

**ORDINANCE FOR ADOPTION OF THE INTERNATIONAL FIRE CODE AND  
NFPA LIFE SAFETY CODE  
AND ADOPTION OF FINES FOR VIOLATIONS**

**ORDINANCE NO. 6-2006**

WHEREAS the Charter Township of Ann Arbor (Township) desires to improve protection of life and property from fire and explosion; and

WHEREAS the 2006 International Fire Code (“IFC”) is a comprehensive uniform model code that addresses conditions hazardous to life or property in buildings and on premises; and

WHEREAS the 2006 Life Safety Code of the National Fire Protection Association, Inc., (also known as NFPA 101), is a comprehensive uniform model code that addresses conditions potentially hazardous to life or property in buildings and on premises; and

WHEREAS the Township has determined that the 2006 Life Safety Code provides helpful standards regarding fire prevention and protection measures applicable to existing structures and occupancies; and

WHEREAS the 2006 IFC coordinates well with existing codes applicable to the Township, including the Michigan Building Code, and is intended to be consistent with existing codes; and

WHEREAS the Township has determined that adopting a comprehensive fire and hazardous material protection ordinance would promote the health, safety and welfare of its citizens; and

WHEREAS the Township desires to repeal all other ordinances or parts of ordinances conflicting with this ordinance.

THEREFORE, the Charter Township of Ann Arbor does ordain as follows:

**Section 1. Definitions**

- a. “Chief” shall mean the chief of the Fire Department.
- b. “Municipality” shall mean the Charter Township of Ann Arbor.
- c. “Housing Project” shall mean a home or collection of homes where there are significant perceived hazards as determined by the fire code official.

**Section 2. Adoption**

- a. Pursuant to the authority of MCL §42.23, the Township adopts the 2006 International Fire Code as published by the International Code Council, as modified by any subsequent edition of said code published by said council, together with IFC appendices chapters B, E, F and G, subject to the modifications and amendments set forth in section 3 of this ordinance.
- b. Pursuant to the authority of MCL §42.23, the Township adopts the 2006 Life Safety Code NFPA 101 as published by the National Fire Protection Association, Inc., as modified by any subsequent edition of said code published by said association, subject to the modifications and amendments set forth in section 4 of this ordinance.

**Section 3. Modifications and Amendments to 2006 IFC**

All references are to the section numbering system used by the 2006 IFC.

- a. Section 101.1, name of jurisdiction: insert Charter Township of Ann Arbor.
- b. Section 103.2, appointment: delete in its entirety and replace with the following: “The fire code official shall be the fire chief of the jurisdiction.”
- c. Section 105.1.1, permits required: delete in its entirety and replace with the following: “Permits required by this code shall be obtained from the township offices. Permits fees, if any, shall be paid prior to issuance of the permit and shall be paid to the Township Clerk and shall be deposited in the Township’s Fire Fund. Issued permits shall be kept on the premises designated therein at all times and shall be readily available for inspection by the fire code official or designee. Exception: Open burning permits may be obtained from any fire station within the jurisdiction.”
- d. Section 105.1.4, applicability: add new subsection 105.1.4 as follows: “Permits shall be required for certain operations and construction implicating serious fire concerns as identified in sections 105.6 and 105.7. Pursuant to section 3e of 1941 PA 207 (MCL 29.3e), the fire code official shall promulgate rules pertaining to uniform fire safety requirements for the operation and maintenance, but not the construction, of commercial buildings, industrial buildings, and residential buildings, excluding 1 and 2 family dwellings and mobile homes.
- e. Section 105.6.30 open burning: delete: “Exception: Recreational fires”
- f. Section 105.7.4, fire alarms, detection systems, and related equipment: add “Exception: single family dwellings, mobile homes, and multi-family dwellings with fewer than three occupancies.”
- g. Section 106.1.1, inspection criteria: add new subsection 106.1.1 as follows: “The time, place and manner of inspections conducted by the code official under this code shall be

based upon the level of actual or perceived hazard.”

