



Green Item

## CITY COUNCIL ACTION REPORT

March 23, 2011

TO: John Szerlag, City Manager *JS*

FROM: William S. Nelson, Fire Chief *WSN*  
 David J. Roberts, Assistant Fire Chief *DR*  
 Steve Burns, SAFEbuilt Building Official *SB*

SUBJECT: Amendments to Troy City Code Chapter 93, Fire Prevention,  
 Based Upon 2009 International Fire Code and 2009 Michigan Building  
 Code

Every three years there is a comprehensive review of the Michigan Building Code and the International Fire Code. The most recent review is now complete. Based on this 2009 version, there are some changes to Troy's Fire Code, Chapter 93. These changes are required so that Troy is not in conflict with the Michigan Building Code or the International Fire Code. The reliance on these codes is designed to provide uniformity for users in Troy and throughout the state. Any changes to the Michigan Building Code are covered in Chapter 79. Chapter 93, however, needs to be amended. Staff recommends the attached revisions.

Background:

- The International Code Council (ICC) is a membership association dedicated to building safety and fire prevention. ICC develops codes and standards used to construct buildings. Codes are reviewed and updated on a national level every three years.
- The State of Michigan has adopted the 2009 edition of the International Building Code, with amendments, as the statewide construction code, referred to as the Michigan Building Code. Changes to this code are conducted at the state level with some input by local municipalities. The 2009 edition of the Michigan Building Code took effect March 9, 2011.
- Under Chapter 79, Section 8.1, the City of Troy has adopted these changes to the building code by reference. This code is enforced by the Troy Building Department/SAFEbuilt. Educational efforts regarding the 2009 Michigan Building Code changes are underway and attached.
- Michigan, however, does not adopt a statewide fire prevention code and leaves this obligation to local municipalities. The City of Troy has adopted previous editions of the International Fire Code with amendments as the fire prevention code for the City of Troy.
- Under Chapter 93, Section 2, the City of Troy currently adopts the 2006 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 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.
- The International Building Code is a companion code to the International Fire Code, allowing uniformity in enforcing related fire and life safety related provisions by building officials and fire officials.
- Revising Chapter 93 to adopt the 2009 edition of the International Fire Code with amendments coincides with the March 9<sup>th</sup> implementation of the 2009 edition of the International Building Code with amendments referred to as the Michigan Building Code.
- Both codes will now 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.
- A copy of the International Fire Code in its entirety can be found at:  
<http://publicecodes.citation.com/icod/ifc/2009/index.htm>)

Policy Considerations:

The implementation, administration, and enforcement of the provisions of Chapter 93 serve to meet Council's Outcome Statement of Troy enhancing the health and safety of the community.

Options

Recommend adopting the 2009 International Fire Code with amendments as Chapter 93 of the Code of the City of Troy.

Reviewed and approved as to legality:

  
Lori Grigg Bluhm, City Attorney

**CITY OF TROY**

**AN ORDINANCE TO REPEAL CHAPTER 93  
AND ADOPT A NEW CHAPTER 93  
OF THE CODE OF THE CITY OF TROY**

An Ordinance repealing Chapter 93 of the City of Troy Code of Ordinances in its entirety and adopting a new Chapter 93 which adopts by reference the ~~2006-2009~~ Edition of the *International Fire Code*, and sets out deviations from the *International Fire Code*, which regulates and governs 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 or property in the occupancy of buildings and premises in the City of Troy; providing for the issuance of permits and collection of fees therefore; and providing a penalty for the violation thereof.

