

**CHARTER TOWNSHIP OF MARQUETTE,
COUNTY OF MARQUETTE, STATE OF MICHIGAN
ORDINANCE NUMBER 111919**

FIRE PREVENTION CODE

An ordinance of the Charter Township of Marquette adopting the 2012 edition of NFPA 1, Fire Prevention Code edition; and documents listed in Chapter 2 of that Code; prescribing regulations governing conditions hazardous to life and property from fire or explosion; providing for the issuance of permits and collection fees; repealing Ordinance No(s). 032492-2, 050295-2 and 040103 of the Charter Township of Marquette and all other ordinances and parts of ordinances in conflict therewith; providing a penalty; providing a severability clause; and providing for publication; and providing an effective date.

THE CHARTER TOWNSHIP OF MARQUETTE ORDAINS:

Section 1: Title

This Ordinance shall be known and cited as the Fire Prevention Code for the Charter Township of Marquette.

Section 2: Adoption of Fire Prevention Code

That the NFPA-1, Fire Code 2012 edition, and documents adopted by Chapter 2, a copy of which is on file and open to inspection by the public in the Office of the Township Fire Marshal of the Charter Township of Marquette Fire Station, are hereby adopted and incorporated into this ordinance as fully as if set out at length herein, and from the date on which this ordinance shall take effect, the provisions thereof shall be controlling within the limits of the Charter Township of Marquette. The same are hereby adopted as the code of the Charter Township of Marquette for the purpose of prescribing regulations governing conditions hazardous to life and property from fire or explosion and providing for issuance of permits and collection of fees.

Section 3: Additions Insertions and Changes – Fire Department Access.

3.1 General.

Fire department access roads shall be provided and maintained in accordance with this section.

3.2 Fire Apparatus Roads.

3.2.1 Required Access.

Fire apparatus access roads shall be provided in accordance with this Section for every facility, building or portion of a building hereafter constructed or moved into or within the jurisdiction when any portion of the facility or any portion of an exterior wall of the first story of the building is located more than 150 feet from fire apparatus access as measured by an approved route around exterior of the building or facility. The Fire Department access road shall extend to within 50 ft. of at least one exterior door that can be opened from the outside and that provides access to the interior of the building.

Exceptions:

1. When buildings are completely protected with an approved automatic fire sprinkler system, the provisions of this Section may be modified by the Fire Marshal.
2. When access roads cannot be installed due to location on property, topography, waterways, nonnegotiable grades or other similar conditions, the Fire Marshal is authorized to require additional fire protection.
3. When there is not more than two Group R, Division 3, or Group U Occupancies, the requirements of this Section may be modified by the Fire Marshal.

More than one fire apparatus road shall be provided when it is determined by the Fire Marshal that access by a single road might be impaired by vehicle congestion, condition of terrain, climatic conditions or other factors that could limit access.

3.2.2 Specifications

3.2.2.1 Dimensions. Fire apparatus access roads shall have an unobstructed width of not less than 20 feet and an unobstructed vertical clearance of not less than 14 feet.

Exception:

Vertical clearance may be reduced provided such reduction does not impair access by fire apparatus and approved signs are installed and maintained indicating the established vertical clearance when approved.

Vertical clearances or widths shall be increased when, in the opinion of the Fire Marshal, vertical clearances or widths are not adequate to provide fire apparatus access.

3.2.2.2 Surface. Fire apparatus access roads shall be designed and maintained to support the imposed loads of fire apparatus and shall be provided with a surface so as to provide all-weather driving capabilities.

3.2.2.3 Turning Radius. The turning radius of a fire apparatus access road shall be approved. See Attachment B (T-shaped turn around).

3.2.2.4 Dead Ends. Dead-end fire apparatus access roads in excess of 150 feet in length shall be provided with approved provisions for the turning around of fire apparatus. See Attachments A & B.

3.2.2.5 Bridges. When a bridge is required to be used as part of a fire apparatus access road, it shall be constructed and maintained in accordance with nationally recognized standards. The bridge shall be designed for a live load sufficient to carry the imposed loads of fire apparatus.

Vehicle load limits shall be posted at both entrances to bridges when required by the Fire Marshal.

3.2.2.6 Grade. The gradient for a fire apparatus access road shall not exceed 8% maximum.

3.2.2.7 Curve Radius. The curve radius shall be designed to American Association of State Highway transportation official standards for minimum radius for 25 mph posted speed.

