

ORDINANCE NO. 2003-03
ORDINANCE FOR ADOPTION OF THE
2003 MINNESOTA STATE FIRE CODE

ORDINANCE AMENDING SECTION ENTITLED MINNESOTA UNIFORM FIRE CODE.

7510.3510 RULES AND STANDARDS ADOPTED BY REFERENCE. The International Fire Code 2000, as promulgated by the International Code Council, Inc., (Falls Church, Virginia, December 1999), is incorporated by reference and made a part of Minnesota Rules pursuant to statutory authority, subject to alterations and amendments in this chapter. The International Fire Code is not subject to frequent change and is available at the State Law Library, 25 Constitution Avenue, Saint Paul, Minnesota 55155.

7410.3520 CHAPTER 1 – ADMINISTRATION.

Subpart 1. **Sec. 101.1.** Section 101.1 of the International Fire Code is amended to read: **101.1.**

Title. This code shall be known as the 2003 Minnesota State Fire Code, may be cited as such, and will be referred to herein as “this code”.

An ordinance of the City of Rockville adopting the 2003 edition of the *Minnesota State Fire Code*, regulating and governing the safe guarding 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 for buildings and premises in the City of Rockville; providing for the issuance of permits for hazardous uses or operations; repealing Ordinance No. _____ of the City of Rockville and all other ordinances and parts of the ordinances in conflict therewith.

The GOVERNING BODY of the City of Rockville does ordain as follows:

SECTION 1. That a certain document, (1) one certified copy of which is on file at the City of Rockville - Clerk’s Office, being marked and designated as the 2003 *Minnesota State Fire Code*, including Appendix Chapters B,C,D,H, and I:

APPENDIX B – FIRE-FLOW REQUIREMENTS FOR BUILDINGS.

APPENDIX C – FIRE HYDRANT LOCATIONS AND DISTRIBUTION.

APPENDIX D – FIRE APPARATUS ACCESS ROADS. A Cul-de-sac shall have the minimum diameter of 90’ with posted no parking lane or shall have a 120’ diameter were parking is provided.

APPENDIX H – OPEN FLAME AND FUEL STORAGE PROHIBITED ON BALCONIES OR PATIOS

1.1 Open Flame Prohibited. In any structure containing three or more dwelling units, no person shall kindle, maintain, or cause any fire or open flame on any balcony above ground level, or on any ground floor patio within 15 feet of the structure.

1.2 Fuel Storage Prohibited. No person shall store or use any fuel, barbecue, torch, or other similar heating or lighting chemical or device in the locations designated in Section 1.1.

Exception: Listed electric or gas-fired barbecue grills that are permanently mounted and wired or plumbed to the building’s gas supply or electrical system and that maintain a minimum clearance of 18 inches on all sides, unless listed for lesser clearances, may be installed on balconies and patios when approved by the Fire Official.

APPENDIX I - SPECIAL LOCKING ARRANGEMENTS FOR GROUP I OCCUPANCIES
State Adopted Amendment.

Section 1. That the following sections are hereby revised:

105.6 Required operational permits. Section 105.6 is amended to read “The code official is authorized to issue operational permits for the operations set forth in sections 105.6.1 through 105.6.4.6. Operational Permits required by the Fire Official”:

- 105.6.15 Fireworks
- 105.6.17 Flammable and combustible liquids
- 105.6.28 LP Gas

105.6.31 is amended to read “An operational permit is required for the kindling or maintaining of an open fire or fire on any public street, alley, road, or other public or private ground” Instructions and stipulations of the permit shall be adhered to. The exception for recreational fires is deleted.

105.7 Required construction permits. Section 105.7 is amended to read “ The code official is authorized to issue construction permits for the work set forth in sections 105.7.1 through 105.7.12. Construction permits required by the Fire Official:

- 105.7.1 Automatic fire extinguishing systems.
- 105.7.2 Fire alarm and detection systems and related equipment, excluding those installed in single family dwellings as defined by the Zoning Ordinance of the city.
- 105.7.5 Item #3, To install, alter, remove, abandon or place temporarily out of service or otherwise dispose of a flammable or combustible liquid tank.
- 105.7.8 LP gas

(see *Minnesota State Fire Code* Section 101.2.1, 2003 edition), as published by the International Code Council, be and is hereby adopted as the code of the City of Rockville for regulating and governing the safeguarding of life and property from fire and explosion hazards arising from the storage, handling and use of hazardous substances, material and devices, and from conditions hazardous to life or property in the occupancy of buildings and premises in the City of Rockville and providing for the issuance of permits for hazardous uses or operations; and each and all of the regulations, provisions, conditions and terms of such *Minnesota State Fire Code 2003*, 2003 edition, published by the International Code Council, on file in the office of the City of Rockville are hereby referred to, adopted and made a part hereof as if fully set out in this ordinance.

