



CITY COUNCIL AGENDA ITEM

Date: November 25, 2014

To: Brian Kischnick, City Manager

From: William S. Nelson, Fire Chief
David J. Roberts, Assistant Fire Chief

Subject: Amendments to Troy City Code, Chapter 93, Fire Prevention

History

The International Code Council (ICC) is a membership association dedicated to building safety and fire prevention. ICC develops codes and standards used to construct and inspect buildings. Codes are reviewed and revised on a national level every three years.

Every three years the State of Michigan adopts the revised edition of the International Building Code, with amendments, as the state construction code which municipalities are required to enforce. Michigan has recently adopted the 2012 edition of the International Building Code, referred to as the Michigan Building Code.

Michigan has yet to adopt a state fire code, however, and therefore currently leaves this obligation to local municipalities. As a result, Chapter 93, the companion International Fire Code and Troy's local fire prevention ordinance, is amended to reflect related changes so as to avoid any conflict between the two codes.

Under Chapter 93 of the Troy City Code, Section 2, the City of Troy currently adopts the 2009 edition of the International Fire Code with amendments. This code is enforced by the Troy Fire Department's Fire Prevention Division whose function is the implementation, administration and enforcement of the provisions of the International Fire Code in Chapter 93.

Financial Considerations

There are no financial considerations associated with this item.

Legal Considerations

- Per the requirements of Public Act 230 of 1972, as amended, the City of Troy Building Department (SAFEbuilt, Inc.) enforces the Michigan Building Code.
- Per the requirements of Troy City Code Chapter 93, as amended, the City of Troy Fire Department enforces the International Fire Code.

Legal Considerations (*continued*)

- The International Building Code and the International Fire Code are companion codes, allowing uniformity in enforcing related fire and life safety provisions by building officials and fire officials.
- Revising Chapter 93 to adopt the 2012 edition of the International Fire Code with amendments coincides with the November 1, 2014 implementation of the 2012 edition of the International Building Code, with amendments, referred to as the Michigan Building Code.
- Both codes will serve as companion codes to one another within the City of Troy, and thus allow for uniform enforcement by fire and building officials, thereby avoiding potential conflict and any resulting legal proceedings.
- Code amendments / modifications are indicated by red strike-through text and are replaced with red/underlined text or are addressed elsewhere in the code. *Note: several code sections have been deleted as they are adequately addressed in the 2012 International Fire Code itself.*
- A copy of the 2012 International Fire Code in its entirety can be found at:
<http://publicecodes.cyberregs.com/icod/ifc/2012/index.htm>

Recommendation

Staff recommends adopting the 2012 International Fire Code, with amendments, as Chapter 93 of the Code of the City of Troy.

City Attorney's Review as to Form and Legality

Lori Grigg Bluhm, City Attorney Date

CITY OF TROY
AN ORDINANCE TO AMEND
CHAPTER 93 - CITY OF TROY ORDINANCE

The City of Troy ordains:

Section 1. Short Title

This Ordinance shall be known and may be cited as an amendment to Chapter 93- City of Troy Ordinance.

Section 2. Amendment

Chapter 93 of the Code of the City of Troy is amended to incorporate the 2012 International Fire Code by Reference, and amend the ordinance sections as follows:

93.00 Adoption of the 2009 2012 International Fire Code by Reference. The *International Fire Code*, 2009 2012 Edition, including its appendices, is hereby adopted by reference with the additions, insertions, deletions and changes prescribed in Section 93.01 of this Ordinance, as the Fire Prevention Code of the City of Troy, regulating and governing the safeguarding of life and property from fire and explosion hazards arising from the storage, handling and use of hazardous substances, materials and devices, and from conditions hazardous to life and property in the occupancy of buildings. This Ordinance and a copy of the International Fire Code, 2009 2012 Edition, shall be kept on file with the City Clerk. A copy of the International Fire Code in its entirety can also be found at:

<http://publicecodes.citation.com/icod/ifc/2009/index.htm>

<http://publicecodes.cyberregs.com/icod/ifc/2012/index.htm> or any subsequent amended link.

93.01 Additions, Insertions, Deletions and Changes to the International Fire Code, 2009 2012 Edition. The City of Troy adopts the following additions, insertions, deletions and changes from the *International Fire Code*, 2009 2012 Edition. Subsequent section numbers used in this section shall refer to the like numbered sections of the *International Fire Code*, 2009 2012 Edition. Any provisions of Chapter 93, Section 93.01 which are not amended or deleted herein shall remain in full force and effect.