The City of Troy ordains:

Section 1:

**Repeal.** Chapter 93 of the City of Troy Code of Ordinances is hereby repealed.

Section 2:

**Adoption.** A new Chapter 93 of the City of Troy Code of Ordinances is hereby adopted to read as follows:

**93.00 Adoption of the ~~2006-2009~~ International Fire Code by Reference.** The *International Fire Code*, ~~2006-2009~~ 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*, ~~2006-2009~~ 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://publiccodes.citation.com/icod/ifc/2009/index.htm>

**93.01 Additions, Insertions, Deletions and Changes to the International Fire Code, ~~2006-2009~~ Edition.** The City of Troy adopts the following additions, insertions, deletions and changes from the *International Fire Code*, ~~2006-2009~~ Edition. Subsequent section numbers used in this section shall refer to the like numbered sections of the *International Fire Code*, ~~2006-2009~~ Edition. Any provisions of Chapter 93, Section 93.01 which are not amended or deleted herein shall remain in full force and effect.

**~~102.6-102.7~~ Referenced codes and standards.** The codes and standards referenced in this code shall be those that are listed in Chapter ~~45-47~~ and such codes and standards shall be considered part of the requirements of this code to

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the prescribed extent of each such reference. Where differences occur between the provisions of this code and the referenced 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.

**105.4.2 Information on Construction Documents.** *Construction documents* shall be drawn to scale upon suitable material. Electronic media documents **are allowed to shall** be submitted **when approved as required** 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*.

**105.6.13.1 Permit Fee.** ~~(See Troy City Code Chapter 60)~~ Provided for in Troy City Code Chapter 60.

**105.6.14.2 Permit Fee.** ~~(See Troy City Code Chapter 60)~~ Provided for in Troy City Code Chapter 60.

**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 ~~Chapter 27 Sections 407.5 and 2701.5.2~~ of this code.

**105.6.21.2 105.6.20.2 Permit Fees.** ~~(See Troy City Code Chapter 60)~~ Provided for in Troy City Code Chapter 60.

**105.7.1.1 Installations.** Before any fire suppression system or component is installed, enlarged, extended or modified, a permit shall be obtained from the code official. This shall include any device or relay connected to or controlled by the fire suppression 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. ~~The fire code official is authorized to require installation documents in an approved electronic format.~~

Comment [DJR1]: Addressed in 105.4.2

**105.7.1.2 Permit Fees.** ~~(See Troy City Code Chapter 60)~~ Provided for in Troy City Code Chapter 60.

**105.7.3.4 105.7.5.1 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

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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. ~~The fire code official is authorized to require installation documents in an approved electronic format.~~

Comment [DJR2]: Addressed in 105.4.2

**105.7.14 105.7.15 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.

### SECTION ~~112~~114 MISCELLANEOUS HAZARDS

**112.4 114.1 Hazardous materials - fire department responsibility.** The Troy Fire Department shall be responsible for gathering and organizing information, identifying risks, and enforcing codes, standards, and laws relating to the production, storage and use of hazardous materials within the City of Troy and the notification to fire fighting personnel of related hazards. The method and frequency shall be determined by the fire official or his duly authorized representative.

**112.4 114.2 Hazardous conditions.** If upon the expiration of the time mentioned in a notice of violation, hazardous conditions, including but not limited to, obstructions or encroachments inhibiting access to or egress from a space or building, are not removed, the code official shall proceed to remove or have removed the same. The expense incurred shall be a debt to the City from the responsible person and shall be collected as any other debt to the City.

**112.5 114.3 False alarms.** It shall be unlawful for any person to summon, in any way, the fire department unless a valid reason for their response is present. (See also ~~the~~ Troy City Code ~~False Fire~~Chapter 103 – Alarm Ordinance.)

**112.6 114.4 Nonstandard Equipment.** Equipment and devices which are not in compliance with recognized standards for design and construction may be approved upon presentation of satisfactory evidence that they are designed and constructed for safe operation.

**114.5 Motion Picture & Television Film Production.** Motion picture / television film production and similar entertainment or documentary production activities shall comply with the requirements of this code and NFPA 140.

**307.3.3 307.4.4 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 and shall be contained in a safe manner.

~~308.3 Open flame. A person shall not utilize or allow to be utilized, an open flame in connection with a public meeting or gathering for purposes of deliberation, worship, entertainment, amusement, instruction, education, recreation, awaiting transportation or similar purpose in assembly or educational occupancies without first obtaining written approval from the fire code official.~~

Comment [DJR3]: Addressed in 308 of the IFC

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**404.5.1 404.5.2 Format.** Fire safety and evacuation plans, general floor plans, seating arrangements, storage configurations, or other specific plans shall be furnished to the fire code official in an approved format upon request.

