Life Safety

ORDINANCE NO. 851

AN ORDINANCE OF THE CITY OF REXBURG, MADISON COUNTY, IDAHO, KNOWN AS "EXISTING BUILDINGS LIFE SAFETY ORDINANCE", SETTING FORTH THE SCOPE OF APPLICATION FOR THIS ORDINANCE; PROVIDING GUIDELINES TO BE FOLLOWED BY THE BUILDING DEPARTMENT OF THE CITY OF REXBURG IN EVALUATING EXISTING STRUCTURES INTENDED FOR RENT AS RESIDENTIAL UNITS; PROVIDING FOR AN APPEAL PROCESS; PROVIDING FOR FEES; PROVIDING PENALTIES FOR FAILURE TO COMPLY WITH ANY PROVISIONS OF THIS ORDINANCE AND SETTING FORTH A VIOLATION OF THIS ORDINANCE CONSTITUTES A MISDEMEANOR; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR SEVERABILITY; REPEALING ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT HEREWITH; AND PROVIDING AN EFFECTIVE DATE HEREOF.

BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF REXBURG IDAHO:

SECTION I: Scope of Application

The following is a non-inclusive list of life safety issues for all existing apartment buildings in the Rexburg City Limits. This list is for existing apartments only. All new apartments and existing buildings being converted to apartments shall be built in accordance with the Codes that are in place at the time the structure is built. The purpose of this Ordinance is to provide a reasonable degree of safety to persons occupying existing apartment buildings built and/or converted prior to 1985. Apartments built or converted after 1/1/85 shall comply with the code and Ordinances in place at the time of construction or conversion.

SECTION II: Life Safety Issues

1. Every floor above the first story or basement used as apartments serving over 12 persons shall have a minimum of two exits. One of these exits for an upper floor may be a fire escape built to the standards set forth in Section 3407.4 of the 1997 Uniform Building Code (UBC), which is attached to the back of this document. An exit ladder device may be used in lieu of a fire escape when approved by the City of Rexburg Fire Department. For apartment units requiring two exits that have a floor level of not more than 20 feet above grade and basements apartments requiring two exits, one exit will be allowed when all bedrooms have egress windows that meet the requirements of item No. 8 in this list, but also must have a minimum opening area of 5.7 square feet. All doors or windows providing access to a fire escape shall be provided with fire escape signs. Exit signs shall be provided at exits where more than one exit is required and in corridors used for exiting from multiple units. Exit signs shall be as per the 1997 Uniform Building Code. Primary entrance to an apartment is not allowed through a garage. A one-hour firewall may be erected to separate the apartment entrance from the garage. If a door is needed from the apartment entrance firewall to the interior of the garage, it must be a door as described in item No. 3 below.

2. All stairs used as part of an exit shall have a maximum riser height of 8", a minimum run of 9" and a minimum width of 30" (exclusive of handrails). An 8-1/2" riser will be allowed if the minimum tread is increased to 10". Every stairway with over 3 risers shall be provided with a handrail. All stairs require landings with a minimum dimension of 30" run in direction of travel at each point of access to stairwell. All stairwells will have a minimum 6'6" headroom.

3. Exit corridors serving occupant loads of 30 or more occupants shall have walls and ceilings of not less than one-hour fire resistive construction. Wood lath and plaster or ½" drywall in good condition are permitted as substitution for one layer of 5/8" type X drywall in corridor construction. Openings with fixed wired glass

set in steel frames are allowed in corridors. Doors entering in to corridors (with exception of those opening directly outside) shall be 20-minute fire rated assemblies, or solid wood doors not less than 1 ¾" thick. Where the existing frames will not accommodate a 1 ¾" thick solid wood door, a 1 3/8" thick solid bonded wood-core door or equivalent insulated steel door shall be permitted. Doors shall be self-closing or automatic closing by smoke detectors. Transoms must be covered with ½" drywall unless approved by the City Building Official. The City Building Official may nullify the above corridor requirements when an approved sprinkler system is provided.

4. Interior vertical shafts, including but not limited to stairways, elevator hoistways, service and utility shafts, shall be enclosed by a minimum of one-hour fire-resistive construction. All openings into such shafts shall be protected with one-hour fire assemblies that shall be maintained self-closing or be automatic closing by smoke detection. All other openings shall be fire protected in an approved manner. Existing fusible link-type automatic door-closing devices may be permitted if the fusible link rating does not exceed 135 F (57.2C).

   EXCEPTIONS:

   a. An enclosure is not required for openings serving one adjacent floor.

   b. Vertical openings need not be protected if the building is protected by an approved automatic sprinkler system.

