

ORDINANCE NO. 997

AN ORDINANCE REPEALING SECTION II OF NO. 933 AND ADOPTING THE INTERNATIONAL FIRE CODE, 2006 EDITION, COPYRIGHTED BY THE INTERNATIONAL CODE COUNCIL; REQUIRING COPIES OF SAID CODE TO BE KEPT IN THE OFFICE OF THE CITY CLERK; PROVIDING FOR A PENALTY FOR THE VIOLATION OF THIS ORDINANCE AND FOR SEVERABILITY; AND REPEALING ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT HERewith AND PROVIDING WHEN THIS ORDINANCE SHALL BECOME EFFECTIVE.

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

SECTION I: That Ordinance No. 933 is hereby repealed.

SECTION II: That the document known as the International Fire Code 2006 Edition, including all appendices as follows:

- A. Section 101.2.1 References to Appendix. When this code references the Appendix, the provisions in the appendix shall not apply unless specifically adopted.

The following appendixes are adopted:

01. Appendix A- Board of Appeals
02. Appendix B- Fire Flow Requirements For Building
03. Appendix C- Fire Hydrant Locations and Distribution
04. Appendix D- Fire Apparatus Access Roads
05. Appendix E- Hazard Categories
06. Appendix F- Hazard Ranking
07. Appendix G- Cryogenic Fluids – Weight and Volume Equivalentents

SECTION III: Additionally, the International Fire Code is amended and changed in the following respects:

- A. Section 104.6.3 Fire Records. The fire department shall keep a record of fires and investigations occurring within its jurisdiction and of facts concerning the same, including statistics as to the extent of such fires and the damage caused thereby, together with other information as required by the code official. Investigations shall show the cause, the findings and disposition of each.
- B. Section 105.1.1 Permits Required. Permits required by this code shall be obtained from the city clerk. Permit fees, if any, shall be paid prior to issuance of the permit. Issued permits shall be kept on the premises designated therein at all times and shall be readily available for inspection by the fire code official. The permit shall be obtained prior to engaging in activities, operations, practices or functions as set forth in Section 105 of the International Fire Code 2006.
- C. Section 105.1.2 Types of permits. There shall be two types of permits as follows:
- a. Operational Permit. An operation permit allows the applicant to conduct an operation or business for which a permit is required by Section 105.6 for either:
 1. A prescribed period.
 2. Until renewed or revoked.Each operational permit fee shall be \$50.00.
 - b. Construction permit. A construction permit allows the applicant to install or modify systems and equipment for which a permit is required by Section 105.7. Each construction permit fee shall be \$50.00.

- D. Section 105.1.4 Starting Work Before Securing a Permit. Any person who commences any work or who causes any work to commence on fire related systems before obtaining the necessary permits shall be subject to a special investigation and shall be made before a permit may be issued for such work. An investigation fee, in addition to the permit fee, shall be collected whether or not a permit is subsequently issued. The investigation fee shall be equal to the amount of the permit fee required by this code or the building code, whichever is greater. The payment of such investigation fee shall not exempt any person from compliance with all other provisions of this code nor any penalty prescribed by law.
Exception: Emergency repair work performed during off-business hours. Emergency repair work shall be work similar in nature to repairing frozen or physically damaged piping in order to return a system to service.
- E. Section 105.7.1 Automatic fire-extinguishing systems. A construction permit and a safety system certification permit is required for installation of or modification to an automatic fire-extinguishing system. Maintenance performed in accordance with this code is not considered a modification and does not require a permit.
- F. Section 105.7.4 Fire Alarm and Detection Systems and Related Equipment. A construction permit and a safety system certification permit is required for installation of or modification to fire alarm and detection systems and related equipment. Maintenance performed in accordance with this code is not considered a modification and does not require a permit.
- G. Section 105.7.5 Fire Pumps and Related Equipment. A construction permit and safety system certification permit is required for installation of or modification to fire pumps and related fuel tanks, jockey pumps, controllers, and generators. Maintenance performed in accordance with this code is not considered a modification and does not require a permit.
- H. Section 106.3 Concealed Work. Whenever any installation subject to inspection prior to use is covered or concealed without having first been inspected, the code official shall have the authority to require that such work be exposed for inspection. Neither the chief nor the jurisdiction shall be liable for expense entailed in the removal or replacement of any material required for inspection. Approval as a result of plan reviews shall not be construed to be an approval of a violation of the provisions of this code or of other ordinances of the jurisdiction. Plan reviews presuming to give authority to violate or cancel the provisions of this code or of the other ordinances of the jurisdiction shall not be valid.
- I. Section 106.5 Re-Inspection fees. A re-inspection fee may be assessed for each re-inspection when such portion of work for which inspection is called is not completed or when corrections called for are not made within the allotted time. This section is not to be interpreted as requiring re-inspection fees for the first time a premises is noted as failing to comply with the requirements of this code, but as controlling the practice of calling for inspections before the job is ready for such inspection, or ignoring the allotted time in which to correct a code deficiency.
Re-inspection fees necessitated by non-compliance with requirements or conditions associated with construction work and a Building Permit, or for failing to request said required inspections, shall be in accordance with the condition, amounts, and limitations listed in the adopted and amended edition of the Building Code. Re-Inspection fees necessitated by non-compliance with requirements associated with periodic inspections of existing buildings authorized by this code shall be fifty dollars (\$50.00) and paid to the city prior to an occupancy permit being issued.