102.7 Referenced codes and standards. The codes and standards referenced in this code shall ~~be~~ include those that are listed in Chapter 47 80 of the *International Fire Code*, and such codes and standards shall be considered part of the requirements of this code to the prescribed extent of each such reference and as further regulated in Sections 102.7.1 and 102.7.2.

102.7.1 Conflicts. Where ~~differences~~ conflicts occur between the provisions of this code and the referenced codes and standards, the provisions which establish the higher standard for the promotion of the safety and welfare of the public and the

protection of the public, or as otherwise determined by State of Michigan law, shall apply. References to the International Building Code shall be interpreted as the Michigan Building Code as set forth in Chapter 79, Section 8.1 of the City of Troy Code. **Reference to other International Code Council codes shall be interpreted as Michigan codes, where applicable, as amended and adopted by law.**

103.1 General. The Troy Fire Department shall be responsible for fire prevention inspection activities and code enforcement of buildings and occupancies as related to the risk of fire or explosion within the City of Troy. The department of fire prevention is established within the jurisdiction under the direction of the **fire** code official. The function of the department shall be the implementation, administration and enforcement of the provisions of this code and the codes and standards referenced in Chapter 45 of this code.

105.4.2 Information on Construction Documents. Construction documents shall be drawn to scale upon suitable material. Electronic media documents shall be submitted as required by the *fire code official*. **Failure to submit electronic media documents may result in a reasonable document scanning fee as determined by the fire code official.** Construction documents shall be of sufficient clarity to indicate the location, nature and extent of the work proposed and show in detail that it will conform to the provisions of this code and relevant laws, ordinances, rules and regulations as determined by the fire code official.

105.6.20.1 Required Amounts for Reporting. Reportable quantities shall be considered the maximum amount of hazardous material on site at any given time. This amount is required to be reported to the fire department as indicated in the Troy Fire Department's HMIS packet as defined in Sections 407.5 and **2701.5 5001.5.2** of this code.

~~105.7.5.1~~ 105.7.6.1 Installations. Before any fire alarm or detection system or component is installed, enlarged, extended or modified, a permit shall be obtained from the code official. This shall include auxiliary devices such as magnetic locks, electronic locks, or any device or relay connected to or controlled by the fire alarm or detection system. All work must be performed by a qualified installer who is properly licensed and/or certified to perform such work as determined by the code official. Construction documents shall be reviewed by the code official prior to the issuance of the permit. Upon issuance of the permit, the permit must be posted at the job site in plain view.

105.7.6.2 Permit fees. **Provided for in Troy City Code Chapter 60.**

~~105.7.15~~ 105.7.17 Permit issuance. A permit granted hereunder shall not be transferable nor shall any such permit be extended beyond the time set forth therein unless approved by the fire official. When work is started without a permit, the permit fee shall be doubled.

105.8.1 Use Group. An occupancy permit is required for Use Groups A, B, F, **I**, M, **and S**, **and U** where such use will occupy 1,500 square feet or greater in area, and Use Group H of any size.

109.3 109.4 Violation penalties. Persons who shall violate a provision of this code or shall fail to comply with any requirements thereof or who shall erect, install, alter, repair, service, test or do work in violation of the approved construction documents or directive of the fire code official, or of a permit or certificate used under provisions of this code, shall be guilty of a misdemeanor punishable by a fine of not more than five hundred (500) dollars or by imprisonment not exceeding ninety (90) days, or both such fine and imprisonment as determined by a judge in a court of law, **plus any allowable cost recovery incurred by the Troy Fire Department or any agency working with the Troy Fire Department that incurred costs.** Each day that a violation

SECTION 202 GENERAL DEFINITIONS

BONFIRE. An outdoor fire which burns only seasoned dry firewood or clean untreated lumber intended to minimize the generation of air contaminants and is utilized for occasional special events subject to the following provisions:

1. Prior approval of the Troy City Council.
2. Compliance with any special restrictions as determined by the fire official.
3. Payment of costs associated with special fire protection as determined by the fire official.

EMERGENCY VEHICLE ACCESS. A passageway, as specified in Section 503.7 of this code, for fire apparatus and other emergency vehicles to access a street or property in the event of an emergency.

