

CHAPTER 9

FIRE CODE

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CHAPTER 9

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ARTICLE 1. INTERNATIONAL FIRE CODE

SEC. 9.01.001. ADOPTION OF INTERNATIONAL FIRE CODE.

The International Fire Code, 2018 Edition, as published by the International Code Council, is hereby adopted as the Fire Code of the City of Independence, Missouri, as herein provided, except such portions as are hereinafter deleted, modified or amended by this Article of the City Code.

SEC. 9.01.002. AMENDMENTS MADE IN THE INTERNATIONAL FIRE CODE.

The current edition of the International Fire Code adopted by Section 9.01.001 of this chapter is amended to read as follows:

Sec. 105.6.14. Amend to read as follows:

105.6.14 Explosives.

A. An operational permit is required for the manufacture, storage, handling, sale or use of any quantity of explosives, explosive material, fireworks, or pyrotechnic special effects within the scope of all applicable Chapters.

Exception: Storage in Group R-3 occupancies of smokeless propellant, black powder and small arms primers for personal use, not for resale and in accordance with Section 5606.

B. The fee for a permit to conduct a public fireworks exhibition shall be set forth in the City's Schedule of Fees.

Sec. 307.1.1. Amend to read as follows:

307.1.1 Open burning restrictions.

A. No person shall allow, or permit the open burning of household refuse; leaves, trees, grass, or other vegetation; or any waste generated by a business, trade, industry, salvage or demolition operation except as provided below:

1. Controlled burning may be permitted on land zoned and used for agricultural purposes that is at least two hundred yards from any occupied structure, provided that a permit is obtained from the Fire Department.

2. Open cooking fires are allowed within approved containers, or enclosures. Fuel for cooking fires shall be limited to natural gas, propane, charcoal or natural wood which has not been treated or painted.

3. Outdoor recreational or ceremonial open burning is allowed, provided that a permit is obtained from the Fire Department.

B. The Fire Chief may prohibit issuance of any or all burning permits, or suspend previously issued permits, when atmospheric conditions or circumstances render such fires hazardous.

C. Open burning will be strictly enforced by issuance of a general ordinance summons resulting in fines during periods of burn bans as designated by the Fire Chief.

Sec. 307.4 Location.

The location for open burning shall be not less than 50 feet (15,240 mm) from any structure, and provisions shall be made to prevent the fire from spreading to within 50 feet (15,240 mm) of any structure.

Sec. 307.4.2 Recreational and open cooking fires.

Recreational fires shall not be conducted within 50 feet (15,240 mm) of a structure or combustible material. Conditions that could cause a fire to spread within 50 feet (15,240 mm) shall be eliminated prior to ignition.

a. The burn must be contained within an approved fire ring, container or pit.

b. The pile size is limited to 2 feet (610 mm) or less in diameter and 2 feet (610 mm) or less in height.

Sec. 912.4. Access.

Immediate access to fire department connections shall be maintained at all times and without obstruction by fences, bushes, trees, walls or any other fixed or moveable object. Access to fire department connections shall be approved by the fire code official.

Exception: Fences, where provided with an access gate equipped with a sign complying with the legend requirements of Section 912.5 and a means of emergency operation. The gate and the means of emergency operation shall be approved by the fire code official and maintained operational at all times.

a. In the event the area immediately in front of the connection is not in a designated Fire Lane, the area shall be protected from encroachment by marking the paved surface with a painted box twenty feet (20') by twenty feet (20') square consisting of four inch (4") red lines around the perimeter, four inch (4") red stripes diagonally painted ten inches (10") apart, and the words "FIRE DEPARTMENT CONNECTION. DO NOT BLOCK. NO PARKING." Painted in four inch (4") white block letters centered within the box.

b. It shall be unlawful for any person to place or for the owner of the property to fail to remove any structure or obstruction, other than the required identification sign, within 6 feet (6') of a connection.

Sec. 912.5. Signs

A metal sign with raised letters not less than 1 inch (25 mm) in size shall be mounted on all fire department connections serving automatic sprinklers, standpipes or fire pump connections. Such signs shall read: AUTOMATIC SPRINKLERS OR STANDPIPES OR TEST CONNECTION or a combination thereof as applicable. Where the fire department connection does not serve the entire building, a sign shall be provided indicating the portions of the building served.

a. Signs shall be fourteen inches (14") wide by ten inches (10") in height, white in color, and have printed thereon in one inch (1") red block letters the type of connection and the name of the building or business served by the connection.

b. Signs shall be posted on the building directly over the connection, or if the connection is not on the building, on a standard sign post such that the bottom of the sign is four feet (4') from the ground.

c. Alternative signage type and location may be approved in writing at the sole discretion of the Fire Chief.

Sec. 5601.1.3 Amend to read as follows:

5601.1.3 Fireworks. The possession, manufacture, storage, sale, handling and use of fireworks are prohibited within the City, except as follows:

1. Except as authorized below for the storage and handling of certain Division 1.4G fireworks, the storage and handling of fireworks shall be permitted only in compliance with Section 5604.
2. The manufacture, assembly and testing of fireworks shall be permitted only in compliance with Section 5605.

Sec. 5601.2.3. Amended to read as follows:

5601.2.3. Explosive, Explosive Materials and Blasting Agents Permits

A. A permit for the use of explosives or blasting agents as required by Section 5601.2 of this International Fire Code, shall be obtained from the Public Works Department for each location where such use of explosive or blasting is to take place.

B. Application for a permit to use explosive or blasting agents shall be made on forms obtained from the Department of Public Works.

