

ORDINANCE NO. 8055

AN ORDINANCE OF THE CITY OF LAWRENCE, KANSAS REPEALING THE EXISTING FIRE CODE AND ADOPTING THE INTERNATIONAL FIRE CODE, 2006 EDITION, AND EXCEPTING, AMENDING AND MODIFYING CERTAIN OF ITS PROVISIONS.

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF LAWRENCE, KANSAS:

Section 1. Article 2 of Chapter VIII of the Code of the City of Lawrence, 2006 Edition and amendments thereto, is hereby repealed.

Section 2. Article 2 of Chapter VIII of the Code of the City of Lawrence, Kansas is enacted to read as follows, the intent being to supersede the current provisions:

8-201 ADOPTION OF INTERNATIONAL FIRE CODE.

The City of Lawrence, Kansas, hereby adopts and incorporates by reference the 2006 edition of the International Fire Code and all appendices thereto, published by the International Code Council. The entire Code is adopted as if it were fully set forth in this ordinance except for those portions that are hereinafter deleted, modified or amended. The purpose of the Code is to prescribe regulations governing conditions hazardous to life and property from fire or explosion. Not less than one (1) copy of the International Fire Code incorporated pursuant to this section shall be marked or stamped "official copy as incorporated by Ordinance No. 8055," with all sections or portions thereof intended to be omitted clearly marked to show any such omission, and to which shall be attached a copy of the incorporating ordinance, and filed with the City Clerk to be open to inspection and available to the public at all reasonable business hours.

8-201.1 AUTHORITY TO SERVE NOTICE TO APPEAR. Pursuant to the authority of Charter Ordinance No. 31, employees of the Lawrence-Douglas County Fire Medical Department, who are duly appointed and designated by the Chief of the Department, shall have the authority to prepare and serve a Notice to Appear for alleged violations of the International Fire Code, and amendments thereto, as adopted and amended by law.

8-202. DEFINITIONS.

(A) Wherever "jurisdiction" or "name of jurisdiction" is used in the International Fire Code, that word or phrase shall mean the City of Lawrence, Kansas.

8-203. ESTABLISHMENT OF LIMITS OF DISTRICTS IN WHICH STORAGE OF FLAMMABLE OR COMBUSTIBLE LIQUIDS IN STATIONARY OUTSIDE ABOVEGROUND TANKS AND PORTABLE TANKS IS PROHIBITED.

The storage of flammable or combustible liquids, as those terms are defined in Section 3402 of the International Fire Code, in stationary outside aboveground tanks and portable tanks is prohibited except for:

- (A) Uses lawfully existing prior to the effective date of this ordinance; or
- (B) Subsequent storage of Class I, II or III flammable or combustible liquids in above ground vaults in compliance with the requirements of the International Fire Code, specifically Section 2206 and Chapter 34. Such storage must be approved by the Fire Chief to be legally valid and shall be additionally restricted as follows:
 - (1) The maximum volume of product is limited to 12,000 gallons.
 - (2) The storage vessel must be U.L. approved for its intended use.
 - (3) Installation is only allowed in Industrial districts as defined by Chapter 20 of the Code of the City of Lawrence, 2006 Edition, and amendments thereto, and must be located a minimum of 100 feet from all adjacent property lines.

EXCEPTION: Installation is allowed in other zoning districts on fully developed tracts under single ownership which exceed 35 acres in total area and provide an installation site located a minimum of 100 feet from all adjacent property lines.

- (4) The stationary outside aboveground tanks and portable tanks must be installed and maintained in a manner that meets all applicable legal requirements for screening and landscape.

8-204 ESTABLISHMENT OF LIMITS IN WHICH STORAGE OF LIQUEFIED PETROLEUM GASES IS TO BE RESTRICTED.

The storage of liquefied petroleum gas is only permitted:

- (A) In Industrial districts as defined by Chapter 20 of the Code of the City of Lawrence, 2006 Edition, and amendments thereto.
(B) For uses lawfully existing prior to the adoption of this ordinance.

