

**CITY OF LAKE ELMO
COUNTY OF WASHINGTON
STATE OF MINNESOTA**

ORDINANCE NO. 2021-001

**AN ORDINANCE AMENDING THE LAKE ELMO CITY CODE BY
AMENDING SECTION 151.041 TO ADD LANGUAGE PERTAINING TO
SPECIAL FIRE PROTECTION SYSTEMS**

The City Council of the City of Lake Elmo ordains that Lake Elmo City Code, Section 151.041, shall be amended by adoption of Ordinance 2021-001, as follows:

SECTION 1. Chapter 151.041 shall be amended as follows:

§ 151.041 FIRE PREVENTION AND PROTECTION.

(A) State fire code adopted. The Minnesota State Fire Code, as adopted by the Commissioner of Labor and Industry pursuant to M.S. Ch. 299F.011, including all of the amendments, rules and regulations established, and appendix chapters as outlined below, adopted and published from time to time by the Minnesota Commissioner of Public Safety, through its fire marshal division is hereby adopted by reference and incorporated in this section as completely as if set out in full. **A master copy of the most current and enforceable code book will be kept on hand and available for reference at the fire department.** A person desiring a permit as required by the Minnesota State Fire Code shall submit an application to the Fire Code Official along with any fee required by the city fee schedule.

- (1) **Appendices.** Appendices A, B, C, D, E, F, G, H, I, J, K, L, M, N, O, and P are hereby adopted by the City of Lake Elmo. Under the direction of the Fire Code official, only particular appendices will be enforced. A published document is updated on an annual basis which includes specific details pertaining to appendices.

(B) State stature adopted. Minnesota State Stature, as adopted by the Commissioner of Labor and Industry, pursuant to M.S. Ch. 1306.0020 Subp. 3. is hereby adopted by reference and incorporated in this section as completely as if set out in full.

~~(B) Appendix chapters adopted. The following appendix chapters as identified in the Minnesota State Fire Code are hereby adopted and incorporated:~~

- ~~— (1) Appendix C: Fire Hydrant Locations and Distribution;~~
- ~~— (2) Appendix D: Fire Apparatus Access Roads;~~
- ~~— (3) Appendix H: Hazardous Materials Management Plan (HMMP) and Hazardous Materials Inventory Statement (HMIS) Instructions;~~
- ~~— (4) Appendix I: Fire Protection Systems — Noncompliant Conditions;~~
- ~~— (5) Appendix K: Fires or Barbeques on Balconies or Patios; and~~
- ~~— (6) Appendix L: Emergency Responder Radio Coverage.~~

(C) Use of the terms of the Fire Code. Wherever the word “jurisdiction” is used in the Minnesota State Fire Code, it shall mean the City of Lake Elmo. Where the term “fire code

official” is used in the Minnesota State Fire Code, it shall mean the city’s ~~Building Official~~. **Fire Chief**.

(D) Duties and responsibilities of the Fire Code Official. The Fire Code Official or his or her authorized representative shall have the following duties and responsibilities:

~~(1) Enforcement of the provisions of this section;~~

~~May order the establishment of fire lanes on public or private property as may be necessary in order to ensure that the travel of fire equipment is not be impeded or interfered with, and that access to fire hydrants and buildings is not blocked off. When a fire lane has been ordered to be established, it shall be marked by a sign bearing the words “No Parking Fire Lane” or a similar message. If the sign is in private property, it shall be erected and maintained by the property owner at the property owner’s expense. Such sign must be installed within 30 days after notification by the Fire Code Official that a fire lane must be established. Thereafter, no person shall park a vehicle or otherwise occupy or obstruct the fire lane; and~~

~~(2) —~~

(1) Enforcement of the Minnesota State Fire Code and applicable State Statutes.

(2) Enforcement of Fire Department Code Interpretation Policy Data sheets.

(iii) Keeping on file with the city all statutes and regulations applicable to this section.

(E) Fire inspections. In order to ensure the health, safety, and public welfare, the city will inspect **new and** existing facilities in accordance with **an** established **fire department** policy. A fire service fee will be charged in accordance with the city’s fee schedule for new construction, additions and alterations where a building permit is required.

~~(F) Lock boxes. Lock boxes are required on all new commercial structures in the city. They shall meet the following requirements:~~

~~—(1) The lock box must be mounted in an easily accessible location near the main entrance of the structure or as otherwise approved in writing by the Fire Chief;~~

~~—(2) The lock box must contain all keys necessary to gain access to the commercial structure as~~

~~well as access to interior areas of the structure; and~~

~~—(3) The Fire Chief must be contacted when access to a lock box is requested by the property owner in order to change keys for various building locks.~~

~~—(G) Hazardous material list. With respect to commercial properties, the property owner must provide the Fire Chief with the following information related to hazardous materials and chemicals on the property. This information must be updated annually and when shipments of new or seasonal hazardous materials or chemicals are received on the property.~~

~~—(1) A list of all hazardous materials and chemicals stored in the structure(s) and on the property;~~

~~—(2) A drawing to scale which provides the quantities of the materials and chemicals; and~~

~~(3) A material data sheet for each hazardous material or chemical.~~

(F) Hazardous materials.

(1) A list of all hazardous materials and chemicals stored in structure(s) and on the property shall be submitted to the Fire Department in accordance to SARA Tier II Reporting, including 302 and 312 classifications.

(G) Fire Department Code Interpretation Policy Data Sheets. The Lake Elmo Fire Department regularly publishes and maintains a specific set of interpretation policy data sheets that outline how the fire department understands and enforces particular sections of the Minnesota State Fire Code. Such interpretations are considered ordinance. A copy of each particular interpretation policy data sheet will be provided in any case where it is requested or enforced.

SECTION 2. Effective Date. This ordinance shall become effective immediately upon adoption and publication in the official newspaper of the City of Lake Elmo.

SECTION 3. Adoption Date. This Ordinance 2021-001 was adopted on this 16th day of November 2021, by a vote of ----- Ayes and ---- Nays.

LAKE ELMO CITY COUNCIL

Charles Cadenhead, Mayor

ATTEST:

Julie Johnson, City Clerk