

AN ORDINANCE AMENDING ORDINANCE NO. 4788, "THE MUNICIPAL CODE OF THE CITY OF RICHMOND HEIGHTS, MISSOURI", BY ADOPTING THE ICC INTERNATIONAL FIRE CODE, 2012 EDITION, WITH SPECIFIC AMENDMENTS THERETO AS SET OUT BELOW AND AMENDING CERTAIN PROVISIONS OF CHAPTER 205, FIRE PREVENTION AND PROTECTION, AND PROVIDING FOR THE ISSUANCE OF PERMITS, COLLECTION OF FEES, MAKING OF INSPECTIONS AND PROVIDING PENALTIES FOR VIOLATIONS THEREOF.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF RICHMOND HEIGHTS, MISSOURI, as follows:

SECTION 1. *The ICC International Fire Code, 2012 Edition*, published by the International Code Council, Inc., along with the International Fire Code Errata First Printing, May 1, 2011, one copy of which is filed in the office of the City Clerk and Building Commissioner of the City of Richmond Heights, attached hereto as Exhibit "A", together with the standards which are referenced in Chapter 80 of the ICC International Fire Code (pp.443-444), Appendix B (pp.445-446), Appendix C (pp. 447), Appendix D (pp. 449-451), Appendix E (pp. 453-458), Appendix F (pp. 459-460), Appendix G (pp. 461-462), Appendix H (pp.463-470), Appendix I (pp. 471-472), and Appendix J (pp. 473-475) are hereby adopted and made a part thereof as if more fully set out in this Ordinance with the additions, insertions, deletions and changes prescribed in Section 4 of this Ordinance.

Where this code refers to other codes, they shall also mean the International Building Code, 2012, along with the 2012 International Building Code Errata first printing dated May 1, 2012, the 2008 National Electrical Code, 2009 International Mechanical Code, 2009 Uniform Plumbing Code and the Municipal Code of the City of Richmond Heights inclusive, but not limited to Sections 205.020, 205.030, 205.040, 205.050, 205.060, 205.070, 205.080, 205.090, 205.100, 205.110, 205.120, 205.130, 205.140, 205.150, 205.160, 205.170, and 205.200.

SECTION 2. Section 205A, FIRE PREVENTION AND PROTECTION of Ordinance No. 4788, "The Municipal Code of the City of Richmond Heights, Missouri", is hereby amended by repealing and deleting in its entirety and enacting in lieu thereof a new Subsection (A) to read as follows:

SECTION 205.010 THE ICC INTERNATIONAL FIRE CODE 2012 ADOPTED

(A) The ICC INTERNATIONAL FIRE CODE 2012, is hereby adopted and by this reference made a part of this Chapter as though set out in full herein.

SECTION 3. The ICC INTERNATIONAL FIRE CODE, 2012 Edition, adopted in Section 1 above, is hereby amended in the following respects:

SECTION 4. JURISDICTIONAL TITLES. 100.1 Wherever (name of jurisdiction) appears in such Code, it shall read the City of Richmond Heights , Missouri.

100.2 “Code Official” wherever it may appear is defined as the Fire Official and/or Fire Chief of the City of Richmond Heights, Missouri, or his or her duly authorized representative.

SECTION 5. AMENDMENTS TO THE ICC INTERNATIONAL FIRE CODE:
The following shall be inserted, deleted, or revised in the ICC International Fire Code, 2006 First Edition, as follow:

F-101.1 Title (Page 1) Delete and insert the following:

These regulations shall be known as the Fire Code of **City of Richmond Heights**, hereinafter referred to as “this code”.

F-105.1 General. Delete and replace with: (Page 4)

F-105.1 General. Permits shall be in accordance with Sections 105.1.1 through 105.6.47 and Sections 105.7.2, 105.7.3, 105.7.6, 105.7.7, 105.7.8, 105.7.9, 105.7.10, 105.7.11 and 105.7.13.

F-105.1.1 Permits required. Delete and replace with: (Page 4)

F-105.1.1 Permits required. Permits required by this code shall be obtained from the code official. Permit fees, fifty dollars each (\$50.00), shall be paid prior to issuance of the permit. Issued permits shall be kept on the premises designated therein at all times and shall be readily available for inspection by the code official. *Double Fee.* Where any work for which a permit is required by Code is started, or proceeded with, prior to obtaining said permit, the total normal fees applicable shall be doubled, but payment of said double fee shall not relieve any person from fully complying with the requirements of this Code nor relieve such person from other penalties prescribed herein.