FIRE CODE OFFICIAL. The fire chief, fire marshal, code enforcement officer, or other designated authority charged by the applicable governing body with the duties of administration and enforcement of the code, or duly authorized representative. The term "fire code official" may be used interchangeably with "code official" and "fire official" in this code.

FIRE WATCH. A temporary measure intended to ensure continuous and systematic surveillance of a building or portion thereof by one or more qualified individuals for the purposes of identifying and controlling fire hazards, detecting early signs of unwanted fire, raising an alarm of fire and notifying the fire department by method(s) approved or recommended by the fire code official.

GROUND FIRE. An outdoor fire for the purpose of viewing or warming, or utilized to cook food for human consumption, or for ceremonial purposes, which burns only seasoned dry firewood or commercially available charcoal briquettes intended to minimize the generation of air contaminants.

HIGH-RISE BUILDING. "High-rise building" means a building with an occupied floor located more than 55 feet (16764 mm) above the lowest level of fire department vehicle access.

NONCOMPLIANT. Refers to alterations, modifications, or other such changes to fire suppression, protection, detection, alarm, or other related systems, affecting the

design, installation, or proper or intended operation of said system. Does not comply with the applicable standard or criteria set forth when originally installed, tested, and approved.

302.1 Definitions

~~**BONFIRE.** An outdoor fire which burns only seasoned dry firewood or clean untreated lumber intended to minimize the generation of air contaminants and is utilized for occasional special events subject to the following provisions:~~

- ~~1. Prior approval of the Troy City Council.~~
- ~~2. Compliance with any special restrictions as determined by the fire official.~~
- ~~3. Payment of costs associated with special fire protection as determined by the fire official.~~

~~**GROUND FIRE.** An outdoor fire for the purpose of viewing or warming, or utilized to cook food for human consumption, or for ceremonial purposes, which burns only seasoned dry firewood or commercially available charcoal briquettes intended to minimize the generation of air contaminants.~~

307.1.1 Prohibited Open Burning. Open burning that is offensive or objectionable, as determined by the fire code official, because of smoke or odor emissions or when atmospheric conditions or local circumstances make such fires hazardous shall be prohibited. Burning for purposes of incineration of waste material including paper, leaves, or any other combustible debris, outside of any structure at any place is prohibited.

~~**307.2 Allowable Burning.** Open burning shall be allowed without prior notification to the fire official for recreational fires, highway safety flares, smudge pots and similar occupational needs.~~

~~**307.2.2 307.2 Permit Required.** A permit shall be obtained from the fire code official in accordance with Section 105.6 prior to kindling a fire for recognized silvicultural or range or wildlife management practices, management of prairie grasses and plants, prevention or control of disease or pests, or a bonfire. Application for such approval shall only be presented by and permits issued to the owner of the land upon which the fire is to be kindled or the landowner's contracted professional. Bonfires, as defined and set forth in Section ~~302.1 202~~, may be permitted if in compliance with Section 307.4.1 and subject to prior approval of the code official.~~

307.4.4 Ground Fires. A ground fire shall be the minimum size for the intended purpose but not larger than ~~3 feet by 3 feet by 3 feet in dimension~~ 3 feet (914 mm) in diameter and 2 feet (610 mm) in height and shall be contained in a safe manner.

312.2 Posts. Fire hydrants and other fire protection equipment located in vehicular traffic areas shall be protected against vehicle damage by the installation of guard posts. These posts shall be installed in accordance with the City of Troy

Development Standards requirements for water mains. It shall be the property owner's responsibility to provide and maintain this protection.

~~315.3.3 Separation~~ **315.4 Outside storage.** Outside storage of combustible materials shall not be located within 10 feet (3048 mm) of a lot line and shall not be located within 10 feet (3048 mm) of a structure.

SECTION 502 DEFINITIONS

~~**EMERGENCY VEHICLE ACCESS.** A passageway, as specified in Section 503.7 of this code, for fire apparatus and other emergency vehicles to access a street or property in the event of an emergency.~~

503.2.1 Dimensions. Fire apparatus access roads and fire lanes shall have an unobstructed width of not less than 18 feet (5486.4 mm), except for approved security gates in accordance with Section 503.6, and an unobstructed vertical clearance of not less than 14 feet (4267.2 mm) or as otherwise approved by the fire code official.

507.5 Fire Hydrant Systems. Fire hydrant systems shall comply with Sections ~~508.5.4~~ 507.5.1 through ~~508.5.6~~ 507.5.6 and shall be in accordance with Appendix C and City of Troy Development Standards.

