

ORDINANCE NO. 02-37 AC CMS

AN ORDINANCE AMENDING CHAPTER 1501 OF THE CODIFIED ORDINANCES OF THE CITY OF OBERLIN, FIRE PREVENTION CODE, IN ITS ENTIRETY

BE IT ORDAINED by the Council of the City of Oberlin, County of Lorain, State of Ohio, a majority of all members elected thereto concurring:

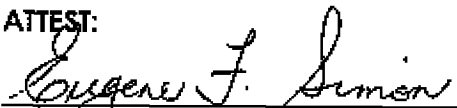
SECTION 1. That Chapter 1501 of the Codified Ordinances of the City of Oberlin, Ohio, Fire Prevention Code, is hereby amended in its entirety so as to read in accordance with Exhibit A attached hereto and incorporated herein by reference.

SECTION 2. It is hereby found and determined that all formal actions of this Council concerning or relating to the adoption of this ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council and of any of its committees that resulted in such formal action, were in meetings open to the public in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

SECTION 3. That this ordinance shall take effect at the earliest date allowed by law.

PASSED: 1st Reading - March 18, 2002
 2nd Reading - April 1, 2002
 3rd Reading - April 15, 2002 (Effective in 30 days)

ATTEST:


CLERK OF COUNCIL


CHAIR OF COUNCIL

POSTED: April 16, 2002

EFFECTIVE DATE: May 15, 2002

CHAPTER 1501
Oberlin Fire Prevention Code

1501.01	Adoption.
1501.02	Amendments.
1501.03	Purpose.
1501.04	Application.
1501.05	Establishment of Bureau of Fire Prevention.
1501.06	Duties.
1501.07	Inspections, right of entry.
1501.08	Orders for abatement, remedy or removal.
1501.09	Enforcement.
1501.10	Compliance.
1501.11	Copies.
1501.12	Conflict.
1501.13	Posting arson laws.
1501.14	Setting fires which spread.
1501.15	Unfriendly fires in buildings; alarm duties.
1501.16	Disclosure of true Fire Safety Inspector status.
1501.17	Fire equipment sale or use: certification of installers.
1501.18	Control and regulation of explosives, flammable and combustible liquids, and liquefied petroleum gas.
1501.19	Fire lanes.
1501.20	Water supply and hydrant regulations.
1501.21	Rapid entry key box system (lock box).
1501.22	Elevators.
1501.23	Smoke detectors and alarm devices.
1501.24	Posting maximum capacity in public buildings.
1501.25	Permits and fees.
1501.26	Appeals.
1501.99	Penalty.

CROSS REFERENCES

See sectional histories for similar State law

Appeals of orders - see Ohio R.C. 119.12

State certification of firefighters - see Ohio R.C. 737.08, 737.22, 3737.33

State certification of Fire Safety Inspectors - see Ohio R.C. 3737.01(C), 3737.34

Fire investigation - see Ohio R.C. 737.27, 3737.24 et seq.

Entry and Inspection - see Ohio R.C. 737.34 et seq., 3737.14, 3737.41, 3737.42

Common Pleas Court jurisdiction - see Ohio R.C. 3737.44(A), 3737.51(H)

Ohio Fire Code - see Ohio R.C. 3737.82 et seq.; OAC Ch. 1301:7-1 et seq.

Fire extinguishing and alarm systems in rest and nursing homes - see Ohio R.C. 3721.071

Self-service filling stations - see Ohio R.C. 3741.14

Fireworks exhibitions - see Ohio R.C. 3743.50 et seq.

Section 914.0. Add Certification (contractors); refer to OAC Section 1301:7-7-05 (A) Section FM-500.0.

Section 915.0. Add General; refer to OAC Section 1301:7-7-05 (B) Section FM-501.0.

Section 3301.1 through Section 3308.11. Replace with OAC Section 1301:7-7-31.

Section 3401.1 through Section 3405.8.5. Replace with OAC Section 1301:7-7-28.

Chapter 45 (page 350). Delete reference to IBC-2000 International Building Code and insert the 2002 OBC, Ohio Building Code.

Chapter 45 (page 350). Delete reference to IMC-2000 International Mechanical Code and insert the 2002 OMC, Ohio Mechanical Code.

Chapter 45 (page 350). Delete reference to IPC-2000 International Plumbing Code and insert the 2002 OPC, Ohio Plumbing Code.

Appendix A (page 355). Delete in toto.

1501.03 PURPOSE.

The purpose of the Fire Prevention Code as adopted herein is to prescribe minimum standards and regulations governing conditions hazardous to life and property from fire or explosion.

1501.04 APPLICATION.

The Fire Prevention Code as adopted herein applies to the use of all lands and properties within the Municipality, and such other lands or properties owned by the Municipality which are situated outside the corporate limits thereof.

1501.05 ESTABLISHMENT OF BUREAU OF FIRE PREVENTION

(a) The Bureau of Fire Prevention in the Oberlin Fire Department is hereby established, and shall be operated under the supervision of the Fire Chief.