8-205 AMENDMENTS MADE TO THE INTERNATIONAL FIRE CODE.

The International Fire Code is amended as follows. The amendment of any section shall not serve to amend or repeal any other discretely numbered provision of the code, whether or not such provision is considered a section or subsection.

8-205.1 Section 102.4 of the International Fire Code is amended to read as follows:

Section 102.4 Application of building code. The design and construction of new structures shall comply with the *International Building Code*, as adopted by the City of Lawrence. Repairs, alterations and additions to existing structures shall comply with the *International Existing Building Code*, as adopted by the City of Lawrence.

8-205.2 Section 102.5 of the International Fire Code is amended to read as follows:

Section 102.5 Historic buildings. The construction, alteration, repair, enlargement, restoration, relocation or movement of existing buildings or structures that are designated as historic buildings when such buildings or structures do not constitute a distinct hazard to life or property shall be in accordance with the provisions of the *International Existing Building Code*, as adopted by the City of Lawrence.

8-205.3 Section 102.6 of the International Fire Code is hereby amended to read as follows:

Section 102.6 Referenced Codes and Standards. The codes and standards referenced in this code shall be those that are listed in Chapter 45 and Chapter 46, and such codes and standards shall be considered part of the requirements of this code to the prescribed extent of each such reference. Where differences occur between the provisions of this code and the referenced standards, the provisions of this code shall apply.

8-205.4 Section 105.1.1 of the International Fire Code is amended to read as follows:

Section 105.1.1 Permits Required. The fire code official is authorized to issue operational and construction permits as provided for in this code. 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.

8-205.5 Section 105.6.30 of the International Fire Code shall be amended to read as follows:

105.6.30 **Open Burning.** An operational permit is required for the kindling or maintaining of an open fire or a fire on any public street, alley, road, or other public or private ground. Instructions and stipulations of the permit shall be adhered to.

8-205.6 Section 108.3 of the International Fire Code is amended to read as follows:

Section 108.3 Qualifications. The Board of Appeals shall consist of members who are qualified by experience and training to pass on matters pertaining to hazards of fire, explosions, hazardous conditions or fire protection systems.

8-205.7 Section 109.2.2 of the International Fire Code is amended to read as follows:

Section 109.2.2 Compliance with orders and notices. A notice of violation issued or served as provided by this code shall be complied with by the owner, operator, occupant or other person responsible for the condition or violation to which the notice of violation pertains.

EXCEPTION: When a written agreement exists between the owner and occupant that the occupant shall be solely responsible for a hazardous condition and that hazardous condition was created by the occupant, the owner shall not be responsible for that hazardous condition.

8-205.8 Section 109.2.3 of the International Fire Code is amended to read as follows:

Section 109.2.3 Prosecution of violations. The fire code official is authorized, pursuant to the authority granted by Charter Ordinance 31 of the City of Lawrence, to serve a Notice to Appear in the City of Lawrence Municipal Court for a violation of this code. Notices to Appear may be issued only by those fire & medical personnel who are designated by the fire chief. The fire code official may also request that the legal counsel of the jurisdiction institute the appropriate legal proceedings at law or in equity to restrain, correct or abate such violation or to require removal or termination of the unlawful occupancy of the structure in violation of the provisions of this code or of the order or direction made pursuant hereto.

8-205.9 Section 109.3 of the International Fire Code is amended to read as follows:

Section 109.3 Violation Penalties. Any person who violates a provision of this code or fails to comply with any of its requirements or who shall erect, install, alter, repair or do work in violation of the approved construction documents or directive of the code official, or of a permit or certificate used under provisions of this code, shall be guilty of a misdemeanor and shall be punished as follows:

- (A) For any violation of Sections 107.6 or 1028.2 of this code, upon a first offense such person shall be fined in an amount not less than \$500 or more than \$2500, or sentenced to a jail term not to exceed 180 days, or both such fine and jail term. Upon a second or subsequent violation within one year from the date of the previous conviction, the person shall be fined in an amount not less than \$1000 or more than \$2500, or sentenced to a jail term not to exceed 180 days, or both such fine and jail term.
- (B) For a violation of any other section of this code, the person shall be punished by a fine not to exceed \$200. Upon a second or subsequent violation of this code within one year from the date of the previous conviction, the person shall be punished by a fine not to exceed \$500 or a jail term not to exceed 180 days, or both such fine and jail term.