807.1 General requirements. In occupancies in Groups A, B, E, F, H, I, M, R-1, R-4, S, and U, and dormitories in Group R-2, curtains, draperies, hangings and other decorative materials suspended from walls or ceilings shall meet the flame propagation performance criteria of NFPA 701 in accordance with Section 807.2 or be noncombustible.

901.5 Installation Acceptance Testing. Fire detection and alarm systems, fire-extinguishing systems, fire hydrant systems, fire standpipe systems, fire pump systems, private fire service mains and all other fire protection systems and appurtenances thereto shall be subject to inspection and acceptance tests as contained in the installation standards and as approved by the fire code official. The fire code official shall be notified before any required acceptance testing is performed in order to schedule, witness and approve such testing prior to use of said fire protection system or equipment and/or occupancy of the structure.

~~**901.6.2 Records.** Fire suppression, protection, or other related systems found to be noncompliant, malfunctioning, or otherwise non-operational in the manner required, designed, or intended, shall be identified as "noncompliant" by the service company or individual performing such service, and the fire code official and the occupant shall be notified immediately or at the earliest practical time. At no time shall an approval, compliance, or other indication of operability be affixed to, on, or near such system(s) so as to give false indication of designed, intended, or expected operation.~~

SECTION 902 DEFINITIONS

~~**NONCOMPLIANT.** Refers to alterations, modifications, or other such changes to fire suppression, protection, detection, alarm, or other related systems, affecting the design, installation, or proper or intended operation of said system. Does not comply with the applicable standard or criteria set forth when originally installed, tested, and approved.~~

~~**903.2.11.1.2 Openings on one side only.** Where openings in a story are provided on only one side and the opposite wall of such story is more than 55 feet (16 764 mm) from such openings, the story shall be equipped throughout with an *approved automatic sprinkler system* or openings as specified above shall be provided on at least two sides of the story.~~

~~**903.2.11.1.3 Basements.** Where any portion of a *basement* is located more than 55 feet (16 764 mm) from openings required by Section 903.2.11.1, the *basement* shall be equipped throughout with an *approved automatic sprinkler system*.~~

~~**903.2.11.3 Buildings Over 30 Feet in Height.** An automatic sprinkler system shall be installed throughout a building that has a floor level which has an occupant load of 30 or more occupants and which is located 30 feet (9144 mm) or more above the lowest level of fire department vehicle access.~~

~~**Exceptions:** Refer to the Michigan Building Code, as set forth in Chapter 79, Section 8.1 of the City of Troy Code.~~

903.3.5.3 Required Pressure Margin. The code official is authorized to require a pressure margin of up to ~~twenty (20) p.s.i.~~ **ten percent (10%)** over the minimum design criteria for installed automatic fire sprinkler systems. Where this margin cannot be achieved, approved means shall be taken to provide this margin.

903.4.2 Alarms. Approved audible-visual devices shall be connected to every automatic sprinkler system. Such sprinkler water-flow alarm devices shall be activated by water flow equivalent to a single sprinkler of the smallest orifice size installed in the system. Alarm devices shall be provided on the **interior and** exterior of the building in an approved location. Exterior audible-visual devices shall activate only on water flow. Where a fire alarm system is installed in the building, actuation of the automatic sprinkler system shall actuate the building fire alarm system.

~~**905.3.2 Group A.** Class I automatic wet standpipes shall be provided in nonsprinklered Group A buildings having an *occupant load* exceeding 1,000 *persons*.~~

~~**Exceptions:**~~

- ~~1. Open-air seating spaces without enclosed spaces.~~
- ~~2. Class I automatic dry and semiautomatic dry standpipes or manual wet standpipes are allowed in buildings where the highest floor surface used for~~

~~human occupancy is 55 feet (16 764 mm) or less above the lowest level of fire department vehicle access.~~

~~**907.2.13 High-Rise Buildings.** Buildings having floors used for human occupancy located more than 55 feet (16 764 mm) above the lowest level of fire department vehicle access shall be provided with an automatic fire alarm system and an emergency voice/alarm communication system in accordance with Section 907.2.12.2.~~

~~**Exceptions:** Refer to the Michigan Building Code, as set forth in Chapter 79, Section 8.1 of the City of Troy Code.~~

