

AN ORDINANCE AMENDING ALBANY MUNICIPAL CODE CHAPTER 17.28, UNIFORM FIRE CODE

WHEREAS, the state of Oregon has adopted the current edition of the Oregon Fire Code authorized by ORS 476.035, and

WHEREAS, the Albany Fire Department is dedicated to fire and life safety; and

WHEREAS, the City of Albany intends to adopt by ordinance a locally amended State of Oregon Fire Code.

NOW, THEREFORE, THE PEOPLE OF THE CITY OF ALBANY DO ORDAIN AS FOLLOWS

Section 1

Albany Municipal Code Title 17 is amended to read as follows.

UNIFORM OREGON FIRE CODE

17.28.010 Adopted.

There is hereby adopted by the City of Albany, for the purpose of prescribing regulations governing conditions hazardous to life and property, explosions and panic, that certain code known as the **Uniform Oregon Fire Code** recognized by the International Fire Code Institute, the Western Fire Chiefs Association, and the International Conference of Building Officials, being particularly the amended version of the 1998 Edition as adopted by the State of Oregon, including the table of contents; Appendices I A, I C, I D, I E, I F, I G, II A, II B, II D, II E, II F, II G, II H, II I, II K, III A, III B, III C, III E, IV B, V A, V B, VI A, VI B, VI C, VI D, VI E, VI F, VI I; and the index, save and except such portions as are hereinafter deleted, modified, or amended in AMC 17.28.150, which code appendices **17.28.140**. **The provisions of the State of Oregon Fire Code, as provided in ORS 476.030 are hereby adopted by reference. The State Fire Code is on file in the office of the Fire Prevention Life Safety Division of the City of Albany** All secondary codes and standards referred to in **Article 90 Chapter 80** of the **Uniform Oregon Fire Code** and in this chapter as amended are hereby adopted and are on file and open to public inspection in the office of the **Fire Prevention Life Safety Division** and the same are hereby adopted and incorporated fully as though set out at length herein, and from the date on which the ordinance codified in this chapter shall take effect, the provisions thereof shall be controlling within the limits of the City of Albany (Ord. 5411 § 1, 1999; Ord. 5257 § 1, 1996, Ord. 4911 § 1, 1990; Ord. 4757 § 1, 1987, Ord. 4577 § 1, 1983, Ord. 4480 § 1, 1982)

17.28.020 Definitions.

~~(1) Wherever the term "Corporation Counsel" is used in the Uniform Fire Code, it shall be held to mean the City Attorney.~~

(1) Wherever the word "jurisdiction" is used in the **Uniform Oregon Fire Code**, it shall be held to mean the City

(2) Wherever the term "Fire Code Official" is used in the Oregon Fire Code, it shall mean the Fire Chief or other designated authority

~~(3) Wherever the term "Bureau of Fire Prevention" is used in Article 9, Section 9105 of the Uniform Fire Code it shall mean the Fire Marshal of the jurisdiction.~~

(3) Wherever the word "approved" is used in the **Uniform Oregon Fire Code** it shall be held to mean approved by the City (Ord. 4911 § 1, 1990; Ord. 4757 § 1, 1987, Ord. 4577 § 2, 1983, Ord. 4480 § 3, 1982).

17.28.100 New material, processes, or occupancies which may require permits.

The City Manager, the Fire Chief, and the Supervisor of the **Fire Prevention Life Safety Division** 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 Supervisor of the **Fire Prevention Life Safety Division** shall post such list in a conspicuous place in his/her office, and distribute copies thereof to interested persons. (Ord. 4577 § 4, 1983, Ord. 4480 § 9, 1982).

17.28.110 Appeals.

(1) Whenever the Fire Chief disapproves an application or refuses to grant a permit applied for and 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 the decision of the Fire Chief to the Board of Appeals, which is designated by the City Council. If they do not concur with the Board of Appeals' decision, they may appeal the decision of the Board to the City Council.

(2) Appeals may be filed by the following parties affected by the decision.