8-205.10 The definition of "R-2" contained in Section 202 of the International Fire Code is amended to read as follows:

R-2. Residential occupancies containing more than two dwelling units or four or more unrelated persons where the occupants are primarily permanent in nature, including:

- Apartment houses
- Boarding houses (not transient)
- Convents
- Dormitories
- Fraternities and sororities
- Hotels (non transient)
- Monasteries
- Motels (non transient)
- Vacation Timeshare properties
- Congregate living facilities

8-205.11 The definition of "R-3" contained in Section 202 of the International Fire Code is amended to read as follows:

R-3. Residential occupancies where the occupants are primarily permanent in nature and not classified as R-1, R-2, R-4 or I, including:

- Buildings that do not contain more than two dwelling units;
- Adult care facilities that provide accommodations for five or fewer persons of any age for less than 24 hours;
- Child care facilities that provide accommodations for five or fewer persons of any age for less than 24 hours;

Adult and child care facilities that are within a single-family home are permitted to comply with the International Residential Code in lieu of compliance with the provisions of this code.

8-205.12 The definition of "R-4" contained in Section 202 of the International Fire Code is amended to read as follows:

R-4 Residential occupancies shall include buildings arranged for occupancy as residential care/assisted living facilities including four or more but not more than 16 occupants, excluding staff.

Group R-4 occupancies shall meet the requirements for construction as defined in the *International Building Code* for Group R-3, except as otherwise provided for in that code.

8-205.13 Section 307.2 of the International Fire Code shall be amended to read as follows:

Section 307.2 Permit Required. A permit shall be obtained from the fire code official or his or her designee, in accordance with Section 105.6. All open burning for the purpose of land clearing or when otherwise required by the fire code official to protect the health or safety of the public shall be conducted utilizing an air curtain destructor or similar device to reduce the level of combustion products released to the atmosphere.

8-205.14 Section 307.4.3 of the International Fire Code is enacted to read as follows:

Section 307.4.3 Air Curtain Destructor. The air curtain destructor, where required by this code, must be located a minimum of 500 feet from any structure.

8-205.15 Section 307.6 of the International Fire Code is enacted to read as follows:

Section 307.6 Notification. All applicants for permits for open burning for the purpose of land clearing operations shall be required to notify the occupants of all occupied structures within 1500 feet of the burn site of the intent to burn before a permit will be issued.

8-205.16 Section 310.2 of the International Fire Code is amended to read as follows:

310.2 Prohibited Areas. Smoking is regulated in Chapter 9, Article 8 of the Code of the City of Lawrence, KS, 2006 Edition, and amendments thereto.

8-205.17 Section 403.1 of the International Fire Code shall be amended to read as follows:

403.1 Fire Watch Personnel. When, in the opinion of the fire code official, it is essential for public safety in a place of assembly or any other place where people congregate because of the number of persons, or the nature of the performance, exhibition, display, contest or activity, the owner, agent or lessee shall employ one or more experienced firefighters, as required and approved, to remain on duty during the times such places are open to the public, or when such activity is being conducted.

8-205.18 Section 503.6 of the International Fire Code shall be amended to read as follows:

503.6 Security Gates. The installation of security gates across a fire apparatus access road shall be approved by the fire code official. Where security gates are installed an approved means of emergency operation in the form of a Priority Traffic Signal Control System (commonly referred to as Opticom) shall be provided and both the gates and approved means shall be maintained operational at all times.

8-205.19 Section 605.5 is amended to read as follows:

Section 605.5 Extension cords. Extension cords and flexible cords shall not be a substitute for permanent wiring. The use of extension cords inside structures is prohibited except for those structures that would be subject to the *International Residential Code*. Power Taps must be provided for portable appliances where the appliance cord is of insufficient length to connect to a receptacle. Power tap installations must comply with Sections 605.4.1 through 605.4.3.