(b) No person shall serve as Municipal Fire Safety Inspector unless he/she has received a certificate issued by the Ohio Superintendent of Public Instruction under Ohio R.C. 3303.07 evidencing his/her satisfactory completion of a fire safety inspection training program. Upon such certification, the individual shall be a certified Fire Safety Inspector.

(c) The Fire Chief may detail members of the Fire Department as Fire Safety Inspectors to assist and such members may, under the direction of the Fire Chief, in the enforcement of the Fire Prevention Code, issue citations. Such members shall have received a certificate issued by the Ohio Superintendent of Public Instruction under Ohio R.C. 3303.07 evidencing his/her satisfactory completion of a fire safety inspection training program. Upon such certification, the individual shall be a certified Fire Safety Inspector.

1501.06 DUTIES.

It is the duty of the Bureau of Fire Prevention to enforce the Fire Prevention Code adopted in Section 1501.01 of this Chapter and all laws and ordinances of the State of Ohio and the City of Oberlin relating to

fire hazards, fire prevention, and fire protection. The Bureau shall perform such other duties as are herein required, and as may assigned by the Fire Chief.

1501.07 INSPECTIONS; RIGHT OF ENTRY.

The Fire Chief and Municipal Fire Safety Inspectors are authorized to enter in and upon any premises, building, or structure within the corporate limits of the City for the purpose of inspecting same to determine if any condition exists that constitutes a fire hazard, or which is in violation of the laws of the State and the ordinances of the City relating to fire hazards, fire prevention, and fire protection. These authorized inspections shall be made at reasonable times and in the event entry is denied to authorized personnel, the Municipal Legal Officer is authorized to proceed before a court of proper jurisdiction for an order to gain entry for inspection purposes.

1501.08 ORDER FOR ABATEMENT, REMEDY, OR REMOVAL.

(a) When the Fire Chief or any Municipal Fire Safety Inspector, upon examination or inspection, finds conditions upon the premises, building, or structure that constitutes a violation of any laws of the State or ordinances of the City relating to fire prevention; or in his/her opinion constitutes a fire hazard or a condition inimical to the fire safety of the City, he/she shall order the condition abated, remedied, or removed. Such orders shall be in writing directed to the owner, lessee, or occupant of the premises, building, or structure, or to the person in control of the articles, materials, goods, wares, or merchandise, or to the owner thereof, as the circumstances may require. The order shall state with particularity the condition complained of, and shall set forth steps to be taken to eliminate the hazardous condition, and the time period within which the condition shall be remedied. The time period for compliance shall be related to the nature of the hazardous condition.

(b) The Fire Chief or any Municipal Fire Safety Inspector, upon examination or inspection, shall with reasonable promptness issue citations when he/she finds conditions in violation of the Fire Prevention Code which are especially dangerous to the safety of persons, buildings, premises, or property, and shall make any necessary remedial orders in connection therewith. The citation shall fix a reasonable time for abatement of the violation. Each citation issued under this subsection (b) shall be prominently posted by the responsible person, as prescribed by the Fire Prevention Code, at or near each place of violation referred to in the citation.

1501.09 ENFORCEMENT.

(a) For Municipal criminal proceedings, the complaint, warrant or summons, or the issuance of a citation in minor misdemeanor cases shall be, as is prescribed in the Ohio Rules of Criminal Procedure, by referencing the numerical designation of the applicable Municipal ordinance, including the specific provision of the Fire Prevention Code, or any order issued pursuant thereto, provided such order fixes a reasonable time for abatement of the violation.

(b) State enforcement proceedings for violation of Ohio R.C. Chapter 3737 or the Ohio Fire Code shall be as is prescribed in Ohio R.C. 3737.41 to 3737.51.

(c) A copy of such complaint or citation shall be prominently posted at or near each place a violation referred to occurs.

(d) Upon request of the Fire Chief or Municipal Fire Safety Inspector, the Municipal Legal Officer shall institute and prosecute any necessary action or proceeding to enforce this chapter, or Ohio R.C. Chapter 3737.

1501.10 COMPLIANCE.

(a) No person shall knowingly violate any provision of the Fire Prevention Code as adopted herein or any order issued pursuant thereto.

(b) No person shall fail to comply with the fire prevention measures or fire protection activities as prescribed in the Fire Prevention Code, or fail to obtain a permit or license for the various uses or activities as required by such Code, or fail to comply with the Municipal application and plan submission and processing requirements including payment of the fees designated therefor.

1501.11 COPIES.

Copies of Codes as adopted in this chapter are on file with the Council Clerk for inspection by the public, and also on file in the County Law Library, and the Clerk has copies available for distribution to the public at cost.

1501.12 CONFLICT.

(a) The Ohio Building Code shall supersede and govern any order, standard, rule, or regulation of the Ohio Fire Code, or the Division of State Fire Marshal, Department of Commerce, in all cases where such orders, standards, rules, or regulations are in conflict with the Ohio Building Code.