(a) The owner or his/her authorized agent;

(b) Any resident or property owner within 150 feet of a parcel of land that is the subject of the decision.

(3) Appeals to the Board of Appeals must be filed within 10 calendar days from the date of the decision of the Fire Chief.

(4) Appeals to the City Council must be filed with the City Recorder within 30 days from the date of the decision of the Board of Appeals.

(5) Appeals shall be filed in writing and should include:

(a) The name and address of the appellant;

(b) The address of the parcel that is the subject of the decision,

(c) The date of the decision,

(d) The nature of the Fire Chief's decision,

(e) A statement of the applicable code section and the specific ground for appeal,

(f) A filing fee as specified by ordinance or resolution. (Ord. 5411 § 2, 1999; Ord. 5257 § 2, 1996, Ord. 4577 § 5, 1983, Ord. 4480 § 8, 1982).

17.28.120 Penalty.

(1) 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 an order as affirmed or modified by the Fire Chief or by a court of competent jurisdiction, within the time fixed herein, shall severally, for each and every violation in noncompliance respectively be guilty of a misdemeanor and punishable as provided in 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 10 days that prohibitive conditions are maintained shall constitute a separate offense.

(2) The application of the above penalties shall not be held to prevent the enforced removal of prohibited conditions. (Ord. 5411 § 3, 1999, Ord. 4577 § 6, 1983, Ord. 4480 § 19, 1982).

~~17.28.130 Uniform Fire Code—Appendices.~~

~~Appendices I A, I C, I D, I E, I F, I G, II A, II B, II D, II E, II F, II G, II H, II I, II K, III A, III B, III C, III E, IV B, V A, V B, VI A, VI B, VI C, VI D, VI E, VI F, VII of the Uniform Fire Code are on file for public inspection in the office of the Fire Prevention Division and are hereby made a part of the Uniform Fire Code, 1998 Edition. (Ord. 5411 § 4, 1999; Ord. 5257 § 3, 1996; Ord. 4911 § 1, 1990; Ord. 4822 § 1, 1988; Ord. 4817 § 1, 1988; Ord. 4757 § 1, 1987; Ord. 4577 § 7, 1983).~~

~~17.28.140 17.28.130 Inspections.~~

~~The Fire Department as part of its fire prevention activities as directed by the Fire Chief may inspect all Group A, Group B, Group E, Group F, Group H, Group I, Group M, Group R, Group S, and Group U occupancies as regulated by the Oregon Fire Code within the city of a frequency as established by Fire Department Standard Operating Procedures. (Ord. 5257 § 4, 1996, Ord. 4757 § 1, 1987).~~

~~17.28.150140 Local amendments.~~

~~The Uniform Oregon Fire Code, within the jurisdiction of the City of Albany, shall be amended as follows:~~

~~ARTICLE CHAPTER 1 ADMINISTRATION~~

~~SECTION 108: BOARD OF APPEALS 103: INSPECTION AND ENFORCEMENT~~

~~103.1.4 Appeals.~~ To determine ~~that~~ suitability of alternate materials and types of construction and to provide for reasonable interpretations of the provisions of this code, there shall be and hereby is created a Board of Appeals consisting of three members; the Fire Chief; ~~the~~ City Manager; and ~~the~~ Public Works Director, who are qualified by experience and training to pass judgment upon pertinent matters. The Fire Chief shall act as secretary of the Board. The Board of Appeals shall mean Fire Department Board of Appeals and be appointed by the executive body and shall hold office at their pleasure. The Fire Department Board of Appeals shall adopt reasonable rules and regulations for conducting its investigations and shall render decisions and findings in writing to the Fire Chief, with a duplicate copy to the appellant.

SECTION 105 PERMITS

~~105.8.a Permit Required.~~ A permit shall be obtained from the ~~Fire Prevention~~ Life Safety Division prior to engaging in the following activities, operations, practices, or functions.