- J. Section 111.4 Failure to Comply. Delete entire section as per State Fire Marshal.
- K. Section 112 Penalties for Work Completed Without a Permit. Failure to obtain a permit, prior to engaging in activities, operations, practices or function, as set forth in the International Fire Code, shall constitute a violation of the Code. The activity, operation or practice will be stopped until a permit has been obtained and a double permit fee collected.
- L. Section 113 Safety System Certification Permit. All installations, modifications, required maintenance or servicing of life-safety systems are to be performed by an approved licensed business or person(s). A business or person(s) shall obtain a "Safety System Certification Permit" from the City Clerk's office, to do any work in the City of Rexburg. Permits shall expire one year from the date of issuance unless otherwise noted on the permit.
- M. Section 113.1 Safety System Certification. Each Safety System Certification fee shall be \$100.00 annually.
- N. Section 113.2 Penalties for Violation of Permits. Any person, who violates any rules or regulations, as written on the permit application, shall be guilty of a misdemeanor and upon conviction be punishable as per Section V of this Ordinance.
- O. Section 114 Tags. Tags for inspection of fire suppression systems, fire extinguishers and fire alarm systems are required to be obtained from the Rexburg City Clerk's office for use in the City of Rexburg.
- P. Section 115 Plan Review Fees. Building plan review fees will be charged at a rate of \$50.00 per 5,000 square feet, or portion thereof, up to a maximum of \$500.00. Fire Alarm Plan Review Fees will be charged at a rate of \$50.00 per 100 devices, or portion thereof, up to a maximum of \$200.00. Fire Sprinkler System fees will be a flat rate of \$100.00. Fire Pump fees will be a flat rate of \$100.00
- Q. Section 202. Fire Chief. The chief officer of the fire department serving the jurisdiction, or a duly authorized representative (Fire Inspector or Fire Marshal), or as appropriate, the Idaho State Fire Marshal.
- R. Section 202. Fire Code Official. The fire chief or other designated authority charged with the administration and enforcement of the code, or duly authorized representative or as appropriate the Idaho State Fire Marshal.
- S. Section 401.3.1 Making False Report. It shall be unlawful for a person to give, signal, or transmit a false alarm. The fire chief shall be authorized to seek restitution from the perpetrator and/or any and all accomplices for malicious false alarms. Restitution for false alarms shall be the actual cost recovery of personnel, engines, and supplies.
- T. Section 401.3.4 Silencing Fire Alarms. It is prohibited for anyone other than fire department personnel or fire protection system contractors, while in the performance of their duties, to silence, restore, or reset a fire alarm system without the expressed permission of the Fire Department.
- U. Section 503.7 Barricade Specifications. If emergency vehicle access roadways are to be secured with a barricade, chain, gate, or bollard, such barricade must meet the following criteria. Removal or opening of said barricade must result in a clear unobstructed road width of at least twenty (20) feet. Chains and locks shall be of such quality so as to not damage fire department cutting tools nor shall cutting operations result in any unnecessary time delay. Bollards must be of an easily removable type, shall leave nothing protruding up from the roadway surface when removed, and shall be approved by the Code Official. If gates are electronically operated they shall be of a fail-open version in the event of loss of power. Roadways and access shall be maintained year-around including snow removal.