**503.6 Security gates.** The installation of security gates across a fire apparatus access road shall be approved shall be approved by the fire code official. Where security gates are installed, they shall have an approved means of emergency operation. The security gates and the emergency operation shall be maintained operational at all times. Electric gate operators, where provided, shall be listed in accordance with UL 325. Gates intended for automatic operation shall be designed, constructed and installed to comply with the requirements of ASTM F 2200.

**503.7 Emergency Vehicle Access.** Emergency vehicle access (EVA) shall be determined and approved by the fire code official. Unless otherwise required, EVAs shall be of the following specifications:

- minimum of 12 feet (3657.6 mm) wide
- surface capable of supporting the weight of fire apparatus up to 60,000 pounds GVW
- minimum grade changes to accommodate fire apparatus undercarriage ground clearances
- mountable curb at entrance/exit with adequate turning radii to and from the EVA
- standard "No Parking—Fire Lane" fire lane signage posted at entrance/exit to EVA
- EVA signage posted at entrance/exit of EVA, on both sides of surface, every 50 feet (15240 mm) for length of EVA
- EVA signage to withstand snow removal/landscape maintenance efforts
- EVA to be kept clear of snow and vegetation

**505.1 Address Numbers Identification.** (See Troy City Code Chapter 2.)  
Provided for in Troy City Code Chapter 2.

**506.1 When- Where Required.** Where access to or within a structure or an area is restricted because of secured openings or where immediate access is necessary for life-saving or fire-fighting purposes, or where an alarm signaling system or device is installed that may summon the fire department, the fire code official is authorized to require a key box to be installed in an accessible location. The key box shall be of an approved type and shall contain keys to gain access as required by the fire code official. Any appeal that may arise shall be referred to the Building Board of Appeals as established in Section 116 of Chapter 79 of the Troy City Code.

**508.3 507.3 Fire Flow.** Fire flow requirements for buildings or portions of buildings and facilities shall be determined in accordance with Appendix B and in accordance with City of Troy Development Standards. An appropriate pressure and flow margin of safety shall be provided with each fire sprinkler system as required by the code official.

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**508.5 507.5 Fire Hydrant Systems.** Fire hydrant systems shall comply with Sections 508.5.1 through 508.5.6 and shall be in accordance with Appendix C and City of Troy Development Standards.

**508.5.4.1 507.5.4.1 Removal of Obstructions.** If upon the expiration of the time mentioned in a notice of violation, obstructions or encroachments to a fire hydrant, or to other fire protection equipment, are not removed, the code official shall proceed to remove or have removed the same. The expense incurred shall be a debt to the City from the responsible person and shall be collected as any other debt to the City.

**609.1 General.** Commercial kitchen exhaust hoods shall comply with the requirements of the *International Michigan Mechanical Code and NFPA 96*.

**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 ~~75 feet (22 860 mm)~~ 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 ~~75 feet (22 860 mm)~~ 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*.

**903.2.10.3 903.2.11.3 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.

**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 ~~75 feet (22 860 mm)~~ 55 feet (16 764 mm) or less above the lowest level of fire department vehicle access.

**907.2.12 907.2.13 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.

~~907.10.2.1~~ ~~907.6.2.1.3~~ **Temporal Code-3.** Audible alarm notification appliances shall sound in temporal Code-3 pattern as approved by the code official.

~~907.5.4.~~ ~~907.7.2.1~~ **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.

~~907.9.2~~ ~~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.

~~907.7.1~~ ~~907.7.6~~ **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.

