Section 1120 - Fire Code

1120.01 Fire Code Adopted. The Minnesota Uniform Fire Code and all Sections of the Uniform Fire Code, as promulgated by the International Conference of Building Officials and the Western Fire Chiefs' Association (which shall be adopted by reference thereto either by the Minnesota Uniform Fire Code or by this Code), and as adopted as a part of the Minnesota State Building Code under Section 1110 of this Code, and copies of which have been marked "The Official Copies" and which shall be on file in the office of the Clerk-Administrator, shall be hereby adopted as the Fire Code for the City, for the purpose of prescribing regulations governing conditions hazardous to life and property from fire or explosion except the portions as shall be deleted or modified by this Section. Every provision contained in these Codes adopted by this Section, shall be hereby made a part of this Code as if fully set forth in this Section.

1120.02 Enforcement. The Chief of the Fire Department of the City, or his or her authorized representative shall enforce the provisions of this Fire Code and the Chief may detail such members of the Fire Department as inspectors as shall from time to time be necessary; and he or she may recommend to the Council employment of technical inspectors.

1120.03 Definitions. For purposes of this Section, the following words and phrases shall have the meanings given them in this Subsection:

Subd. 1 State Fire Marshall. "State Fire Marshall", as used in the Minnesota Uniform Fire Code, shall mean and include only the Chief of the Fire Department of the City, unless the context clearly indicates otherwise.

Subd. 2 Jurisdiction. "Jurisdiction", as used in the Minnesota Uniform Fire Code, shall mean the incorporated limits of the City.

Subd. 3 Corporation Counsel. "Corporation Counsel", as used in the Minnesota Uniform Fire Code, shall be held to mean the attorney for the City.

Subd. 4 Minnesota Uniform Fire Code. "Minnesota Uniform Fire Code", as used, shall mean and apply only to those provisions of the Minnesota Uniform Fire Code adopted by reference in this Section. Wherever in this Section the term "Uniform Code" is used, it shall mean and apply only to those portions of the Uniform Fire Code, as promulgated by the International Conference of Building Officials and the Western Fire Chiefs' Association.

1120.04 Modifications and Amendments to the Minnesota Uniform Fire Code. The Minnesota Uniform Fire Code shall be amended and modified in the following respects for purposes of this Chapter shall be hereby adopted by reference thereto.

A. Authority of Fire Personnel to exercise powers of Police officers. The provisions of Section 1.205 of Uniform Code shall be hereby adopted by reference thereto.

B. Authority and Duty of Police Personnel to Assist in Enforcing this Code. The provisions of Section 1.206 of the Uniform Code shall be hereby adopted by reference thereto.

C. Inspections in Unsafe Buildings. The provisions of Section 1.207(a) of the Uniform Code shall be hereby adopted by reference thereto.

D. Investigations. The provisions of Section 1.208 of Uniform Code shall be hereby adopted by reference thereto, and there shall be added to Section 1.208(a) the following sentence. "The

Chief shall make a report in writing to the State Fire Marshall of all facts and findings relative to each such investigation."

E. Right of Entry. The provisions of Section 1.209 of the Uniform Code shall be hereby adopted by reference thereto.

1. Orders, Common Notices and Tags. The provisions of Section 1.210(b) of the Uniform Code shall be hereby adopted by reference thereto.

2. Compliance. The provisions of Section 1.212 of the Uniform Code shall be hereby adopted by reference thereto.

3. Records and Reports. The provisions of Section 1.213(a) of the Uniform Code shall be hereby adopted by reference thereto.

4. Alternate Materials and Methods. The provisions of Section 1.214(a) of the Uniform Code shall be hereby adopted by reference thereto.

5. Board of Appeals. In order to determine the suitability of alternate materials and type of construction and to provide for reasonable interpretations of the provisions of this Code, there shall be created a Board of Appeals which shall consist of all members of the Council. The Fire Chief shall be an ex- officio member and the Clerk-Administrator shall act as secretary of the Board. The Board shall adopt reasonable rules and regulations for conducting its investigations and shall render all decisions and findings in writing to the Fire Chief with a duplicate copy to the appellant. The Board may employ such experts as it may deem necessary for its work.

