

TOWNSHIP OF COVERT

ORDINANCE NO. 104

ADOPTION OF A UNIFORM FIRE CODE

Adopted: July 11, 2023

Effective: September 3, 2023

An ordinance to adopt by reference the NATIONAL FIRE PROTECTION ASSOCIATION (“NFPA 1”) UNIFORM FIRE CODE, 2018 EDITION, and ANNEXES and INDEX; to prescribe regulations for the safeguarding to a reasonable degree of life and property from the hazards of fire and explosion; to amend certain provisions of the said NFPA 1/UNIFORM FIRE CODE 2018 including conflicts between it and the state construction code; open fires; premises markings; board of appeals; records; existing apartments buildings; and means of egress inspections; and to repeal existing Ordinances or parts of Ordinances in conflict herewith.

THE TOWNSHIP OF COVERT

VAN BUREN COUNTY, MICHIGAN,

ORDAINS:

SECTION I

TITLE

This Ordinance shall be known and cited as the “Covert Township UNIFORM FIRE CODE Ordinance”.

SECTION II

PURPOSE

This Ordinance is adopted pursuant to the authority vested in Townships by Section 1 of 1945 PA 246, as amended (MCLA 41.181), and Section 5 of 1951 PA 33, as amended (MCLA 41.805), the purpose of which Ordinance is to adopt a Uniform Fire Code with annexes, index, and amendments thereto; and NFPA 13, NFPA 72, NFPA 303; and NFPA 101 as well as all codes referenced therein; to prescribe regulations for the safeguarding to a reasonable degree of life and property from the hazards of fire and explosion arising from the storage, handling and use of hazardous substances, materials and devices, and from conditions hazardous to life or property in the use or occupancy of buildings or premises.

SECTION III
ADOPTION OF "NFPA 1/UNIFORM FIRE CODE, 2018 edition"

A certain document or booklet, which is marked and entitled as "NFPA 1/UNIFORM FIRE CODE, 2018 EDITION" and the annexes and index thereto, and NFPA 13, NFPA 72, NFPA 303, NFPA 101, as well as all Codes referenced therein, said Codes being published by the National Fire Protection Association, official copies of which are on file in the office of the Township Clerk and which may be examined by the general public during regular business hours or by appointment, is hereby adopted by reference as if fully set forth herein. Each and all of the regulations, provisions, penalties, conditions and terms thereof, except as they may hereafter be modified, shall be deemed adopted and made a part hereof by this reference as if fully set forth in this Ordinance.

SECTION IV
CONFLICTS

Section 1.3.3 of the said NFPA1/ UNIFORM FIRE CODE, 2018 EDITION, regarding "Conflicts" is hereby amended to add Section 1.3.3.3 as follows:

"1.3.3.3. Where a conflict between this document and the Michigan Construction Code occurs, the specific requirements of the Michigan Construction Code shall apply".

SECTION V
BOARD OF APPEALS

Section 1.10.1.1 of the said NFPA1/ UNIFORM FIRE CODE, 2018 edition, is hereby amended to read as follows:

"1.10.1.1. A Board of Appeals shall be established consisting of 3 members and 2 alternate members who shall be appointed by the Township of Covert Board of Trustees and whom by reason of education, experience, and knowledge and are deemed to be competent to sit in judgment on matters concerning this Code and its enforcement."

SECTION VI
OPEN FIRES

Section 10.10 of the said NFPA1/ UNIFORM FIRE CODE, 2018 edition, is hereby amended by the deletion of subsections 10.10.1 through 10.10.9 thereunder and by the addition of the following language:

“10.10 Open fires, incinerators and commercial fireplaces shall be regulated by separate Township Ordinance.”

SECTION VII
PREMISES MARKINGS

Section 10.11.1.2 of the said NFPA 1/UNIFORM FIRE CODE, 2018 edition, is hereby amended to read as follows:

“10.11.1.2 Address number (other than 1 or 2 family dwellings) shall be a minimum of 10 inches (254 mm) high with a minimum stroke width of 2 inches (50.8 mm.) and of a contrasting color to that of the building so as to ensure visibility.”

SECTION VIII
RECORDS

Section 13.3.3.4.3.1.1 of the said NFPA 1/UNIFORM FIRE CODE, 2018 edition, is hereby amended to read as follows:

“13.3.3.4.3.1.1 Records of all system inspections, tests and maintenance required by the referenced standards shall be maintained on the premises for a minimum of three years and shall be copied to the Fire Chief using a system as specified by the Fire Chief.”

SECTION IX
EXISTING APARTMENT BUILDINGS

Section 13.7.2.18.1 of the said NFPA 1/ Uniform Fire Code, 2018 edition, is hereby amended to read as follows:

“13.7.2.18.1 Apartment buildings with more than two stories or with more than 11 dwellings units, other than those meeting 13.7.2.8.1.2 of NFPA 101, shall be provided with a fire alarm system in accordance with Section 13.7 and NFPA 101, except as modified by 31.3.4.5.4 of NFPA 101. (101:31.3.4.1.1)”.