3.2.3 Marking. See Section 18.2.3.5 of NFPA-1 of 2012.

3.2.4 Obstruction and control of fire apparatus access.

3.2.4.1 General. The required width of a fire apparatus access road shall not be obstructed in any manner, including parking of vehicles. Minimum required widths and clearances established under Section 3.2.2.1 shall be maintained at all times.

Entrances to roads, trails or other access ways which have been closed with gates and barriers in accordance with Section 3.2.4.2 shall not be obstructed by parked vehicles.

3.2.4.2 Closure of access ways. The Fire Marshal is authorized to require the installation and maintenance of gates or other approved barricades across roads, trails or other access ways, not including public streets, alleys or highways.

When required, gates and barricades shall be secured in an approved manner. Roads, trails and other access ways which have been closed and obstructed in the manner specified by Section 3.2.4.2 shall not be trespassed upon or used unless authorized by the owner and the Fire Marshal.

Exception: Public officers acting within their scope of duty.

Locks, gates, doors, barricades, chains, enclosures, signs, tags or seals which have been installed by the fire department or by its order or under its control shall not be removed, unlocked, destroyed, tampered with or otherwise molested in any manner.

Exception: When authorized by the Fire Marshal or performed by public officers acting within their scope of duty.

3.3 Access to Building Openings.

3.3.1 Required access. Exterior doors and openings required by this code or the Building Code shall be maintained readily accessible for emergency access by the fire department.

An approved access walkway leading from fire apparatus access roads to exterior openings required by this code or the Building Code shall be provided when required by the Fire Marshal.

3.3.2 Maintenance of exterior doors and openings. Exterior doors or their function shall not be eliminated without prior approval by the Fire Marshal. Exterior doors which have been rendered nonfunctional and which retain a functional door exterior appearance shall have a sign affixed to the exterior side of such door stating THIS DOOR BLOCKED. The sign shall consist of letters having principal stroke of not less than 3/4 inch wide and at least 6 inches high on a contrasting background. Required fire department access doors shall not be obstructed or eliminated.

3.4 Key Boxes. All commercial buildings and multi-family residential buildings containing three or more dwelling units with independent cooking and bathroom facilities shall be equipped with a key box. The key box shall be of an approved type and shall contain keys to gain necessary access as required by the Fire Marshal. Whenever access to or within a structure or an area is unduly difficult because of secured openings or where immediate access is necessary for life saving or firefighting purposes, the Fire Marshal is authorized to require a key box to be installed in an accessible location.

Section 4: Additions, Insertions and Changes –Water Supplies and Fire Hydrants.

4.1 General. Water supplies and fire hydrants shall be in accordance with Sections 901 and 903 of the Uniform Fire Code 1997.

4.2 Required Water Supply for Fire Protection. An approved water supply capable of supplying the required fire flow for fire protection shall be provided to all premises upon which facilities, buildings or portions of buildings are hereafter constructed or moved into or within the jurisdiction. When any portion of the facility or building protected is in excess of 150 feet from a water supply on a public street as measured by an approved route around the exterior of the facility or building, on-site fire hydrants and mains capable of supplying the required fire flow shall be provided when required by the Fire Marshal. See Section 4.4.

4.3 Type of Water Supply. Water supply is allowed to consist of reservoirs, pressure tanks, elevated tanks, water mains or other fixed systems capable of providing the required fire flow. In setting the requirements for fire flow, the Fire Marshal may be guided by National Fire Association formula for fire flow.

4.4 Fire Hydrants Systems.

4.4.1 General.

4.4.1.1 Applicability. Fire hydrant systems and fire hydrants shall be in accordance with Section 4.4.

4.4.1.2 Testing and maintenance. Fire hydrant systems shall be subject to such periodic tests as required by the Fire Marshal. Fire hydrant systems shall be maintained in an operative condition at all times and shall be repaired where defective. Additions, repairs, alterations, and servicing shall be in accordance with approved standards.

4.4.1.3 Tampering with Fire-protection Equipment, Barriers, Security Devices, Signs and Seals.

4.4.1.3.1 Fire Department Property. Apparatus, equipment and appurtenances belonging to or under the supervision and control of the fire department shall not be molested, tampered with, damaged or otherwise disturbed unless authorized by the Fire Marshal.

4.4.1.3.2 Fire Hydrants and Fire Appliances. Fire hydrants and fire appliances required by this code to be installed or maintained shall not be removed, tampered with or otherwise disturbed except for the purpose of extinguishing fire, training, recharging or making necessary repairs, or when allowed by the fire department.

When a fire appliance is removed as herein allowed, it shall be replaced or reinstalled as soon as the purpose for which it was removed has been accomplished.

