

CODIFIED ORDINANCES OF TRAVERSE CITY

PART SIXTEEN - FIRE PREVENTION CODE

Chap. 1610. Fire Prevention Generally.

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CHAPTER 1610

Fire Prevention Generally

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CROSS REFERENCES

Fires and fire protection generally - see M.C.L.A. Secs. 29.1 et seq.
Arson - see M.C.L.A. Secs. 750.71 et seq.
Construction or possession of explosive devices - see M.C.L.A. Sec. 750.211a
Fire Department - see ADM. Ch. 254
Weapons and explosives - see GEN. OFF. Ch. 690
Fire hydrants - see S.U. & P.S. 1044.12
Fires in parks - see S.U. & P.S. 1064.07
Fire safety in rental dwellings - see B. & H. 1482.14

1610.01 STATE LAWS AND REGULATIONS.

No person shall violate any law of the State or any rule or regulation adopted by any duly authorized agency of the State pertaining to fire, fire hazards, fire prevention or fire waste. (1976 Code Sec. 22.01. Ord. 809. Passed 8-4-08.)

1610.02 INTERNATIONAL FIRE CODE.

That a certain document, two (2) of which are on file in the Office of the Clerk of the City of Traverse City, being marked and designated as The International Fire Code, 2009 edition, including Appendix Chapters A through G as published by the International Code Council, be and is hereby adopted by reference, as if fully set forth herein, except as may be hereinafter amended, as the Fire Prevention Ordinance of the City of Traverse City for regulating and governing the safeguarding of life and property from fire and explosion hazards arising from the storage, handling and use of hazardous substances, materials and devices, and from conditions hazardous to life or property in the occupancy of buildings and premises as herein provided;

providing for the issuance of permits and collection of fees therefore; and each and all of the regulations, provisions, penalties, conditions and terms of said Fire Code on file in the office of the Clerk of the City of Traverse City are hereby referred to, adopted, and made a part hereof, as if fully set out in this ordinance, with the additions, insertions, deletions and changes, if any, prescribed in Section 2 of this ordinance.

Section 101.1 This section is changed in its entirety to read as follows:

Title. These regulations shall be known as the Fire Prevention Ordinance of the City of Traverse City, hereinafter referred to as “this code”.

Section 102.6 This section is changed in its entirety to read as follows:

Referenced codes and standards. The codes and standards referenced in this code shall be those that are listed in Chapter 45, except the building, mechanical, electrical and plumbing codes referred to throughout this code shall mean the State Construction Code and its parts pertaining to building, mechanical, electrical and plumbing activity. Such codes and standards shall be considered part of the requirements of this Code to the prescribed extent of each such reference. Where differences occur between the provisions of this Code and the referenced standards, the provisions of this Code shall apply.

Section 103.1. General. This section is added to read in its entirety as follows:

The department of fire prevention is established within the jurisdiction of and under the direction of the City Manager or his or her authorized representative. The duly appointed Fire Chief for the City of Traverse City, Traverse City Fire Department, (and/or his designate(s)) shall be named Fire Code Official. The function of the fire department or Fire Code Official shall be the implementation, administration, and enforcement of the provisions of this code.

105.1.2. Types of Permits. This section is changed to read in its entirety as follows:

There shall be two types of permits as follows:

1. Operational permit. An operational permit allows the applicant to conduct an operation or a business for which a permit is required by Section 105.6 for either:
 - 1.1 A prescribed period; not to exceed one year.
 - 1.2 Until renewed or revoked.
2. Construction permit. A construction permit allows the applicant to install or modify systems and equipment for which a permit is required by Section 105.7.

105.6.30 Open Burning and Recreational fires. This section is changed in its entirety to read as follows:

Open burning is prohibited. An operational permit is required for the kindling or maintaining of a recreational fire on any public or private ground. Instructions and stipulations of the permit shall be adhered to.

105.7.15. New Construction. This section is added to read in its entirety as follows:

Any owner or authorized agent who intends to construct, enlarge, alter, repair, move, demolish, or change the occupancy of a building or structure, or to erect, install, enlarge, alter, repair, remove, convert or replace any fire alarm and detection system and related equipment, fire suppression system and related equipment including fire pumps, standpipe systems and water supply piping and hydrants, the installation of which is regulated by this code, or to cause any such work to be done, shall first make application to the fire code official and obtain the required permit.

Exceptions: 1. One and two family residential (Residential Group R-3)
 2. Utility and Miscellaneous Group U structures.