- h. Section 108.1, board of appeals: Section 108.1 is deleted and replaced by the following: “The Washtenaw County Construction Board of Appeals or such other appellate body as the township board may designate shall hear and decide appeals of orders, decisions or determinations made by the fire code official relative to the application and interpretation of this code. The rules and procedures established by the Washtenaw County Construction Board of Appeals shall govern all such appeals.”
- i. Section 109.3: violation penalties: insert “civil infraction” in place of [SPECIFY OFFENSE]; remove all wording following [SPECIFY OFFENSE] and insert “punishable by a fine.” All fines, charges and adopted fee schedules shall be determined by resolution of the Township Board. All fines, charges, and fees shall be paid to the Township Clerk and shall be deposited in the Township’s Fire Fund. Each day that a violation continues after the due notice has been served shall be deemed a separate offense.
- j. Section 111.4: remove the sentence “shall be liable to a fine of not less than [amount] dollars or more than [amount] dollars.” and insert “shall be liable to a fine in the amount determined by resolution of the Township Board.”
- k. Section 502.1, fire service features, definitions: add “VEHICULAR SPEED REDUCTION DEVICE. A device installed in a roadway and raised above (or lowered below) the roadbed surface intended to reduce the speed of vehicular traffic.”
- l. Section 503.2.1, dimensions: In the first sentence, insert “ordinarily” between the words ‘shall’ and ‘have’ and modify as follows so the sentence reads “Fire apparatus access roads shall ordinarily have an unobstructed width of not less than 18 feet, except for approved security gates in accordance with section 503.6, and an unobstructed vertical clearance of not less than 15 feet.” At the end of the subsection, insert the following: “In enforcing and interpreting the required dimensions of fire access apparatus roads, the fire code official shall, upon request in writing by the permitted party of compelling circumstances, and approval of the Township Planning Commission or Township Board, endeavor to reduce the impervious roadway surface to the extent practicable; provided, however, that any reductions in the dimensions of fire apparatus access roads do not imperil public health and safety and shall be consistent with the Township Private Road Ordinance. The fire code official shall consider the anticipated volume of vehicular traffic, future use of land, and internal fire detection and suppression systems in assisting to make a decision of variance.”
- m. Section 503.4 Obstruction of fire apparatus access roads: At end of subsection, add the following: “The fire code official may, upon application, grant a temporary obstruction permit allowing the obstruction of a fire apparatus access road. If such temporary obstruction necessitates a fire watch by the fire department, as determined by the fire code official, the permit holder must pay for the costs of the fire watch prior to obstructing the access road. The amount shall be determined by the chief of the fire department based on the time, equipment and personnel needed for the fire watch.”

