

CITY OF DAPHNE
1705 MAIN STREET, DAPHNE, AL
CITY COUNCIL WORK SESSION AGENDA
November 8, 2021
6:00pm

1. DISCUSS:

- a. Education Advisory Committee
- b. Council Committee Assignments
- c. Fire Code, Section D-107
- d. Charging Station Expansion and Taxes

2. ANYTHING ELSE THAT IS DEEMED NECESSARY

3. ADJOURN

**CITY OF DAPHNE
ORDINANCE 2019-33**

FIRE PREVENTION CODE FOR THE CITY OF DAPHNE

AN ORDINANCE TO REPEAL ORDINANCE NO. 2012-41 AND ADOPT THE 2018
INTERNATIONAL FIRE CODE WITH AMENDMENTS THERETO FOR THE CITY OF
DAPHNE, ALABAMA.

WHEREAS, the 2018 edition of the International Fire Code, copyrighted by the International Code Council, with amendments thereto, has heretofore been on file in the Office of the City Clerk of the City of Daphne, Alabama; and

WHEREAS, the City Council of the City of Daphne has determined that it is in the best interest of the health, safety, and welfare of its citizens to adopt the 2018 edition of the International Fire Code, as amended herein.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE
CITY OF DAPHNE, ALABAMA AS FOLLOWS:**

SECTION 1. ADOPTION OF THE INTERNATIONAL FIRE CODE, EDITION 2018

A.

Section 101.1 shall be deleted in its entirety and replaced with the following:

101.1 Title. These regulations shall be known as the Fire Code of Daphne, hereinafter referred to as "this code."

B.

Section 103.1 shall be deleted in its entirety and replaced with the following:

103.1 General.

Bureau of Fire Prevention. There is hereby established a department to be called the Bureau of Fire Prevention and the person in charge shall be known in this Code as the Fire Code Official, who shall be the Fire Marshal of the City of Daphne. The function of the department shall be the implementation, administration and enforcement of the provisions of this code and amendments.

C.

Section 103.2 Appointment of the Fire Code Official shall be deleted in its entirety.

D.

Section 105.6.32 shall be deleted in its entirety and replaced with the following:

105.6.32 Open Burning

No person shall kindle or maintain any bonfire or rubbish fire or authorize any such fire to be kindled or maintained without a permit or other proper authorization.

No waste materials, rubbish, trees, bushes or brush cleared for construction or demolition of buildings or structures shall be disposed of by burning on the premises or in the immediate vicinity by the owner, the contractor, or any other person, unless a permit or other proper authorization has been obtained to burn said waste materials in an approved waste burner/incinerator.

The permit for each approved waste burner/incinerator shall be \$75.00.

E.

Section 105.7.1 shall be deleted in its entirety and replaced with the following:

105.7.1 Fixed Fire Extinguishing Systems Installation

No person shall engage in the business of installing fixed fire extinguishing systems without obtaining a permit from the Bureau of Fire Prevention.

No person shall install a fixed fire extinguishing system without obtaining a current City of Daphne business license.

No person shall be issued a permit to install fixed fire extinguishing equipment who does not possess a manufacturers certification for installation and servicing for the type system being installed and have a Certificate of Insurance, General Liability for \$ 1,000,000 with the City of Daphne, Bureau of Fire Prevention, P.O. Box 400, Daphne AL. 36526 listed as a Certificate Holder.

Any modifications made to a fixed system including adding additional flow points will require an installation permit.

A complete plan/drawing of the system and the devices that are being protected shall be submitted before a permit is issued and a copy shall be placed in the control box.

The technician who actually performs the installation of the fixed fire extinguishing systems shall legibly sign and date the service tag verifying that all work was done in compliance with current NFPA standards.

The Fire Code Official shall require certain operational tests upon final inspection.

The permit fee for each fire extinguisher system installation shall be \$75.00.

E.1.

Section 105.7.1.1 shall be deleted in its entirety and replaced with the following:

105.7.1.1 Servicing Fixed Fire Extinguishing Systems

No person shall engage in the business of servicing or inspecting fixed fire extinguishing systems without obtaining a permit from the Bureau of Fire Prevention. The permit is good only for that calendar year in which it is issued.

No person shall service or inspect a fixed fire extinguishing system without obtaining a current City of Daphne business license.