5. An approved sprinkler system shall be installed in basements or stories exceeding 1,500 square feet of habitable area and not having a minimum 30"x 80" door or a minimum 30"x 42" window in every 50 lineal feet of exterior wall (or fraction thereof) on at least one side of the building. A sprinkler system shall be installed in any portion of the basement or upper story that is over 75 feet from opening as described above.

6. One hour dwelling separation shall be provided between all apartment units. Wood lath and plaster and ½" drywall is acceptable as one hour separation when in good shape and continuous on both sides of walls and on ceilings, provided the floors above are of a double layer variety. Buildings with sprinkler systems have different area separation requirements. Consult the City of Rexburg Building Official for more information.

7. Window egress is required. Each bedroom will have a window that meets the minimum size requirements of 20" wide, 22" high. The windows will not be required to meet the minimum opening area of 5.7 square feet. A permanent object (foot locker or seat) will be allowed to be built against a wall below a window to allow sill heights greater than 44". Window wells are required to have a clear opening 24" in front of window and to have steps if window well is deeper than 44". Door hardware must not be able to be locked so that it cannot be opened from the inside without the use of a key or some special knowledge. Aisles, corridors and hallways or any part of the exit, exit access or exit discharge shall not be blocked and shall be a minimum of 30" wide. Stairs shall be secure. Guardrails shall be installed at any walking surface adjacent to a drop of 30" or greater. Doors or any part of exit, exit access or exit discharge to be in operable condition.

8. Exits and access to fire extinguishers shall be unobstructed. Garbage and trash need to be removed from the premises on a timely basis. Outside trash containers must be kept at a proper distance from buildings for fire safety.

9. All apartments shall be equipped with an approved wall mounted fire extinguisher. The minimum size is a 2A-10BC, unless a smaller 1A extinguisher already exists. The existing 1A shall be replaced when it is 6 years old with a 2A-10BC, therefore, all apartments 1A fire extinguishers shall be replaced before 6 years from the adoption date of this Life Safety Code. The extinguisher shall be mounted in a conspicuous location near the kitchen. Extinguishers must also be accessible in common areas such as computer rooms, lounges, game rooms,

laundry rooms, etc. Extinguishers shall have monthly inspections by owners or manager. Apartment owners or managers shall create and maintain a program for monthly extinguisher inspections.

10. Smoke detectors shall be provided in each sleeping room and one additional detector at each floor of each unit. The detectors shall be placed on a wall near ceiling but not closer than 6"of the ceiling. Smoke detectors may be battery operated or may receive their primary power from the building wiring when such wiring is served from a commercial source. Wiring shall be permanent and without disconnecting switches other than those required for overcurrent protection. Each apartment owner or manager shall check detectors monthly for operation and for battery function. Apartment owners or managers must create, maintain and document a program for monthly detector inspection.

11. Romex or other wire for greater than 100 volt use shall be encased in a wall, floor, ceiling cavity or in any NEC approved conduit or chase. Open wiring is not allowed. Electrical panels must not be blocked or obstructed in any manner. Electrical panel doors must be able to be closed and latched. All openings in the service panels must be plugged. All outlets and switches will have covers. All electrical connections will be provided with a junction box and cover. No frayed wires will be allowed. All outlets in bathrooms, kitchens, garages and outdoors to be replaced with ground fault devices. Improperly sized fuses or breakers must be replaced with properly sized units. All wire entrances into metal boxes will be made with NEC approved connectors. Over loaded panels must be replaced with adequate service. Electrical conduits to be fastened securely to structure. Overhead wires from out buildings to be at least 10' above any ground surface (including decks or raised walking surfaces). All stairs between floors to be provided with lighting. Exterior stairs to be provided with lighting. Heating system shall not require the use of portable electric heaters to adequately heat building. All light fixtures are required to have canopies and to be securely attached to structure. Extension cords are not allowed to replace proper wiring. Electrical in general to be in safe working manner. State Electrical Inspector to inspect when any question arises.

12. Require all gas meters, pipes or appurtenances to be protected from vehicles. Require combustion air to gas appliances located in small, unventilated rooms. Require gas water heaters greater than 4' tall with flexible connections to be strapped to structure. Require 2" minimum space for flue vents from any combustible construction. Require 24" clear space in front of water heaters and furnaces. This requirement may be met by the opening of a door or an access panel. Gas water heaters or furnaces located in a bedroom or a bedroom closet must be totally isolated from the bedroom with a tight fitting door and must receive combustion air from an other source besides the bedroom. Require proper clearance for heating equipment (water heaters and furnaces). Require that all high efficiency gas furnace flue discharge points be located in areas that are not below doors or windows that can be opened or within 4' from such windows or doors. Storage or trash shall not be allowed within 24" of gas water heater or furnace. Gas water heater and furnace flues must be connected with at least 3 screws at all joints and must be tightly installed. Require that all gravity venting between 45° and 60° be considered as horizontal venting and require that the total run of horizontal vent be less than 75% of the vertical height of the vent. Portable gas heaters are not allowed. Corroded pressure relief valves must be replaced.