F105.6 Required operational permits. Delete and replace with: (Page 6)

F105.6 Required operational permits. The fire code official is authorized to issue operational permits for the operations set forth in sections 105.6.1 through 105.6.46.

F-105.6.32 Open Flames and Candles (Page 9) Delete and insert the following:

F-105.6.32 Open Flame and Candle Guidelines:

1. The following are guidelines addressing the safe use of open flame devices. The guidelines must be adhered to for the safety of all concerned.

- a. Normally there will be no open flame device below six (6) feet. However, in case there is an open flame device below six (6) feet, it must be totally enclosed or have an accessible flame showing and far enough away that children cannot reach the open flame.
- b. All open flame devices shall be well secured in a glass globe, mesh wire cage, or a container approved by the Fire Department.
- c. The number of open flame devices shall be at the discretion of the Fire Department. The number will be based on the size of the store and the floor plan.
- d. At least seventy-five percent (75%) of the sales of the involved retail establishment must be derived from the sale of open flame devices.
- e. There must be one (1) additional fire extinguisher, over and above the number normally required, properly installed and in plain view.
- f. Fire alarms that are set off by open flame devices may constitute a false alarm violation.
- g. A drawing will be submitted to the Fire Department reflecting specific locations of the proposed open flame devices.
- h. The establishment will only be approved for open flame devices if it is totally sprinklered.
- i. There will be an attending sales person in each room that has open flame devices.
- j. All open flames must be completely extinguished no later than fifteen (15) minutes before the last person leaves for the night.
- k. Advance plans will be submitted to the Fire Department whenever open flame devices are relocated. In such cases, a new permit will have to be issued.
- l. The establishment using open flame devices will be required to show proof of insurance to the Fire Department and a copy placed on file with the permit application.

2. A permit will be issued when all items are successfully completed to the satisfaction of the Fire Department. By requesting and receiving a permit to operate open flame devices in a business establishment, that establishment is explicitly agreeing to all twelve (12) items listed in the preceding paragraph. Any violation of the above guidelines will result in the permit to operate open flame devices to be revoked.

Add a new section:

105.6.47 Hood systems. An operational permit is required for the installation of all commercial kitchen exhaust hoods and their automatic fire extinguishing systems where required.

F-105.7 Required Construction Permits:

Delete and replace with:

F-105-7 Required Construction Permits:(Page10)

The fire code official is authorized to issue construction permits for work as set forth in Sections 105.7.2, 105.7.3, 105.7.6, 105.7.7, 105.7.8, 105.7.9, 105.7.10, 105.7.11 and 105.7.13.

Subsection 108 Board of Appeals (Page 12) is hereby deleted in its entirety and new Subsection 108 **Membership of Board of Appeals** is added to read as follows:

108.1 Application for appeal: Any person shall have the right to appeal a decision of the code official of the board of appeals. An application for appeal shall be based on claim that the true intent of this code of the rules legally adopted hereunder has been incorrectly interpreted, the provisions of this code do not fully apply, or an equivalent form of construction is to be used.

108.2 Membership of Board: The Board of Appeals shall consist of three (3) members, one member appointed by the city, one member chosen by the applicant, and a third member mutually chosen by the city and the applicant.

108.3 Qualifications: Each member of the board must be a design professional registered with the State of Missouri as an architect or engineer or as a builder or superintendent of building construction with at least ten (10) years of experience, five (5) of which will have been in responsible charge of work. The design professional, builder or superintendent of construction must have experience in designing, building or installing the systems, equipment or types of construction which the appeal concerns.

108.4 **Chairman:** The board shall select one of its members to serve as chairman.

108.5 **Disqualification of member:** A member shall not hear an appeal in which that member has any personal, professional or financial interest.

108.6 **Secretary:** The chief administrative officer shall designate a qualified clerk to serve as secretary to the board. The secretary shall file a detailed record of all proceedings in the office of the chief administrative officer.

108.7 **Compensation of members:** Compensation of members shall be determined by law.

108.8 **Meetings:** The board members shall be appointed within twenty (20) days of an appeal being filed with the Building Commissioner. Credentials of the chosen members shall be exchanged between the city and the applicant within the twenty (20) day period. If within the twenty (20) day period the city and applicant have been unable to agree upon the third (3rd) board member, the two chosen members shall chose a qualified third member. If the two board members are unable to reach agreement upon a third member, the city manager shall appoint the third qualified member. In the case where the city manager appoints the third member, such appointed member must be a registered design professional with at least ten (10) years experience in the design and construction of the system, equipment or type of construction upon which the appeal is based.

