

Ordinance No. 3486

An Ordinance amending the Broken Arrow Code of Ordinances, Chapter 10, Fire Prevention and Protection, Article I, In General Section 10-1. - Life Safety Code; penalty for violation, specifically amending to adopt The International Fire Code as the Life Safety Code for the City; repealing Section 10-2. –Fire Protection standards-Nonsprinklered multifamily residences, Section 10-2.2, Multifamily with sprinkler system, specifically amending the requirements for multifamily fire suppression systems, Article II.- Fire Department, Division 1.- Generally, Section 10- 27.- Specialized services, specifically amending to reference the International Fire Code and the Manual of Fees, Article III.- Fire Prevention Code, Section 10-51.- International Fire Code including Appendix B, Appendix C, Appendix D, Appendix E, Appendix F, Appendix G, and Appendix I, general regulations of explosives; adopted by reference; conflicts; amendments, specifically amending Fire Department Connection requirements; repealing all ordinances to the contrary and declaring an emergency.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF BROKEN ARROW:

SECTION 1. That Chapter 10, Fire Prevention and Protection, Article I.- In General; Section 10-1.- Life Safety Code adopted; penalty for violation.is hereby amended to read as follows:

Sec. 10-1. - Life Safety Code; penalty for violation.

- (a) The purpose of this section is to provide, for Broken Arrow, rules and regulations to improve the safety of the public by promoting the control of fire hazards; regulating the installation, use and maintenance of equipment; regulating the use of structures, premises and open areas; providing for the abatement of fire hazards; and setting forth standards for compliance to achieve these objectives. The International Fire Code as adopted in section 10-51 of the Broken Arrow Municipal Code shall be used as the Life Safety Code for the City of Broken Arrow.
- (b) The use of the land or any building by any owner, tenant, or other occupier of such property, which use is performed in a manner prohibited by the terms of the International Fire Code as adopted in section 10-51 of the Broken Arrow Municipal Code, is hereby declared to be unlawful and a Class B offense. Any person convicted for such violation shall be punished as authorized by applicable law. Each day on which such use continues shall be considered a separate offense. The prosecution or lack thereof against the owner or the occupant shall not be deemed to relieve the other person.
- (c) The provisions of this Code shall apply to all new structures and their occupancies, including buildings, structures, equipment, and related items; and, except as otherwise specified within its own terms, the provisions of this Code shall apply to new construction, existing structures and their occupancies, including buildings, structures, equipment, and related items, that constitute a clear and present hazard to life or property.

SECTION II. That Chapter 10, Fire Prevention and Protection, Article I.- In General; Section 10-2.- Fire protection standards-Nonsprinklered multifamily residences, is hereby repealed:

SECTION II. That Chapter 10, Fire Prevention and Protection, Article I.- In General; Section 10-2.2.- Multifamily with sprinkler fire suppression system, is hereby amended to read as follows:

Sec. 10-2.2. - Multifamily with a fire suppression system.

- (a) Each dwelling unit shall have an alarm notification appliance of an approved type installed in addition to the required smoke detector. This alarm device shall be interconnected with all alarm notification appliances installed throughout the building and shall be activated by water flow in the sprinkler system.
- (b) The water mains and hydrants shall be installed within and around the complex and accepted by the city before any aboveground construction shall be started.
- (c) Streets or driveways within the complex shall be of an approved hard surface (asphalt or concrete) and shall be in place before any aboveground construction is started.
- (d) Fire alarm systems and suppression systems shall be checked annually by an Oklahoma state-licensed fire alarm installation company per Oklahoma state regulations.

SECTION III. That Chapter 10, Fire Prevention and Protection, Article II.- Fire Department; DIVISION 1- GENERALLY; Section 10-27.- Specialized services, is hereby amended to read as follows:

ARTICLE II. - FIRE DEPARTMENT

DIVISION 1. - GENERALLY

Sec. 10-27. - Specialized services.