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- n. Section 503.7, vehicular speed reduction devices: Add new subsection 503.7 as follows: “Vehicular speed reduction devices may not be installed on private roadways unless recommended by the fire code official and approved by the Township Board (as part of a Private Road Permit application or amendment), after application in accordance with section 105. Public roadways shall be regulated by and in accordance with standards dictated by the Washtenaw County Road Commission.”
- o. Section 505.3, address identification location: Add new subsection 505.3 as follows: “If the existing or new addressable structure is more than 100 feet from the roadway, or there is more than one addressable structure from one roadway, then a second sign shall be installed at the entrance to the addressable structure from the public way.”
- p. Section 506.1.2, key box: Add new subsection 506.1.2 as follows: “Every new and existing building and structure covered under this code shall install an ‘Approved’ type of box at the location approved by the fire code official. Exception: single family dwellings, mobile homes, and multi-family dwellings with fewer than three units.”
- q. Section 508.1, required water supply: Delete in its entirety and replace with the following: “508.1.1 Housing Project water supply. Where a public water system having adequate fire hydrant placement, access and flow is not available, the owner/developer of a housing project or a commercial structure shall provide the fire code official with a site plan so that the fire code official can make a recommendation to the Ann Arbor Township Planning Commission for approval. The owner/developer of a housing project or a commercial structure shall provide an approved water supply capable of supplying a water source for the purpose of fire fighting that is accessible year round and equipped with at least one dry hydrant in accordance with section 508.5.3.1. The amount of available water needed shall be determined by the fire code official who shall make recommendation to the Ann Arbor Township Planning Commission (or the Ann Arbor Township Board for a project subject to final Board approval) for a final determination. This determination shall take into account the level of actual or perceived hazard(s). Where a dry hydrant is proposed to access surface water, the owner/developer shall provide a 50-year drought study performed by a certified engineer.
- r. Section 508.5.1, Fire hydrant systems; Where required: Delete in its entirety and replace with the following: “Fire hydrant systems shall comply with and be designed according to Ten State Standards, Ann Arbor City Standards, and Ann Arbor Township Utility Department Standards.”
- s. Section 508.5.3.1, dry hydrant (private): add new subsection 508.5.3.1 as follows: “Dry hydrants. These types of hydrants allow quick access to surface water or to an above or below ground storage tank. Such hydrants shall be constructed, installed and arranged pursuant to this code and to specifications provided by the code official, with installation subject to approval of the fire code official. Prior to installation all landowners that provide or install a dry hydrant must sign a letter of agreement approved by the Ann Arbor Township Supervisor and Fire Chief as to responsibility for annual maintenance and incurred fees. Additionally, this letter of agreement must provide unlimited access to the fire department for use in any emergency situation and for testing and training.”

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- t. Section 907.21, false and prohibited alarms: add new section 907.21 as set forth in u., v. and w. below.
- u. Section 907.21.1, repair of defective alarms: add new subsection 907.21.1 as follows: “Upon written notice by Ann Arbor Township to an alarm user of a defective alarm system, the alarm system user shall have the system repaired and provide proof of repair to the Township within 15 days of the date of notice.”
- v. Section 907.21.2, false alarms; violation: add new subsection 907.21.2 as follows: “It shall be a violation of this ordinance for an alarm system to transmit a false alarm to the alarm monitoring facility or to the fire department dispatching center. 907.21.3, false alarms; fees: Whenever the Fire Department responds to two (2) or more false alarms within a twelve month period, the alarm system user shall pay fees assessed for false alarms as designated within the adopted fee schedule.”
- w. Section 907.21.3, false alarm; definition: add new subsection 907.21.3 as follows: “For purposes of this ordinance a “false alarm” is defined as an alarm received by the Township Fire Department for a reason other than a fire or other emergency. “
- x. Section 912.7, fire department connections: add new subsection 912.7 as follows: “Every new and existing building or structure that has, or is required to have, a fire department connection shall be equipped with a cap for protection. When required by the fire code official, a lockable ‘Approved’ type of cap shall be provided.”
- y. Section 912.8, multiple fire department connections: add new subsection 912.8 as follows: “Every new and existing building or structure that has multiple fire department connection’s shall be required to install an ‘approved’ audio-visual device at a level above each individual fire department connection and at a level above the roof line yet visible from the roadway. This audio-visual device shall initiate when an alarm is received, identifying which fire detection system has been activated.

**Section 4. Modifications and Amendments to 2006 Life Safety Code (NFPA 101)**

- a. The 2006 Life Safety Code contains provisions addressing the construction and usage of both new and existing structures. Notwithstanding anything to the contrary in this ordinance or in NFPA 101, this ordinance does not adopt any provision of the 2006 Life Safety Code concerning standards for new construction. The Municipality intends that the Ann Arbor Township Fire Department use NFPA 101 to address and guide fire protection and safety decisions in those structures that exist as of the effective date of this ordinance.
- b. To the extent that any provision of NFPA 101 conflicts with the 2006 International Fire Code, or any subsequent edition of said code, the International Fire Code shall prevail.
- c. The code official designated in the International Fire Code (see Section 3(b) of this ordinance) is hereby authorized to administer the guidelines and standards of NFPA 101. To the extent NFPA 101 standards are adopted or incorporated by the International Fire Code, the code official may utilize the enforcement mechanisms of the International Fire

Code.