108.9 **Open hearings:** The applicant, the applicant's representative, the code official and any person shoes interests are affected shall be given an opportunity to be heard.

108.10 **Procedure:** The board shall adopt and make available to the public through the secretary procedures under which a hearing will be conducted. The procedures shall not require compliance with strict rules of evidence but shall mandate that only relevant information be received.

108.11 **Postponed hearing:** When three members are not present to hear an appeal, either the appellant or the appellant's representative shall have the right to request a postponement of the hearing.

108.12 **Board decision:** The board shall modify or reverse the decision of the code official by a concurring vote of two members.

018.13 **Resolution:** The decision of the board shall be by resolution. Certified copies shall be furnished to the appellant and the official.

108.14 **Administration** The code official shall take immediate action in accordance with the decision of the board.

108.15 **Court review:** Any person, whether or not a previous party of the appeal, shall have the right to apply to the appropriate court for a writ of certiorari to correct errors of law. Application for review shall be made in the manner and time required by law following the filing of the decision in the of the chief administrative officer.

F-109.3 Violation Penalties (Page 12). Delete and replace with:

Penalty:

- A. Any person violating any provision of the Code adopted in this Article or any rule or regulation adopted or issued in pursuance thereof, shall, upon conviction be subject to a fine of not more than one thousand dollars (\$1,000.00), or to imprisonment for not more than three (3) months or both, and may be adjudged to pay the costs of prosecution.
- B. Each act of violation and every day upon which a violation occurs or continues shall constitute a separate offense.

F-307.1 General (Page 47) Delete in its entirety and insert the following:

No person shall cause or allow open burning unless approved in accordance with the Fire Prevention Code of the City of Richmond Heights.

F-307.1.1 Prohibited Open Burning: Delete and insert the following (Page 47)

Open burning that is offensive or objectionable because of smoke or odor emissions or when atmospheric conditions or local circumstances make such fires hazardous shall be prohibited.

F-307.1.2 Allowable Burning: (Page 47)

Open burning shall be permitted without prior notification to the Fire Official's Office, for highway safety flares, barbecuing and the use of commercially sold " fire pits " for residential recreational fires.

F-307.3 Extinguishment Authority: Delete and insert the following (Page 47)

The Fire Official is authorized to order the extinguishment of any fire that creates or adds to a hazardous or objectionable situation.

F-309.7 Fork lifts (Page 49) Insert a new sub-section:

Fork lifts and similar equipment, such as floor scrubbers and buffers, powered by a liquid fuel or LP gas are not allowed to be used within a mixed group occupancy that is occupied by more than one tenant unless approved by the fire official.

F-503.4 Obstruction of streets or fire apparatus roads (Page 64) Delete and insert the following:

A person or persons shall not erect, construct, place or maintain any bumps, fences, gates, chains, bars, pipes, wood or metal horses or any other obstructions in or on any street, within the boundaries of the City of Richmond Heights. The word street, as used in the ordinance, shall mean any roadway accessible to the public for vehicular traffic, including, but not limited to, private streets or access lanes, as well as all public streets and highways within the boundaries of the City of Richmond Heights without the approval of the Traffic Committee of the City of Richmond Heights.

F-503.5.1.2 Gated Communities (Page 64) Insert a new sub-section:

Gated communities are allowed only after the following items have been met and approved by the City of Richmond Heights.

1. The subdivision streets do not connect with any other subdivision either by roadways or through an easement giving access to other streets or undeveloped land.
2. In existing subdivision a petition stating:
“I agree with a gate being installed at the entrance to all the streets to the subdivision, I understand that when this gate is installed the fire department response can be lengthened by as much as two additional minutes. I further will not hold the fire department responsible for loss of life or property due to the additional response time.” Must be signed by 100% of all residents within the subdivision.
3. The gate must be equipped with the Knox Box System as required by the Fire Official.
4. The gates must be powered by electric and have a backup power source to operate in case of power failure.
5. A complete set of drawings with all the specification shall be submitted to the Fire Official for approval before any installation is started.

F-506 Key Boxes (Page 65) Delete in its entirety and insert the following:

F-506 Mandatory Knox- Boxes (Page 65)

F-506.1 Knox-Boxes (Page 65)

Where access to or within a structure or an area is restricted because of secured openings or where immediate access is necessary for life-saving or fire-fighting purposes, or where an approved continuously monitored Fire Alarm System is installed, the Fire Official or designate is authorized to require a Knox Box to be installed in an accessible location. The Knox Box shall be of an approved type and shall contain keys to gain access as required by the Fire Official.

