

Part 162

162.000 - UNIFORM FIRE CODE Ord. No. 450 Adopted: March 7, 2011 Effective: March 17, 2011

An ordinance to adopt by reference the National Fire Protection Association ("NFPA 1") Uniform Fire Code, 2009 Edition, and Annexes and Index; to prescribe regulations for the safeguarding to a reasonable degree of life and property from the hazards of fire and explosion; to amend certain provisions of the said NFPA 1/Uniform Fire Code 2009 relating to regulations for the safeguarding of life and property; application; conflicts between different codes; open fires; existing apartment buildings and means of egress inspections; and to repeal existing Ordinances or parts of Ordinances in conflict herewith.

THE CHARTER TOWNSHIP OF COMSTOCK, KALAMAZOO COUNTY, MICHIGAN,
ORDAINS:

162.001 - Title.

Sec. I. This Ordinance shall be known and cited as the "Comstock Charter Township Uniform Fire Code Ordinance".

162.002 - Purpose.

Sec. II. This Ordinance is adopted pursuant to the authority vested in Townships by Section 1 of 1945 PA 246, as amended (MCLA 41.181), and Section 5 of 1951 PA 33, as amended (MCLA 41.805), the purpose of which Ordinance is to adopt a Uniform Fire Code with annexes, index, and amendments thereto; to prescribe regulations for the safeguarding to a reasonable degree of life and property from the hazards of fire and explosion arising from the storage, handling and use of hazardous substances, materials and devices, and from conditions hazardous to life or property in the use or occupancy of buildings or premises.

162.003 - Adoption of "NFPA 1/Uniform Fire Code, 2009 Edition."

Sec. III. A certain document or booklet, which is marked and entitled as "NFPA 1/Uniform Fire Code, 2009 Edition" and the annexes and index thereto, said Code being published by the National Fire Protection Association, official copies of which are on file in the office of the Township Clerk and which may be examined by the general public during regular business hours or by appointment, is hereby adopted by reference as if fully set forth herein. Each and all of the regulations, provisions, penalties, conditions and terms thereof, except as they may hereafter be modified, shall be deemed adopted and made a part hereof by this reference as if fully set forth in this Ordinance.

162.004 - Conflicts.

Sec. IV. Section 1.3.3 of the said NFPA 1/Uniform Fire Code, 2009 Edition, regarding "Conflicts" is hereby amended to add Section 1.3.3.3 as follows:

1.3.3.3. Where a conflict between this document and the Michigan Construction Code occurs, the specific requirements of the Michigan Construction Code shall apply.

162.005 - Board of Appeals.

Sec. V. Section 1.10.1.1 of the said NFPA 1/Uniform Fire Code, 2009 Edition, is hereby amended to read as follows:

1.10.1.1. A Board of Appeals shall be established consisting of members and alternate members who shall be appointed by the Charter Township of Comstock Board of Trustees by reason of education, experience, and knowledge and are deemed to be competent to sit in judgment on matters concerning this Code and its enforcement.

162.006 - Open fires.

Sec. VI. Section 10.11 of the said NFPA 1/Uniform Fire Code, 2009 Edition, is hereby amended by the deletion of subsections 10.11.1 through 10.11.9 thereunder and by the addition of the following language:

10.11 Open fires, incinerators and commercial fireplaces shall be regulated by separate Township Ordinance.

162.007 - Fire protection systems.

Sec. VII. A new section designated 13.1.13 is hereby added to the NFPA 1/Uniform Fire Code, 2009 Edition to read, in its entirety, as follows:

13.1.13 Signage on Fire Department Connections. Fire Department Connections (FDC) shall be signed/marked so as to be easily identified at the time of an emergency. Signage shall be white on red reflective signage and letters shall be at least 6 inches in height and approved by the AHJ.

162.008 - Existing apartment buildings.

Sec. VIII. Section 13.7.2.12.1 of the said NFPA 1/Uniform Fire Code, 2009 Edition, is hereby amended to read as follows:

13.7.2.12.1 Apartment buildings with more than two stories or with more than 15 dwelling units, other than those meeting 13.7.2.12.2 shall be provided with a fire alarm system in accordance with Section 13.7 and NFPA 101, except as modified by 31.3.4.2 through 31.3.4.6 of NFPA 101. (101:31.3.4.1.1)

162.009 - Water supplies and fire hydrants.

Sec. IX. A new section designated 18.3.4.2 is hereby added to NFPA 1/Uniform Fire Code, 2009 Edition, to read, in its entirety, as follows:

18.3.4.2. *Fire Hydrant and Stand Pipe Signage.* All fire hydrants shall be identified by signage as utilized by the local water provider or approved by the AHJ. Stand Pipes shall be identified as such by signage approved by the AHJ.

162.010 - Means of egress inspection.

Sec. X. Section 20.1.4. of the said NFPA 1/Uniform Fire Code, 2009 Edition, is hereby amended to add Section 20.1.4.8, as follows:

20.1.4.8. *Means of Egress Inspection.* The building owner or agent of all Public Assembly Occupancies shall inspect the means of egress to ensure it is maintained free of obstructions, and correct any deficiencies found, prior to each opening of the building to the public and prepare and maintain records of the date and time of each inspection on approved forms, listing any deficiencies found and actions taken to correct them.

162.011 - Violations.

Sec. XI. Any person, firm, association, partnership, corporation, or governmental entity who violates any of the provisions of this Ordinance or the Uniform Fire Code adopted hereunder shall be deemed to be responsible for a municipal civil infraction as defined by Michigan Statute which shall be punishable by civil fine determined in accordance with the following schedule:

	Minimum Fine	Maximum Fine
1st Offense within 3-year period*	\$ 75.00	\$500.00
2nd Offense within 3-year period*	150.00	500.00
3rd Offense within 3-year period*	325.00	500.00
4th or More Offense within 3-year period*	500.00	500.00

* Determined on the basis of the date of commission of the offense(s).

Additionally, the violator shall pay costs which may include all expenses, direct and indirect, to which the Charter Township of Comstock has incurred in connection with the municipal civil infraction. In no case, however, shall costs of less than \$9.00 nor more than \$500.00 be ordered. In addition, the Charter Township of Comstock shall have the right to proceed in any court of competent jurisdiction for the purpose of obtaining an injunction, restraining order, or other appropriate remedy to compel compliance with this Ordinance. Each day that a violation of this Ordinance exists shall constitute a separate violation of this Ordinance.

162.012 - Effective date, severability and repeal of conflicting ordinances.

Sec. XII. The within ordinance shall take effect immediately upon its publication following adoption by the Township Board. The provisions of this Ordinance are hereby declared to be severable. If any clause, sentence, paragraph, section or subsection is declared void or inoperable for any reason, it shall not affect any other part or portion thereof. All Ordinances or parts of Ordinances in conflict herewith are hereby repealed.