Section 106.1 This section is changed in its entirety to read as follows:

Inspection authority. The Code Official is authorized to enter and examine any building, structure, marine vessel, vehicle, or premises, in accordance with Section 104.3, for the purpose of enforcing this Code, except single-family dwellings and dwelling units in two-family dwellings.

Section 106.1.1 This section is changed in its entirety to read as follows:

Responsibility of inspections. The owner and any other person or persons having charge or control of the structure shall apply for, arrange and pay all established fees and costs in connection with the inspection. The owner and such person or persons shall be jointly and severally responsible for inspection, fees and costs.

106.1.2. Cost of Inspections. This section is changed in its entirety to read as follows:

The Commission of the City of Traverse City by resolution shall establish all fees and costs in connection with inspections. In addition to any other remedy, the City of Traverse City may bring suit against the owner and any other person or persons occupying the structure for payment of all such fees. Such fees may be assessed as a lien on the property.

Section 106.1.3 This section is changed in its entirety to read as follows:

Occupancy with inspection. No person shall occupy or use a structure or allow the occupancy or use of a structure unless that structure has been currently inspected and all inspection fees have been paid in full, and unless a certificate of inspection is prominently displayed on the premises.

106.1.4 Frequency of Inspections. This section is changed in its entirety to read as follows:

Inspections shall be arranged for and conducted prior to any person occupying a structure and biennially thereafter. However, such scheduled inspections shall not limit the Fire Code Officials right of entry in accordance with Section 104.3.

Section 108.1 This section is changed to add the following sentence:
The composition of the Board of Appeals is contained in Appendix A.

Section 108.4 Application for Appeal. This section is changed in its entirety to read as follows:

An aggrieved person shall have the right to appeal a decision of the Fire Code Official to the Board of Appeals. An application for appeal shall be based on a claim that the true intent of this code or the rules legally adopted thereunder have been incorrectly interpreted, the provisions of this code do not fully apply, or an equally good or better method of fire prevention is proposed. The application shall be filed on a form obtained from the Fire Code Official within twenty (20) days after the notice was served.

109.2.3. Prosecution of Violations. This section is changed in its entirety to read as follows:

If the notice of violation is not complied with promptly, the Fire Code Official is authorized to request the legal council of the City of Traverse City to institute the appropriate legal proceedings at law or in equity to restrain, correct or abate such violation or to require removal or termination of the unlawful occupancy of the structure in violation of the provisions of this code or of the order or direction made pursuant thereto. The Fire Code Official or his designate(s) is hereby authorized to issue and serve appearance tickets with respect to any violation of this chapter pursuant to Section 1 of Act 147 of the Public Acts of 1968, as amended (M.C.L.A. 764.9c(2)). Appearance tickets shall be in such form as determined by the City Attorney and in conformity with statutory requirements.

Section 111.4 This section is changed in its entirety to read as follows:

Failure to comply. Any person or persons who shall continue any work after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be liable for a fine of not less than One Hundred Dollars (\$100.00) or not more than Five Hundred Dollars (\$500.00). Each day that a violation of the stop work order continue after due notice has been given shall be deemed a separate offense.

307. Recreational Fires. This section is changed in its entirety to read as follows:

307.1 Recreational fires. This section is changed in its entirety to read as follows:

A person shall not kindle or maintain or authorize to be kindled or maintained any recreational fire unless conducted and approved in accordance with this section.

307.1.1. Prohibited Recreational Fires. This section is changed in its entirety to read as

follows:

Recreational fires that are offensive or objectionable because of smoke or odor emissions or when atmospheric conditions or local circumstances make such fires hazardous shall be prohibited.

307.2. Permit Required. This section is changed in its entirety to read as follows:

A permit shall be obtained from the Fire Code Official in accordance with Section 105.6 prior to kindling a recreational fire. Application for such approval shall only be presented by and permits issued to the owner of the land upon which the recreational fire is to be kindled.

307.3 Extinguishment Authority. This section has been changed in its entirety to read as follows:

The Fire Code Official is authorized to order the extinguishment by the permit holder, another person responsible or the fire department of recreational fires that creates or adds to a hazard or objectionable situation.

307.4 Location. This section is changed in its entirety to read as follows:

Recreational fires shall be conducted at a location approved by the Fire Code Official.