**Section 5. Parking and Removal of Vehicles**

- a. A vehicle shall not be parked, except if necessary to avoid conflict with other traffic or in compliance with the law or the directions of a police officer or traffic-control device, in any of the following places: (a) in front of a public or private driveway, (b) within 15 feet of a fire hydrant; (c) within 20 feet of the driveway entrance to a fire station and on the side of a street opposite the entrance to a fire station within 75 feet of the entrance if properly marked by an official sign; (d) in a place or in a manner that blocks immediate egress from an emergency exit conspicuously marked as an emergency exit of a building; (e) in a place or in a manner that blocks or hampers the immediate egress from a fire escape conspicuously marked as a fire escape providing an emergency means of egress from a building; (f) within 500 feet of a fire at which fire apparatus is in attendance, if the scene of the fire is outside a city or village. However, volunteer fire fighters responding to the fire may park within 500 feet in a manner not to interfere with fire apparatus at the scene. A vehicle parked legally previous to the fire is exempt from this subdivision; (g) in a place or in a manner that blocks access to a space clearly designated as a fire lane. Violation of any of these prohibitions shall be a civil infraction, which may be enforced by the fire chief or his designee or any other official designated by the township to enforce civil infractions.
- b. If designated by a police agency pursuant to section 252.d of the motor vehicle code, the fire chief or his designee may provide for immediate removal of a vehicle from public or private property to a place of safekeeping at the expense of the registered owner of the vehicle if removal is necessary in the interest of public safety because of fire, storm, snow, natural or man-made disaster, or other emergency. This authority shall be in addition to any authority the fire chief or his designee may have under any other statute or ordinance to remove such vehicles.

**Section 6.** All other ordinances or parts of ordinances in conflict with this ordinance are repealed.

**Section 7.** If any section, subsection, sentence, clause or phrase of this ordinance is for any reason held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this ordinance.

**Section 8.** This ordinance shall become effective immediately following publication. Provided however, that for buildings, structures and hydrants existing at the adoption of this ordinance, the requirements contained in sections 506.1.2, 912.4 and 912.7, 912.8 of the International Fire Code shall not be in effect until two years after the adoption date of this ordinance.

**Section 9.** The Fines and Fee Schedule dated September 2006 and attached to this Ordinance as Exhibit A (“Fine and Fee Schedule”) is adopted as the initial schedule of Fire Department permit and miscellaneous fees and the initial schedule of fines for violations of this Ordinance. The Fine and Fee Schedule may be amended from time to time by Township Board Resolution.

9-18-06 As Adopted on Second Reading

Moved: DiPietro Second: Dieterle

AYES: Rena Basch, Virginia Forshee, John Allison, Michael Moran, Gene Ragland,  
Richard Dieterle, Della DiPietro

NAYS: None

ORDINANCE DECLARED ADOPTED THIS 18th DAY OF SEPTEMBER 2006.

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Michael C. Moran, Ann Arbor Charter Township Supervisor

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Rena Basch, Ann Arbor Charter Township Clerk