SECTION 2. That the following sections are hereby revised:

Section 101.1 Insert: **City of Rockville Fire Department**

Section 109.3 Insert: Violations penalties. Persons who shall violate a provision of this code or shall fail to comply with any of the requirements thereof or who shall erect, install, alter, repair or do work in violation of the approved construction documents or direction of the fire 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 **\$1,000**, or by imprisonment not exceeding **90** days, or both such fine and imprisonment. Each day that a violation continues after due notice has been served shall be deemed a separate offense.

Section 111.4 (Failure to Comply) Insert: 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 to a **Misdemeanor charge/fine** of not less than **\$1,000** dollars or more than **90** days by Imprisonment.

SECTION 3. That the limits referred to in certain sections of the 2003 *Minnesota State Fire Code* are hereby established as follows: (limits in which open burning is prohibited): City of Rockville:

- 307.1 General. A person shall not kindle or maintain or authorize to be kindled or maintained any open burning unless conducted and approved in accordance with this section.
- 307.2 Permit required. A permit shall be obtained from the fire official in accordance with Section 105.6 prior to kindling a fire for recognized silvicultural or range or wildlife management practices, prevention or control of disease or pests, recreational permits, or special circumstances. Application for such approval shall only be presented by and permits issued to the owner of the land, or their designated agent, upon which the fire is to be kindled.
- 307.2.1 Authorization. Where required by state or local law or regulations, open burning shall only be permitted with prior approval from the state or local air and water quality management authority, provided that all conditions specified in the authorization are followed.
1. Is amended to read: Open burning that will be offensive or objectionable due to smoke or odor emissions when atmospheric conditions or local circumstances make such fires hazardous shall be prohibited. The fire official is authorized to order the extinguishment by the permit holder or the fire department of open burning when it creates or adds to a hazardous or objectionable situation.
- 307.3 Location. The location for open burning shall not be less than 50 feet from any structure, and provisions shall be made to prevent the fire from spreading to within 50 feet of any structure. Exceptions:
1. Fire in approved containers that are not less than 15 feet from a structure.
 2. The minimum required distance from a structure shall be 25 feet where the pile size is 3 feet or less in a diameter of 2 feet or less in height.
- 307.3.2 Recreational fires. Recreational fires shall not be conducted within 25 feet of a structure Or combustible material unless the fire is contained in an approved device or method, such as a fireplace, charcoal grill, etc. located at least 15 feet from any buildings, fences or structures.
- 307.4 Attendance. Open burning or recreational fires shall be constantly attended until the fire is extinguished. A minimum of one portable fire extinguisher complying with Section 906 with a minimum 4-A rating or other approved onsite fire extinguishing equipment, such as dirt, sand, water barrel, garden hose or water truck, shall be available for immediate utilization.
- 307.5 Open flame-cooking devices. Charcoal burners and other open-flame cooking devices shall not be operated on combustible balconies or within 15 feet of combustible construction. Exceptions:
1. One and two family dwellings.
- 307.5.1 Liquefied-petroleum-gas-fueled cooking devices. LP gas burners having a LP gas container with a water capacity greater than 2.5 pounds LP gas capacity shall not be located on combustible balconies or within 15 feet of combustible construction. Exception:
1. One and two family dwellings.

Chapter 314 – INDOOR DISPLAYS is amended to read:

COVERED MALLS

Section 314.5 Main Aisle Width: Main aisles shall be a minimum of 10 feet in width or the minimum required means of egress width, whichever is greater, and shall be maintained clear from any obstructions.

Section 314.6 Cross Aisle Width. Cross aisles shall be a minimum of 15 feet in width or the required means of egress width, whichever is greater, and shall be maintained clear from any obstructions.

Section 314.7 Fixtures. Fixtures shall not be located in main aisles or cross aisles.

Section 314.8 Sprinkler Obstructions. Roofs or coverings for kiosks, display booths, concession equipment or similar structures shall not exceed 4 feet in dimension unless the area beneath the roofs or coverings is protected by an approved automatic fire-extinguishing system.

EXHIBIT HALLS AND ASSEMBLY OCCUPANCIES

Section 314.9 Solid Fuel Burning Appliances. Use of solid fuel burning appliances for display purposes shall not be allowed in assembly occupancies other than cooking fuel as described in NFPA 101, 2000 Edition, Section 12.7.1.4. Solid fuel burning appliances may be defined as any appliance that uses decomposition of cellulose material, hydrocarbon solids, animal fat or proteins to produce heat or leaves an ash residue. This would include plant products or materials, wood, coal, mesquite, etc.

Section 314.10 Compressed flammable gas cylinders and flammable or combustible liquids used for display purposes shall be prohibited within exhibit hall and assembly occupancies.

Section 314.11 Fireworks use, sales display or storage shall not be allowed in assembly occupancies or within 100 feet of the structure or unless separated by an approved permanent partition such as a building wall.