No person shall be issued a permit to service or inspect fixed fire extinguishing equipment who does not possess a manufacturers certification for installation and servicing for the type system being installed and have a Certificate of Insurance, General Liability for \$ 1,000,000 with the City of Daphne, Bureau of Fire Prevention, P.O. Box 400, Daphne AL. 36526 listed as a Certificate Holder.

Any modifications made to a fixed system including adding additional flow points will require an installation permit.

A complete plan/drawing of the system and the devices that are being protected shall be submitted before a permit is issued and a copy shall be placed in the control box.

The technician who actually performs the work of servicing or inspecting the fixed fire extinguishing systems shall legibly sign and date the service tag verifying that all work was done in compliance with current NFPA standards.

A permit is not required for follow up inspection or service, if a permit was received for that system in the same year. However a report shall be furnished to the Bureau of Fire Prevention upon completion of work being done.

The permit fee for servicing a fixed fire extinguisher system shall be \$75.00.

F.

Section 105.7.7 shall be deleted in its entirety and replaced with the following:

105.7.7 Fire Alarm System Installation

No person shall install a fire alarm system without having the plans stamped by a licensed Engineer and reviewed by the Fire Code Official before commencing any part of the work. No person shall commence working on a fire alarm system without first obtaining a permit from the Bureau of Fire Prevention.

Stamped drawings from a licensed Engineer are required for any additions to an existing system.

There is accepted from the requirements of this Section installations in any building with single station detectors only.

Installer must possess a State Fire Alarm Permit issued by the State Fire Marshal's office.

Any person or entity who designs fire alarm systems must possess a State Fire Alarm Permit issued by the State Fire Marshal's office.

Licensed electricians may pull wire, mount ancillary equipment, and connect the main power to the control panel after a permit has been issued; but no one other than a qualified fire alarm installer shall be allowed to make any other connections inside the control panel.

Multi-Tenant Buildings. In multi-tenant buildings requiring automatic fire sprinkler systems, and where no fire alarm is required by Section 907, each tenant shall have at least one notification device (horn/strobe) to provide audible and visual notification upon activation of the listed sprinkler monitoring system.

Any multiple-family residential development that has a fire sprinkler system shall have a horn/strobe device located on the front side of the building visible from the roadway.

A certified fire sprinkler installer may install devices integral to the operation of the fire sprinkler system, but shall not make and connections to the fire alarm system.

Upon final inspection, the NFPA Fire Alarm System Record of Completion form must be properly filled out and submitted to the Fire Code Official and a fire alarm system test must be performed in the presence of the Fire Code Official.

All fire alarm circuit disconnecting means shall have a red marking and shall be identified as "Fire Alarm".

Fire Alarm Control Units (FACU) will be located at the entrance of the building or provide an annunciator panel at the entrance and also indicate the location of the main panel.

The permit fee for installing a fire alarm system shall be \$75.00.

F.1.

Section 105.7.7.1 shall be deleted in its entirety and replaced with the following:

105.7.7.1 Servicing Fire Alarm Systems

No person shall engage in the business of servicing fire alarm systems without obtaining a permit from the Fire Code Official. The permit is good only for that calendar year of which it is issued. There is exception from the requirements of Section 105.7.7.1 installations of the following types:

- (1) One and two family dwellings
- (2) Any buildings with single station detectors only.

- (3) Owners of buildings may maintain their own systems as long as their maintenance person is certified by the manufacturer of the installed equipment or has National Institute for Certification in Engineering Technologies (NICET) level II in fire alarms.

No person shall be issued a permit to modify, repair, test or service fire alarm systems who does not possess a State of Alabama Fire Alarm Permit issued by the State Fire Marshal's office.

A service tag or sticker shall be required to be installed by the permitted alarm servicing individual or company at the control panel of each fire alarm system, stating the company's name, address, phone number, name of the technician performing the service, date and the type of service performed.

The permit fee to service a fire alarm system shall be \$75.00.

G.

Section 105.7.8 shall be deleted in its entirety and replaced with the following:

105.7.8 Fire Pumps Installation

Any person who installs fire pumps must be licensed by the Alabama State Fire Marshal's Office and approved by the Fire Code Official.

No person shall install a fire pump without first obtaining a permit from the Bureau of Fire Prevention.

Installer must possess a current City of Daphne business license and have a Certificate of Insurance, General Liability for \$1,000,000 with the City of Daphne, Bureau of Fire Prevention, P.O. Box 400, Daphne AL. 36526 listed as a Certificate Holder.

Installer must have fire pump plans reviewed by the Fire Code Official before commencing installation.