307.4.1 Bonfires. This section is removed in its entirety.

307.5 Attendance. This section is changed in its entirety to read as follows:

Recreational fires shall be constantly attended until the fire is extinguished. A minimum of one portable fire extinguisher complying with Section 906 with a minimum 4-A rating or other approved on-site fire-extinguishing equipment, such as a water barrel, garden hose, or water truck, shall be available for immediate utilization.

506.1 Where Required. This section is changed in its entirety to read as follows:

Where access to or within a structure or an area is restricted because of secured openings or where immediate access is necessary for life-saving or firefighting purposes, the Fire Code Official is authorized to require a key box to be installed in an approved accessible location. Such boxes shall be installed on all structures of the Use Group A-1, A-2, A-3, A-4, A-5, B, E, F-1, F-2, H-1, H-2, H-3, H-4, H-5, I-1, I-2, I-3, I-4, M, R-1, R-2, R-4, S-1, S-2 or any mixture of these uses, or an R-3 where it is part of a structure or area containing any of the listed use groups, or when the R-3 occupancy is equipped with a fire protection system. Approved lock box containers shall be in the location that is designated by the Fire Code Official. The key box shall be of an approved type and shall contain all required materials and information as requested by the Fire Code Official.

506.3 Location. This section is changed in its entirety to read as follows:

The key box shall be at or near the recognized public entrance of a building, five (5) feet (1524 mm) above the final grade on the exterior of the building, unless otherwise specified by the Fire Code Official. No steps, displays, signs, or other fixtures, structures or protrusions shall be located around or under the box.

506.4 Contents. This section is changed in its entirety to read as follows:

The box shall contain keys for all of the following applicable locations, and shall be labeled so as to be easily identified:

1. Main entrance door
2. Fire Command Center
3. Alarm Rooms
4. Mechanical rooms
5. Sprinkler control rooms
6. Fire alarm panels
7. Electrical rooms
8. Special keys to reset fire alarm pull stations or other fire protection devices
9. Elevator keys
10. All other keys specified by the Fire Code Official

Other items as required by the Fire Code Official shall also be provided (i.e., floor plans, MSDS sheets, emergency contact information)

605.11. Ground-Fault Circuit-Interrupters (GFCI). This section shall be added to read in its entirety as follows:

All new and existing electrical receptacles installed in the locations specified shall have ground-fault circuit-interrupting protection.

1. Within 6 feet (1828 mm) from an established water supply. (Sinks, tubs, faucets, etc.)
2. Outside.

903.3.7.1 Fire Department Connection Caps. This section is added in its entirety to read as follows:

All fire department connections on new and existing buildings shall be required to be equipped with locking caps for the couplings. These caps shall be of a type approved by the Fire Code Official.

903.4.2 Alarms. This section is changed in its entirety to read as follows:

Approved audible or visual devices shall be connected to every automatic fire sprinkler system. Such sprinkler water-flow alarm devices shall be activated by water flow equivalent to the flow of a single sprinkler of the smallest orifice size installed in the system. Alarm devices shall be provided on the exterior of the building in a location approved by the Fire Code Official. The visual device shall be a white strobe light, the audible device shall be a horn device capable of

producing a minimum sound pressure level of 115 dBa. Where a fire alarm system is installed, actuation of the automatic fire sprinkler system shall also actuate the building fire alarm system.

3204.1.1 Locations (Outdoor Storage). This section is changed in its entirety to read as follows: Storage of flammable cryogenic fluids in stationary containers outside of buildings is prohibited within the limits established by the Zoning Ordinances established by the City of Traverse City.

3304.1 General (Storage of Explosive Materials). This section is changed in its entirety to read as follows:

Storage of explosives and explosive materials, other than Division 1.4G fireworks, small arms ammunition, small arms primers, propellant-actuated cartridges and smokeless propellants in magazines, shall conform to the provisions of this section. The storage of explosives and explosive materials is prohibited in all areas except the Cherry Capital Airport and within industrial districts established by the City of Traverse City Zoning Ordinance. This prohibition shall not apply to temporary storage of such materials for use in connection with approved blasting operations.

3308.2.2.1 Proximate Audience Displays – Where Allowed. This section is changed in its entirety to read as follows:

Proximate audience displays may be allowed only in Group A-1 occupancies containing a legitimate stage. Such occupancy shall be equipped throughout with an automatic fire sprinkler system designed and installed in accordance with Section 903.3.1.1 of this code.