- (a) Aboveground and Underground Tank Installations. To install tanks for the storage of flammable or combustible liquids aboveground and underground.
- (b) Removal or Decommissioning Tanks. To remove or decommission above- or below-ground flammable or combustible liquid tanks.

~~Automatic Fire Extinguishing Systems: For approved automatic fire extinguishing systems for the protection of commercial type cooking and structures.~~

- (c) ~~d.~~ Fireworks for Retail Sales, Display, and Storage: Requirements for fireworks shall comply with ~~Article 78~~ Chapter 56 and the Office of the State Fire Marshal.

~~e. Fire Detection System: A permit shall be required for the installation of an approved fire detection system.~~

~~f. Soil Remediation: A permit for the inspection and/or recovery of soils shall be obtained from the local jurisdiction. Contractor shall be certified by State of Oregon under DEQ Remediation Program.~~

~~ARTICLE 9: FIRE DEPARTMENT ACCESS AND WATER SUPPLY~~

~~SECTION 901: GENERAL~~

CHAPTER 5: FIRE SERVICE FEATURES

PREMISES IDENTIFICATION

~~901.4.4 Premises identification:~~

- (a) Approved numbers or addresses shall be placed on all new and existing buildings in such a position as to be plainly visible and legible from the street or road fronting the property **Letters, numbers, and symbols indicating addresses shall be a minimum of 4 inches (101.6 mm) in height with ½-inch (12.7-mm) stroke, shall be contrasting with background letters, numbers, and symbols indicating addresses shall be a minimum of 4-inch, colors, and shall be visible from the road.**
- (b) ~~a.~~ Mall facilities are required to have each separate business clearly identified.

- (c) ~~b.~~ Mall facilities shall post addresses on front and rear access doors.

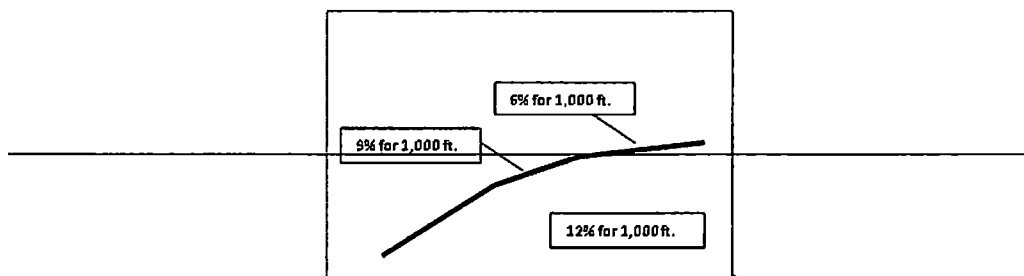
- (d) e. Each mall owner/lessee shall provide the Fire Department a location site plan for firefighting purposes.
- (e) d. Buildings under new construction are required to display visible street addresses prior to ground-breaking.
- e. ~~Letters, numbers, and symbols indicating addresses shall be a minimum of 4 inches (101.6 mm) in height with 1/2 inch (12.7 mm) stroke, shall be contrasting with background letters, numbers, and symbols indicating addresses shall be a minimum of 4 inch, colors, and shall be visible from the road.~~

FIRE APPARATUS

- (a) 901.4.5(1) Fire lane: When any portion of the facility or building is in excess of 150 feet from a water supply on a public right-of-way as measured by an approved route around the exterior of the facility or building, the Fire Chief may designate a fire lane.

SECTION 902: FIRE DEPARTMENT ACCESS

- (b) 902.2.2.6.a Grade: The gradient for fire apparatus access roads shall not exceed 12%, and for every 1,000 feet of incline thereafter, the grade shall be reduced by 3% or as approved by the Fire Chief.



Exception.1. When an approved fire sprinkler system is installed and maintained, grade may be increased as approved by the Fire Chief.