4.4.1.3.3 Barriers, Security Devices, Signs and Seals. Locks, gates, doors, barricades, chains, enclosures, signs, tags, or seals which have been installed by the fire department or by its order or under its control shall not be removed, unlocked, destroyed, tampered with or otherwise molested in any manner.

Exception: When authorized by the Fire Marshall or performed by public officers acting within their scope of duty.

4.4.2 Obstruction and Impairment of Fire Hydrants and Fire Protection Equipment.

4.4.2.1 General. Posts, fences, vehicles, growth, trash, storage and other materials or things shall not be placed or kept near fire hydrants, fire department inlet connections of fire-protection system control valves in a manner that would prevent such equipment or fire hydrants from being immediately discernible. The fire department shall not be deterred or hindered from gaining immediate access to fire-protection equipment or hydrants.

4.4.2.2 Clear Space around Hydrants. A 3-foot clear space shall be maintained around the circumference of fire hydrants except as otherwise required or approved.

4.4.2.3 Fire-Extinguishing Equipment. Class II standpipe hose stations, Class I and Class III standpipe outlets, and portable fire extinguishers shall not be concealed, obstructed or impaired.

4.4.2.4 Fire Alarm Equipment. Alarm-initiating devices, alarm-signaling devices and annunciators shall not be concealed, obstructed or impaired. The property owner is responsible for maintaining the detection, alarm, and suppression systems for proper operation. More than three (3) false alarm indications a year will result in billing for actual full response effort costs.

4.4.3 Required installations. The location, number and type of fire hydrants connected to a water supply capable of delivering the required fire flow shall be provided on the public street or on the site of the premises or both to be protected as required and approved.

Fire hydrants shall be accessible to the fire department apparatus by roads meeting the requirements of Section 3.2

4.4.4 Protection, marking and obstruction of hydrants. Fire hydrants subject to possible vehicular damage shall be adequately protected with guard posts.

4.4.5 Maintenance and use of hydrants. See Sections 13.5 of NFPA-1 of 2012.

Section 5: Final Approval

When the site has been substantially developed in compliance with the approved site plan documents, the petitioner shall request an on-site inspection. The on-site inspection shall require the review and approval of all the required plan elements to the satisfaction of the Fire Marshal in accordance with the requirements as set forth in the Ordinance. After the inspection has been completed and the site has been approved by the Fire Marshall, a letter of acceptance will be provided to the petitioner. If there are deficiencies on the site and the improvements are not in compliance with the approved site plan documents, a similar letter setting forth the reasons for such denial shall be sent to the petitioner. Until such time as the stated deficiencies are corrected, an official letter of acceptance will not be authorized.

Section 6: Penalty for Violations

Any person or other entity who violates any of the provisions of this Ordinance is responsible for a municipal civil infraction as defined by Michigan law and subject to a civil fine determined in accordance with the following schedule:

	Minimum Fine	Maximum Fine
First violation within three year period*	\$50.00	\$500.00
Second violation within three year period*	\$125.00	\$500.00
Third violation within three year period*	\$250.00	\$500.00
Fourth or subsequent violation within three year period*...	\$400.00	\$500.00
More than three (3) false alarms/year*	Actual full response effort costs.	

*Determined on the basis of the date of violation(s).

Additionally, the violator shall pay costs, which may include all direct or indirect expenses to which the Charter Township of Marquette has been put in connection with the violation. In no case, however, shall costs of less than \$10.00 be ordered. A violator of the Ordinance shall also be subject to such additional sanctions, remedies, and judicial orders as are authorized under Michigan law. Each day a violation of this Ordinance continues to exist constitutes a separate violation.

Section 7: Inconsistent Ordinances Repealed

That Ordinance Number(s) 032492-2 and 050295-2 of the Charter Township of Marquette and all other ordinances or parts of ordinances in conflict herewith are hereby repealed.

Section 8: Severability Clause

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

Section 9: Publication and Effective Date

That this ordinance and the rules, regulation, provision, requirements, orders, and matters established and adopted hereby shall take effect and be in full force immediately upon publication.

CERTIFICATION: It is hereby certified that this Ordinance was adopted by the Township Board for the Charter Township of Marquette, Marquette County, Michigan at a meeting of the Board held in the Township Hall at 1000 Commerce Drive, Marquette, Michigan on the 19th day of November, 2019.



Lyn J. Durant, Township Supervisor



Randy J. Ritari, Township Clerk

First Reading: November 5th, 2019

Adopted: November 19th, 2019

Published and Effective: _____, 2019