~~**907.4.4 Signs.** Where fire alarm systems are not monitored by a supervising station, an approved permanent sign that reads: THIS ALARM DOES NOT NOTIFY THE FIRE DEPARTMENT - TO REPORT A FIRE DIAL 911. Such sign shall be installed adjacent to each manual fire alarm box.~~

~~**Exception:** Where the manufacturer has permanently provided this information on the manual fire alarm box and as approved by the code official.~~

~~**907.6.3.1.1 Alarm silencing.** Alarm silencing shall not cancel the activated strobes or visual warning devices.~~

~~**907.6.2.1 907.6.5.3 Temporal Code-3.** Audible alarm notification appliances shall sound in temporal Code-3 pattern as approved by the code official.~~

~~**Exception:** High-rise buildings.~~

~~**907.7.2.1 907.6.2.1 Required Power.** Where required by the code official, systems and their components shall be designed to provide adequate power in order to accommodate additional devices as a result of anticipated future expansion to the system. Unless otherwise approved by the code official, 10 amps per 10,000 square feet shall be used as a guide.~~

~~**907.7.3.2 High-Rise Buildings.** In buildings that have floors located more than 55 feet (16 764 mm) above the lowest level of fire department vehicle access that are occupied for human occupancy, a separate zone by floor shall be provided for all of the following types of alarm-initiating devices where provided:~~

- ~~1. Smoke detectors~~
- ~~2. Sprinkler water-flow devices~~
- ~~3. Manual fire alarm boxes~~
- ~~4. Other approved types of automatic fire detection devices or suppression systems as required by the code official~~

~~907.7.6~~ **907.6.5.3 Annunciation.** Where fire suppression systems exist in multi-tenant occupancies, i.e., strip malls, separate annunciation, including water flow switch and inspector test valve, shall be required for each separately addressed tenant space unless otherwise approved by the code official.

~~909.16.1 Smoke Control Systems.~~ Fans within the building shall be shown on the fire-fighter's control panel. A clear indication of the direction of airflow and the relationship of components shall be displayed. A means of confirming equipment function such as an atmospheric pressure switch, air velocity switch, or electrical current differential device, shall be installed to indicate the status of fans, dampers, or other associated equipment during alarm activations or smoke control operations. Status indicators shall be provided for all smoke control equipment, annunciated by fan and zone and by pilot-lamp-type indicators as follows:

- ~~1. Fans, dampers and other operating equipment in their normal status — WHITE.~~
- ~~2. Fans, dampers and other operating equipment in their off or closed status — RED.~~
- ~~3. Fans, dampers and other operating equipment in their on or open status — GREEN.~~
- ~~4. Fans, dampers and other operating equipment in a fault status — YELLOW/AMBER.~~

~~912.2 Location.~~ With respect to hydrants, driveways, buildings and landscaping, fire department connections shall be so located that fire apparatus and hose connected to supply the system will not obstruct access to the buildings for other fire apparatus. The location of fire department connections shall be within 100 feet (30 480 mm) of a hydrant and shall be approved by the code official.

SECTION 915.0 TEMPERATURE AND MONITORING

~~915.1 General.~~ **913.3.2 Precautions to prevent freezing.** Precautions shall be taken in all rooms and areas containing fire sprinkler equipment such as piping, valve(s), and fire pump(s), to prevent freezing of said equipment during times of extremely cold temperatures. Where the code official deems necessary, equipment shall be installed to monitor the temperature of said areas and send a trouble or supervisory signal to an approved location when the temperature falls below 40 degrees F to warn of freezing conditions so that the occurrence of frozen and/or broken piping, valve(s), and fire pump(s) can be prevented.

914.2.4 Fire department access to equipment. Rooms or areas containing controls for air-conditioning systems, automatic fire-extinguishing systems, automatic sprinkler systems or other detection, suppression or control elements shall be identified for use by the fire department. Fire protection equipment shall be maintained accessible at all times. No storage or operation is allowed that will

obstruct or delay fire department access to sprinkler risers and valves, or other fire protection control elements.

~~**1004.3 Posting of Occupant Load.** Every room or space that is an assembly occupancy shall have the occupant load of the room or space posted in a conspicuous place, near the main exit or exit access doorway from the room or space, or other approved location. Posted signs shall be of an approved legible permanent design and shall be maintained by the owner or authorized agent.~~

1004.3.1 Zoning requirements. The number of occupants permitted shall also be determined in accordance with Chapter 39 of the Troy City Code (~~parking limitation zoning~~).

