

Chapter 7

FIRE PREVENTION

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Sec. 7-1. Declaration of Intent.

- A. It is the intent of the Council by the passage of this Chapter to adopt minimum standards necessary to safeguard life or limb, health, property and public welfare by regulating:
 - 1. The storage, use and handling of dangerous and hazardous materials, substances, devices and processes.
 - 2. The maintenance of buildings, premises and certain equipment, and
 - 3. The maintenance of adequate egress facilities.
- B. It is further the intent of the Council not to duplicate, overlap or conflict with codes adopted by the Council heretofore, and as said codes are hereafter amended, which provide minimum standards necessary to safeguard life or limb, health, property and public welfare by regulating and controlling the design, construction, quality of materials, use, occupancy, and location of buildings and certain equipment required for the construction and operation of buildings.

- C. 1. It is the intent of the Council by this Chapter to correlate the activities and enforcement of fire related codes in the City with the edition of the International Fire Code adopted by the State Fire Marshal pursuant to authority provided in Title 41, Chapter 2 of the Idaho Code with revisions, additions, deletions, and/or appendices adopted by the State Fire Marshal and with any further revisions, additions, deletions and/or appendices as contained in this Chapter.
- 2. The International Fire Code published by the International Code Council with any revisions, additions, deletions, and/or appendices adopted by the State Fire Marshal pursuant to the Idaho Code, shall be referred to in this Chapter as the “International Fire Code” or as the “IFC”.

(Ord. 2003-11; 05/19/03; 2005-02, 01/18/2005; 2008-21, 09/15/2008; 2011-17, 10/03/2011)

Sec. 7-2. Codes Adopted and/or Amended.

- A. 1. The International Fire Code, adopted by the State Fire Marshal pursuant to authority provided in Title 41, Chapter 2 of the Idaho Code with revisions, additions, deletions, and/or appendices adopted by the State Fire Marshal and with any further revisions, additions, deletions, and/or appendices as contained in this Chapter, shall be the rules, regulations and ordinances governing and regulating (a) the storage, use and handling of dangerous and hazardous materials, substances, devices and processes; (b) the maintenance of buildings, premises and equipment; (c) the maintenance of adequate egress facilities; and (d) fire safety measures for minimizing losses of life and property.
- 2. The Clerk shall keep one (1) certified copy of the 2018 Edition of the IFC on file. The Clerk shall also keep one (1) copy of the IDAPA

18.01.50 (State Fire Marshal’s adoption of the International Fire Code 2018 Edition, with amendments) on file. The City shall have on file for inspection the various publications of the National Fire Protection Association (International) that are referenced by the IFC.

B. In addition to appendices adopted by the State Fire Marshal, the following appendices to the IFC are adopted as part of the IFC:

1. Appendix H. Hazardous Materials Management Plan (HMMP) and Hazardous Materials Inventory Statement (HMIS) instruction;
2. Appendix I. Fire Protection Systems – Noncompliant Conditions;
3. Appendix K. Construction Requirements for existing Ambulatory Care facilities.

(Ord. 99-36, 12/06/1999; 2001-17; 09/17/2001; 2003-11; 05/19/2003; 2005-02, 01/18/2005; 2008-21, 09/15/2008; 2011-17, 10/03/2011; 2014-11, 07/07/2014; 2018-06, 04/16/2018; 2020-16, 12/07/2020)

Sec. 7-3. Amendments, Deletions and Additions.

The IFC is hereby amended as follows:

A. *Section 105.1.1 Permits* shall be amended as follows:

It shall be unlawful for any person, firm, or corporation to use a building or premises or to engage in any activities for which a permit is required by the authority having jurisdiction without first having obtained such permit. Permits may be required from the Department of Fire Prevention.

A permit from the Department of Fire Prevention shall be required at all times for the following activities, operations, practices or functions:

1. Carnivals and Fairs;
2. Explosives (Fireworks);
3. Open Burning (delete the exception); and

4. Pyrotechnic Special Effects Material.

B. *Section 505.1 Address Identification.*

1. New and existing buildings shall be provided with approved address numbers or letters. Each character shall not be less than four inches (4”) in height and not less than one half inch (1/2”) in width. They shall be installed on a contrasting background and be plainly visible from the street or road fronting the property anytime of day. When required by the Fire Code Official, address numbers shall be provided in additional approved locations to facilitate emergency response and shall be not less than four inches (4”) in height and not less than one half inch (1/2”) in width and shall be reflective. Where access is by means of a private road, if the building address cannot be viewed from the public way, a monument, pole or other approved sign or means shall be used to identify the structure. Address numbers shall be maintained.

2. Driveway serving more than one address shall be required to install an address sign at the entrance of the driveway indicating the lowest address and highest address with a hyphen between the numbers.

3. Apartment or commercial buildings containing stairways/ramps shall have signs visible from the parking areas indicating what apartment/business number are served by that stairway/ramp.