All testing of the fire pump shall comply with NFPA 25. The Fire Code Official may require certain operational test upon final inspection.

The permit fee to install a fire pump shall be \$75.00.

G.1.

Section 105.7.8.1 shall be added to read as follows:

105.7.8.1 Servicing Fire Pumps

Any person who services, test or inspects fire pumps must be licensed by the Alabama State Fire Marshal's Office and approved by the Fire Code Official.

No person shall service, test or inspect a fire pump without first obtaining a permit from the Bureau of Fire Prevention.

The Person/Business who obtains the permit must possess a current City of Daphne business license and have a Certificate of Insurance, General Liability for \$1,000,000 with the City of Daphne, Bureau of Fire Prevention, P.O. Box 400, Daphne AL. 36526 listed as a Certificate Holder

The permit fee to service, test or inspect a fire pump shall be \$75.00.

H.

Section 105.7.26 shall be added to read as follows:

105.7.26 Portable Fire Extinguisher Service

No person shall engage in the business of servicing portable fire extinguishers without obtaining a permit from the Bureau of Fire Prevention. The permit is good only for that calendar year of which it is issued.

No person shall service portable fire extinguishers without obtaining a current City of Daphne business license.

No person shall be issued a permit to service a portable fire extinguisher that does not possess a manufactures service manual for the type of extinguisher being serviced, and have the proper training. They shall have a Certificate of Insurance, General Liability for \$1,000,000 with the City of Daphne, Bureau of Fire Prevention, P.O. Box 400 Daphne, AL 36526 listed as a Certificate Holder.

The technician who actually performs the work of servicing the portable fire extinguishers shall legibly sign and date the service tag verifying that all work was done in compliance with current NFPA standards.

The annual permit fee for portable fire extinguisher service shall be \$75.00.

I.

Section 105.7.27 shall be added to read as follows:

105.7.27 Install Automatic Fire Sprinkler Systems

No person shall install, modify or repair an automatic fire sprinkler system without obtaining a permit from the Bureau of Fire Prevention.

Any person who installs or maintains fire sprinkler systems (hereinafter called in Section 402.35 "installer") must be certified by the Alabama State Fire Marshal's Office, and have a Certificate of Insurance, General Liability for \$1,000,000 with the City of Daphne,

Bureau of Fire Prevention, P.O. Box 400, Daphne AL. 36526 listed as a Certificate Holder.

Installer must possess a current City of Daphne business license.

Installer must have sprinkler plans stamped by a licensed Engineer and must be reviewed by the Fire Code Official before commencing installation.

Upon final inspection, the National Fire Protection Association (NFPA) Contractor's Material and Test Certificate for Aboveground Piping must be properly completed and submitted to the Bureau of Fire Prevention.

The Fire Code Official shall be present during the final inspection of the sprinkler system.

Relocating more than three (3) sprinkler heads or adding any heads in an existing fire sprinkler system shall require a permit from the Bureau of Fire Prevention and stamped drawings from an Engineer.

The permit fee for each automatic fire sprinkler system installation shall be \$75.00.

I.1.

Section 105.7.27.1 shall be added to read as follows:

105.7.27.1 Servicing Fire Sprinkler Systems

No person shall service or inspect an automatic fire sprinkler system without obtaining a permit from the Bureau of Fire Prevention.

Any person who services or maintains fire sprinkler systems must be certified by the Alabama State Fire Marshal's Office, and have a Certificate of Insurance, General Liability for \$1,000,000 with the City of Daphne, Bureau of Fire Prevention, P.O. Box 400, Daphne AL. 36526 listed as a Certificate Holder.

No person shall perform maintenance or testing on fire sprinkler systems unless said person is certified by the Alabama State Fire Marshal's office and approved by the Fire Code Official.

Installer must possess a current City of Daphne business license.

The permit fee for servicing a fire sprinkler system shall be \$75.00.

The permit shall be valid only for the calendar year in which it is issued.

J.

Section 105.7.28 shall be added to read as follows:

105.7.28 Additional Permits

All permit requirements shall be followed.

Where work for which a permit is required by this code commences prior to obtaining said permit, the permit fee herein specified shall be doubled plus \$100.

It shall be required that a copy of all annual or semi-annual inspection reports be submitted to the Bureau of Fire Prevention with any and all deficiencies clearly noted.

All checks and money orders shall be made out to the City of Daphne.

All certifications whether they are manufacture or NICET must be current and not have expired.