- V. Section 505.3 Multi-Family Dwelling Address.
- a. When individual apartment, condominium, or town house structures within a common complex are designated with separate addresses, individual unit numbers shall be assigned so there is no duplication of unit designations within a building. The first floor shall be 100 series, second floor 200 series and so on for each successive floor. Basements shall be 10 series if the next higher floor is designated the first floor; or basements shall be designated 100 series if the next level is called the second floor.
 - b. When apartment, condominium, or town house complexes (more than one structure) have been assigned one address, each individual building shall also be assigned a number. The building number shall be posted in a conspicuous location with the number being a minimum of twelve (12) inches in height in a contrasting color to the background. Unit or apartment numbers shall then be assigned in the 10, 100, 200, 300, etc. series per floor as identified in paragraph A of this section.
- W. Section 508.5.1.2 Fire Hydrant Distance from Buildings. Fire hydrants shall not be installed closer than forty (40) feet and/or at access points to buildings. In such areas of the city where forty feet is an impractical distance, the code official may allow a lesser distance.
- X. Section 508.1 Required water supply. An approved water supply capable of supplying the required fire flow for fire protection shall be provided to premises upon which facilities, buildings or portions of buildings are thereafter constructed or moved into or within the jurisdiction. Required fire flow calculations are required to be obtained, submitted, and approved to the fire marshal prior to construction. Fire flow calculations shall be documented by an authorized contractor with a current life safety system certification permit.
- Y. Section 510.2 FACP Location Signs. When a fire alarm control panel (FACP) is mounted in such a location or room not in obvious view, approved signs shall be posted with the intent of leading emergency personnel to the room or location of the FACP. Each room with an FACP shall have the door posted with an approved sign designating such.
- Z. Section 901.6 Inspection, Testing and Maintenance. Fire detection, alarm and extinguishing systems shall be maintained in an operative condition at all times, and shall be replaced or repaired where defective. Non-required fire protection systems and equipment shall be inspected, tested and maintained or removed. Systems shall be inspected and tested as follows:
1. Automatic fire-extinguishing systems shall be inspected and tested at least annually, or as stipulated in current edition of NFPA 25.
 2. Fire alarm systems shall be inspected and tested at least annually, or as stipulated in current edition of NFPA 72.
 3. Standpipe systems shall be inspected and tested at least every five years, or as stipulated in current edition of NFPA 25.
- All system inspection and test reports shall be sent to the Authority Having Jurisdiction by the contractor (person) doing the maintenance or inspection. Reports of inspections and tests shall be maintained on the premises and made available to the Authority Having Jurisdiction when requested.
- AA. Section 901.6.2 Records. Records of all system inspections, tests, and maintenance required by the referenced standards shall be maintained on the premises for a minimum of three (3) years and made available to the fire code official upon request. An additional copy of all inspection and test reports shall be sent to the Rexburg-

Madison County Emergency Services Department by the contractor (person) doing the maintenance or inspection.