~~902.2.4.3 Gates and barriers. Secured gates and barriers that restrict Fire Department access shall be provided with an approved keybox(es).~~

~~1. Gated entrances shall provide a clear opening two feet wider than the traveled way, as per NFPA 299 4.4.12.~~

~~2. All gates shall be located an approved distance from the public right of way and shall open inward allowing a vehicle to stop without obstructing traffic on the public road.~~

KEY BOXES

902.4 Key boxes: When access to or within a structure or an area is unduly difficult because of secured openings; or where immediate access is necessary for life-saving or firefighting purposes; or in structures with fire detection, fire sprinkler, and fire monitoring systems, the Fire Chief is authorized to require a

key box to be installed in an **approved** accessible location. The key box shall be of a type approved by the Fire Chief and shall contain keys to gain necessary access.

ARTICLE 10: FIRE PROTECTION SYSTEMS AND EQUIPMENT

CHAPTER 9• FIRE PROTECTION

SECTION 1001: GENERAL

~~1001.4.a Fire Detection Systems. For the installation of fire detection monitoring systems, the contractor shall provide the Fire Marshal with a copy of his/her low voltage license prior to installation of a fire detection system.~~

~~1001.4.b Fire Department connections (FDCs) and fire sprinkler water supply control valves: such valves and connections shall be located a minimum of 20 feet to buildings and shall not exceed a maximum of 50 feet to buildings, 1 ½ times the height of the structure away (out of the collapse zone) or as far away as feasible. approved by the Fire Chief. The FDC is to be located no closer than five feet to a hydrant, but no farther away than 40 feet.~~

~~Exception:~~

~~1. When location of valves and connections are deemed impractical, the Fire Chief is authorized to re-establish its location.~~

~~1001.5.2.a The fire sprinkler contractor shall provide the Fire Chief with a copy of the contractor's test certificate annually for each fire sprinkler and fire detection system tested.~~

SECTION 1003: FIRE EXTINGUISHING SYSTEMS

~~1003.2.1.a All new type V one hour and type V non rated buildings constructed exceeding 5,000 square feet of floor area or existing buildings of Type V one hour and Type V non rated which, after completion of major alteration or addition, will exceed 5,000 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 their installation and approval. Fire detection and alarm systems shall be monitored by an approved central station.~~

~~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 an approved central station upon activation of the system.~~

~~1003.2.1.b Heat Detectors. Heat detectors shall be provided in common areas such as recreational rooms, laundry rooms, furnace rooms, kitchens, and similar areas in accordance with UFC Standard 10-3.~~

~~1003.2.1.c In multi family dwellings exceeding 5,000 square feet of floor area an approved heat detector connected to an approved central station shall be installed in the kitchen(s). An approved, audible alarm shall be located on the exterior of the building.~~

ARTICLE 11: GENERAL SAFETY PRE CAUTIONS

SECTION 1110: VACANT BUILDINGS

~~1110.4 Dangerous Buildings: The Fire Marshal is authorized to make such inspections and take such actions as may be required to enforce the provisions of the Code known as the "Uniform Code for the Abatement of Dangerous Buildings."~~

~~ARTICLE 52: MOTOR VEHICLE FUEL DISPENSING STATIONS~~

~~SECTION 5202: FLAMMABLE AND COMBUSTIBLE LIQUID MOTOR VEHICLE FUEL DISPENSING STATIONS~~

~~5202.4.2 Filling of portable containers and cargo tank:~~

- ~~1. Fuel dispensing of Class I, II, and III A liquids into approved portable containers shall not be permitted when containers are located in or on a motor vehicle or marine craft.~~
- ~~2. Portable containers shall not exceed six gallons in volume.~~
- ~~3. Portable containers when being filled shall be located not less than three feet from motorized vehicles.~~

~~ARTICLE 78: FIREWORKS AND PYRO TECHNIC SPECIAL EFFECTS MATERIAL~~

~~CHAPTER 56: EXPLOSIVES AND FIREWORKS~~

~~SECTION 7801: GENERAL~~

~~7801.3.1.3 Fireworks. When new types and names of fireworks become available to the public, the Fire Chief is authorized to make determinations as to which fireworks could/would cause any life safety hazard and shall cause such fireworks to be banned or removed from public sale, storage, and display or any other type of public safety hazard.~~