6. Compliance with Recognized Standards. Whenever this Code is inapplicable for any reason to any situation involving the protection of persons and property from the hazards of fire and explosion, the materials, methods of construction, installations, or practices, or operations necessary to provide such protection shall, to a reasonable degree, be in accordance with nationally recognized and accepted standards, principles, and tests in generally recognized and accepted standards, principles, and tests in generally recognized and well established methods of fire prevention and control as set forth in the 16 volumes of the National Fire Codes, of the National Fire Protection Association (NFPA) which shall be adopted by reference as part of this Code as fully as if set forth in this Section.

Subd. 2 Regulation 34. Fire Marshall Regulations 34(a), (b), (c), and (e) shall be hereby amended as follows:

(a) Application for Permit. The provisions of Section 1.302 of the Uniform Code shall be hereby adopted by reference thereto.

(b) Inspection Required. The provisions of Section 1.303 of the Uniform Code shall be hereby adopted by reference thereto.

(c) Retention of Permits. The provisions of Section 1.304 of the Uniform Code shall be hereby adopted by reference thereto.

(d) Destruction of Signs. The provisions of Section 1.308 of the Uniform Code shall be hereby adopted by reference thereto.

Subd. 3 Regulation 35. Fire Marshall Regulations 35(a), (b), (c), (d), (e), (i), (j), and (l) shall be hereby amended as follows:

(a) In Section 1.403, the definition of APPROVED shall be retained.

(b) In Section 1.404, the definition of BUILDING CODE shall mean the Minnesota Building Code and the Uniform Building Code.

(c) In Section 1.404, the definition of BUREAU OF FIRE PREVENTION shall be retained.

(d) In Section 1.405, the definition of CHIEF OF THE BUREAU OF FIRE PREVENTION shall be retained.

(e) ELECTRICAL CODE shall mean the National Electrical Code, National Fire Protection Association, and the current edition of the National Electrical Code.

(i) In Section 1.415, the definition of MUNICIPALITY shall mean the City of Newport, Minnesota.

(j) In Section 1.421, the definition of SPRAYING AREA shall be retained.

(l) In Section 1.424, the definition of VAPOR AREA shall be retained.

Subd. 4 Regulation 41. Fire Marshall Regulations 41(a) and (b) shall be hereby amended as follows:

(a) The provisions of Article 11 of the Uniform Code shall be hereby adopted by reference thereto.

(b) The provisions of Article 11 of the Uniform Code shall be hereby adopted by reference thereto.

Subd. 5 Regulation 42. Fire Marshall Regulations 42(a) and (f) shall be hereby amended as follows:

(a) The provisions of Section 13.010 of the Uniform Code shall be hereby adopted by reference thereto.

(f) The provisions of Section 13.302 of the Uniform Code shall be hereby adopted by reference thereto.

Subd. 6 Regulation 44. Fire Marshall Regulations 44(a), (d), (e), (f), and (m) shall be hereby amended as follows:

(a) The provisions of Section 15.100(c) of the Uniform Code shall be hereby adopted by reference thereto.

(d) The provisions of Section 15.202(b) of the Uniform Code shall be hereby adopted by reference thereto.

(e) The provisions of Section 15.207(a) of the Uniform Code shall be hereby adopted by reference thereto.

(f) The provisions of Section 15.207(d) 3 of the Uniform Code shall be hereby adopted by reference thereto.

(m) The provisions of Section 15.710(e) 1 and (f) 1 of the Uniform Code shall be hereby adopted by reference thereto.

Subd. 7 Regulation 45. Fire Marshall Regulations 45 is shall be hereby amended as by adopting the provisions of Article 20 of the Uniform Code except the provisions of Sections 20.101, 20.102(a), 20.110, 20.112(b), and by adding thereto Sections 20.113, 20.114, all of which shall hereafter read as follows:

(SEC. 20.101) Regulations for liquefied petroleum gases shall be the existing State Fire Marshall regulations concerning liquefied petroleum gases, in addition to Article 20 subject to the following additions and amendments as follows:

(SEC. 20.102) Permits and Reports of Installations.