C. The Public Works Department is hereby authorized to require every applicant to furnish all information deemed necessary for the safeguarding of life and property from the hazards of blasting in accordance with NFPA Standard 495, Chapter 2, and the Public Works Department shall furnish the Fire Department of the City with a copy of such information obtained from such applicant that demonstrates the applicant has had adequate training and experience in the use of explosive materials in the class authorized by the permit applied for.

D. Before any permit as required by this International Fire Code is issued for the use of explosives or blasting agents, every applicant shall procure public liability insurance with the following coverage:

- (1) For bodily injury to or death of any one person in the amount of Three Hundred Thousand Dollars.
- (2) For any one accident in the amount of Three Hundred Thousand Dollars.
- (3) For damage to the property of another person in the amount of not less than One Hundred Thousand Dollars for any one accident.

(4) One Million Dollar limit in umbrella excess liability if work is to be done in a fully developed area.

E. The applicant shall file with the Public Works Department a certificate of insurance issued by the insurance carrier concerned to evidence compliance with the public liability insurance requirements.

Section 5601.2.4 is amended to read as follows:

5601.2.4 Financial responsibility. Before a permit is issued, as required by Section 5601.2, the applicant shall file with the jurisdiction a corporate surety bond in the principal sum of \$2,000,000 or a public liability insurance policy for the same amount, for the purpose of the payment of all damages to persons or property which arise from, or are caused by, the conduct of any act authorized by the permit upon which any judicial judgment results. The fire code official is authorized to specify a greater or lesser amount when, in his or her opinion, conditions at the location of use indicate a greater or lesser amount is required. Government entities shall be exempt from this bond requirement

Sec. 5601.2.4.2. Amend to read as follows:

5601.2.4.2 Fireworks Display. The permittee shall furnish comprehensive general liability insurance in the amount of One Million Dollars (\$1,000,000.00) to cover payment of all damages which may be caused either to a person or persons or to property by reason of the permitted display and arising from any acts of the permittee, or any agents, employees or subcontractors. At the discretion of the Fire Chief, a bond in the same amount, issued by a person qualified to write bonds in the State of Missouri, may be substituted for the insurance required herein. The permit holder shall furnish a bond or certificate of insurance in an amount deemed adequate by the fire official for the payment of all potential damages to a person or persons or to property by reason of the permitted display, and arising from any acts of the permit holder, the agent, employees or subcontractors. Licensing of the pyrotechnic operator shall be in accordance with other State and Federal requirements.

Sec. 5704.6.1

Locations where above-ground tanks are prohibited Storage of Class I and Class II liquids in above-ground tanks outside of building is prohibited within the limits established by law as the limits of districts in which such storage is prohibited. Above-ground storage tanks shall not be located in areas zoned residential.

Exception:

1. Above-ground storage tanks used at construction sites that meet the requirements of 5706.2.

Sec. D103. Amend to add:

D103.6.3 Curbs

The curb or specific area designated by the fire chief, or designee, shall be painted medium red from the bottom curvature of the curb where it blends with the driving surface to the point at the top where the curb blends with the sidewalk for the entire length of the curb. In the absence of curbs or sidewalks, an area specified by the fire chief, or designee, shall consist of a ten inch (10") wide medium red painted stripe.

Sec. D107.1. Amend to read as follows:

D107.1 One- or two-family dwelling residential developments. Developments of one- or two-family dwellings where the number of dwelling units exceeds 100 shall be provided with separate and approved fire apparatus access roads.

Exceptions:

1. Where there are 100 or fewer dwelling units on a single public or private access way and all dwelling units are protected by approved residential sprinkler systems, 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 code official.

SEC. 9.01.003. RESTRICTIVE COVENANT LIMITATION

Effective January 1, 2003, it shall be unlawful for any individual or organization to establish or enforce restrictive covenants which prohibit or effectively prevent the owner of a residential dwelling from using any type of shingles for roof covering materials allowed by the International Building Code, including, but not limited to, wood shingle or wood shake, composite, slate, metal, tile, clay or concrete. Nothing in this Code shall prohibit a home association, if it determines to do so, from adopting restrictive covenants or otherwise governing the use of such roofing materials only to the extent of regulating the colors, quality of roofing materials, styles or dimensions of roofing materials, or other aesthetic factors. Notwithstanding any existing procedural provisions governing the time period for consideration of amendments of restrictive covenants by home associations to the contrary, a home association, if it determines to do so, may amend their restrictive covenants to provide for such aesthetic regulations through January 1, 2003. Any such amendments after January 1, 2003, shall be subject to any procedural requirements set forth in such covenants.

SEC. 9.01.004. APPEALS.

A. Whenever any person wishes to appeal any decision made regarding the International Fire Code or the Life Safety Code, under the provisions of Section 108 of the International Fire Code, they have the right to appeal to the Board of Building and Engineering Appeals as per Article 10 of Chapter 4 of this City Code.

SEC. 9.01.005. PENALTY.

Any person who shall violate, fail, neglect or refuse to comply with any of the provisions, regulations or requirements of this Article, including the International Fire Code Standards, and the Life Safety Code, shall upon conviction thereof be punished by a fine of not more than Five Hundred Dollars (\$500.00) or by imprisonment in jail for not more than six (6) months or by both such fine and imprisonment. The imposition of a penalty for any violation shall not excuse the violation or permit it to continue. All such persons shall be required to correct or remedy such violations or defects within a reasonable time and when not otherwise specified each day that prohibited conditions are maintained shall constitute a separate offense.

SEC. 9.01.006 - 9.01.999 RESERVED.