- BB. Section 901.6.3 False Alarm Fees. The Fire Chief and duly authorized personnel shall be authorized to charge a fee for false alarms resulting from malfunctioning or improperly maintained fire protection systems. The fire alarm or protection system false alarm fee shall be \$200.00 for each false alarm after three (3) times in a six month period. The fee for a false alarm arising from failure to notify the system monitoring company, Fire Department Dispatch, or the Fire Department when working on or testing a fire protection system, or when working in any capacity in a building, results in a false alarm shall be seventy-five dollars (\$75.00).
- CC. Section 903.1 General. Automatic sprinkler systems shall comply with this section. Fire extinguishing systems shall be installed in accordance with the International Fire Code and the current appropriate edition of the National Fire Protection Association Standards.
- DD. Section 903.1.2 "Spec" Warehouse Sprinkler Systems. Fire sprinkler systems installed in warehouse type buildings commonly referred to as "spec" warehouses where storage heights of combustible materials over twelve (12) feet are possible, but exact commodity and height are unknown, shall meet the following criteria.
- a. At a minimum, systems shall be for Class IV commodity, to the maximum available storage height, allowing for in-rack sprinklers, with High Temperature Sprinklers at the ceiling. It should be noted that if the warehouse is used to store a higher commodity Class material, upgrades to the sprinkler system will be required. (See also NFPA 13 Appendix A)
 - b. This Section is not intended to prohibit the use of ESFR sprinkler systems.
 - c. It shall be the responsibility of the code official to evaluate all requests for a system layout meeting the requirements for a less hazardous storage configuration.
- CC. Section 903.2.7 Group R. An automatic sprinkler system installed in accordance with Section 903.3 shall be provided throughout all buildings with a Group R fire area. Automatic fire sprinkler systems are not required in three or four unit Group R buildings.
- DD. Section 903.3.2.1 Working Space and Clearance Around Riser Piping and Devices. A working space of not less than thirty (30) inches on each side of fire suppression sprinkler riser piping and not less than thirty-six (36) inches in front of fire suppression sprinkler riser piping shall be provided. No storage of any material shall be located within the designated working space.
- EE. Section 903.3.5.3 Type of Piping Allowed to Connect to a Fire Sprinkler Riser System. Transitional piping between the underground water supply main and the fire sprinkler riser shall be ductile iron.
- FF. Section 904.11.2 System Interconnection. The actuation of the fire extinguishing system shall automatically shut down the fuel or electrical power supply to the cooking equipment. The fuel and electrical supply reset shall be manual. Electrical equipment that shuts-down upon extinguishing system activation shall include but not be limited to receptacles, outlets, lights, switches, wire, and junction boxes, etc. covered by the fire extinguishing system. The status of the exhaust fan shall be as specified by any special listing requirements of the hood, fan, and/or extinguishing system. However, in no case shall switches or connections for a fan that is to continue to run upon extinguishing system activation be allowed under the hood.

- GG. Section 906.1 Where Required (Portable Fire Extinguishers). Portable fire extinguishers shall be installed in the following locations:
1. In all Group A, B, E, F, H, I, M, R-1, R-2, R-4, and S occupancies.
- No exceptions.**
2. Within 30 feet of commercial cooking equipment.
 3. In areas where flammable or combustible liquids are stored, used or dispensed.
 4. On each floor of structures under construction, except Group R-3 occupancies, in accordance with Section 1415.1.
 5. Where required by the sections indicated in Table 906.1.
 6. Special-hazard areas, including but not limited to laboratories, computer rooms and generator rooms, where required by the fire code official.
- HH. Section 907.1 General. This section covers the application, installation, performance and maintenance of fire alarm systems and their components in new and existing buildings and structures. The requirements of Section 907.2 are applicable to new building and structures. The requirements of Section 907.3 are applicable to existing buildings and structures. Fire Alarm systems shall be installed and maintained in accordance with the International Fire Code and the current appropriate edition of the National Fire Protection Association standards.
- II. Section 907.2 Where Required-New Buildings and Structures (Fire Alarm and Detection Systems). An approved manual, automatic, or manual and automatic fire alarm system shall be provided in new buildings and structures in accordance with Sections 907.2.1 through 907.2.23. Where automatic sprinkler protection installed in accordance with Section 903.3.1.1 or 903.3.1.2 is provided and connected to the building fire alarm system, automatic heat detection required by this section shall not be required.
- An approved automatic fire detection system shall be installed in accordance with the provisions of this code and NFPA 72. Devices, combinations of devices, appliances and equipment shall comply with Section 907.1.2. The automatic fire detectors shall be smoke detectors, except that an approved alternative type of detector shall be installed in spaces such as boiler rooms where, during normal operation, products of combustion are present in sufficient quantity to actuate a smoke detector.
- An approved addressable fire alarm system meeting the provisions of this Code, and NFPA 72, shall be installed when the gross square footage of a building is equal to or greater than the area as specified in Sections 903.2.1 through 903.2.10 inclusive, subject to the authority having jurisdiction or by Section 907, whichever is more restrictive.
- Exception: Buildings with eight or less initiating devices may be zoned systems provided only one device is used per zone. Each device shall have a plain English LCD (Liquid Crystal Display).
- JJ. Section 907.6 Wiring. Wiring shall comply with the requirements of the ICC Electrical Code and NFPA 72. Wireless protection systems utilizing radio-frequency transmitting devices shall comply with the special requirements for supervision of low-power wireless systems in NFPA 72. All wiring not installed in conduit shall be installed with approved hangers or protective devices. All hangers or protective devices must meet the approval of the authority having jurisdiction.
- KK. Section 907.9.3 Zone and Address Location Labeling. Fire alarm control panels (FACP) shall have all zones and address points plainly and permanently labeled as to their location, on the outside of the panel or on an easily readable map of the building affixed to the outside of the panel.