(b) In all other cases of conflict between the Fire Prevention Code and any other Municipal ordinance or technical code adopted thereby, the provision which establishes the higher standard for the promotion and protection of the safety and welfare of the public shall prevail.

1501.13 POSTING ARSON LAWS.

The owner, operator or lessee of any transient residential building shall post the provisions of Ohio R.C. 2909.02 and 2909.03 in a conspicuous place in each room occupied by guests in such building. The owner, operator or lessee of any non-transient residential building, institution, school or place of assembly shall post the provisions of such sections in conspicuous places upon such premises. No person shall fail to comply with this section. (ORC 3737.61)

1501.14 SETTING FIRES WHICH SPREAD.

No person shall set, kindle or cause to be set or kindled any fire, which through negligence, spreads beyond its immediate confines to any structure, field or wood lot. (ORC 3737.62)

1501.15 UNFRIENDLY FIRES IN BUILDING; ALARM DUTIES.

- (a) The owner, operator or lessee, an employee of any owner, operator or lessee, an occupant, and any person in direct control of any building regulated under the Ohio Building Code, upon the discovery of an unfriendly fire, or upon receiving information that there is an unfriendly fire on the premises, shall immediately, and with all reasonable dispatch and diligence, call or otherwise notify the Fire Department concerning the fire, and shall spread an alarm immediately to all occupants of the building.
- (b) For the purposes of this section, "unfriendly fire" means a fire of a destructive nature as distinguished from a controlled fire intended for a beneficial purpose.
- (c) No person shall fail to comply with this section.

1501.16 DISCLOSURE OF TRUE FIRE SAFETY INSPECTOR STATUS.

No person who is not a certified Fire Safety Inspector shall act as such or hold himself/herself out to be such, unless prior to commencing any inspection function, he/she discloses the purpose for which he/she is making such inspection and the fact that he/she is not employed by any state or local fire service or agency, and that he/she is not acting in an official capacity for any governmental subdivision or agency.

1501.17 FIRE EQUIPMENT SALE OR USE; CERTIFICATION OF INSTALLERS.

- (a) No person shall sell, offer for sale, or use any fire protection or fire fighting equipment that does not meet the minimum standards established by the Ohio Fire Marshal in the Fire Prevention Code
- (b) Except for public and private mobile fire trucks, no person shall service, test, repair or install for profit any fire protection or fire fighting equipment without a certificate issued by the Ohio Fire Marshal. (ORC 3737.65)

1501.18 CONTROL AND REGULATION OF EXPLOSIVES, FLAMMABLE AND COMBUSTIBLE LIQUIDS, AND LIQUEFIED PETROLEUM GAS.

- (a) Limits of Districts in Which Storage of Explosives and Blasting Agents is to be Prohibited:
 - (1) All property within the City, except within areas classified by the Zoning Code as Light Industrial District (M-1).
- (b) Limits of Districts in Which Storage of Flammable Liquids in Outside Aboveground Tanks is to be Prohibited:
 - (1) All property within the City, except City-owned property and property within areas classified by the Zoning Code as Light Industrial District (M-1).

(c) Limits of Districts in Which Storage of Combustible Liquids in Outside Aboveground Tanks is to be Prohibited:

- (1) All property within the City, except City-owned property and property within areas classified by the Zoning Code as Light Industrial District (M-1).

(d) Limits of Districts in Which Bulk Storage of Liquefied Petroleum Gases is to be Restricted:

- (1) All property within the City, except within areas classified by the Zoning Code as Light Industrial District (M-1).

1501.19 FIRE LANES.

(a) Establishment. The Fire Chief is hereby authorized to establish fire lanes on either public or private property within the City

- (1) as deemed necessary for the efficient and effective use of fire apparatus.
- (2) when necessary for the safeguarding of life and property from the hazards of fire, explosion, or hazardous material incident.
- (3) for the safe use and occupancy of buildings, structures and adjacent property; and/or
- (4) for the safe egress of occupants in the event of fire or other emergency requiring building evacuation.

(b) Specifications. Fire lanes shall be installed and arranged in accordance with subsections (b) through (h):

- (1) Dimensions: Fire lanes shall have an unobstructed width of not less than twenty (20) feet, except for approved security gates in accordance with section (5), or where previously approved by the Fire Chief, and an unobstructed vertical clearance of not less than 13 feet 6 inches.
- (2) Authority: The Fire Chief shall have the authority to require an increase in the minimum access widths where they are inadequate for fire or rescue operations.
- (3) Surface. Fire lanes shall be constructed of an asphalt, concrete or other driving surface approved by the Fire Chief capable of supporting the imposed load of fire apparatus weighing at least 77,000 pounds.
- (4) Grade: Fire lanes shall not exceed 10 percent grade. Exception: Grades steeper than 10 percent as approved by the Fire Chief.
- (5) Security gates Where security gates are installed, they shall be maintained and an

approved means of emergency operation shall be provided and maintained. The minimum gate width shall be 20 feet. Gates may be of the swinging or sliding type that allow manual operation by one person. All gate components shall be maintained in an operative condition at all times and replaced or repaired when defective. Locking devices shall be approved by the Fire Chief.