~~4019.1.8~~ ~~Smokeproof enclosures.~~ ~~1022.9~~ ~~Smokeproof Enclosures and Pressureized Stairways.~~ In buildings required to comply with Section 403 or 405 of the code *International Building Code*, each of the ~~exits of a building which serves stories where the floor surface is~~ ~~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 ~~level finished floor of exit-discharge~~ ~~a level of exit discharge~~ serving such ~~floor-levels stories~~ shall be a ~~smokeproof enclosure~~ ~~smokeproof enclosure~~ or pressurized ~~stairway~~ ~~stairway~~ in accordance with Section 909.20 of the ~~International Building Code~~ *International Building Code*.

~~1023.2~~ ~~1026.2~~ **Use in a Means of Egress.** ~~Exterior exit stairways~~ ~~Exterior Exit Stairways~~ shall not be used as an element of a required ~~means-of-egress~~ ~~means of egress~~ for ~~occupancies in~~ Group I-2 ~~occupancies~~. For occupancies in other than Group I-2, ~~exterior exit stairways~~ ~~exterior exit ramps and stairways~~ shall be permitted as an element of a required ~~means-of-egress~~ ~~means of egress~~ for buildings not exceeding five stories above ~~grade-plane~~ ~~grade plane~~ or having occupied floors more than 55 feet (16 764 mm) in height above the lowest level of fire department vehicle access.

**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

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occupied floors located more than ~~75 feet (22 860 mm)~~, 55 feet (16 764 mm) above the lowest level of fire department vehicle access in accordance with Sections 1024.1 through 1024.5.

~~**1025.1 General.** In addition to the means of egress required by this chapter, provisions shall be made for emergency escape and rescue in group R as applicable in section 101.2, classrooms greater than 250 feet 2 (23.2 m 2 ) in group E, and group I-1 occupancies. Basements and sleeping rooms below the fourth story above grade plane shall have at least 1 exterior emergency escape and rescue opening in accordance with this section. Where basements contain 1 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 opening shall open directly into a public street, public alley, yard, or court.~~

Comment [DJR4]: Addressed in 1028.1 of the IFC

### **Exceptions:**

- ~~1. In other than group R-3 occupancies as applicable in section 101.2, buildings equipped throughout with an approved automatic sprinkler system in accordance with section 903.3.1.1 or 903.3.1.2.~~
- ~~2. In other than group R-3 occupancies as applicable in section 101.2, sleeping rooms provided with a door to a fire-resistance-rated corridor having access to 2 remote exits in opposite directions.~~
- ~~3. The emergency escape and rescue opening is permitted to open onto a balcony within an atrium in accordance with the requirements of section 404, 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.~~
- ~~4. Basements with a ceiling height of less than 80 inches (2032 mm) shall not be required to have emergency escape and rescue windows.~~
- ~~5. High-rise buildings in accordance with section 403.~~
- ~~6. Emergency escape and rescue openings are not required from basements or sleeping rooms which have an exit door or exit access door that opens directly into a public street, public alley, yard, egress court, or to an exterior exit balcony that opens to a public street, public alley, yard, or egress court.~~
- ~~7. Basements without habitable spaces and having not more than 200 square feet (18.6 square meters) in floor area shall not be required to have emergency escape windows.~~

**2201.1 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.

**2206.1 General.** Storage of flammable and combustible liquids shall be in accordance with Chapter 34 and Sections 2206.2 through 2206.6.3, and the

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Michigan Storage and Handling of Flammable and Combustible Liquids Rules, as amended, or their equivalent.

**3404.2.9 Above-Ground Tanks.** Above-ground storage of flammable and combustible liquids in tanks shall comply with Section 3404.2 and Sections 3404.2.9.1 through ~~3404.2.9.6.10~~ 3404.2.9.7.10, and the Michigan Aboveground Storage Tank Rules, or their equivalent.

**4604.23 Egress path markings.** Existing buildings of Groups A, B, E, I, M and R-1 having occupied floors located more than ~~75 feet (22 860 mm)~~ 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.