4. Any address numeric located on the non-street side of a building requires the name of the address street to accompany the numeric.

C. *Section 507.5 Fire Hydrants* shall have added:

Five inch (5”) storz fittings shall be installed on all new hydrants.

D. *Section 507.5.4 Obstruction* shall have added:

1. No vehicle shall be placed in front thereof or within fifteen feet

- (15') of either side of said fire hydrant, distance to be measured along curb in each direction from a line drawn from the center of the fire hydrant perpendicular to the curb, except when the Fire Code Official determines and approves a distance less than fifteen feet (15').
2. Except, that an emergency fire, police or ambulance shall be allowed to park in the above designated area for emergency or inspection purposes only.
- E. *Section 705.2.3 Hold Open Devices.* Where the International Building Code requires self-closing doors in path of egress, a magnetic hold open device that releases upon activation of a fire alarm or loss of power shall be installed.
- F. *Section 903.2.8* shall be amended as follows:
Exception: An automatic fire sprinkler is not required in Group R containing two (2) units or less.
- G. *Section 903.3.6 Hose Threads* shall have added:
Fire hose threads for Fire Department connections shall be two point five inches (2.5").
- H. *Section 907.1 Fire Alarm and Detection Systems* shall have added:
Partial or Limited Detection systems are Allowed. If notification devices are provided, they shall meet requirements of Subsection 7.3.G.1 herein.
- I. *Section 915.1* shall be amended as follows:
Section 915.1 Carbon Monoxide Alarms. New and existing group I or R occupancies located in a building containing a fuel-burning appliance or a building which has an attached garage, where a permit is required for additions, remodels, and/or gas mechanical work, shall be equipped with single station carbon monoxide alarms.
- J. *Section 2305.1.1 Delivery Vehicle Location* shall have added:
In making a delivery of Class I liquids to a bulk plant and to a service station, the tank vehicle shall be completely off the street and sidewalk area.
- K. *Section 5706.1.1 Special Operations* is amended to read as follows:
3. (a) Any person, firm, or corporation desiring to install a bulk plant for the handling or storage of flammable liquids within the corporate limits of the City, shall make application to the Department of Fire Prevention for a permit to do so. Such application shall include a plat or sketch showing the proposed location, a full description of the proposed installation to include the size and character of tanks proposed to be installed, a statement as to whether the tanks are to be located above or underground, and proposed measures for fire protection.
(b) This application shall be submitted to the Council, together with a recommendation of said Department of Fire Prevention as to the action to be taken.
(c) The Council shall act on said application at the earliest possible date by accepting or rejecting same, and its decision shall be final.
(d) The Clerk shall notify the Department of Fire Prevention in writing of the action taken by the Council on the application. If the action of the Council is favorable, the Department of Fire Prevention will issue the permit. If not, the permit shall be denied.
- L. *Section 605.12.5 Treatment Systems* shall have added:
Exception: Upon approval of the Fire Code Official, emergency response kits recommended by the Chlorine Institute may be used for chlorine gas product leaks in lieu of the treatment system requirements of

this section as long as there are an adequate number of responders immediately available who are trained in their use and who are acceptable to the Fire Code Official.

- M. *Chapter 80, Referenced Standards*, shall have added: Beginning on page 463 of the NFPA Referenced Standards, the most current NFPA standards shall be considered part of the requirements of the IFC to the prescribed extent of each such reference.

(Ord. 2003-11; 05/19/2003; 2005-02, 01/18/2005; 2008-21, 09/15/2008; 2008-24, 12/01/2008; 2011-17, 09/19/2011; 2014-11, 07/07/2014; 2018-06, 04/16/2018; 2020-16, 12/07/2020)

Sec. 7-4. Establishment of Department of Fire Prevention.

- A. The IFC as amended, deleted and added to shall be enforced by the Department of Fire Prevention in the Fire Department of the City, which is hereby established and which will be operated under the supervision of the Chief of the Fire Department.
- B. The Chief of the Fire Department may detail such members of the Fire Department as inspectors as shall from time to time be necessary.

(Ord. 2003-11; 05/19/2003; 2005-02, 01/18/2005; 2008-21, 09/15/2008; 2020-16, 12/07/2020)

Sec. 7-5. Terms.

- A. Wherever the word "Municipality" is used in the IFC, as amended, deleted or added to, it shall be held to mean "City."
- B. Whenever the words "Chief of the Department of Fire Prevention" are used in the IFC, as amended, deleted or added to, they shall be held to mean "Fire Chief of the City of Moscow".

(Ord. 2005-02, 01/18/2005, 2008-21, 09/15/2008; 2020-16, 12/07/2020)

Sec. 7-6. Appointment and Duties of Fire Chief.