3404.2.9.5.1 Locations Where Above-Ground Storage Tanks are Prohibited. This section is changed in its entirety to read as follows:

Storage of Class I and II flammable liquids in above-ground tanks outside of buildings is prohibited within the limits established by the City of Traverse City Zoning Ordinance wherein the storage occurs or is proposed.

3406.2.4.4 Locations Where Above-Ground Storage Tanks are Prohibited. This section is changed in its entirety to read as follows:

Storage of Class I and II flammable liquids in above-ground tanks outside of buildings is prohibited within the limits established by the Zoning ordinances established by the City of Traverse City wherein the storage occurs or is proposed.

3804.2 Maximum Capacity Within Established Limits (Liquefied Petroleum Gases). This section is changed in its entirety to read as follows:

Within the limits established by the City of Traverse City Zoning Ordinance wherein the storage occurs or is proposed restricting the storage of liquefied petroleum gas for the protection of

heavily populated or congested areas, the aggregate capacity of any one installation shall not exceed a water capacity of 2,000 gallons (7570 L).

A101.2 Membership. This section is changed in its entirety to read as follows:

The Board of Appeals for this International Fire Code, 2006 edition, shall be the State authorized Construction Code Board of Appeals of Grand Traverse County created under the State Construction Code or its successor and one additional person appointed by the Board of Commissioners in the same manner as other members of the Construction Code Board of Appeals and who has experience in design, installation and operation of fire suppression systems.

Appendix A, Section 101.3 through 101.5

These sections are deleted.

D103.5 Road gates. This section is changed in its entirety to read as follows:

Gates securing fire apparatus access roads and other roads shall comply with all the following criteria:

1. The minimum clear access opening for two-way traffic shall be 20 feet (6096 mm).
 - a. The minimum clear access opening for single lane, one way traffic shall be 12 feet (3657 mm).
2. Gates shall be of the swinging or sliding type.
3. Construction of gates shall be materials that allow manual operation by one person.
4. Gate components shall be maintained in an operative condition at all times and replaced or repaired when defective.
5. Gates that are inoperative or out-of-service shall be secured in the open position.
6. Electric gates shall be equipped with a means of opening the gate by fire department personnel for emergency access. Emergency opening devices shall be approved by the Fire Code Official.
7. Manual opening gates shall not be locked with a padlock or chain and padlock unless they are capable of being opened by means of forcible entry tool or when a key box containing the key(s) to the lock is installed at the gate location.
8. Locking device specifications shall be submitted for approval by the Fire Code Official.

(Ord. 430. Passed 9-18-95. Ord. 518. Passed 11-6-00. Ord. 521. Passed 2-5-01. Ord. 541 Passed 8-6-01. Ord. 558. Passed 2-29-02. Ord. 563. Passed 5-20-02. Ord. 587. Passed 11-04-02. Ord. 600. Passed 4-21-03. Ord. 809. Passed 8-4-08. Ord. 909. Passed 4-4-11.)

1610.03 AUTHORITY AT FIRES AND OTHER EMERGENCIES.

(a) Authority. The Fire Code Official or duly authorized representatives, as may be in charge at the scene of a fire or other emergency involving the protection of life and property, is

empowered to direct such operations as may be necessary to extinguish or control any suspected or reported fires, gas leaks or other hazardous conditions or situations or of taking any other action necessary in the reasonable performance of their duty. The Fire Code Official may prohibit any person, vehicle or object from approaching the scene and may remove or cause to be removed from the scene any persons, vehicle or object which may impede or interfere with the operations of the fire department. The Fire Code Official may remove or cause to be removed any person, vehicle or object from hazardous areas. All persons ordered to leave a hazardous area shall do so immediately and shall not reenter the area until authorized to do so by the Fire Code Official.

(b) Compliance with Order. No person shall willfully fail or refuse to comply with any order or direction of the Fire Code Official or to interfere with the compliance attempts of another individual.

(Ord. 430. Passed 9-18-95. Ord. 809. Passed 8-4-08.)

1610.04 INTERFERENCE WITH FIRE DEPARTMENT.

(a) False Alarms. No person shall turn in, sound or cause to be communicated to the Fire Department a false alarm of fire.

(b) Interference With Equipment. No person shall interfere with, attempt to interfere with, conspire to interfere with, obstruct or restrict the mobility of or block the path of travel of any fire department emergency vehicle in any way, injure, remove or molest any fire fighting equipment or apparatus or anything pertaining to the fire fighting alarm system.

