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ORDINANCE NO. 4022

TITLE: AN ORDINANCE ADOPTING UNIFORM FIRE CODE, PRESCRIBING REGULATIONS GOVERNING CONDITIONS HAZARDOUS TO LIFE AND PROPERTY FROM FIRE EXPLOSION, AND ESTABLISHING A BUREAU OF FIRE PREVENTION, PROVIDING OFFICERS THEREFOR, AND DEFINING THEIR POWERS AND DUTIES.

THE PEOPLE OF THE CITY OF ALBANY DO ORDAIN AS FOLLOWS:

Section 1: ADOPTION OF UNIFORM FIRE CODE.

There is hereby adopted by the City of Albany for the purpose of prescribing regulations governing conditions hazardous to the life and property from fire explosion, that certain code known as the Uniform Fire Code recognized by the Western Fire Chiefs' Association and the International Conference Building Officials, being particularly the 1976 edition thereof and the whole thereof, save and except such portions as are hereinafter deleted, modified or amended by Section 7 of this Ordinance of which code not less than three (3) copies have been and are now filed in the office of the City Recorder and the same are hereby adopted and incorporated fully as though set out at length herein, and from the date on which this Ordinance shall take effect, the provisions thereof shall be controlling within the limits of the City of Albany.

Section 2: ESTABLISHMENT AND DUTIES OF BUREAU OF FIRE PREVENTION.

- a) The Uniform Fire Code shall be enforced by the Bureau of Fire Prevention in the Fire Department of the City of Albany which is hereby established and which shall be operated under the supervision of the Chief of the Fire Department.
- b) The Fire Marshal in charge of the Bureau of Fire Prevention shall be appointed by the Chief of the Fire Department.
- c) The Fire Chief may detail such members of the Fire Department as inspectors as shall from time to time be necessary. The Chief of the Fire Department shall recommend to the City Manager the employment of technical inspectors, who, when employment is authorized, shall be selected in accordance with the provisions of the city Charter and Ordinances and rules and regulations governing the personnel system of the city.
- d) A report of the Fire Prevention Bureau shall be made annually and transmitted to the City Manager; shall

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contain all proceedings under the Uniform Fire Code with such statistics as the Chief of the Fire Department may wish to include therein. The Chief of the Fire Department may include in the annual report recommendations for amendments to the Uniform Fire Code.

Section 3: DEFINITIONS.

- a) Wherever the word "JURISDICTION" is used in the Uniform Fire Code, it shall be held to mean the City of Albany.
- b) Wherever the term "CORPORATION COUNSEL" is used in the Uniform Fire Code, it shall be held to mean the City Attorney.

Section 4: ESTABLISHMENT OF LIMITS OF DISTRICTS IN WHICH STORAGE OF FLAMMABLE OR COMBUSTIBLE LIQUIDS IN OUTSIDE ABOVE-GROUND TANKS IS TO BE PROHIBITED.

- a) The limits referred to in Section 15.201 and 15.601 of the Uniform Fire Code in which storage of flammable or combustible liquid is outside above-ground tanks is prohibited, are hereby established as follows: Storage of flammable liquids in outside above-ground tanks is prohibited within the city limits, except as shall be allowed by the Chief of the Bureau of Fire Prevention. New bulk plants for flammable liquids may be built only in M-2 medium industrial zones and M-3 heavy industrial zones as defined in the zoning Ordinance. No new bulk plants shall be erected within 250 feet of the Calapooya River or the Willamette River.

Section 5: ESTABLISHMENT OF LIMITS IN WHICH BULK STORAGE OF LIQUIFIED PETROLEUM GASES IS TO BE RESTRICTED.

The limits referred to in Section 20.105(a) of the Uniform Fire Code, in which bulk storage of liquified petroleum gas is restricted is as follows: Storage of liquified petroleum in amounts in excess of 200 gallons water capacity is prohibited within the city limits except by written approval of the Fire Chief.

Section 6: PROHIBITION OF STORAGE OF EXPLOSIVE AND BLASTING AGENTS.

Storage of explosive and blasting agents is prohibited within the city limits of the City of Albany.

Section 7: AMENDMENTS MADE IN UNIFORM FIRE CODE.

The Uniform Fire Code is amended and changed in the following

respects:

- a) Where conditions imposed by a provision of this fire code differs from those imposed by ordinances, laws, or regulations having application to the City of Albany, the provision which is the most restrictive shall govern.
- b) That Section 13.301 (c) is amended by the addition of the following:

"Section 13.301(c). Residential area up to and including four (4) family units.

There shall be one hydrant for each 160,000 sq. ft. of land area. No residential structure will be in excess of 600 feet from a standard fire hydrant.

Commercial, industrial, institutional, governmental, and residential structures in excess of four (4) units shall be provided hydrant distribution to meet the required fire flow. The required fire flow will be determined from the 'Guide for Determination of Required Fire Flow,' published by Insurance Services Office, Municipal Survey Service, 160 Water Street, New York, NY 10038 in June, 1972 Edition.

Hydrants shall be considered to deliver 1,000 G.P.M. each. The number required for a specific building shall be available within 300 feet of the building. Where land area covered exceeds 300 feet in any dimension, hydrant spacing shall not exceed 300 feet.

All new construction projects shall be considered for their greatest potential fire flow. The Planning Department, Building Department, and the Fire Department shall cooperate to see that water supply for fire protection is provided prior to or simultaneous with the start of construction.