(c) Obstructions.

- (1) Fire lanes shall be maintained free of obstructions at all times.
- (2) No person shall obstruct a fire lane by parking, stopping or leaving standing a motor vehicle, whether such vehicle is attended or unattended.
- (3) No person shall obstruct a fire lane by constructing a fence, gate, barricade or in any other manner. A gate, barricade or fence which is readily removable or through which access may be gained by firefighting equipment and personnel without delay may be permitted with approval of the Fire Chief. Such permitted barricade or fence shall not be locked in any manner.
- (4) Landscaping or other obstructions shall not be placed around structures in a manner so as to impair or impede accessibility for firefighting and rescue operations.
- (5) Attended motor vehicles found standing or parked in a fire lane shall be immediately moved upon direction of any member of the Fire Department and/or Police Department. Any unattended motor vehicle found standing or parked in a fire lane may be towed and impounded at the owner's expense, subject to the penalties and charges set forth in this section and in Chapter 303 of the Traffic Code of the City.
- (6) Parking in any fire lane or fire apparatus access road shall not be permitted within twenty (20) feet of a fire-hydrant, sprinkler, or standpipe connection or in any other manner that will obstruct or interfere with the fire department's use of the hydrant or connection.

(d) Speed control devices.

- (1) No owner or operator of any building, apartment or other structure in the City of Oberlin that has designated fire lanes shall have any type of traffic control device or speed bump that does not conform with the specifications in the "Speed Control Device" diagram set forth below. The materials to be used to construct the speed control device shall conform to the latest edition of the State of Ohio Department of Transportation Construction and Materials Specifications manual.
- (2) The failure of any owner or operator to remove nonconforming speed control devices from designated fire lanes upon order of the fire chief shall subject such owner or operator to the penalties set forth in Section 1501.99. The installation of

nonconforming speed control devices in designated fire lanes by an owner or operator shall also subject such owner or operator to the penalties set forth in Section 1501.99.

Speed Control Device



404 asphalt concrete @ width equal to the travel lane
Edges shall be sealed with AC-20.

Cross sectional area = .052 sq. ft.

(e) Marking.

- (1) Fire lanes shall be marked with "NO PARKING - FIRE LANE" signs and marked curbs, sidewalks, or other traffic surfaces. Signs shall have a minimum dimension of 12 inches wide by 18 inches high having red letters on a white reflective background. Markings on curb and traffic surfaces shall be painted in contrasting traffic yellow paint. All normally used parking areas and walkways shall be marked in traffic white paint.
- (2) All signs required by subsection (e) hereof shall be spaced not more than seventy (70) feet apart nor less than fifty (50) feet apart. Fire lanes less than or equal to twenty-six (26) foot wide shall be posted on both sides; fire lanes more than twenty-six (26) feet wide shall be posted on one side of the road. Special circumstances may indicate less distance, more distance or additional or different types of style of signs as approved by the fire chief.
- (3) All designated fire lane signs or markings shall be maintained in a clean and legible condition at all times and replaced when necessary to insure adequate visibility. Signs and markings shall be supplied, installed and maintained by the property owner.
- (4) "NO PARKING" signs or other designation indicating that parking is prohibited shall be provided at all normal and emergency access points to structures and within twenty (20) feet of each fire hydrant, sprinkler, or standpipe connection.

(f) Fire Apparatus Access Roads.

- (1) Facilities, buildings or portions of buildings hereafter constructed or occupied within the City shall be accessible to fire department apparatus by way of an approved fire apparatus access road.

- (2) Buildings or facilities exceeding thirty (30) feet or three (3) stories in height, and/or have a gross building area of more than 62,000 square feet, shall be provided with two (2) separate and approved fire apparatus access roads. At least one of the required access routes shall be located a minimum of 15 feet and a maximum of 30 feet from the building, and shall be positioned parallel to one entire side of the building. These access roads shall have a minimum unobstructed width of 26 feet in the immediate vicinity of any building or portion of building more than 30 feet in height.

Exception: Buildings having a gross building area up to 124,000 square feet having a single approved fire apparatus access road when all buildings are provided with approved automatic sprinkler systems.

- (3) Multi-family residential projects having more than 100 dwelling units shall be provided with two separate and approved fire apparatus access roads.

Exception: Projects with less than 200 dwellings units may have single approved fire apparatus access when all buildings, including nonresidential occupancies, are provided with approved automatic sprinkler systems.

- (4) One or two family residential developments where the number of dwelling units exceeds thirty (30) shall be provided with separate and approved fire apparatus access roads, and shall meet the specifications above.