**SEPTEMBER 2006 EXHIBIT A  
FINE AND FEE SCHEDULE  
ANN ARBOR TOWNSHIP FIRE DEPARTMENT  
FIRE PREVENTION DIVISION**

**ORDINANCE/FIRE CODE VIOLATION, PERMIT AND MISCELLANEOUS FEE SCHEDULE**

<b>ORDINANCE / FIRE CODE VIOLATIONS</b>	<b>MINIMUM FINE</b>	<b>MAXIMUM FINE</b>
<b>1. False Alarm</b> (Each response will be cumulative over a twelve month period beginning with the first false alarm response.)		
a. 1st Response	n/a	\$ -
b. 2nd Response	n/a	\$ 50.00
c. 3rd Response	n/a	\$ 100.00
d. 4th Response	n/a	\$ 350.00
e. Subsequent non-exempt preventable alarm	n/a	\$ 500.00
<b>2. Parking Violations</b>		
a. In front of a public or private driveway	n/a	\$ 50.00
b. Within 15 feet of a fire hydrant	n/a	\$ 55.00
c. Within 20 feet of the driveway entrance to a fire station and on the side of a street opposite the entrance to a fire station within 75 feet if the entrance is properly marked by an official sign	n/a	\$ 50.00
d. In a place or manner that blocks immediate egress from an emergency exit conspicuously marked as an exit of a building	n/a	\$ 50.00
e. In a place or manner that blocks or hampers the immediate use of an immediate egress from a fire escape conspicuously marked as a fire escape providing an emergency means of egress from a building	n/a	\$ 50.00
f. In a place or in a manner that blocks access to a space clearly designated as a fire lane	n/a	\$ 55.00
<b>3. Immediate Life Safety Violations</b> (Penalties are per each ordinance/fire code violation)		
a. Immediately abated during initial inspection	n/a	Warning
b. Non-abatement during initial inspection	Warning	\$ 100.00
c. Non-abatement on 1st re-inspection	\$ 50.00	\$ 250.00
d. Non-abatement on 2nd re-inspection	\$ 100.00	\$ 500.00
e. Non-abatement on subsequent re-inspections	\$ 250.00	\$ 500.00
f. Re-occurring life safety violations after abatement	\$ 50.00	\$ 500.00
<b>4. Fire Code Inspection Violations</b> (Penalties are per each ordinance/fire code violation)		
a. Immediately abated during initial inspection	Warning	Warning
b. Non-abatement during initial inspection	Warning	Warning
c. Non-abatement on 1st re-inspection (responsive)	Warning	\$ 100.00
d. Non-abatement on 1st re-inspection (non-responsive)	\$ 100.00	\$ 100.00
e. Non-abatement on 2nd re-inspection (responsive)	Warning	\$ 250.00
f. Non-abatement on 2nd re-inspection (non-responsive)	\$ 250.00	\$ 250.00

g. Non-abatement on 3rd or subsequent re-inspection (responsive)	Warning	\$ 500.00
h. Non-abatement on 3rd or subsequent re-inspection (non-resp.)	\$ 500.00	\$ 500.00
i. Re-occurring violations after abatement	Warning	\$ 500.00

<b>ORDINANCE / FIRE CODE VIOLATIONS (continued)</b>	<b>MINIMUM FINE</b>	<b>MAXIMUM FINE</b>
<b>5. Flagrant or Other Fire Code Violations</b> (Penalties are per each ordinance/fire code violation, including violations of illegal burning or violations of stop-work orders)		
a. 1st offense within a 3 year period *	Warning	\$ 500.00
b. 2nd offense within a 3 year period *	\$ 125.00	\$1,000.00
c. 3rd offense within a 3 year period *	\$ 250.00	\$2,500.00
d. 4th or subsequent violation within a 3 year period *	\$ 400.00	\$5,000.00
* determined on the basis of the date of violation(s)		

<b>PERMIT FEES</b>	<b>FEE</b>
<b>1. Permits</b>	
Special Event/Places of assembly	\$250.00
Pyrotechnical special effects material	
Fireworks - Public display inspection and permit	\$250.00
Tents, canopies and temporary membrane structures:	\$ 50.00

<b>MISCELLANEOUS FEES</b>	<b>FEE</b>
<b>1. Special Event Unit Standby Fees</b> (whenever standby is required)	
a. Rescue Unit (2 Employees)	
Per 2 hour minimum	\$ 250.00
Each additional hour or one-half hour fraction	\$ 100.00
b. Fire Apparatus (2 Employees)	
Per 2 hour minimum	\$ 450.00
Each additional hour or one-half hour fraction	\$ 100.00
Each additional employee per 2 hour minimum	\$ 50.00
Each additional hour or one-half hour fraction	\$ 25.00
c. Manpower	
Each employee per 2 hour minimum	\$ 50.00
Each additional hour or one-half hour fraction	\$ 25.00