(a) No person shall install or maintain any LP Gas container, or operate any tank vehicle which is used for the transportation of LP Gas without a permit. Where a single container or the aggregate of interconnected containers, if over 120 gallons water capacity, the installer shall submit plans to the Chief. A permit shall not be required for the outside installation or maintenance of portable containers of less than 120 gallon water capacity. A permit shall be required for the inside use of portable containers having a water capacity of 12 lbs. (nominal 5 lbs. LP Gas capacity) in all occupancies other than group 1 as defined in Table 5-A.

(SEC. 20.110) Smoking and Open Flame Devices.

(a) The Chief may require the posting of "NO SMOKING" signs. No person shall smoke within 25 feet of any LP Gas container of 1200 gallons capacity or less, nor within 50 feet of any such container over 1200 gallons capacity.

(b) No person shall install or maintain any open flame device outside of building within 25 feet of any LP Gas container having a capacity of 1200 gallons or less, nor within 50 feet of any such container having a capacity over 1200 gallons, except direct fired vaporizers as covered in NFPA Pamphlet 58, standard for the storage and handling of liquefied petroleum gases.

(c) No person shall install or maintain any LP Gas container with a capacity of 1200 gallons or less within 25 feet of any open flame device, outside of buildings, nor shall any person install or maintain any such container with a capacity in excess of 1200 gallons within 50 feet of any such open flame device.

(d) All LP Gas containers having a capacity of more than 1 lb. which are sold, serviced or from which LP Gas is dispensed shall be clearly labeled with a sign reading: "LP Gas Flammable," the lettering shall be the color red on a contrasting background. On containers of 500 gallon capacity or more, the letters shall be not less than 6 inches in height with a 3/4 inch stroke and shall be affixed to both sides of the tank or installation. Underground or mounded tank installations shall be posted at the point of transfer.

(SEC. 20.112) Abandonment of Liquefied Petroleum Gas Equipment.

(b) Recommended abandonment procedures:

1. All following procedures shall have approval of the local jurisdiction.

(SEC. 20.113) Restrictions of Liquefied Petroleum Gas Use.

1. No solid devices, structures, obstructions, trees, shrubs, or other appurtenances shall be placed adjacent on Liquefied Petroleum Gas storage facility so as to hinder or deter the application of water or firefighting operations by the Fire Department.

2. (a) All approved Liquefied Petroleum Gas storage facilities shall be placed on asphaltic concrete, blacktop, crushed rock, or equal surfaces to eliminate the maintenance and control of combustible vegetation, weeds and grass.

   (b) Polyethylene plastic or equal shall be placed under all surfaces.

3. (a) Storage shall be limited to industrial, commercial, and major facilities subject to interruptible natural gas service providing requirements of Section 20.105 shall be satisfactorily met.

   (b) Storage shall be prohibited in congested or heavily populated areas.

4. Use of Liquefied Petroleum Gas on balconies or in multiple dwellings by tenants shall be prohibited.

5. (a) Temporary use of Liquefied Petroleum Gas during construction, remodeling or major renovations shall require a permit and shall be approved.

   (b) Wheeled agricultural type Liquefied Petroleum trailers shall be prohibited for storage uses including at construction sites.

   (c) Temporary Liquefied Petroleum Gas storage shall be protected as specified in Sec. 20.105. Where quantities are less than 2000 gallons, the following considerations shall be provided:

      1) Sub-Lime Insulative Coatings or

      2) Lesser storage quantities through the use of allowable manifolded systems or

      3) Use of alternate types of fuel.

   (d) At non-congested, sparsely populated and non-residential construction sites, where the small quantities are desired for short periods of time, requirements as specified in 5(c) may be waived at the discretion of the Fire Chief.

(SEC. 20.114) Existing Storage Facilities. Authorization shall be hereby granted to the Chief to resurvey, inspect, and evaluate existing storage facilities for the purposes of determining adequate or suitable fire protection, fire suppression, or life safety requirements. All recommendations for improvements, alterations, or modifications of existing systems shall be based on the following considerations:

1. Storage location with respect to heavily populated or congested areas.

2. Fire department accessibility to storage facilities for placement of fire apparatus and application of fire fighting hose streams.