Exceptions:

- (a) Where there are thirty (30) or fewer dwellings on a single public or private access way and all dwelling units are protected by approved residential sprinkler systems, only one access is required.
- (b) 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 approved by the Fire Chief.
- (g) Dead ends. Every dead-end fire lane or fire access road in excess of 150 feet in length shall be provided width and turnaround provisions as follows:

Length (feet)	Width (feet)	Turnaround required
0 - 150	20	None required
151 - 500	20	120' hammerhead or 96' cul-de-sac
501 - 750	26	120' hammerhead or 96' cul-de-sac
Over 750	Special approval required	

Section	Summary of Changes
1501.01	(a) No change (b) Adoption of International Fire Code (c) Adoption of NFPA Standards
1501.02	Amendments to International Fire Code as required by existing requirements of ORC and recommended by ICC for adoption.
1501.03	Change "Ohio Fire Code" reference to "Fire Prevention Code"
1501.04	Change "Ohio Fire Code" reference to "Fire Prevention Code"
1501.05	Establishes official Fire Prevention Bureau and activities under existing Fire Department structure; designates Fire Chief responsible for fire prevention activities; permits assignment of present (certified) firefighters to fire safety inspector duties; authorizes inspectors to issue citations for "Fire Prevention Code".
1501.06	Duty of Fire Prevention Bureau will be enforcement of City's "Fire Prevention Code".
1501.07	Provides for right of entry and inspections under "Fire Prevention Code" ..
1501.08	Provides for issuance of orders for abatement, remedy or removal of hazards; issuance of notice of violation and/or citations under "Fire Prevention Code".
1501.09	Change "Ohio Fire Code" reference to "Fire Prevention Code"
1501.10	Change "Ohio Fire Code" reference to "Fire Prevention Code"
1501.11	Section number change only
1501.12	Change "Ohio Basic Building Code" to "Ohio Building Code"; change "Ohio Fire Code" reference to "Fire Prevention Code"
1501.13	Section number change only
1501.14	Section number change only
1501.15	Section number change only
1501.16	Section number change only
1501.17	Section number change only
1501.18	New. Designates areas where high hazard chemicals may/may not be used; required by IFC. (In compliance with City's Zoning regulations.)
1501.19	No change.
1501.2	No change.
1501.21	Section number change only

Section	Summary of Changes
1501.22	New. Amends fire code elevator provisions to require at least one car in certain facilities large enough for use of ambulance cots by EMS service. (No retro-fit)
1501.23	Expanded sections (c) to match OBOA housing code for detectors; section (d) to require detectors in all residential properties at time of sale (battery-type acceptable). (Note: Cost to resident is negligible since FD has detectors available at no cost to those in need.)
1501.24	New. Consolidates occupancy posting in public buildings from all codes.
1501.25	New. Expands inspection and permit fees based on hazard.
1501.26	Change. Delineates appeal process for violations; further defines Fire Code Board of Appeals and membership; provides appeal process for Fire Prevention Code.
1501.99	Change of referenced code section numbers only.

degree. (ORC 3737.99(D))

- (4) Whoever violates Sections 1501.15 or 1501.17 is guilty of a misdemeanor of the third degree. (ORC 3737.99(E))

(b) Civil Penalties.

- (1) Any person who has received a citation for a serious violation of the Fire Prevention Code or any order issued pursuant to it, shall be assessed a civil penalty of not more than one thousand dollars (\$1,000) for each such violation.
- (2) Any person who has received a citation for a violation of the Fire Prevention Code or any order issued pursuant to it, and such violation is specifically determined not to be of a serious nature, may be assessed a civil penalty of not more than one thousand dollars (\$1,000) for each such violation.
- (3) Any person who fails to correct a violation for which a citation has been issued within a period permitted for its correction, may be assessed a civil penalty of not more than one thousand dollars (\$1,000) for each day during which such failure or violation continues.
- (4) Any person who violates any of the posting requirements, as prescribed by Section 1501.09(c), shall be assessed a civil penalty of not more than one thousand dollars (\$1,000) for each violation.
- (5) Due consideration to the appropriateness of the penalty with respect to the gravity of the violation, the good faith of the person being charged, and the history of the previous violations shall be given whenever a penalty is assessed under this chapter.
- (6) For purposes of this section, a serious violation shall be considered to exist if there is a substantial probability that an occurrence causing death or serious physical harm to persons could result from a condition which exists, or from one or more practices, means, methods, operations or processes which have been adopted or are in use, unless the person did not and could not with the exercise of reasonable diligence, know of the presence of the violation.
- (7) Civil penalties imposed by this chapter shall be paid to the Municipal Chief Fiscal Officer for deposit into the General Revenue Fund. Such penalties may be recovered in a civil action in the name of the Municipality brought in the Court of Common Pleas. (ORC 3737.51(B) to (H))

Fire prevention permit, general	\$75
Open flame, remove paint with torch	\$25
Cutting/welding/hot work	\$25
Blasting, explosives, ammunition	\$100
Fireworks, pyrophoric/special effects	\$75
Special amusement building	\$50
Carnivals and fairs	\$50
Tents, temporary or air-supported structures	\$25
Assembly/educational occupancies:	
Less than 100 occupants	\$10
Each additional 100 occupants	\$20
Maximum fee	\$200
Flammable liquids/ bowling lanes	\$10 each lane, each job.
Flammable/combustible liquids in stationary tanks	\$75 per tank
Liquified petroleum gases	\$75 per tank

(c) The Fire Chief may waive any or all of the above requirements in cases of hardship.