General requirements for a permit are as follows:

1. Current city of Daphne Business license.
2. Current one million dollar (\$1,000,000) general liability insurance policy with the City of Daphne listed as a certificate holder, P.O. Box 400 Daphne AL 36526.
3. Approved by the Fire Code Official.
4. Current Approved Training Certificates.
5. Permit fee of \$75.00

K.

Section 110.4 shall be deleted in its entirety and replaced with the following:

110.4 Violation penalties

Any person who violates a provision of this code or fails to comply with any of the requirements thereof or who erects, installs, alters, repairs, or does work in violation of the approved construction documents or any directive of the fire code official, or of a permit or certificate used under provisions of this code, shall be guilty of a Fire Code Violation, punishable by a fine as determined by the Municipal Court Judge or by imprisonment as determined by the Municipal Court Judge, or both such fine and imprisonment. Each day that a violation continues after due notice has been served shall be deemed a separate offense. See Section 105.7.28 for applicable exceptions.

K.1.

Section 112.4 shall be deleted in its entirety and replaced with the following:

112.4 Failure to comply

Any person who shall continue any work after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be liable and subject to penalties as determined by the Municipal Court Judge.

L.

Section 307.2.1 shall be deleted in its entirety and replaced with the following:

307.2.1 Authorization

Open burning shall only be allowed once a calendar month per address/ location during the months that outdoor burning is allowed by the State Air Quality Agencies. A permit must be obtained before any burning starts and all provisions of the burn permit shall be followed.

M.

Section 307.4.1 shall be deleted in its entirety and replaced with the following:

307.4.1 Bonfires

A bonfire shall not be conducted within 50 feet (15 240 mm) of a structure or combustible material unless the fire is contained in a barbecue pit. Conditions which could cause a fire to spread within 50 feet (15 240 mm) of a structure shall be eliminated prior to ignition. Bonfire permits shall only be issued to organizations (Churches, Schools, and other Civic Groups) not to private individuals.

N.

Section 503.2.5 shall be deleted in its entirety and replaced with the following:

503.2.5 Dead ends

Dead-end fire apparatus access roads in excess of 150 feet (45 720 mm) in length shall be provided with an approved area for turning around fire apparatus per the provisions in accordance with Appendix D, Table D103.1. and figure D103.4. A Geo grid type material may be used for the turnaround but must be outlined along the edges of the area to be used.

O.

That portion of Section 505.1 of the International Fire Code that reads “Numbers shall be a minimum of 4 inches high with a minimum stroke width of 0.5 inches” shall be struck and replaced with “numbers shall be a minimum of 5 inches high with a minimum stroke width of 0.5 inches.”

P.

Section 506.1 shall be deleted in its entirety and replaced with the following:

506.1 Key boxes

Key boxes shall be installed in all buildings having two or more units/suites, or having an automatic fire sprinkler system, fire alarm system or any alarm that generates a fire department response. The Fire Code Official shall also have the authority to require a key box to be installed in an accessible location where access to or within a structure or area is difficult because of security. The key box shall be of an approved type and shall contain keys to gain necessary access as required by the Fire Code Official.

P.1.

Section 506.1.1 shall be deleted in its entirety and replaced with the following:

506.1.1 Locks

An approved lock shall be installed on gates or similar barriers where required by the Fire Code Official. If gate access is required by the Fire Code Official, it shall be by a key switch of an approved type.

Q.

Section 507.5.1.1 shall be deleted in its entirety and replaced with the following:

507.5.1.1 Hydrant for Fire Sprinkler Systems and Standpipe Systems

Building equipped with a standpipe or fire sprinkler system installed in accordance with Chapter 9 shall have a fire hydrant within 100 feet of the FDC (fire department connection).

R.

Section 508.5.7 shall be added to read as follows:

508.5.7 Hydrant Outlet Location

Hydrants shall be installed with the center of the outlet cap nut at least 18 inches above the adjoining final grade.

S.

Section 905.3.1 shall be deleted in its entirety and replaced with the following:

905.3.1 Building height

Class III standpipe systems shall be installed throughout buildings where the floor level of the highest story is located more than 30 feet (9144 mm) above the lowest level of the fire department vehicle access, or where the floor level of the lowest story is located more than 30 feet (9144 mm) below the highest level of fire department vehicle access. A class I, Manual Wet, standpipe system shall be installed in building where the floor level is of the highest story is located more than 20 feet above the lowest level of the fire department vehicle access.