F-506.1.1 Cost: (Page 65)

The cost of purchase, installation and maintenance of the Knox-Box Security System shall be the responsibility of the owner or occupant.

F-506.1.4 Size: (Page 65)

All owners shall install a Knox-Box of adequate size so that all keys needed to gain access to the exterior and interior designated areas (such areas designated for common use and/or all service equipment area) shall be accessible at all times to the Richmond Heights Fire Department. The owner shall clearly mark all keys within the Lock-Box and shall indicate doors to which such keys belong. In the event that more than one (1) key is within the Lock-Box system, the owner designating the door location and corresponding key tag must provide a floor plan. All tags, marking systems, location, and size of lock-box, shall be at the discretion of and with the approval of the Fire Official.

F-506.1.5. Installation: (Page 65)

The owner of said building shall install the Knox-Box system as directed in the following:

1. Recessed mount:

This type of box shall be installed a minimum of 4 to 5 feet above finished grade.

2. Surfaced mount:

This type of box shall be installed a minimum of 4 to 5 feet above finished grade.

3. Key Switch:

This switch shall be located as approved by the Fire Official.

4. Residential Box:

This type of box shall be mounted at a location close to the front door or mounted on the front door as approved by the Fire Official.

5. Fire Department Alert Decal:

One decal shall be mounted on each exterior door in the center of the glass or on the doorframe as directed by the Fire Official.

F-506.1.6 Key Changes: (Page 65)

The owner of said building shall be responsible for any key changes and additions to the plan or plat filed with the Fire Department, and it shall be the responsibility of the owner to notify the Fire Official, in writing, of any changes or additions required in the Knox Box.

F-506.1.8 Voluntary Participation in the Lock-Box Security Program: (Page 65)

F-506.1.8 Voluntary Participation: (Page 65)

In the event of any owner of buildings within the City of Richmond Heights, not specifically required to install a Knox-Box system, is desirous of installing such system, such owner may submit a written request to the Fire Official of the City of Richmond Heights to participate in such security systems set out above. Upon review of such request and acceptance of same by the Fire Official, such owner shall comply fully with all the provisions of this Ordinance.

F-806.1.1 Restricted Occupancies (Page 93) **Delete and insert the following:**

Natural cut trees shall be prohibited in all occupancies except for residential usage.

F-903.3.1.1 NFPA 13 Sprinkler systems (Page 103) is hereby amended to read as follows:: Where the provisions of this code require that a building or portion thereof be equipped throughout with an automatic sprinkle system in accordance with this section, sprinklers shall be installed throughout in accordance with NFPA 13. In a mixed group building each tenant shall have their own sprinkler control valve and flow switch connected to a fire alarm system as per section 907.2 of this code.

F-903.3.1.1.1 NFPA 13 systems (Page 103) is hereby amended by deleting the exceptions **#2 and #4** .

F-903.4 Sprinkler system monitoring and alarms (Page 105) is hereby amended by deleting exceptions **#3, 4, 5 and 7.**

F-903.5.1 Water flow tests: (Page 105) Water flow tests for fire sprinkler systems shall be conducted between the hours of 8:00 a.m. and 4:30 p.m., Monday through Friday.

F-903.5.2 Water flow safety factor (Page 105) A safety factor shall be applied to all flow tests for fire sprinkler systems. A parallel curve shall be drawn o the actual flow test curve that has been reduced by 10 percent of the static pressure. A sprinkler system design shall not exceed the 10 percent curve.

F-907.2.1.1 System initiation Group-A occupancies with an occupant load of 1,000 or more (Page 114) is hereby amended by deleting the exception.

F-907.2.7.1 Occupant notification (Page 116) is hereby amended by deleting the words **or from a water flow switch**.

F-912.3 Access (Page 133). **Amend to include at the end of the sentence a new sentence as follows:**

When the fire department connections are located in an area where vehicles may be parked or standing, said parking or standing shall be restricted for five (5) feet in each direction from the fire department connection.

F-1008.1.1 Size of doors (Page 146) is hereby amended by amending Exception #7 to read as follows;

Within a dwelling unit not required to be adaptable or accessible, the minimum width of an interior egress door leaf shall be 28 inches (711 mm).