1501.26 APPEALS.

(a) In order to hear and decide appeals of orders, decisions, or determinations made by the Fire Chief or any Municipal Fire Safety Inspector relative to the application and interpretation of the Fire Prevention Code, there shall be established a Fire Code Board of Appeals. The Fire Chief shall be an ex officio member of said board but shall have no vote on any matter before the board. The board shall adopt rules of procedure for conducting its business, and shall render all decisions and findings in writing to the appellant with a duplicate copy to the Fire Chief. The Fire Code Board of Appeals shall consist of the Chair of Council, an interested resident and the City Manager.

(b) Any person affected by a decision of the Fire Chief or a notice or order issued under this Code shall have the right to appeal to the Fire Code Board of Appeals provided that a written application for appeal is filed within thirty (30) from the date of the decision, notice or order was served. An application for appeal shall be based on a claim that the intent of this Code or the rules legally adopted thereunder have been incorrectly interpreted, the provisions of this Code do not fully apply, or an equivalent method of protection or safety is proposed. The board shall have no authority to waive requirements of this Code.

1501.99 PENALTY.

(a) Criminal Penalties.

- (1) Whoever violates Section 1501.10(a), or any provision of this chapter for which no other penalty is provided, is guilty of a misdemeanor of the first degree. (ORC 3737.99(B))
- (2) Whoever violates Sections 1501.10(b) or 1501.13 is guilty of a minor misdemeanor. (ORC 3737.99(C))
- (3) Whoever violates Sections 1501.14 or 1501.16 is guilty of a misdemeanor of the fourth

hotels or club rooms; which limits as to occupancy shall be calculated in accordance with the Ohio Building Code as adopted by the City.

- (b) The Bureau of Fire Prevention shall cause signs to be posted in each such establishment affected hereby, indicating the maximum number of persons allowed to occupy the premises at any one time. Such signs shall be in large enough letters so it may be easily read and shall be prominently displayed in the establishment.

1501.25 PERMITS AND FEES.

- (a) The Fire Chief shall prepare application forms and a filing system for permits to be issued by him/her pursuant to the Fire Prevention Code and shall perform all functions required thereunder.

- (b) The following schedule shall apply to all Fire Prevention Code and permit fees within the City:

(1) Administrative fees

Acceptance tests during normal working hours	\$200
Acceptance tests after normal working hours	\$200
+ \$25 per hour or portion thereof	
Reinspection or retesting	\$ 50
Subsequent follow-up inspections or testing	+\$50 increment per visit

(2) Fire Safety Inspection fees

Inspections during normal working hours:	
Initial reinspection	NC
First reinspection	NC
Second and subsequent reinspections	\$50 per inspection
Inspections after normal working hours:	
Initial inspection	\$15
Additional reinspections	\$50 per reinspection
License inspections (foster care, day care, group homes)	\$20
Certificate of fire code compliance (with inspection)	\$20
Firewatch.	\$25
(per hour or portion thereof per inspector)	
Fireworks	\$25 per hour/per inspector
(includes required inspections before and after event)	

(3) Operational permits

Open burning permit	\$20
Fire alarm/suppression/hood systems	\$75 + cost of installation

(d) In all existing one- (1), two- (2), or three- (3) family dwellings, smoke detectors shall be a point-of-sale requirement, or a requirement when interior alterations, repairs, or additions to the building require a permit occur. Smoke detectors shall be installed outside each separate sleeping area in the immediate vicinity of the bedrooms and on each additional story of the dwelling, including basements, but excluding crawl spaces and uninhabitable attics. In dwellings or dwelling units with split levels, a smoke detector need be installed only on the upper level provided the lower level is less than one (1) full story below the upper level, except that if there is a door between levels, then a detector is required on each level. Smoke detectors with battery-power supply may be permitted, as are detectors that receive their primary power from the building wiring where such wiring is served from a commercial source. Wiring shall be permanent and without a disconnecting switch other than those required for overcurrent protection. AC-powered smoke detectors shall have a secondary source of power from a battery. All battery-powered detectors shall have built-in protection to warn of battery failure.

(e) Any senior citizen multi-family building more than one- (1) story in height must be equipped with a fire and smoke detection system with sensors located in every room and corridor. System shall be supervised in a manner approved by the Fire Chief.