- (a) *Plan review.* The fire department shall review all plans to ensure compliance with the International Fire Code as adopted in section 10-51 of the Broken Arrow Municipal Code. Additionally, the fire department shall review all plans pertaining to automatic fire alarm systems, and all automatic fire-extinguishing systems that are hereafter proposed for construction within the city, and shall receive a fee as set by the city manager in the Manual of Fees.
- (b) *HazMat cleanup.* The fire department shall receive payment from the person or entity that caused a spill of hazardous material to cover the costs of the cleanup. If the person that caused the spill is unknown or for any other reason fails to make payment, then the fee will be charged to and collected from the owner of the property on which the cleanup work was performed or the property immediately protected by the cleanup work. The fee shall be set by the city manager.
- (c) *Contractor registration.* All automatic fire-extinguishing system and automatic fire alarm system contractors shall register with the City of Broken Arrow prior to performing any fire-extinguishing/alarm system work. Registration shall be in accordance with the provisions of general contractors as listed in chapter 6, including escrow accounts.
- (d) *Restrictions on beginning work.* A permit shall be obtained prior to commencing any work on new or existing automatic fire-extinguishing or automatic fire alarm systems and all associated fees shall be paid prior to the issuance of said permit, in accordance with Manual of Fees.
- (e) *Inspections.* All required inspections shall be performed by the fire marshal or their designee and shall receive approval prior to activating an automatic fire alarm or automatic fire-extinguishing system. Fees for the inspections shall be in accordance with Manual of Fees.

SECTION IV. That Chapter 10, Fire Prevention and Protection, Article III.- FIRE PREVENTION CODE Footnotes: Section 10-51.- International Fire Code including Appendix B, Appendix C, Appendix D, Appendix E, Appendix F, Appendix G, and Appendix I, general regulations of explosives; adopted by reference; conflicts; amendments, is hereby amended to read as follows:

ARTICLE III. - FIRE PREVENTION CODE

Footnotes:

Sec. 10-51. - International Fire Code including Appendix B, Appendix C, Appendix D, Appendix E, Appendix F, Appendix G, and Appendix I, general regulations of explosives; adopted by reference; conflicts; amendments.

- (a) That certain document, a copy of which is on file in the office of the city clerk, and additional copies of which are on file with the fire department, being marked and designated as the 2015 International Fire Code as adopted and amended by Oklahoma Uniform Building Code Commission including Appendices B, C, D, E, F, G and I is hereby adopted as the Fire Prevention Code of the City of Broken Arrow, Oklahoma, and should be used for the control of buildings and structures herein provided; and each and all of the regulations, provisions, penalties, conditions and terms of said International Fire Code are hereby referred to, adopted, and made a part hereof, as if fully set out in this section with the additions, insertions, deletions and changes as provided in subsection (c) of this section.
- (b) In the event of any conflict between any provision of the fire prevention code adopted by this section and any other provision of this Code of Ordinances, the latter provision shall control.
- (c) The fire prevention code adopted in subsection (a) is hereby amended as follows:
 - 1. *Subsection F-101.1* is amended by inserting the phrase "the City of Broken Arrow, Oklahoma," in lieu of the phrase "[name of jurisdiction]."
 - 2. *Subsection F-105 Permits* required as set out in the Broken Arrow Code, Manual of Fees.
 - 3. Section 912 Fire Department Connections shall be amended by adding the following subsections:
 - (a) Subsection 912.2.3 shall be added to state. Remote FDC: Where approved a remote FDC shall be permitted. If a remote FDC is utilized a horn / strobe notification device shall be provided above the FDC location.

SECTION II. Any ordinance or parts of ordinances found to be in conflict herewith are hereby repealed.

SECTION III. An emergency exists for the preservation of the public health, peace and safety, and therefore this ordinance shall become effective from and after the time of its passage and approval.

PASSED AND APPROVED and the emergency clause ruled upon separately this ____ day
of _____, 2017.

MAYOR

ATTEST:

(Seal) CITY CLERK

APPROVED:

ASSISTANT CITY ATTORNEY