F-1008.1.9.3 Locks and Latches (Page 149) **Delete and insert the following:**

Egress doors shall be readily open-able from the egress side without the use of a key or special knowledge or effort, except as listed by numbers 1,3,4 and 5 below

Exceptions:

1. Places of detention or restraint.

3. Where egress doors are used in pairs, approved automatic flush bolts shall be permitted to be used, provided that the door leaf having the automatic flush bolts has no doorknob or surface mounted hardware. The unlatching or any leaf shall not require more than one operation.

4. Doors from individual dwelling units and guestrooms of Group R occupancies

having an occupant load of 10 or less are permitted to be equipped with a night latch, dead bolt or security chain, provided such devices are open able from the inside without the use of a key or tool.

5. Fire doors after a minimum elevated temperature has disabled the unlatching mechanism in accordance with listed fire door test procedures.

F-1011.6.1 Graphics (Page 158) is hereby amended by inserting the words after **“EXIT shall be in red letters.**

F-1013.4 Opening limitations (Page 160) is hereby amended by adding to the following at the end of the last sentence: **Guards shall not have an ornamental pattern that will provide a ladder effect.**

F-1029.7 Firefighter Assist Plans (Page 180) **add a new section as follows, Insert the following:**

F-1029.7 Firefighter Assist Plans (Page 180) Insert the following:

An approved pictographic display (sign, drawing or wall marking) shall be posted within all enclosed stairways at each floor landing in all new and existing multi-story buildings. Individual displays, or signs shall show the floor level number where the graphic is displayed, the configuration of exit access corridors including all door openings, exit stairways, elevators, exterior building walls, fire alarm pull stations, fire hoses and sprinkler valves. The sign shall be located 5 feet above the floor landing in a position that is readily visible when the doors are in the open or closed positions.

F-1104.6 Guards (Page 186) Delete in its entirety

F-2304.3.8 Fire Suppression System (Page 208) Add a new section:

The dispensing area (pump islands, canopy and adjacent ground area) shall be provided with an approved fire suppression system in accordance with the building code listed in Chapter 45.

F-5704.2.14.1 Removal (Page 365). Delete and replace with

Any tank abandoned for a period of one (1) year or determined to be leaking shall be removed from the premises in accordance with all of the following:

Paragraph 1, 2, 3, 4, 5, and 6 exclusive of the exceptions in Paragraphs 3 and 6.

C-102.5 Fire Hydrant to Fire Department Connections (Page 447) Insert a new sub-section as follows:

There shall be a Fire Hydrant within one hundred fifty (150) feet of the Fire Department connection.

C-109.0 Installation Height (Page 447) Insert a new sub-section as follows:

C-109.1 Fire hydrant height (Page 447) Insert a new sub-section as follows:

Fire Hydrants shall be installed a minimum of fourteen (14) inches and a maximum of thirty-six (36) inches above finished grade, measured from the center of the streamer connection.

SECTION 6. CONFLICTING AND INCONSISTENT PORTIONS OF THE ORDINANCE. In case of conflict between any section of the designated Fire Prevention Code of the City of Richmond Heights of St. Louis County, Missouri, this ordinance, or any other ordinance of the City of Richmond Heights of St. Louis County, Missouri, the most rigid requirement(s) shall apply. Where portions of the code are inconsistent with one another, those portions are hereby revoked and repealed as of no effect.

SECTION 7. SAVINGS CLAUSE. Nothing in this ordinance hereby adopted shall be construed to affect any pending proceeding or suit in any court, or any rights acquired, or liability incurred, or any cause of action acquired or existing, under any act or ordinance

hereby repealed, if any; nor shall any just or equitable or legal right or remedy of any character by lost, impaired or affected by this ordinance.

SECTION 8. SEVERABILITY. If any section, subsection, sentence, clause, phrase, or portion of this ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such section, sub-section, sentence, clause, phase or portion of this ordinance shall be deemed a separate, distinct, and independent provision and such holding shall not affect the validity of the remaining section, subsection, sentence, clause, phrase, or portion of this ordinance.

SECTION 9. This Ordinance shall take effect and be in full force on the thirty-first day following its passage and being signed as provided by law.

PASSED and SIGNED this 21st day of February, 2012.

JAMES J. BECK
MAYOR

ATTEST:

PATRICIA S. VILLMER
DEPUTY CITY CLERK

APPROVED AS TO FORM:

KENNETH J. HEINZ
CITY ATTORNEY

First reading: February 6, 2012
Second reading: February 21, 2012