(f) All required installed smoke detectors units shall be visually and audibly inspected annually by the owner or his/her agent.

(g) All required installed smoke detectors shall be maintained in proper working order at all times by the owner of such unit or units, or his/her agent.

(h) All required smoke detectors shall be U.L. listed or shall be approved, listed, or labeled by an agency approved by the Fire Chief.

(i) All required installed smoke detectors shall be installed and maintained in accordance with the manufacturer's instructions and NFPA 72.

(j) If the requirements of this section are in conflict with any other code, law or ordinance, then the provision which establishes the higher standard for the promotion and protection of the safety and welfare of the public shall prevail.

(k) When practical difficulties are encountered in complying with these provisions, the Fire Chief shall be permitted to modify the requirements of this section provided that the spirit and intent of the law is observed, the public welfare and safety are assured, and that the modification meets or exceeds the requirements of this section.

1501.24 POSTING MAXIMUM CAPACITY IN PUBLIC BUILDINGS.

(a) The Fire Chief shall ascertain and establish the maximum number of persons allowed to occupy any public building, place of assembly, business establishment, institution, or any other building open to the public including but not limited to theaters, dance halls, restaurants,

(c) Keys used to operate the three- (3) position key-operated switches required in this section must be identical and not part of any building master key system. Keys must be readily available and accessible at all times for use by fire department personnel. A separate key shall be required for each three- (3) position switch.

(d) At least one (1) elevator in each multi-family or medical/health care-related building shall be capable of accommodating a patient on a stretcher in the supine position.

1501.23 SMOKE DETECTORS AND ALARM DEVICES.

(a) All multiple-family and multi-family residential dwellings, including but not limited to, condominiums units, boarding, lodging and rooming units, bed and breakfasts, dormitories, hotels, motels, adult group homes, efficiency suites, assisted-living homes, and all other rental units arranged for shelter and sleeping arrangements shall have approved smoke detection devices installed adjacent to the sleeping areas. Such smoke detection devices shall be required regardless of the type of construction affected by the actuated smoke detector. Where required by the Bureau of Fire Prevention for change in occupancy or use, in all new construction, and/or as a requirement when interior alterations, repairs, or additions to the building require a building permit, smoke detection devices and/or heat detection devices shall receive their primary power from the building wiring where such wiring is served from a commercial source and shall be equipped with a battery backup. Wiring shall be permanent and without a disconnecting switch other than those required for overcurrent protection. All detectors shall have built-in protection to warn of battery failure. Battery-powered alarms are permitted in buildings not served from a commercial power source.

(b) All occupancies referred to in subsection (a) hereof which are buildings over fifty (50) feet in height shall have smoke detectors that are connected directly to an approved, zoned annunciator panel installed near the location of a fire department entry - an entry approved by the Fire Chief. The smoke detection alarm system shall be installed in such a manner that when a detector activates the alarm it will sound within the occupied area and the common exit-way, and also so that the annunciator panel will indicate the type of device activated and the floor level of activation. The required annunciator panel shall be supervised in a manner approved by the Fire Chief.

(c) In all new one- (1), two- (2), or three- (3) family dwellings, a smoke detector shall be installed outside each separate sleeping area in the immediate vicinity of the bedrooms and on each additional story of the dwelling, including basements and cellars, but excluding crawl spaces and uninhabitable attics. In dwellings or dwelling units with split levels, a smoke detector need be installed only on the upper level provided the lower level is less than one (1) full story below the upper level, except that if there is a door between levels, then a detector is required on each level. All detectors shall be interconnected such that the actuation of one alarm will actuate all the alarms in the individual unit and shall provide an alarm which will be audible in all sleeping areas. Required smoke detectors shall receive their primary power from the building wiring where such wiring is served from a commercial source and shall be equipped with a battery backup. Wiring shall be permanent and without a disconnecting switch other than those required for overcurrent protection.

- (h) When more than one (1) hydrant is required to be installed on the same private main, such main shall be looped or supplied with water from two (2) sources if it is determined by the Fire Chief, or his designee, to be necessary for fire safety.
- (i) Hydrants on private property shall be within ten (10) feet of the paved or improved portion of a roadway, fire lane or driveway unless otherwise authorized by the Fire Chief, or his designee, provided however, that no hydrant shall be located closer to a building or structure than one-and-one-half (1½) times the height of said building or structure.

1501.21 RAPID ENTRY KEY BOX SYSTEM (LOCK BOX).

- (a) **Installation.** When a property is protected by an automatic alarm system and/or when access to or within a structure or area on that property is unduly difficult because of secured openings, and where immediate access is necessary for life-saving or fire-fighting purposes, the Fire Chief may require a key box to be installed in an approved location. The key box (lock box) shall be a type approved by the Fire Chief.
- (b) **Contents.** The key box (lock box) shall contain:
 - (1) Keys to locked points of egress, whether in the interior or on exterior of such buildings.
 - (2) Keys to locked mechanical equipment rooms.
 - (3) Keys to locked electrical rooms.
 - (4) Keys to elevator controls and fire alarm control panels.
 - (5) Keys to other areas as directed by the Fire Chief.
- (c) **Exemption.** Residential property shall be exempt from the requirements of this section.

