

PUBLIC SAFETY

**94.000 UNIFORM FIRE CODE ORDINANCE
 ORDINANCE NO. 247**

Adopted: August 13, 2018
Effective: September 19, 2018

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; indication of central service station; and means of egress inspections; and to repeal existing Ordinances or parts of Ordinances in conflict herewith.

SECTION I. TITLE.

This Ordinance shall be known and cited as the “Cooper Charter 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; 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, said Code 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. 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 VI. 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 7 inches (178 mm) high with a minimum stroke width of 2 inches (50.8 mm.)”

SECTION VII. 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 VIII. 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:

	<u>Minimum Fine</u>	<u>Maximum 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 Charter Township of Cooper 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 Charter Township of Cooper 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 IX. 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 X. 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.