Section 314.12 Overcrowding and admittance of persons beyond the approved capacity of a place of assembly are prohibited. The Fire Official or their designated agent, upon finding overcrowding conditions or obstructions in aisles, passageways, or other means of egress, or upon finding a condition which constitutes a serious menace to life, is authorized to cause the performance, presentation, spectacle or entertainment to be stopped until such condition or obstruction is corrected.

Section 314.13 Standby Personnel. When, in the opinion of the Fire Official or person approved by Fire Official it is essential for public safety in a place of assembly or any other place where people congregate, due to the number of persons, or the nature of the performance, exhibition, display, contest, or activity, the owner, agent or lessee shall employ one or more qualified persons, as required and approved, to be on duty at such place. Such individuals shall be subject to the Fire Officials orders at all times when so employed and shall be in uniform and remain in duty during the times such places are open to the public, or when such activity is being conducted. Before each performance or the start of such activity, such individuals shall inspect the required fire appliances provided to see that they are in proper place and in good working order, and shall keep diligent watch for fires during the time such place is open to the public or such activity is being conducted and take prompt measures for extinguishment of fires that may occur. Such individuals shall not be required or permitted, while on duty, to perform any other duties than those herein specified.

Section 503.4 Obstruction of fire apparatus access roads is amended to add:

Section 503.4 Parking of motor vehicles in, or otherwise obstructing fire lanes shall be prohibited at all times. Any vehicle so parked is the act of a registered owner as well as the act of the person actually parking the vehicle. For purposes of this section, registered owner is defined to include motor vehicle leasing agencies and corporate owners. It shall be a defense to any violator if the registered owner shows that on the date of the offense, title has been transferred to another. A violation of this section is a petty misdemeanor as defined by Minnesota Statute 609.02, Subdivision 4a, and shall be punished by a fine not to exceed \$200.

Minnesota State Fire Code 2003 shall be amended to read:

Section 903.4.2 Alarms: An approved sprinkler flow alarm shall be provided on the exterior of the building in a location to be approved by the Fire Department. An approved audible sprinkler flow alarm to alert the occupants shall be provided in the interior of the building in a normally occupied location.

Chapter 32 CRYOGENIC FLUIDS is amended to read:

Section 3204.3.1.1 (limits in which the storage of flammable cryogenic fluids in stationary containers are prohibited): City of Rockville. The storage and use of flammable cryogenic fluids in stationary containers in any amount is prohibited within the corporate limits of the city without prior approval. Prior approval requires the submittal of a proposed storage use and will require technical assistance as specified in section 104.7.2

Chapter 33 EXPLOSIVES AND FIREWORKS is amended to read:

Section 3304.1.1 The storage of explosives and blasting agents is prohibited within the corporate limits of the city with exception of site(s) belonging to Cold Spring Granite and located at Quarries within the City of Rockville city limits.

Chapter 34 FLAMMABLE AND COMBUSTIBLE LIQUIDS is amended to read:

Section 3404.2.9.5.1 The storage of class I and class II liquids in above ground tanks outside of buildings is prohibited within the corporate limits of the city with exception of those areas zoned I-2 industrial, agricultural and also other remote areas with quantities as approved by the fire official. Golf courses and cemeteries are permitted to have one 300-gallon tank.

Section 3406.2.4.4 (limits in which the storage of Class I and Class II liquids in aboveground tanks are prohibited): City of Rockville. The storage of class I and class II liquids in above ground tanks is prohibited within the corporate limits of the city with exception of those areas zoned I-2 industrial, agricultural and other remote areas with quantities as approved by the fire official. Golf courses and cemeteries may have one 300-gallon tank.

Chapter 38 LIQUEFIED PETROLEUM GASES is amended to read:

Section 3804.2. (Limits in which the storage of liquefied petroleum gas is restricted for the protection of heavily populated congested areas): City of Rockville. The limits referred to in section 3804.2 storage of Liquid Petroleum gas is prohibited within the corporate limits of the city with exception to those areas zoned I-1 & I-2 Industrial, Agricultural and also Residential locations with a 1,000 gallon limit.

SECTION 4. That if any section, subsection, sentence, clause or phrase of this ordinance is, for any reason, held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this ordinance. The City of Rockville hereby declares that it would have passed this ordinance, and each section, subsection, clause or phrase thereof, irrespective of the fact that one or more sections, subsections, sentences, clauses and phrases be declared unconstitutional.

SECTION 5. That the City of Rockville – Clerk’s Office is hereby ordered and directed to cause this ordinance to be published.

SECTION 6. That this ordinance and the rules, regulations, provisions, requirements, orders and matters established and adopted hereby shall take effect and be in full force and effect March 31, 2003 from and after the date of its final passage and adoption.

AS APPROVED AT THE _____ CITY COUNCIL MEETING.

Roger Schmidt
Mayor

Attest:

Verena M Weber
City Administrator/Clerk