardous to property or endanger any person.

The fire code official or authorized 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 this article.

**Section 2.** REPEALER. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

**Section 3.** SEVERABILITY. Should any part or provision of this Ordinance be deemed unconstitutional or unenforceable by any court of competent jurisdiction, such determination shall not affect the rest and remainder of this Ordinance, all of which is hereby deemed separable.

**Section 4.** PRIOR ACTIONS. All Ordinances, orders, Resolutions and actions of City Council inconsistent herewith are, to the extent of such inconsistency only, hereby repealed, revoked and rescinded.

**Section 5.** EFFECTIVE DATE. This ordinance shall be effective \_\_\_\_\_, after its final passage and publication as required by law.

**PASSED AND APPROVED** this \_\_\_\_ day of \_\_\_\_\_, 2014.

\_\_\_\_\_

Diana Willits, Mayor

ATTEST:

\_\_\_\_\_

Jeffrey Fiegenschuh, City Clerk

February 3, 2014

Glover \_\_\_\_\_

Timm \_\_\_\_\_

Burgess \_\_\_\_\_

Peterson \_\_\_\_\_

Timm \_\_\_\_\_

February 17, 2014

Glover \_\_\_\_\_

Timm \_\_\_\_\_

Burgess \_\_\_\_\_

Peterson \_\_\_\_\_

Timm \_\_\_\_\_