8-205.20 Section 901.6.1.1 of the International Fire Code is enacted to read as follows:

Section 901.6.1.1 Sprinkler Systems. Sprinkler systems shall be inspected at least once every 12 months and serviced after every system activation. Inspection shall be by qualified individuals approved by the fire code official and a certificate of inspection shall be forwarded to the fire code official and displayed at the main sprinkler valve.

8-205.21 Section 901.6.1.2 of the International Fire Code is enacted to read as follows:

Section 901.6.1.2 Fire Alarm Systems. Upon installation and every 12 months thereafter, an alarm system maintenance test shall be required to be performed on all systems required by NFPA 72. This test shall insure that all functions of the alarm and detection system are operational and maintenance test documentation shall be forwarded to the fire code official and displayed at the alarm panel location. The tests shall be performed by an approved fire alarm system installer, manufacturer or other individual upon approval by the authority having jurisdiction after providing proof of adequate training and/or experience in alarm system maintenance.

8-205.22 Section 903.2.7 of the International Fire Code shall be enacted to read as follows:

903.2.7 Group R. An automatic sprinkler system installed in accordance with 903.3 shall be provided throughout all buildings with a Group R fire area.

Exception: Buildings that do not contain more than two dwelling units and are not mixed occupancies as defined by Section 302.3 in the 2006 International Building Code.

8-205.23 Section 903.6.2 of the International Fire Code shall be enacted to read as follows:

903.6.2 Existing Group R2 Occupancies. Existing Group R2 Occupancies defined as Congregate Residences of 20 or more occupants shall be equipped with an approved fire sprinkler system installed throughout the structure in accordance with NFPA 13R. Quick response sprinkler heads shall be required in all living areas and exit corridors. Basement areas shall be sprinkler as light hazard.

8-205.24 Table 1004.1.1 contained within the International Fire Code shall be amended to read as follows:

**TABLE 1004.1.1
MAXIMUM FLOOR AREA ALLOWANCES PER OCCUPANT**

FUNCTION OF SPACE	FLOOR AREA IN SQ. FT. PER OCCUPANT
Agricultural building	300 gross
Aircraft hangars	500 gross
Airport Terminal	
Baggage Claim	20 gross
Baggage handling	300 gross
Concourse	100 gross
Waiting areas	15 gross
Assembly	
Gaming floors (keno, slots, etc.)	11 gross
Assembly with fixed seats	See Section 1004.7
Assembly without fixed seats	
Concentrated (chairs only-not fixed)	7 net
Standing Space	5 net
Unconcentrated (tables and chairs)	15 net
Bowling centers, allow 5 persons for each lane including 15 feet of runway, and for additional areas	7 net
Business areas	100 gross
Courtrooms-other than fixed seating areas	40 net
Day care	35 net
Dormitories	50 gross
Sleeping Dormitories	25 gross
Educational	
Classroom area	20 net
Shops and other vocational room areas	50 net
Exercise rooms	50 gross
H-5 Fabrication and manufacturing areas	200 gross
Industrial areas	100 gross
Institutional	
Inpatient treatment areas	240 gross
Outpatient areas	100 gross
Sleeping areas	120 gross
Kitchens, commercial	200 gross
Library	
Reading rooms	50 net
Stack area	100 gross

Locker rooms	50 gross
Mercantile	
Areas on other floors	60 gross
Basement and grade floor areas	30 gross
Storage, stock, sipping areas	300 gross
Parking garages	200 gross
Residential	200 gross
Skating rinks, swimming pools	
Rink and pool	50 gross
Decks	15 gross
Stages and platforms	15 net
Accessory storage areas, mechanical	
Equipment room	300 gross
Warehouses	500 gross

8-205.25 Section 1026.1 of the International Fire Code shall be amended as follows:

Section 1026.1 Emergency Escape and Rescue – General. In addition to the means of egress required by this chapter, provisions shall be made for emergency escape and rescue in Group R and I-1 occupancies. Basements and sleeping rooms below the fourth story above grade plane shall have at least one exterior emergency escape and rescue opening in accordance with this section. Where basements contain one or more sleeping rooms, emergency egress and rescue openings shall be required in each sleeping room, but shall not be required in adjoining areas of the basement. Such openings shall open directly into a public way or to a yard or court that opens to a public way.