~~H. APPENDICES~~

~~DIVISION 1 — EXISTING BUILDINGS~~

~~Appendix I A — Life safety Requirements for Existing Buildings Other than High Rise~~

~~Appendix I C — Stairway Identification~~

~~Appendix I D — Fire Prevention Guidelines for Haunted Houses and Similar Temporary Installations~~

~~Appendix I E — Adult Foster Homes~~

~~Appendix I F — Special Residence Occupancies~~

~~Appendix I G — Motion Picture Production Studios, Sound Stages and approved Production Facilities~~

~~Appendix II A — Suppression and Control of Hazardous Fire Areas~~

~~Appendix II B — Protection of Flammable and Combustible Liquid Tanks in Locations Subject to Flooding~~

~~Appendix II D — Rifle Ranges~~

~~Appendix II E—Hazardous Materials Management Plans and Hazardous Materials Inventory Statements~~

~~Appendix II F—Protected Aboveground Tanks for Motor Vehicle Fuel Dispensing Stations Outside Buildings~~

~~Appendix II G—Secondary Containment for Underground Tank Systems Containing Flammable or Combustible Liquids~~

~~Appendix II H—Site Assessments for Deterring Potential Fire and Explosion Risk from Underground Flammable or Combustible Liquid Tank Leaks~~

~~Appendix II I—Ozone Gas-generating Equipment~~

~~Appendix II K—Nonprotected Aboveground Steel Tanks for Motor Vehicle Fuel-dispensing Stations Outside Buildings~~

~~DIVISION III—FIRE PROTECTION~~

~~Appendix III A—Fire flow Requirements for Buildings~~

~~Appendix III B—Fire Hydrant Locations and Distribution~~

~~Appendix III C—Inspection, Testing, and Maintenance of Water-based Fire-protection Systems~~

~~Appendix III E—Fire Department Access Guidelines~~

~~DIVISION IV—SPECIAL COMBUSTION HAZARDS~~

~~Appendix IV B—Christmas Trees~~

~~DIVISION V—STANDARDS~~

~~Appendix V A—Nationally Recognized Standards of Good Practice~~

~~Appendix V B—Statutes and Administrative Rules Supplementing the Uniform Fire Code~~

~~DIVISION VI—INFORMATIONAL~~

~~Appendix VI A—Hazardous Materials Classifications~~

~~Appendix VI B—Hazard Ranking~~

~~Appendix VI C—Emergency Relief Venting for Fire Exposure for Aboveground Tanks~~

~~Appendix VI D—Model Citation Program~~

~~Appendix VI E—Reference Tables from Uniform Building Code~~

~~Appendix VI F—Recommended Separation Distances for Explosive Materials~~

~~Cryogenic Fluids Weight and Volume Equivalents~~

~~Appendix VI I—Unit Conversion Tables~~

INDEX

(Ord. 5411 § 1, 1999; Ord. 5257 § 1, 1996, Ord. 4911 § 1, 1990; Ord. 4757 § 1, 1987, Ord. 4577 § 1, 1983, Ord. 4480 § 1, 1982)

Passed by the Council. April 25, 2018

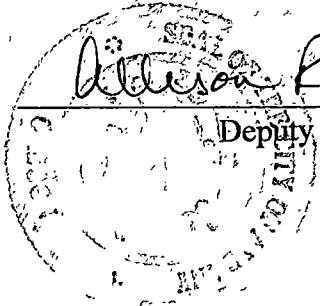
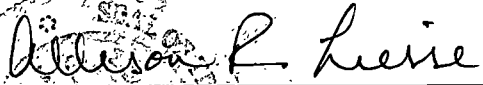
Approved by the Mayor April 25, 2018

Effective Date: May 25, 2018



Mayor

ATTEST

Deputy City Clerk