13. Require back flow prevention for lawn sprinkler systems.

14. All wooden structural components (headers, beams, columns, rafters, trusses, joists, bearing walls etc.) to be free of stress cracks, fastened securely and free of rot. Steel and concrete structural components (beams, columns, slabs, girders, purlins, girders, footings, etc.) to be free from defects, stress cracks, strain or fatigue that could cause loss of structural integrity. Roof to be without leaks.

15. Address must be posted on building so that it is clearly visible from the street in a

manner that is compliant with Emergency Services. Contact Emergency Services for more information.

SECTION III: Administration and Appeal

The above list is not intended to address every safety issue that may present itself. The inspector at his/her discretion may identify additional safety items that need to be remedied. Situations may arise that can't be feasibly remedied to satisfy this list. If at any time an owner or manager thinks that the inspection requests are excessive or unnecessary he/she may submit the matter to the Rexburg U.B.C. Board of Appeals for review. The Board will then make their recommendations to the City of Rexburg City Council. The Council will have final say on the matter.

If the owner or manager of an apartment complex has reason to think that alternative technology may satisfy the requirements of any of the Life Safety Issues, he/she may submit the idea to the City of Rexburg Building Official for review. If the Official rejects the alternative, the owner or manager may opt to submit the matter to the Rexburg U.B.C. Board of Appeals for review. The Board will then make their recommendations to the City of Rexburg City Council. The Council will have final say on the matter.

The inspector will notify the State of Idaho Electrical Inspector if any electrical problems exist that are out of the inspector's area of expertise. It is our intent to have only one inspector represent the City of Rexburg at the time of inspection. The Fire Department, the Building Department, the Water Department and Wastewater Department will combine and supply training for one inspector from the Building Department and one from the Fire Department. The intent is to have two trained inspectors with one acting as regular and the other as a back-up.

All apartments seeking a new business License from the City of Rexburg shall be inspected and given 3 months to establish a plan of compliance. The owner shall have another 3 months to perform work, at which time an inspection by the City of Rexburg shall be called for. License will not be granted until work is completed satisfactorily according to the plan of compliance, at which time if owner is not compliant, such premise shall be vacated. All apartment owners in the City of Rexburg not seeking a new business license will be sent notices to supply the City of Rexburg Clerk with a proposal for compliance within 18 months of notice. Initial inspections will be scheduled at this time. Owners will have 3 years from original notice to complete work and have it inspected by the City for compliance or such premise shall be vacated until made to conform.

SECTION IV: Violation; Penalties: Any person who violates or fails to comply with any of the provisions of this Ordinance or who, having obtained a permit hereunder, wilfully fails to continue to comply with the conditions set forth in this ordinance is guilty of a misdemeanor, and upon conviction thereof, may be fined in accordance with State Statutes.

SECTION V: Repeal All ordinance and parts of ordinance in conflict with this ordinance are hereby repealed.

SECTION VI: Savings Clause Neither the adoption of this ordinance nor the repeal of any ordinance shall, in any manner, affect the prosecution for violation of such ordinance committed prior to the effective date of this ordinance or be construed as a waiver of any license or penalty due under any such ordinance or in any manner affect the validity of any action heretofore taken by the City of Rexburg City Council or the validity of any such action to be taken upon matter pending before the City Council on the effective date of this ordinance.

SECTION VII: Severability The provisions of this ordinance are severable and if any provision, clause, sentence, subsection, word or part thereof is held illegal, invalid, or unconstitutional or inapplicable to any person or circumstance, such illegality, invalidity or unconstitutional or inapplicability shall not affect or impair any of the remaining provisions, clauses, sentences, subsections, words or parts of this ordinance or their application to other persons or circumstances. It is hereby declared to be the legislative intent that this ordinance would have been adopted if such illegal, invalid or unconstitutional provision, clause sentence, subsection, word, or part had not been

included therein, and if such person or circumstance to which the ordinance or part thereof is held inapplicable had been specifically exempt therefrom.

SECTION VII: Effective Date This Ordinance shall become effective upon passage by the City Council, and proper publication in the newspaper of local jurisdiction.

PASSED BY THE COUNCIL AND APPROVED BY THE MAYOR THIS THE 18th DAY OF April, 2001.