T. Appendices

The following appendices to the International Fire Code, 2018 Edition, are hereby adopted as part of the Daphne Fire Code:

Appendix A, Board of Appeals
Appendix B, Fire Flow Requirements for Buildings
Appendix C, Fire Hydrant Locations and Distribution
Appendix D, Fire Apparatus Access Roads

SECTION 2: ORDINANCES REPEALED

Ordinance 2012-41 shall be repealed in its entirety and replaced with the provisions of this Ordinance. All other ordinances and parts of ordinances in conflict with the provisions of this Ordinance are hereby repealed.

SECTION 3: SEVERABILITY

If any provision of this Ordinance is held to be invalid or unenforceable for any reason, such holding shall not in any way affect the remaining portions hereof, which shall remain in full force and effect.

SECTION 4: EFFECTIVE DATE

This Ordinance shall be in full force and effect from and after the date of its approval by the City Council of Daphne and publication as required by law.

**ADOPTED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF
DAPHNE THIS 15th DAY OF July 2019.**



Dane Haygood, Mayor

ATTEST:



Candace G. Antinarella, City Clerk

APPENDIX D

D106.3 Remoteness. Where two fire apparatus access roads are required, they shall be placed a distance apart equal to not less than one-half of the length of the maximum overall diagonal dimension of the property or area to be served, measured in a straight line between accesses.

❖ This concept is similar to the one dealing with the remoteness of exits in Section 1007.1.1. One of the primary reasons for multiple access roads is to ensure that if one access road is blocked or otherwise unavailable, another will allow access by the fire department. Therefore, where more than one access road is required, those roads must be separated by enough distance to avoid a situation where both would be blocked or unavailable simply because they are too close to one another.

**SECTION D107
ONE- OR TWO-FAMILY
RESIDENTIAL DEVELOPMENTS**

D107.1 One- or two-family dwelling residential developments. Developments of one- or two-family *dwelling units* where the number of *dwelling units* exceeds 30 shall be provided with two separate and *approved* fire apparatus access roads.

Exceptions:

1. Where there are more than 30 *dwelling units* on a single public or private fire apparatus access road and all *dwelling units* are equipped throughout with an *approved automatic sprinkler system* in accordance with Section 903.3.1.1, 903.3.1.2 or 903.3.1.3, access from two directions shall not be required.
2. The number of *dwelling units* on a single fire apparatus access road shall not be increased unless fire apparatus access roads will connect with future development, as determined by the *fire code official*.

❖ This section requires that one- and two-family dwelling subdivisions with more than 30 dwellings have more than one fire apparatus access road into the development. The second access road is needed in case one access road for any reason becomes unusable

Exception 1 states that where there are more than 30 dwelling units equipped throughout with an approved sprinkler system in accordance with NFPA 13, 13R or 13D, as applicable or approved, a second access road is not required. This recognizes the effectiveness and reliability of properly designed and installed automatic sprinkler systems in mitigating the need to have two access points.

Exception 2 requires approval by the fire code official any time a new house is constructed on an existing access road. Once the maximum number of dwelling units allowed by this section has been reached, no further development may occur unless the fire code official determines that there will be a future road connection that will prevent creation of an excessive dead-end situation with no means for

apparatus turnaround. Such determination by the fire code official should consider the phased development of an individual project or adjacent projects. Requiring evidence of legal agreements for specific future development would be prudent, especially in times of economic uncertainty. This gives the fire code official an opportunity to assess whether additional access is required in the interim.

D107.2 Remoteness. Where two fire apparatus access roads are required, they shall be placed a distance apart equal to not less than one-half of the length of the maximum overall diagonal dimension of the property or area to be served, measured in a straight line between accesses.

❖ This concept is similar to the one dealing with the remoteness of exits in Section 1007.1.1. One of the primary reasons for multiple access roads is to ensure that if one access road is blocked or otherwise unavailable, another will allow access by the fire department. Therefore, when more than one access road is required, those roads must be separated by enough distance to avoid a situation where both would be blocked or unavailable simply because they are too close to one another.

**SECTION D108
REFERENCED STANDARDS**

ASTM F2200—13	Standard Specification for Automated Vehicular Gate Construction	D103.5
UL 325—02	Door, Drapery, Gate, Louver, and Window Operators and Systems, with Revisions through June 2013	D103.5

Bibliography

The following resource material was used in the preparation of the commentary for this appendix of the code.

2015 International Code Interpretations. Washington, DC: International Code Council, 2015.