SECTION X
INDICATION OF CENTRAL STATION SERVICE

Section 13.7.3.4 of the said NFPA 1/UNIFORM FIRE CODE, 2018 edition is hereby amended to read as follows:

“13.7.3.4 Fire alarm systems required by this chapter or by the International Building Code shall be monitored by a listed central station as defined in NFPA 72. A Certificate or Placard shall be issued by a recognized listing organization that has listed the prime contractor for all newly installed fire alarm systems in commercial occupancies in accordance with NFPA 72. This regulation shall apply to all fire alarm systems that are newly installed in commercial occupancies for which permits are required. Any existing fire alarm system in a commercial occupancy wherein the fire alarm control panel and/or alarm system components are to be replaced shall be considered newly installed for the purposes of this section. Also, where there is reasonable cause due to non-compliance or faulty conditions, the fire Chief may require an existing fire alarm system meet the same requirement as a newly installed system. Central station service in full compliance with the 2016 Edition of NFPA 72, shall be maintained at the protected property, so long as the requirement for the fire alarm system exists.”

SECTION XI
FIRE DEPARTMENT ACCESS ROADS

Section 18.2.3.5.1.1 of the said NFPA 1/UNIFORM FIRE CODE, 2018 edition, is hereby amended to read as follows:

“18.2.3.5.1.1 Fire department access road shall have an unobstructed width of not less than 25 ft. (7.62 m).”

SECTION XII
MARKING OF FIRE DEPARTMENT ACCESS ROADS

Section 18.2.3.6.1 of the said NFPA 1/UNIFORM FIRE CODE, 2018 edition, is hereby amended to read as follows:

“18.2.3.6.1 Where required by the AHJ, Approved Signs, with the language of “FIRE LANE NO PARKING, STOPPING OR STANDING” shall be provided and maintained to identify fire department access roads or to prohibit the obstruction thereof or both.”

SECTION XIII
MEANS OF EGRESS INSPECTION

Section 20.1.5.1.1 of the said NFPA 1/ UNIFORM FIRE CODE, 2018 edition, is hereby amended to read as follows:

“20.1.5.1.1 Means of Egress Inspection. The building owner or agent of all public assembly occupancies shall inspect the means of egress to ensure it is maintained free of obstructions, and correct any deficiencies found, prior to each opening of the building to the public and prepare and maintain records of the date and time of each inspection on approved forms, listing any deficiencies found and any action taken to correct them.”

SECTION XIV
VIOLATIONS

Any person, firm, association, partnership, corporation, or governmental entity who violates any of the provisions of this Ordinance or the Uniform Fire Code adopted hereunder shall be deemed to be responsible for a municipal civil infraction as defined by Michigan Statute which shall be punishable by civil fine determined in accordance with the following schedule:

	Minimum <u>Fine</u>	Maximum <u>Fine</u>
1st Offense within 3-year period*	\$ 150.00	\$500.00
2nd Offense within 3-year period*	\$ 250.00	\$500.00
3rd Offense within 3-year period*	\$ 350.00	\$500.00
4th or More Offense within 3-year period*	\$ 500.00	\$500.00

* Determined on the basis of the date of commission of the offense(s).

Additionally, the violator shall pay costs which may include all expenses, direct and indirect, to which the Township of Covert has incurred in connection with the municipal civil infraction. In no case, however, shall costs of less than \$10.00 nor more than \$500.00 be ordered. In addition, the Township of Covert shall have the right to proceed in any court of competent jurisdiction for the purpose of obtaining an injunction, restraining order, or other appropriate remedy to compel compliance with this Ordinance. Each day that a violation of this Ordinance exists shall constitute a separate violation of this Ordinance.

SECTION XV
SAVINGS CLAUSE

Any prosecution or other court case pending on the effective date of this Ordinance on a part of portion of an ordinance that is repealed herein shall be permitted to continue to its natural conclusion as if the provision was not repealed.

SECTION XVI
EFFECTIVE DATE, SEVERABILITY AND
REPEAL OF CONFLICTING ORDINANCES

The within ordinance shall take effect 30 days after publication of a summary hereof, after adoption by the Township Board. The provisions of this Ordinance are hereby declared to be severable. If any clause, sentence, paragraph, section or subsection is declared void or inoperable for any reason, it shall not affect any other part or portion thereof. All Ordinances or parts of Ordinances in conflict herewith are hereby repealed.

Naomi Barnes , Clerk
Township of Covert
73943 E. Lake Street
PO Box 35
Covert, MI 49043
269-764-8986
www.coverttwp.com

CLERK'S CERTIFICATE

I, Wednesday Pritchard, the Clerk of Covert Township, Van Buren County, Michigan, do hereby certify that at a regular meeting of the Covert Township Board held on July 11, 2023, at the Covert Township Hall, at which the following members were present, the Board enacted and passed Ordinance No. 104 hereinbefore recorded, to become effective on the 3rd day of September 2023.

Motion was offered by Rendell, supported by Cook to adopt the Ordinance. The members of the board voted as follows:

Cook - YES

Rendell - YES

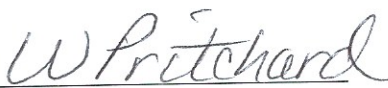
Barnes - YES

Taylor - ABSENT

Hartman - ABSENT

I do further certify that in accordance with Township Board direction, a summary of the Ordinance was published in a newspaper of general circulation in Van Buren County, Michigan, and circulated in Covert Township on the 23rd day of July 2023 including where the same could be examined or purchased and that said Ordinance No. 104 was recorded in this Ordinance Book on the 23rd day of July 2023.

Dated: November 2, 2023



Wednesday Pritchard, Clerk
Covert Township