1501.22 ELEVATORS.

- (a) Existing elevators with a travel distance of 25 feet or more above or below the main floor or other level of a building and intended to serve the needs of emergency personnel for firefighting or rescue purposes shall be provided with emergency operation in accordance with ASME A17.3. New elevators shall be provided with Phase I emergency recall operation and Phase II emergency in-car operation in accordance with ASME A17.1
- (b) Smoke or combustion product sensing devices shall be required in the elevator lobby at each floor with the following exceptions:
 - (1) Freight elevators located in or at openings to manufacturing areas; and
 - (2) Elevator lobbies at unenclosed landings.

Sensing devices must be installed in accordance with NFPA Standard No. 72, Proprietary Protective Signaling Systems.

follows:

- (1) At every street intersection.
 - (2) At the beginning of every cul-de-sac turnaround except as otherwise approved by the fire chief or his designee.
 - (3) Within five hundred (500) feet of any one- (1) or two- (2) family residential building.
 - (4) Within two hundred fifty (250) feet of any other building or structure regulated by the Ohio Building Code.
 - (5) Additional hydrants may be required as are necessary to meet required flows, support building fire suppression system(s), accomplish tactical operations and/or avoid excessive hose lays as determined by the Fire Chief, or his designee. Excessive hose lays shall be defined as hose lengths longer than two hundred fifty (250) feet when being stretched from any portion of the building to the nearest fire hydrant.
 - (6) Hydrants shall be spaced no more than four hundred (400) feet apart unless otherwise approved by the Fire Chief or his designee.
 - (7) When a fire suppression system is required in a building or structure, a new or existing hydrant shall be located no more than seventy-five (75) feet from the fire department connection unless otherwise approved by the Fire Chief or his designee.
 - (8) Distances referred to within this section shall be measured along actual fire apparatus routes of travel.
- (e) All public and private hydrants required by these regulations shall be installed and maintained in accordance with the following:
- (1) All hydrants and water mains shall be installed in conformance with the Public Works Standards and as approved by the Director of Public Works and the Fire Chief of the City of Oberlin.
 - (2) All hydrants shall be accessible at all times for firefighting purposes and no obstructions shall be placed within ten (10) feet of any such fire hydrant.
 - (3) All private hydrants shall be maintained in proper working order by the property owner as prescribed by the City of Oberlin Public Works Standards, and reports of the testing shall be forwarded to the Fire Department annually.
- (f) Wall hydrants shall be permitted only with approval of the Fire Chief or his designee.
- (g) The minimum size of private fire lines shall be eight (8) inches, except single-hydrant fire lines of six hundred (600) feet or less may be six (6) inches.

(h) Bridges/Elevated surfaces.

- (1) Where a bridge is required to be used as access, it shall be constructed and maintained in accordance with the latest edition of AASHTO Standard Specification for Highway Bridges. Bridges and elevated surfaces shall be designed for a live load sufficient to carry the imposed loads of fire apparatus. Vehicle loads shall be posted at both entrances to bridges when required. Where elevated surfaces designed for emergency vehicle use are adjacent to surfaces which are not designed for such use, approved barriers, approved signs or both shall be installed and maintained when required by the code official.

(i) Enforcement.

- (1) Enforcement of subsection (c) shall be the responsibility of the Police Department and/or the Fire Department. Penalties for violations of any of the provisions these subsections shall be as follows:
 - A For the first offense, ten dollars (\$10.00);
 - B. For the second offense occurring within twelve months of the first offense, twenty-five dollars (\$25.00); and
 - C. For the third or subsequent offense occurring within twelve months of the first offense, a fine of not more than one hundred dollars (\$100.00).
- (2) The fines for the first and second offenses shall be waivable as provided in Section 351.99 of these Codified Ordinances.
- (3) Enforcement of all other provisions of this section shall be the responsibility of the fire chief or his/her designee. Penalties for violations of any of the provisions of this section shall be as set forth in Section 1501.99.

1501.20 WATER SUPPLY AND HYDRANT REGULATIONS

- (a) All new or replacement fire hydrants shall have a six- (6) inch barrel, a five- (5) inch and two (2) two-and-one-half- (2½) inch hose nozzle connections (discharges) with National Standard size and thread; and shall conform to the American Waterworks Association standards.
- (b) Hydrant discharge height as measured from the bottom of the lowest discharge on the hydrant, shall be not less than sixteen (16) inches nor more than thirty (30) inches above the surrounding finished grade.
- (c) The five- (5) inch discharge shall face the street/drive unless otherwise determined by the Fire Chief or his designee.
- (d) Spacing requirements for new fire hydrants located on private and public property shall be as