Exceptions:

1. The emergency escape and rescue opening is permitted to open onto a balcony within an atrium in accordance with the requirements of Section 404 of the International Building Code, provided the balcony provides access to an exit and the dwelling unit or sleeping unit has a means of egress that is not open to the atrium.
2. High-rise buildings in accordance with Section 403 of the International Building Code.
3. Basements without habitable spaces and having no more than 200 square feet (18.6 sq. m) in floor area shall not be required to have emergency escape windows.

8-205.26 Section 1027.10 of the International Fire Code shall be amended to read as follows:

Section 1027.10 Stair Dimensions for Existing Stairs. Existing stairs in buildings shall be permitted to remain if the rise does not exceed 8.25 inches (210 mm) and the run is not less than 9 inches (229 mm). Existing stairs can be rebuilt.

Exception: Other fire escape stairs may be approved if the pitch does not exceed 60 degrees, the width is not less than 18 inches, the treads are not less than 4 inches wide and they extend to the ground or are provided with counterbalanced stairs reaching to the ground. Access shall be by an opening having a minimum dimension of 29 inches when open. The sill shall be not more than 30 inches above the floor and landing. Fire escapes shall be of noncombustible construction or of wood of not less than two inch nominal thickness.

8-205.27 Section 1027.16.1 of the International Fire Code shall be amended as follows:

Section 1027.16.1 Existing Means of Egress. Fire escape stairs shall be permitted in existing buildings but shall not constitute more than 50 percent of the required exit capacity.

Existing approved and maintained ladder devices serving an occupant load of nine people or less in residential occupancies of three stories or less shall be allowed to remain.

8-205.28 Section 3301.1.3 of the International Fire Code is amended to read as follows:

Section 3301.1.3 Fireworks. The possession, manufacture, storage, sale, use and handling of fireworks is prohibited.

Exceptions:

1. The storage of fireworks is allowed as set forth in Section 3304.
2. The use of fireworks for display is allowed as set forth in Section 3308 for supervised public displays by a jurisdiction, fair association, amusement park, and other organization or for the use of fireworks by artisans in pursuit of their trade.
3. Nothing in this section shall be construed as applying to "Novelties" not classified as fireworks by the United States Department of Transportation. Novelties shall include Party Poppers, containing less than .25 grains of explosive composition, Snappers containing less the .02 grains of explosive composition, Toy Smoke Devices not classified as 1.4G, Snakes with no more than .07 oz. of pyrotechnic material and Toy Caps containing not more than .25 grains of explosive composition per cap.

8-205.29 Section 3307 of the International Fire Code, and all of its subsections, are hereby deleted.

8-205.30 Chapter 46 of the International Fire Code shall be enacted to read as follows:

CHAPTER 46

ADDITIONAL REFERENCED STANDARDS

This Chapter lists additional standards that are referenced in various sections of this document. The standards are listed herein by the promulgating agency of the standard, the standard identification, the effective date and title, and the section of sections of this document that reference the standard. The application of the referenced standards shall be as specified in Section 102.6.

ICC

International Code Council, Inc.
5203 Leesburg Pike, Suite 600
Falls Church, VA 22041

Standard reference number	Title	Reference in code section number
IEBC-06	International Existing Building Code	102.4, 102.5

8-206 The appendixes of the International Fire Code are hereby amended as follows. The amendment of any section shall not serve to amend or repeal any other discretely numbered provision of the code, whether or not such provision is considered a section or subsection.

8-206.1 Appendix D, Section D103.2 of the International Fire Code is amended to read as follows:

Section D103.2 Grade. Fire apparatus access roads shall not exceed an eight (8) percent grade increase or decrease in any 24 lineal feet of roadway.