(c) Driving Over Fire Hose. No person shall drive any vehicle upon, over or against any equipment or hose of the Fire Department.

(d) Obstructing Fire Hydrants and Fire Lanes. No person shall place any building material or other obstruction within fifteen feet of any fire hydrant or within a designated fire lane. No person shall obstruct or restrict the access to any fire hydrant or any fire department connection for the pressurization of fire suppression systems, including fire hydrants and fire department connections located on public or private streets or on private property. No person shall obstruct or restrict fire lanes or access lanes on public or private property. No person responsible for such material or obstruction shall permit it to remain in such a position. The City Fire Chief or his or her designee may cause such obstructions to be removed from the fire lane or fire hydrant area and may institute appropriate action to recover costs incurred by the City to remove any such obstruction.

(e) Damage to Equipment. No person shall damage or deface, or attempt or conspire to damage or deface, any fire department emergency vehicle, or to injure, or attempt or conspire to

injure, fire department personnel while performing departmental duties.

(f) Unlawful Boarding or Tampering with Equipment. This section is changed in its entirety to read as follows:

No person without proper authorization from the Fire Code Official shall cling to, attach himself or herself to, or climb upon or into, board or swing upon any fire department emergency vehicle, or sound the siren, horn, bell or other sound-producing device thereon, or to manipulate or tamper with, or attempt to manipulate or tamper with any levers, valves, switches, starting devices, brakes, pumps or any equipment or protective clothing on, or a part of, any fire department emergency vehicle.

(g) Penalty. In addition to any other penalty set forth in this code, whoever violates or fails to comply with any of the provisions of this Section may be subject to civil infraction sanctions, according to Traverse City Code Section 202.99, as well as any damages resulting from such violation

(Ord. 446. Passed 3-17-97 Ord. 809. Passed 8-4-08.)

1610.05 OPERATION OF VEHICLES.

Upon the approach of any authorized emergency vehicle, giving audible and visual signal, the operator of every other vehicle shall immediately drive the same to a position as near as possible and parallel to the right-hand edge or curb of the street or roadway, clear of any intersection and shall stop and remain in such position until the authorized emergency vehicle or vehicles shall have passed, unless otherwise directed by the Fire Code Official or a police officer.

(Ord. 430. Passed 9-18-95. Ord. 809. Passed 8-4-08.)

1610.06 VEHICLES FOLLOWING FIRE APPARATUS.

No person shall follow closer than 500 feet from any fire apparatus traveling in response to a fire alarm or drive any vehicle within the block or immediate area where fire apparatus has stopped in answer to a fire alarm.

(Ord. 430. Passed 9-18-95. Ord. 809. Passed 8-4-08.)

1610.07 MAINTENANCE OF FIRE SUPPRESSION EQUIPMENT.

No person shall obstruct, remove, tamper with or otherwise disturb any fire hydrant or fire appliance required to be installed or maintained under the provisions of this code except for the purpose of extinguishing a fire, training or testing purposes, recharging or making necessary repairs or when permitted by the Fire Code Official. Whenever a fire appliance is removed as herein permitted, it shall be replaced or reinstalled as soon as the purpose for which it was removed has been accomplished. Defective and non-approved fire appliances or equipment shall be replaced or repaired as directed by the Fire Code Official.

(Ord. 430. Passed 9-18-95. Ord. 809. Passed 8-4-08.)

1610.08 SALE OF DEFECTIVE FIRE EXTINGUISHER.

No person shall trade, loan or give away any form, type or kind of fire extinguisher which is not approved by the Fire Code Official, or which is not in proper working order, or the contents of which do not meet the requirements of the Fire Code Official. The requirements of this section shall not apply to the sale, trade or exchange of obsolete or damaged equipment for junk when said units are permanently disfigured or marked with a permanent sign identifying the unit as junk.

(Ord. 430. Passed 9-18-95. Ord. 809. Passed 8-4-08.)

1610.09 STREET OBSTRUCTIONS.

No person shall erect, construct, place or maintain any bumps, fences, gates, chains, bars, pipes, wood or metal horses or any other type of obstruction in or on any street. Street as used in this chapter shall mean any roadway accessible to the public for vehicular traffic, including, but not limited to, private streets or access lanes, as well as public streets or highways.

(Ord. 430. Passed 9-18-95. Ord. 809. Passed 8-4-08.)