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Chapter **45 47**  
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 Law 1931 PA 328  
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

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Standard reference number	Title	Referenced in code section number
<u>96-08</u>	<u>Standard for Ventilation Control and Fire Protection of Commercial Cooking Operations</u>	<u>609.1</u>
<u>140-08</u>	<u>Standard on Motion Picture and Television Production Studio Soundstages, Approved Production Facilities, and Production Locations</u>	<u>114.5</u>

**Appendix C  
FIRE HYDRANT LOCATIONS AND DISTRIBUTION**

**TABLE C105.1  
NUMBER AND DISTRIBUTION OF FIRE HYDRANTS**

FIRE-FLOW REQUIREMENT (gpm)	MINIMUM NO. OF HYDRANTS	AVERAGE SPACING BETWEEN HYDRANTS <sup>a,b,c</sup> (feet)	MAXIMUM DISTANCE FROM MOST REMOTE PORTION OF BUILDING ACCESSIBLE BY FIRE APPARATUS TO A HYDRANT <sup>d</sup> (feet)
1,750 or less	1	500	250
2,000-2,250	2	450	225
2,500	3	450	225
3,000	3	400	225
3,500-4,000	4	350	210
4,500-5,000	5	300	180
5,500	6	300	180
6,000	6	250	150
6,500-7,000	7	250	150
7,500 or more	8 or more <sup>e</sup>	200	120

For SI: 1 gallon per minute = 3.785 L/m, 1 foot = 304.8 mm

<sup>a</sup> Reduce by 100 feet (30,480 mm) for dead-end streets or roads with dead-end water main.

<sup>b</sup> Where streets are provided with median dividers which ~~can~~ cannot be crossed by firefighters pulling hose lines, or where arterial streets are provided with four or more traffic lanes and have a traffic count of more than 30,000 vehicles per day, hydrant spacing shall average 500 feet (152.4 m) on each side of the street and be arranged on an alternating basis up to a fire-flow requirement of 7,000 gallons per minute (26,495 L/min.) and 400 feet (122 m) for higher fire-flow requirements.

<sup>c</sup> Where new water mains are extended along streets where hydrants are not needed for protection of structures or similar fire problems, fire hydrants shall be provided at spacing not to exceed 1,000 feet (305 m) to provide for transportation hazards.

<sup>d</sup> Reduce by 50 feet (15,240 mm) for dead-end streets or roads.

<sup>e</sup> One hydrant for each 1,000 gallons per minute (3,785 L/min.) or fraction thereof.

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Section 3:

**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 4.

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

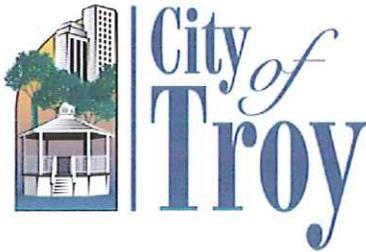
Section 5.

**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 \_\_\_, 2011.

\_\_\_\_\_  
Louise Schilling, Mayor

\_\_\_\_\_  
Tonni Bartholomew, City Clerk



Green Item 113

# CITY COUNCIL ACTION REPORT

March 23, 2011

TO: John Szerlag, City Manager *JS*

FROM: William S. Nelson, Fire Chief *WSN*  
David J. Roberts, Assistant Fire Chief *DR*  
Steve Burns, SAFEbuilt Building Official *SB*

SUBJECT: Amendments to Troy City Code Chapter 93, Fire Prevention,  
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K-2b

Financial Considerations:

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- Per the requirements of Public Act 230 of 1972, as amended, the City of Troy Building Department / SAFEbuilt 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.
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- Revising Chapter 93 to adopt the 2009 edition of the International Fire Code with amendments coincides with the March 9<sup>th</sup> implementation of the 2009 edition of the International Building Code with amendments referred to as the Michigan Building Code.
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The implementation, administration, and enforcement of the provisions of Chapter 93 serve to meet Council's Outcome Statement of Troy enhancing the health and safety of the community.

Options

Recommend adopting the 2009 International Fire Code with amendments as Chapter 93 of the Code of the City of Troy.

Reviewed and approved as to legality:

  
Lori Grigg Bluhm, City Attorney