8-206.2

Appendix D, Section D105.1 of the International Fire Code is amended to read as follows:

Section D105.1 Where Required. Buildings or portions of buildings or facilities exceeding 30 feet (9144mm) in height above the lowest level of fire department vehicle access shall be provided with approved fire apparatus access roads capable of accommodating fire department aerial apparatus within 75 feet of all portions of the exterior walls of the first story of the facility. Overhead utility and power lines shall not be located within the aerial fire apparatus access roadway.

8-206.3

Appendix D, Section D103.5 of the International Fire Code is amended to read as follows:

D103.5 Fire apparatus access road gates. Gates securing the fire apparatus access roads shall comply with all of the following criteria:

1. The minimum gate width shall be 20 feet (6096 mm).
2. Gates shall be of the swinging or sliding type.
3. Construction of gates shall be of materials that allow manual operation by one person.
4. Gate components shall be maintained in an operative condition at all times and replaced or repaired when defective.
5. Electric gates shall be equipped with a means of opening the gate by fire department personnel for emergency access. Emergency opening devices shall be approved by the fire code official.
6. Locking device specifications shall be submitted to the fire code official and such devices must be approved by the fire code official prior to their use.

8-207

Appendix H of the International Fire Code is hereby enacted to read as follows:

APPENDIX H

DOWNTOWN MIXED OCCUPANCIES

Section H101 Purpose: To provide a reasonable degree of safety for all residential occupancies in a structure with mixed occupancy as defined by the *International Building Code*, as adopted by the City of Lawrence.

Section H102 Scope. This appendix shall apply to all existing Group R occupancies with less than three stories and less than 16 apartments which occupy an area in a structure that has a mixed occupancy classification as defined by the *International Building Code*, as adopted by the City of Lawrence, and that are located within the City of Lawrence, Kansas on Vermont, Massachusetts or New Hampshire streets on the 600 through 1100 hundred blocks, inclusive, except for single family and duplex structures.

Section H103 Fire Alarm System. An approved supervised fire alarm system shall be installed in all exit corridors in the Group R occupancies and in all areas of the other occupancies so as to sound an audible alarm in all areas of the structure.

Single station detectors of either battery or 110 V. wired type shall be provided in each unit of the Group R occupancies.

Section H104 Fire Extinguishers. A minimum of a one 1A:10B:C: portable fire extinguisher shall be provided in each unit of the Group R occupancy.

Section H105 Exits. Two separate exits shall be required from all levels above the first story.

Exception: Second stories and basements may have only one exit so long as the occupant load does not exceed nine.

8-208

Appendix I of the International Fire Code is hereby enacted to read as follows:

APPENDIX I

RESIDENTIAL DAY-CARE FACILITIES

Section I101 Purpose. The purpose of this Appendix is to provide a reasonable degree of safety to children and providers attending residential day-care facilities.

Section I102 Scope. The provisions of this Appendix shall apply to all newly established or existing Registered, Licensed and Group Day-care facilities within the City of Lawrence.

Section I103 Definitions.

1. Registered Day-care - Care provided for a maximum of six (6) children less than 16 years of age.
2. Licensed Day-care - Care provided for at least seven (7) but no more than ten (10) children less than 16 years of age.
3. Group Day-care - Care provided for at least seven (7) but no more than twelve (12) children less than 16 years of age.

Section I104 Exits.

1. Escape Corridor. Every escape path, including all stairways, shall be clear of obstructions and all doors shall be in proper working condition.
2. Exit Doors. Every required exit door must be capable of being easily opened from the inside at all times when the facility is operating.
3. Exit Pathway Passing by a Basement Stairway. If an exit pathway passes by a basement stairway, the stairway must be separated by a door or gate to prevent children from accidentally entering the basement.

Section I105 Doors.

1. Closet Doors. At all times, every closet door must be capable of being easily opened from the inside by children.
2. Bathroom Doors. Every bathroom door must be capable of being unlocked from the outside at all times. The unlocking key/device must be readily accessible to the staff.

Section I106 Basement and Second Floor Use.