3. Availability of fire flows.

4. Evaluation of Fire Department capabilities, i.e.:

   (a) Available manpower.

   (b) Available equipment and apparatus.

   (c) Fire Department response times.

   (d) Ability of Fire Department to evacuate structures and residents.

5. Trends, Fire Service Problems, and modern protective techniques.

6. Current installation features and protection levels afforded.

Subd. 8 Regulation 48. Fire Marshall Regulation 48(f) shall be hereby amended as follows:

(f) The provisions of Section 27.302(c) of the Uniform Code shall be hereby adopted by reference thereto.

Subd. 9 Regulation 51. Fire Marshall Regulation 51(a), (e), (f), and (g) shall be hereby amended as follows:

(a) Appendixes A, B, C, D, and E of the Uniform Code shall be hereby adopted by reference thereto.

(e) The provisions of Appendix B, Item 3(b) of the Uniform Code shall be hereby adopted by reference thereto.

(f) The provisions of Appendix B, Item 3(c) of the Uniform Code shall be hereby adopted by reference thereto.

(g) The provisions of Appendix B, Item 4(a) of the Uniform Code shall be hereby adopted by reference thereto.

Subd. 10 Section 13.317 Added. A new Section 13.317 shall be added to the Uniform Code to read as follows:

(SEC. 13.317) Portable Fire Extinguishers, Locations, Types, Inspection, and Maintenance Requirement.

(a) General Requirement Reference and Sources: NFPA Fire Codes Nos. 10, 10A, 101, 11, 11A, 12, 12A.

(b) Multiple Dwellings.

1. All areas throughout the building shall be protected.
   (1) ABC "multipurpose" extinguisher to be placed in each required standpipe cabinet, minimum size - 5 lbs.

2. Alternate requirement: The provisions of Chapter 63, Minnesota Laws of 1974, being Minnesota Statutes Annotated 299F.36.

3. One (1) ABC "multipurpose" dry chemical extinguisher for boiler, furnace or electrical rooms, minimum size - 10 lbs.

(c) Retail - Commercial Establishments.

1. Retail Sales Areas: All areas to be protected at the rate of coverage of one (1) 10 lb. ABC multipurpose extinguisher for every 9,000 sq. ft. Alternate Extinguisher: 2-1/2 gallon pressurized water, if conditions permit.

2. All boiler, furnace and electrical rooms shall be protected with minimum 10 lb. ABC extinguishers.

3. Special consideration shall be provided in commercial kitchens with fixed fire protection systems.

(c) All extinguishers shall be clearly identified with their class use.

(d) All extinguisher locations shall be clearly labeled or identified.

(e) Maximum distances to be traveled to extinguishers shall be 75 feet.

(f) Extinguishers under 40 lbs. shall be installed with top of extinguishers not more than 5 feet above floor level.

(g) Extinguishers over 40 lbs. shall be installed with top not more than 3-1/2 feet above floor level.

(h) Extinguisher Servicing.

1. All extinguishers shall be periodically checked, tested, and serviced not less than once a year.

2. Only qualified and licensed personnel shall be accepted as servicing agents.

3. Hydrostatic testing shall be performed in accordance with NFPA Table 18 - SA, NFPA Handbook, Pages 18-48 and NFPA Table A-3---, Pages 10-23.

4. Extinguishers shall be serviced and refilled after each use.

1120.05 Appeals. Whenever the Chief shall disapprove an application or refuse to grant a permit applied for or when it is claimed that the provisions of the Code do not apply or that the true intent and meaning of the Code have been misconstrued or wrongly interpreted, the applicant may appeal from the decision of the Chief to the Board of Appeals, as designated in the Code, within 30 days from the date of the

decision appealed.

1120.06 Balconies and Decks in Multiple Family Dwellings. No open flame, charcoal or gas grill, oven, or any other device requiring oxidation to produce heat for cooking, or any other purpose, may be used at any time on any deck, balcony other similar area in any multi-story, multiple family dwelling within the City.