~~**Smokeproof Enclosures and Pressurized Stairways.** In buildings required to comply with Section 403 or 405 of the *International Building Code*, each of the exit enclosures serving a story with a floor surface located more than 55 feet (16 764 mm) above the lowest level of fire department vehicle access or more than 30 feet (9144 mm) below the finished floor of a level of exit discharge serving such stories shall be a smokeproof enclosure or pressurized stairway in accordance with Section 909.20 of the *International Building Code*.~~

~~**1024.1 General.** Approved luminous egress path markings delineating the exit path shall be provided in buildings of Groups A, B, E, I, M and R-1 having occupied floors located more than 55 feet (16 764 mm) above the lowest level of fire department vehicle access in accordance with Sections 1024.1 through 1024.5.~~

~~**1026.2 Use in a Means of Egress.** Exterior exit stairways shall not be used as an element of a required means of egress for Group I-2 occupancies. For occupancies in other than Group I-2, exterior exit ramps and stairways shall be permitted as an element of a required means of egress for buildings not exceeding five stories above grade plane or having occupied floors more than 55 feet (16 764 mm) above the lowest level of fire department vehicle access.~~

~~**1201.1–2101.1 Scope.** Dry cleaning plants and their operations shall comply with the requirements of this chapter and NFPA 32, and the Michigan Fire Prevention Code 1941 PA 207, as amended, or its equivalent.~~

~~**2201.4 2301.1 Scope.** Automotive motor fuel-dispensing facilities, marine motor fuel-dispensing facilities, fleet vehicle motor fuel-dispensing facilities, aircraft motor-vehicle fuel-dispensing facilities and repair garages shall be in accordance with this chapter and the Michigan Building Code, International Fuel Gas Code and the Michigan Mechanical Code, and the Michigan Storage and Handling of Flammable and Combustible Liquids Rules, as amended, or their equivalent. Such operations shall include both operations that are accessible to the public and private operations.~~

~~**2206.4 2306.1 General.** Storage of flammable and combustible liquids shall be in accordance with Chapter 34 and Sections 2206.2 through 2206.6.3, and the Michigan Storage and Handling of Flammable and Combustible Liquids Rules, as amended, or their equivalent.~~

~~2206.7.8~~ **2306.7.8 Gravity and Pressure Dispensing.** Flammable or combustible liquids shall not be dispensed by gravity from tanks, drums, barrels or similar containers. Flammable or combustible liquids shall not be dispensed by a device operating through pressure within a storage tank, drum or container. Approved pumps taking suction from the top of the container shall be utilized.

~~2803.2~~ **5103.2 Identification.** Cartons shall be identified on at least one side with the classification level of the aerosol products contained within the carton as follows:

LEVEL _____ AEROSOLS

The side of the carton marked shall be clearly visible when stored in configurations of two or more cartons.

~~3304.1.1~~ **5601.1.1 Explosive Material Standard.** In addition to the requirements of this chapter, NFPA 495 shall govern the manufacture, transportation, storage, sale, handling and use of explosive materials, and the Michigan Explosives Law 1970 PA 202, as amended, or its equivalent.

~~3304.1.3~~ **5601.1.3 Fireworks.** The possession, manufacture, storage, sale, handling and use of fireworks shall be in compliance with the Michigan Fireworks Safety Act, Act No. 256, Public Acts of 2011 and any amendments thereto; **Troy City Code, Chapter 26; Troy City Code, Chapter 98;** and this ordinance.

~~3304.1.4~~ **5601.1.4 Rocketry.** The storage, handling and use of model and high-power rockets shall comply with the requirements of NFPA 1122, NFPA 1125, and NFPA 1127, and the Michigan Model Rocket Law 1965 PA 333, as amended, or its equivalent.

~~3304.2.4~~ **5601.2.4 Financial Responsibility.** Deleted.

~~3304.2~~ **45601.2.4 Bond for Public Display:** The permit holder shall furnish a bond in an amount approved by the City of Troy for the payment of all potential damage caused either to the person or property due to the permitted display, and arising from any acts of the permit holder or the agent of the permit holder.

~~3308.1~~ **5608.1 General.** The display of fireworks, including outdoor fireworks displays, proximate audience displays and pyrotechnic special effects in motion picture, television, theatrical, and group entertainment productions, shall comply with this chapter, and NFPA 1123 or NFPA 1126. Approved public displays shall be handled by an approved competent operator, and the fireworks shall be arranged, located, discharged and fired in a manner that will not be a hazard to property or endanger any person.