1. Before May 1, 1998. Facilities which possess a Certificate or Day-care License dated before May 1, 1998 may use a basement or second floor for day-care only if there are at least two separate exits to the outside. One exit must be a door and one exit may be an approved escape window. Day-care providers must be able to demonstrate that

everyone under their care can safely exit the house and go to a designated safe area within four (4) minutes. The code official may require day-care providers to demonstrate their ability to conduct such an exit drill.

2. On or After May 1, 1998. Facilities which possess a Certificate or Day-care License dated on or after May 1, 1998 may use a basement for day-care only if there are at least two exits to the outside. One exit must be a door leading directly to the outside. If the two exits in use are within ten (10) feet of each other, a third exit, which may be an approved exit window, will be required. Residential day-care is not allowed on the second floor of a residence. Bi-level houses must be inspected by the code official to determine if they comply with this provision prior to their use as a day-care facility.

Section I107 Portable Fire Extinguishers.

1. Type and Location. A fire extinguisher rated at 2A:10B:C: is required and must be placed or mounted so that the unit's operating and mounting mechanisms are located no higher than 48 inches from the floor and no lower than 15 inches above the floor.
2. Maintenance. Fire extinguishers provided for the day-care must be inspected and/or serviced and tagged within the previous 12 months by a person or business licensed by the Kansas State Fire Marshal. If the fire extinguisher is purchased new, a purchase receipt must be retained that shows the date of purchase. Such a new fire extinguisher does not need to be inspected within the first 12 months after the date shown on the purchase receipt.

Section I108 Smoke Detectors.

1. Smoke Detector Installation. Smoke detectors shall be installed on every level of the residence according to the manufacturer's instructions. Smoke detectors shall be located in the pathways serving sleeping and use areas and in each sleeping room used for children.
2. Smoke Detector Maintenance. Smoke detectors shall be tested monthly. The batteries in battery-powered smoke detectors shall be changed every six months and records of the tests and battery changes required in this section shall be kept on file for review upon request of the code official.

Section I109 Heating Devices.

1. Venting. All natural gas, kerosene, wood, propane heaters, and other open flame heating devices shall be properly vented to the outside of the residence.
2. Protective Barriers. All heating devices shall be shielded by a noncombustible barrier that prevents accidental contact with the devices.
3. Combustible Storage. No combustible storage is allowed within 36 inches of the furnace or hot water heater or other open flame device. All heating devices shall be kept clean and dust free.

Section I110 Emergency Procedures.

1. Exit Drills. Exit drill procedures shall be posted and exit drills shall be conducted monthly. Accurate written records of the exit drills conducted in the previous twelve months shall be kept and posted in plain view at the day-care.

2. Tornado Procedures. Written emergency procedures for tornadoes shall be posted and shall be practiced monthly. Accurate written records of the emergency tornado procedures practice conducted in the previous twelve months shall be kept and posted in plain view at the day-care.

Section I111 General Fire Safety.

1. Electrical Outlets. All unused electrical outlets in licensed areas shall have child-resistant protective covers in place.
2. Flashlights. A working flashlight shall be available for each staff member in the day-care.

8-209 APPEALS.

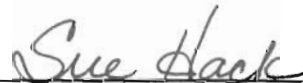
Whenever the code official disapproves an application or refuses to grant a permit applied for, or when it is claimed that the provisions of the code do not apply or that the true intent and meaning of the code have been misconstrued or wrongly interpreted, the applicant may appeal from the decision of the code official to the Board of Appeals within 30 days from the date of the decision appealed.

8-210 SEVERABILITY.

If any section, clause, sentence, or phrase of this ordinance is found to be unconstitutional or is otherwise held invalid by any court of competent jurisdiction, it shall not affect the validity of any remaining parts of this ordinance.

Section 3. This ordinance shall become effective January 1, 2008 and after its publication as provided by law.

Adopted this 2nd day of October, 2007



Sue Hack, Mayor

Attest:



Frank Reeb
City Clerk

Approved as to form and legality:



Toni Wheeler
Director of Legal Services