Bruce Sutherland, Mayor

ATTEST:

Marilyn Hansen, City Clerk

(SEAL)

State of Idaho)
: ss
County of Madison)

I, Marilyn Hansen, City Clerk of the City of Rexburg, Idaho, do hereby certify that the above and foregoing is a full, true and correct copy of the Ordinance entitled:

AN ORDINANCE OF THE CITY OF REXBURG, MADISON COUNTY, IDAHO, KNOWN AS "EXISTING BUILDINGS LIFE SAFETY ORDINANCE", SETTING FORTH THE SCOPE OF APPLICATION FOR THIS ORDINANCE; PROVIDING GUIDELINES TO BE FOLLOWED BY THE BUILDING DEPARTMENT OF THE CITY OF REXBURG IN EVALUATING EXISTING STRUCTURES INTENDED FOR RENT AS RESIDENTIAL UNITS; PROVIDING FOR AN APPEAL PROCESS; PROVIDING FOR FEES; PROVIDING PENALTIES FOR FAILURE TO COMPLY WITH ANY PROVISIONS OF THIS ORDINANCE AND SETTING FORTH A VIOLATION OF THIS ORDINANCE CONSTITUTES A MISDEMEANOR; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR SEVERABILITY; REPEALING ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT HEREWITH; AND PROVIDING AN EFFECTIVE DATE HEREOF.

Passed by the City Council and approved by the Mayor this the 18th day of April, 2001.

Marilyn Hansen, City Clerk

(SEAL)

ATTACHMENT To ORDINANCE 851

3407.4 Fire Escapes.

1. Existing fire escapes which, in the opinion of the building official, comply with the intent of this section may be used as one of the required exits. The location and anchorage of fire escapes shall be of approved design and construction.

2. Fire escapes shall comply with the following:

Access from a corridor shall not be through an intervening room.

All openings within 10 feet (3048 mm) shall be protected by three-fourths-hour fire assemblies. When located within a recess or vestibule, adjacent enclosure walls shall be of not less than one-hour fire-resistive construction.

Egress from the building shall be by a clear opening having a minimum dimension of not less than 29 inches (737 mm). Such openings shall be openable from the inside without the use of a key or special knowledge or effort. The sill of an opening giving access shall not be more than 30 inches (762 mm) above the floor of the building or balcony.

Fire escape stairways and balconies shall support the dead load plus a live load of not less than 100 pounds per square foot (4.79 kN/m^2) and shall be provided with a top and intermediate handrail on each side. The pitch of the stairway shall not exceed 60 degrees with a minimum width of 18 inches (457 mm). Treads shall not be less than 4 inches (102 mm) in width and the rise between treads shall not exceed 10 inches (254 mm). All stair and balcony railings shall support a horizontal force of not less than 50 pounds per lineal foot (729.5 N/m) of railing.

Balconies shall not be less than 44 inches (1118 mm) in width with no floor opening other than the stairway opening greater than $^5/_8$ inch (16 mm) in width. Stairway openings in such balconies shall not be less than 22 inches by 44 inches (599 mm by 1118 mm). The balustrade of each balcony shall not be less than 36 inches (914 mm) high with not more than 9 inches (229 mm) between balusters.

Fire escapes shall extend to the roof or provide an approved gooseneck ladder between the top floor landing and the roof when serving buildings four or more stories in height having roofs with less than 4 units vertical in 12 units horizontal (33.3% slope). Fire escape ladders shall be designed and connected to the building to withstand a horizontal force of 100 pounds per lineal foot (1459 N/m); each rung shall support a concentrated load of 500 pounds (2224 N) placed anywhere on the rung. All ladders shall be at least 15 inches (381 mm) wide, located within 12 inches (305 mm) of the building and shall be placed flatwise relative to the face of the building. Ladder rungs shall be $^3/_4$ inch (19 mm) in diameter and shall be located 12 inches (305 mm) on center. Openings for roof access ladders through cornices and similar projections shall have minimum dimensions of 30 inches by 33 inches (762 mm by 838 mm).

The lowest balcony shall not be more than 18 feet (5486 mm) from the ground. Fire escapes shall extend to the ground or be provided with counterbalanced stairs reaching to the ground.

Fire escapes shall not take the place of stairways required by the codes under which the building was constructed.

Fire escapes shall be kept clear and unobstructed at all times and maintained in good working order.

3407.5 Exit and Fire Escape Signs. Exit signs shall be provided as required by this code.

EXCEPTION: The use of existing exit signs may be continued when approved by the building official.

All doors or windows providing access to a fire escape shall be provided with fire escape signs.