3401.3 5701.3 Referenced Documents. The applicable requirements of Chapter ~~27~~ 50, other chapters of this code, the *Michigan Building Code*, and the *Michigan Mechanical Code* pertaining to flammable liquids, and the Michigan Storage and Handling of Flammable and Combustible Liquids Rules, as amended, or their equivalent shall apply.

3401.4 5701.4 Permits. Permits shall be required as set forth in Sections 105.6 and 105.7, and the Michigan Fire Prevention Code 1941 PA 207, as amended, or its equivalent.

3404.2.9 5704.2.9 Above-Ground Tanks. Above-ground storage of flammable and combustible liquids in tanks shall comply with Section ~~3404.2~~ 5704.2 and Sections ~~3404.2.9.1~~ 5704.2.9.1 through ~~3404.2.9.7.10~~ 5704.2.9.7.10, and the Michigan Aboveground Storage Tank Rules, or their equivalent.

3404.2.11 5704.2.11 Underground Tanks. Underground storage of flammable and combustible liquids in tanks shall comply with Section ~~3404.2~~ 5704.2 and Sections ~~3404.2.11.1~~ 5704.2.11.1 through ~~3404.2.11.5.2~~ 5704.2.11.5.2, and the Michigan Underground Storage Tank Rules, or their equivalent.

3801.2 5801.2 Permits. Permits shall be required as set forth in Sections 105.6 and 105.7 and the Michigan Fire Prevention Code 1941 PA 207, as amended, or its equivalent.

~~**4604.23 Egress path markings.** Existing buildings of Groups A, B, E, I, M and R-1 having occupied floors located more than 55 feet (16 764 mm) above the lowest level of fire department vehicle access shall be provided with luminous egress path markings in accordance with Section 1024.~~

Chapter ~~47~~ 80 REFERENCED STANDARDS

State of Michigan Laws, Rules, or Requirements including but not necessarily limited to the following with amendments:

Michigan Fire Prevention Code 1941 PA 207

Michigan Explosives Law 1970 PA 202

Michigan Fireworks Safety Act, Act No. 256, Public Acts of 2011, and any amendments thereto

Michigan Model Rocket Law 1965 PA 333

Michigan Storage and Handling of Flammable and Combustible Liquids Rules

Michigan Underground Storage Tank Rules 1999

NFPA

National Fire Protection Association

Standard
reference

Referenced
in code

| number | Title | section number |
|--------------------------|-----------------------------------------------------------------------------------------------------------------------------------|----------------|
| 96-08 96-11 | Standard for Ventilation Control and Fire Protection of Commercial Cooking Operations | 609.1 |
| 140-08 140-11 | Standard on Motion Picture and Television Production Studio Soundstages, Approved Production Facilities, and Production Locations | 114.5 |

Section 3. Repeal

All ordinances or parts of ordinances in conflict herewith are hereby repealed only to the extent necessary to give this ordinance full force and effect.

Section 4. Savings

All proceedings pending, and all rights and liabilities existing, acquired or incurred, at the time this Ordinance takes effect, are hereby saved. Such proceedings may be consummated under and according to the ordinance in force at the time such proceedings were commenced. This ordinance shall not be construed to alter, affect, or abate any pending prosecution, or prevent prosecution hereafter instituted under any ordinance specifically or impliedly repealed or amended by this ordinance adopting this penal regulation, for offenses committed prior to the effective date of this ordinance; and new prosecutions may be instituted and all prosecutions pending at the effective date of this ordinance may be continued, for offenses committed prior to the effective date of this ordinance, under and in accordance with the provisions of any ordinance in force at the time of the commission of such offense.

Section 5. Severability Clause

Should any word, phrase, sentence, paragraph or section of this Ordinance be held invalid or unconstitutional, the remaining provision of this ordinance shall remain in full force and effect.

Section 6. Effective Date

This Ordinance shall become effective ten (10) days from the date hereof or upon publication, whichever shall later occur.

This Ordinance is enacted by the Council of the City of Troy, Oakland County, Michigan, at a Regular Meeting of the City Council held at City Hall, 500 W. Big Beaver, Troy, MI, on the _____ day of _____, _____.

Dane Slater, Mayor

M. Aileen Bittner, CMC, City Clerk