The methods of providing this service:

- (aa) Existing service in the area.
- (bb) By normal extension of the water system in accordance with Ordinance #2773.
- (cc) Development beyond the above capabilities will be required to pay the costs of such extensions until such time as those extensions would normally amortize under the franchise tariff policy in effect at the time of extension.

This policy shall apply to all areas within the City of Albany.

The City of Albany will place orders for fire hydrants as necessary and pay all rentals from the franchise tax provided for by Section 3.12.020 A.M.C.

Any additional explanation shall be taken from attached sources.

(American Insurance Association special interest bulletins #15 - 285-258

and Pages 11-17 N.F.P.A. Fire Protection Handbook.)"

- c) Section 13.307 is amended by the addition of subparagraphs, (e), (f), and (g) to read as follows:

"Section 13.307(e). The connection of private auxiliary protective signaling systems with the municipal fire alarm system through a master box may be permitted by the Fire Chief. This shall be installed according to N.F.P.A. Pamphlet #72-B-1974 Edition.

(f) The owner or authorized agent of any premise presently connected with or desiring to connect with a private fire alarm or water flow (sprinkler) alarm system with the municipal alarm system shall make written application to the Fire Chief for a permit authorizing such connection. The applicant shall furnish whatever information that shall be requested relating to the connection prescribed by the Fire Department.

(g) The granting of a permit by the Fire Chief shall entitle the permittee to connect the private system to the municipal fire alarm system, provided it is installed according to an accepted practice. The permit shall be revocable at all times by the Fire Chief for failure to abide by accepted practices."

- d) That the Uniform Fire Code is further amended by the addition of Section 13.316 to read as follows:

"Section 13.316.

- (aa) The Chief of the Fire Department shall cause fire flows to be established for each new or remodeled building, group of buildings, occupancy or addition in accordance with the current edition of 'Guide for Determination of

Required Fire Flows' published by the Insurance Services Office, Municipal Survey Service, or other nationally recognized method.

Required fire flow results will be applied as appropriate to insure that the firefighting capability of the City of Albany to provide adequate amounts of water for fire suppression purposes are not exceeded.

This fire flow is presently stated as a maximum of 4500 gallons per minute. Where potential fire flows in excess of 4500 gallons per minute may be required, consideration shall be given to structure separations, installation of automatic fire extinguishing systems, fire walls, or other recognized elements to reduce the maximum amount of fire flow to 4500 gallons per minute. The installation and maintenance of fire walls and automatic extinguishing systems shall be accomplished in accordance with local building regulations.

- (bb) All new buildings constructed exceeding 5000 square feet of floor area or existing buildings which, after completion of major alteration or addition will exceed 5000 square feet of floor area, shall be provided with an approved automatic fire detection and alarm system. Such systems shall comply with the requirements of the National Fire Protection Association and the Uniform Fire Code governing installation and approval of such systems.

Arrangements shall be made for the automatic transmission of fire alarms from the building in which the fire alarm system is installed to the Albany Fire Department in an approved manner and form.

EXCEPTION: Buildings that are provided throughout with an approved Automatic Fire Sprinkler System, providing such system is equipped with an approved device to automatically transmit a water flow alarm to the Albany Fire Department upon activation of the system.

Transmission of such an alarm to the Albany Fire Department will be in an approved manner and form."

Section 8: APPEAL

Whenever the chief shall disapprove an application or refuse

to grant a permit applied for, or when it is claimed that the provisions of the Code do not apply or that the true intent and meaning of the Code have been misconstrued or wrongly interpreted, the applicant may appeal from the decision of the chief to the City Council within thirty (30) days from the date the decision is made.

Section 9: NEW MATERIALS, PROCESSES OR OCCUPANCIES WHICH MAY REQUIRE PERMITS.

The City Manager, the chief and the Chief of the Bureau of Fire Prevention shall act as a committee to determine and specify, after giving affected persons an opportunity to be heard, any new materials, processes or occupancies, which shall require a permit, in addition to those now enumerated in the said Code. The Chief of the Bureau of Fire Prevention shall post such list in a conspicuous place in his office, and distribute copies thereof to interested persons.

Section 10: PENALTIES.

- a) Any person who shall violate any of the provisions of this Code hereby adopted or fail to comply therewith, or who shall violate or fail to comply with any order made thereunder, or who shall be in violation of any detailed statement of specifications or plans submitted and approved thereunder, or any certificate or permit issued thereunder, and from which no appeal has been taken, or who shall fail to comply with such order as affirmed or modified by the Chief of the Bureau of Fire Prevention or by a court of competent jurisdiction, within the time fixed herein, shall severally for each and every violation in non-compliance respectively be guilty of a misdemeanor and punishable as provided under Section 1.04.010 of the Albany Municipal Code. The imposition of one penalty for any violation shall not excuse the violation to be permitted to continue; and all such persons shall be required to correct or remedy such violations or defects within a reasonable time; and when not otherwise specified, each ten (10) days that prohibitive conditions are maintained shall constitute a separate offense.
- b) The application of the above penalties shall not be held to prevent the enforced removal of prohibited conditions.

Section 11: REPEAL OF CONFLICTING ORDINANCES.

All former Ordinances or parts thereof conflicting or inconsistent with the provisions of this Ordinance or the Code hereby adopted are hereby repealed.

Passed by the Council: May 11, 1977
Approved by the Mayor: May 11, 1977
Effective Date: June 10, 1977

ATTEST:

[Signature]
City Recorder

[Signature]
Mayor

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