LL. Section 907.10.1.5. Notification Devices. When fire alarm systems not required by the International Fire Code are installed, the notification devices shall meet the minimum design and installation requirements for system which are required by this code. Non-required fire alarm systems shall provide the same level of occupant notification that required systems provide. If partial or limited detection systems are allowed, notification devices must meet the standards of this section.

MM. Section 3404.2.13.1.3 Out of Service for One Year. Underground tanks that have been out of service for a period of 1 year shall be removed from the ground in accordance with Section 3404.2.14 or abandoned in place in accordance with Section 3404.2.13.1.4. Upon approval of the Authority Having Jurisdiction, underground tanks that comply with the performance standards for new or upgraded underground tanks set forth in 40 CFR 280.20 or 40 CFR 280.21 of the Code of Federal Regulations may remain out of service indefinitely so long as they remain in compliance with the operation, maintenance and release detection requirements of the federal rule.

NN. Section D103.6.2.3 Fire Access Signage. All occupancies classified as commercial shall have fire access roadways posted with the proper signs as in Section D103.6 at seventy-five (75) foot intervals from the center in addition to having the curbs painted red and maintained as required by the fire code official.

OO. Section IV: There has been on file and there shall hereafter be kept on file, in the office of the City Clerk three (3) copies of said International Fire Code, 2006 edition, duly certified by the clerk, for use and examination by the public.

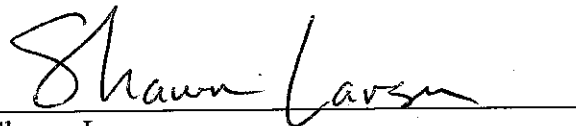
Section V: Any person, firm or corporation violating any provision of the International Fire Code or its appendices shall, upon conviction thereof, be punishable by a fine not to exceed Five Hundred Dollars (\$500.00) or by imprisonment for not more than six (6) months or by both such fine and imprisonment for any single violation.

Section VI: The sections of this Ordinance are severable and the invalidity of a section shall not affect the validity of the remaining sections.

Section VII: All ordinances or parts of ordinances in conflict herewith are hereby repealed.

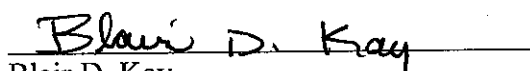
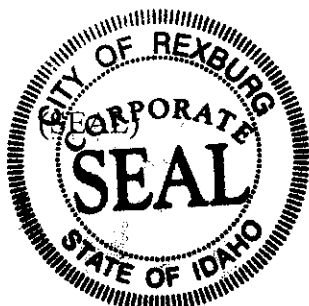
Section VIII: This Ordinance shall become effective upon its passage, approval and publication in the manner provided by law on January 1, 2008.

PASSED BY THE COUNCIL AND APPROVED BY THE MAYOR this 19th day of December, 2007.



Shawn Larsen
Mayor

ATTEST:


Blair D. Kay
City Clerk

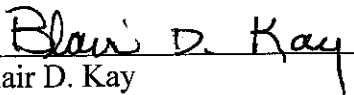
STATE OF IDAHO)
County of Madison: ss)
City of Rexburg)

I, BLAIR D. KAY, 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:

ORDINANCE NO. 997

AN ORDINANCE REPEALING SECTION II OF NO. 933 AND ADOPTING THE INTERNATIONAL FIRE CODE, 2006 EDITION, COPYRIGHTED BY THE INTERNATIONAL CODE COUNCIL; REQUIRING COPIES OF SAID CODE TO BE KEPT IN THE OFFICE OF THE CITY CLERK; PROVIDING FOR A PENALTY FOR THE VIOLATION OF THIS ORDINANCE AND FOR SEVERABILITY; AND REPEALING ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT HEREWITH AND PROVIDING WHEN THIS ORDINANCE SHALL BECOME EFFECTIVE.

Passed by the City Council and approved by the Mayor this 19th day of December, 2007.


Blair D. Kay
City Clerk

