

CARMEL TOWNSHIP

ORDINANCE NO. 8

ORDINANCE FOR ADOPTION OF THE INTERNATIONAL FIRE CODE (2009 ED.)

THE TOWNSHIP OF CARMEL ORDAINS:

Section 1. Adoption of the 2009 *International Fire Code*.

The Township hereby adopts by reference the 2009 *International Fire Code* issued by the International Code Council, Inc., except those sections herein deleted or amended.

Section 2. Purpose.

The Township adopts the 2009 *International Fire Code* for the purpose of 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 or property in the occupancy of buildings and premises in the Township of Carmel; providing for the issuance of permits and collection of fees therefore; and repealing all other ordinances and parts of the ordinances in conflict therewith.

Section 3. Additional definitions.

In addition to the definitions set forth in the 2009 International Fire Code, the following definitions shall apply:

Fire code official means the City of Charlotte fire chief or his/her designee.

Jurisdiction means the Township of Carmel.

Section 4. Amendments.

The following sections of the 2009 International Fire Code are hereby amended as follows, with amendments indicated in bold-face type:

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

Section 103.2. *Appointment*. **This section is deleted in its entirety.**

Section 104.3 *Right of Entry*. Whenever it is necessary to make an inspection to enforce the provisions of this code, or whenever the *fire code official* has reasonable cause to believe that there exists in a building or upon any premises any conditions or violations of this code which make the building or premises unsafe, dangerous or hazardous, the *fire code official* shall have the authority to enter the building or premises at all reasonable times to inspect or to perform the duties imposed upon the

fire code official by this code. If such building or premises is unoccupied, the *fire code official* shall first make a reasonable effort to locate the *owner* or other *person* having charge or control of the building or premises and request entry. If entry is refused, the *fire code official* has recourse to every remedy provided by law to secure entry. **No provision of this paragraph shall apply to private residences, unless such residences are rental properties.**

Section 106.1 *Inspection Authority*. The *fire code official* is authorized to enter and examine any building, structure, marine vessel, vehicle or premises in accordance with Section 104.3 for the purpose of enforcing this code. **No provision of Section 106 shall apply to private residences, unless such residences are rental properties.**

Section 109.3. *Violation 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 constructions 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 **\$500** dollars 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*. 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 fine of not less than fifty dollars (\$50.00), plus costs, for the first offense, not less than two-hundred fifty dollars (\$250.00), plus costs, for the second offense, and not less than five-hundred dollars (\$500.00), plus costs, for each repeat offense thereafter.

Section 5. Geographical limits.

That the geographic limits referred to in sections of the 2009 *International Fire Code* are hereby established as follows:

- (1) Section 3404.2.9.6.1 *Locations where above-ground tanks are prohibited*. Storage of Class I and Class II liquids in above-ground tanks outside of buildings is prohibited in all zoning districts in Carmel Township.
- (2) Section 3406.2.4.4 *Locations where above-ground tanks are prohibited*. Storage of Class I and Class II liquids in above-ground tanks is prohibited in all zoning districts in Carmel Township.
- (3) Section 3506.2 *Limitations*. Storage of flammable cryogenic fluids in stationary containers outside of buildings is prohibited in all zoning districts in Carmel Township.
- (4) Section 3804.2 *Maximum Capacity within established limits*. Within all zoning districts in Carmel Township, the aggregate capacity of any one installation shall not exceed a water capacity of 2,000 gallons (7570 L).

Exception: In particular installations, this capacity limit shall be determined by the fire code official, after consideration of special features such as topographical conditions, nature of occupancy, and proximity to buildings, capacity of proposed LP-gas containers, degree of fire protection to be provided and capabilities of the local fire department.

Section 6. Copies Available.

Complete printed copies of the 2009 *International Fire Code*, including the definitions of Class I and Class II liquids, shall be kept in the office of the Township Clerk and shall be available for inspection by and distribution to the public in accordance with state law.

Section 7. Conflicts.

If a provision of the 2009 *International Fire Code* conflicts with a provision of any charter provision or ordinance of the township, the provision that establishes the higher standard for promotion or protection of the health and safety of the people shall prevail.

Section 8. Repeal of Prior Ordinances.

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

Section 9. Severability.

If any section, subsection, sentence, clause or phrase of this ordinance is, for any reason, held to be unconstitutional or invalid, such decision shall not affect the validity of the remaining portions of this ordinance.

Approved this 19th day of December, 2019.

ss//
Laura Goostrey, Clerk

ss//
Steven Willard, Supervisor

I, Laura Goostrey, Township Clerk of the Township of Carmel, Michigan, do hereby certify that Ordinance No. 2019-25 was published in the County Journal on the _18th day of _January, 2019.

ss//
Laura Goostrey, Township Clerk