1610.10 EMERGENCY VEHICLE OPERATION.

The driver of any emergency vehicle shall not sound the siren thereon or have the front red lights on or disobey any traffic regulation except when said vehicle is responding to an emergency call or when responding to, but not upon returning from, a fire. Tactical strategies such as, but not restricted to, "move-ups" do not constitute an emergency call. The driver of an emergency vehicle may:

- (a) Park or stand irrespective of the provisions of traffic regulations;
- (b) Proceed past a red or stop signal or other sign but only after slowing down as may be necessary for safe operation;
- (c) Exceed the prima facie speed limit so long as the action does not endanger life or property;
- (d) Disregard regulations governing direction of movement or turning in specified directions;
- (e) The exemptions herein granted to an emergency vehicle shall apply only when the driver of any such vehicle while in motion sounds audible signal by bell, siren or exhaust whistle as may be reasonably necessary, and when the vehicle is equipped with at least one lighted lamp displaying a red light visible under normal atmospheric conditions from a distance of 500 feet to the front of such vehicle.

(Ord. 430. Passed 9-18-95. Ord. 809. Passed 8-4-08.)

1610.11 AERIAL WIRES.

- (a) No person shall place, maintain or use any radio wire or antenna, any part of which is over or under any public utility line or wire which carries voltage in excess of 300 volts.

- (b) No person shall place, maintain or use any radio wire or antenna which is attached to any pole owned by a public utility company.
(1976 Code Sec. 22.13 Ord. 809. Passed 8-4-08.)

1610.12 SMOKE DETECTORS.

a) Definitions. As used in this section:

- (1) "Approved smoke detectors" means all devices or systems which comply with the specifications of Underwriters Laboratories, Inc., or any other nationally recognized laboratory standards, and which bear a label indicating that the detector has been so listed and approved.
- (2) "Dwelling" is specifically defined as follows:
 - (1) "Boarding house" means a building, other than a hotel where lodging and meals for three or more persons are served for compensation.
 - (2) "Lodging house" means a building, other than a hotel, where lodging only is provided for at least three, but not more than twenty persons.
 - (3) "Multiple dwelling" means a building or portion thereof containing three or more dwelling units and designed for, or occupied as, the home of three or more families living independently of each other.
 - (4) "Mixed occupancy dwelling" means a building containing one or more dwelling units and a business other than a home occupation.
 - (5) "One-family dwelling" means a detached building containing one dwelling unit and designed for or occupied by only one family.
 - (6) "Two-family dwelling" means a building designed for, or occupied exclusively by, two families living independently of each other.
 - (7) "Tourist home" means a single-family building owned and occupied by a person renting out not more than three rooms for compensation to persons who do not stay for more than seven consecutive days.
- (3) "Sale" or "transfer" means to convey an interest in a dwelling, except by lease, mortgage, gift, devise, bequest or lien foreclosure. A sale or transfer shall be deemed to occur upon the transfer of title, the execution of a land contract or the exercise of an option to purchase a dwelling.
- (4) "Single station alarm device" means any assembly incorporating an approved smoke detector, control equipment and a signaling device in one unit, operating from a power supply either in the unit or obtained at the point of installation.
- (5) "Smoke detection system" means one or more smoke detectors in any system composed of self-supervised smoke detection and signaling device operating on an approved, permanently wired electric circuit, and so arranged that the activation of any one smoke detection device will activate all signaling devices throughout the building.