The head of the Bureau of Fire Prevention shall be the Fire Chief appointed by the Mayor by and with the advice and consent of the Council and the Moscow Volunteer Fire Department Board of Directors. The Fire Chief shall be charged with:

- A. The general supervision and administration of the Bureau of Fire Prevention (Fire Department) and of all officers and employees of said Department;
- B. The prevention of fires and the protection of life and property against fire; and
- C. The responsibility for the maintenance and care of all property, fire apparatus and equipment used by the Department.

(Ord. 2003-11; 05/19/2003; 2018-06, 04/16/2018)

Sec. 7-7. Violations; Penalties.

- A. It shall be unlawful for any person to violate any provision of the IFC or this Title, as amended, deleted or added to, by the City.
- B. Giving false fire alarms; tampering with a fire alarm, fire-detection or fire extinguishing system. It shall be unlawful for any person to wantonly and willfully give or cause to be given, or to advise, counsel, or aid and abet anyone in giving a false alarm of fire, or break the glass key protector, or to pull the slide, arm, or lever of any station or signal box of any fire-alarm system, except in case of fire, or willfully misuse or damage a portable fire extinguisher or in any way to willfully interfere with, damage, deface, molest, or injure any part or portion of any fire alarm, fire detection, smoke detection or fire extinguishing system.
- C. Any person violating any provision of this Chapter shall be subject to the following:

It is an infraction punishable by a fine of one hundred dollars (\$100) plus court costs for any person to violate provisions of this Chapter for the first time. A second violation within five (5) years is an infraction punishable by a fine of three hundred dollars (\$300) plus court costs. A third violation within five (5) years shall be a misdemeanor as defined by the Idaho Code and shall subject such person up to the maximum misdemeanor penalties as provided in the Idaho Code.

Each separate day during which any violation of this Chapter occurs or continues shall be deemed to constitute a separate offense, and upon conviction thereof shall be punishable as stated herein.

(Ord. 2003-11; 05/19/2003; 2005-02, 01/18/2005; 2008-21, 09/15/2008; 2014-11, 07/07/2014; 2018-06, 04/16/2018)

Sec. 7-8. Fire Lanes on Private Property, Devoted to Public Use.

- A. The Chief of the Department of Fire Prevention with the Chief of Police shall have the power to designate fire lanes and access roads and their markings on private property devoted to public use.
- B. Parking of motor vehicles or otherwise obstructing fire lanes shall be prohibited at all times.

(Ord. 2020-16, 12/07/2020)

Sec. 7-9. Safety Inspections.

- A. No inspection shall take place during the nighttime hours unless the inspector has probable cause to believe that life-threatening circumstances exist on the premises or the owner or a resident consents to the inspection.
- B. All commercial buildings, including buildings of three (3) or more units used for residential uses, shall be

subject to inspection during daylight hours. Owners or residents may demand twenty-four (24) hours' notice of such inspection.

- C. Single family or duplex dwellings may not be inspected unless such inspection has been requested by the owner or a resident, or the inspector has cause to believe that a dangerous situation exists or that a law, code, or ordinance related to the safe and proper use of the premises exists.
- D. When violations are noted by the Department of Fire Prevention, the owner/and occupants shall be given at least thirty (30) days to correct the noted violations, unless the violations are life threatening. If the violations are life threatening, a shorter time period may be given or the property may be ordered vacated. After expiration of the period given for correction, the premises may be reinspected.
- E. Inspection Fee. A fee, as set from time to time by Resolution of the Council, shall be assessed for reinspection of premises at which violations have been noted. The fee for an inspection may be waived if it is found that all necessary corrections have been completed. If, after the original inspection and three (3) reinspections of the premises, the owner or occupant has failed to correct the safety violations the Fire Code Official may order the premises to be vacated and that the premises not be utilized until all corrections have been made and inspected. The owner of the premises shall be responsible for all fees charged pursuant to this section. The Council may, from time to time, amend the fees charged under this section by resolution.

(Ord. 2003-11; 05/19/2003; Ord. 2005-02, 01/18/2005; 2008-21, 09/15/2008; 2018-06, 04/16/2018; 2020-16, 12/07/2020)

Sec. 7-10. Refusal of Entry; Appeals.

- A. Should entry to any building, structure or premises be refused the Fire Chief or Fire Code Official having a right of entry under any adopted City Code, the Fire Chief may utilize any remedy available under the IFC, this Code, or the Idaho Code. Such refusal of entry shall also be grounds for revoking the Certificate of Occupancy for the premises.
- B. Termination of a Certificate of Occupancy by the Fire Code Official may be appealed to the Board of Appeals for a hearing on the issue. Appeal to this Board must be made in writing by the property owner. If made within ten (10) days of the date that the termination notice is served, such appeal shall stay termination until the matter can be heard by the Board.

(Ord. 2003-11; 05/19/2003; Ord. 2005-02, 01/18/2005; 2008-21, 09/15/2008; 2020-16, 12/07/2020)