- (6) "Smoke detector" means an instrument which detects visible or invisible particles of Combustion and activates a signaling device.
- b) Multiple Dwellings; Mixed Occupancy Dwellings; Lodging Houses; Boarding Houses; Tourist Homes. All existing multiple dwellings, mixed occupancy dwellings, lodging houses, boarding houses or tourist homes shall have installed one or more approved smoke detectors in accordance with this subsection:
- (1) A minimum of one approved smoke detector shall be required to be installed in each such dwelling within fifteen feet of any doorway leading to a room used for sleeping purposes. In addition, approved smoke detectors shall be required to be located at the uppermost ceiling of all interior stairwells. The installation shall be either on the ceiling, at least six inches from any wall, or on a wall in a position located six to twelve inches from the ceiling.
 - (2) The installation and maintenance of approved smoke detectors shall be in accordance with the requirements of the National Fire Protection Association's Pamphlet No. 74, as amended. Such Pamphlet is incorporated in this section by reference, as if fully rewritten herein, and shall apply except where otherwise superseded by this section.
- c) One and Two-Family Dwellings. No person shall sell, transfer or act as a broker for the sale or transfer of a dwelling, or occupy or allow the dwelling to be occupied after the sale or transfer thereof, or where any structural change or repair of a value in excess of three thousand dollars (\$3,000) has been done to a dwelling, unless the dwelling meets the following requirements:
- (1) One or more approved smoke detectors shall be installed in all one-family dwellings. At least one approved smoke detector shall be installed on the first living level. Approved smoke detectors shall also be installed at the top of each stairwell leading to any occupied area. If the location at the top of the stairwell is more than fifteen feet from the doorway leading to a room used for sleeping purposes, additional units shall be installed within a fifteen-foot radius of such doorway.
 - (2) One or more approved smoke detectors shall be installed in all two-family dwellings. A minimum of one approved smoke detector shall be required to be installed in each such dwelling within fifteen feet of any doorway leading to a room used for sleeping purposes. In addition, approved smoke detectors shall be required to be located at the uppermost ceiling of all interior stairwells.
 - (3) The installation and maintenance of approved smoke detectors shall be in accordance with the requirements of the National Fire Protection Association's Pamphlet No. 74, as amended. Such Pamphlet is incorporated in this section by reference, as if fully rewritten herein, and shall apply except where otherwise superseded by this section. Installation shall be either on the ceiling at least six inches away from any wall or on a wall in a position located six to twelve inches from the ceiling.

- d) Exceptions.
- (1) Buildings equipped throughout with an automatic sprinkler system that complies with the State Construction Code, as amended, and National Fire Protection Association Pamphlet No. 13, as amended, are not required to comply with this section.
 - (2) The Fire Chief may waive the requirements of this section and approve an alternative form and installation of smoke detectors or systems upon submission of adequate proof that the alternative method adequately safeguards the occupants of the particular dwelling in question.
 - (3) Single station alarm devices may be voluntarily installed in one or two-family buildings without having to secure the approval of the Fire Department or the Protective Inspection Division, provided that single station alarm devices are installed according to location requirements contained in this section. However, if such single station alarm devices are directly connected to the electrical system of the building, or if single-station alarm devices are installed by any person hired or reimbursed in any manner for the installation, an electrical permit shall be required.
- e) Administration; Appeals. The Fire Chief or his or her designee shall have authority and responsibility for the enforcement and administration of this section. The Fire Chief or any person aggrieved by a decision of the Fire Chief may make application to the Construction Board of Appeals. The Board shall have the powers and duties described in Chapter 1442 of the Building and Housing Code, including the power to affirm, overrule or modify a decision of the Fire Chief and to make interpretations of this section. A fee for appeals shall be established by the Board.
- (Ord. 330. Passed 4-20-92. Ord. 809. Passed 8-4-08.)

1610.13 ELECTRICAL CODE.

That any reference to the International Electrical Code appearing in the International Fire Code, 2009 edition, is deleted and such references therein shall be substituted with the State of Michigan Electrical Code.

(Ord. 809. Passed 8-4-08. Ord. 909. Passed 4-4-11.)

1610.14 FEE SCHEDULE.

The City Commission of the City of Traverse City or its designee shall annually review and establish a fee schedule for the implementation and enforcement of this Ordinance. The fee schedule shall then be approved by the Commission of the City of Traverse City. The fee schedule to implement this Ordinance shall be published at the time of publication of this Ordinance.

(Ord. 809. Passed 8-4-08.)

1610.97 SEVERABILITY.

That if any section, subsection, sentence, clause or phrase of this ordinance is, for any reason,

found to be held unconstitutional, unlawful or unenforceable by a court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this ordinance. The City of Traverse City declares that it would have passed this ordinance, and each section, subsection, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses and phrases be declared unconstitutional.
(Ord. 809. Passed 8-4-08.)

1610.99 VIOLATION PENALTIES.

Persons who violate a provision of this code or shall fail to comply with any of the requirements thereof or who erect, install, alter, repair or do work in violation of the approved construction documents or directive of the Fire Code Official, or of a permit or certificate used under provisions of this code, shall be guilty of a misdemeanor, punishable by a fine of not more than five-hundred (\$500.00) dollars, plus their costs allowed by law and court costs, or by imprisonment not exceeding ninety (90) days, or both such fine and imprisonment. Each day that violation continues after due notice has been served shall be deemed a separate offense.
(Ord. 809. Passed 8-4-08.)