

**TOWNSHIP OF MARION  
LIVINGSTON COUNTY, MICHIGAN**

**FIRE PREVENTION CODE  
ORDINANCE NO. G-2-05**

An ordinance of the Township of Marion adopting the 2003 edition of the International Fire Code, the 2003 edition of the NFPA 1 Uniform Fire Code and the 2003 edition of the NFPA 101 Life Safety Code, regulating and governing the safe-guarding of the 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 in the Township of Marion; providing for the issuance of permits and collection of fees there for:

THE TOWNSHIP OF MARION HEREBY ORDAINS:

**Section 1:** That a certain document, three (3) copies of which are on file in the office of the Fire Marshal of the Howell Area Fire Department, being marked and designated as the International Fire Code, 2003 edition, including Appendix Chapters A, B, C, D, E, F and G, as published by the International Code Council. NFPA 1, 2003 edition, as published by the National Fire Protection Association and NFPA 101, 2003 edition, as published by the National Fire Protection Association, be and is hereby adopted as the Fire Prevention Code of the Township of Marion, Livingston County, Michigan, 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 Fire Marshal of the Howell Area Fire Department 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. NFPA 1 and NFPA 101 will be adopted as printed.

**Section 2:** That the following sections of the adopted International Fire Code, 203 edition, are hereby revised:

*Section 101.1* These regulations shall be known as the Fire Code of the Township of Marion hereinafter referred as "this code."

*Section 102.6 Referenced Codes and Standards.* The codes and standards referenced in this code shall be those that are listed in Chapter 45 and 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, which establish the higher standard for the promotion of the safety and welfare of the public and the protection of the public, of as otherwise determined by the State of Michigan law, shall apply. Where conflicts occur between the International Fire Code, NFPA 1, and NFPA 101, the following shall apply. If the conflict applies to life safety, then NFPA 1 and NFPA 101 shall apply, if it applies to new construction, then International Fire Code shall apply.

*Section 103.1 General.* The Howell Area Fire Department shall be responsible for fire prevention, inspection activities and code enforcement of buildings and occupancies as related to the risk of fire or explosion within the Howell Area Fire Authority jurisdiction. The department of fire prevention is established within the jurisdiction under the direction of the code official. The function of the department shall be the implementation, administration and enforcement of the provisions of this code and the codes and standards referenced in Chapter 45 of this code.

*Section 104.11.4 Unlawful Boarding or Tampering with Fire Department Emergency Equipment.* A person shall not, without proper authorization from the fire official in charge of said fire department emergency equipment, cling to, attach to, climb upon or into, board, or swing upon any fire department emergency vehicle, whether the same is in motion or at rest, operate any emergency warning equipment, or 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.

*Section 104.11.5 Damage/injury to Fire Department Equipment/Personnel.* It shall be unlawful for any person to damage or deface, or attempt or conspire to damage or deface, any fire department emergency vehicle or equipment at any time; or to injure, or attempt or conspire to injure, fire department personnel while performing departmental duties.

*Section 105.1 General.* Permits shall be in accordance with Section 105. Where reference is made to this section for permits elsewhere in this code and there are no provisions for issuing said permits by the department of fire prevention, the code official is authorized to waive the particular permit requirement.

*Section 105.6 Required Operational Permits.* The code official is authorized to issue operational permits for the operations set forth in Section 105.6.1 through 105.6.47. Where there are no provisions for issuing said permits, the code official is authorized to waive the particular permit requirement.

*Section 105.6.14 Exhibits, Crafts and Trade Shows.* An operational permit is required to operate exhibits, crafts and trade shows.

*Section 105.6.14.1 Permits Fee.* A minimum fee of \$30 may be applied to each exhibit, craft or trade show. Fees shall be set by the fire authority in its discretion. Permits may be issued to single vendors or entire event.

*Section 105.6.21 Hazardous Materials.* An operational permit is required to store, transport on site, dispense, use or handle hazardous materials in excess of the amounts listed in Table 105.6.21. An operational permit, once issued, shall remain valid until revoked or until the occupancy for which the permit was issued shall change ownership. Upon any change of ownership, a new operational permit for the occupancy shall be required to store, transport on site, dispense, use or handle hazardous materials in excess of the amounts listed in Table 105.6.21. Notwithstanding the fact that no additional permit need to issued, nor any further fee charged, for a change in the operation or manner of storage, transportation, dispensing, use or handling of the permitted hazardous substance, nor for any change in the type of hazardous substance being so used, any such change from the conditions of the original permit shall create a duty on the permit holder to advise the fire marshal or his designee, in writing, of such

changes forthwith. Failure to comply with this notification mandate may be cause for revocation of an operational permit where the circumstances surrounding such permit have been changed without notice to the fire marshal.

*Exception:*

1. Nothing in this subsection shall apply to a farm or farm operation as defined in Section 202 of this Code and Michigan Compiled Laws Section 286.472, that being the Michigan Right to Farm Act, Act 93 of the Public Acts of 1981, as amended.
2. Nothing in this subsection shall apply to one or two family dwelling occupancies.

*Section 105.6.21.1 Required Amounts for Reporting.* Reportable quantities shall be considered the maximum amount of hazardous material on site at any given time. This amount is required to be reported to the fire department as indicated in Table 105.6.21.

*Section 105.6.21.2 Permit Fees.* The following fees shall be applied to the maximum quantity of each form of hazardous materials:

<u>Quantity &amp; Form</u>	<u>Fee</u>
0-1,000 lbs.; 0-100 cu. ft.; 0-330 gal.	\$100
1,001-20,000 lbs.; 101-6,000 cu. ft.; 331-990 gal.	\$250
20,001+ lbs.; 6,001+ cu. ft.; 991+ gal.	\$500

*Section 105.7.1.1 Installations.* Before any fire suppression system or component is installed, enlarged, extended or modified, a permit shall be obtained from the code official. This shall include any device or relay connected to or controlled by the fire suppression system. A qualified installer who is property licensed and/or certified to perform such work as determined by the code official must perform all work. Construction documents shall be reviewed by the code official prior to the issuance of the permit. Upon issuance of the permit, the permit must be posted at the job site in plain view.

*Section 105.7.1.2 Permit Fees.* Permit fees cover initial plan review and two inspections.

*Sprinkler Systems*

<u>Riser(s) &amp; Sprinkler Heads</u>	<u>Fee</u>
1-20 heads	\$ 80
21-50 heads	\$ 90
51-100 heads	\$100
101-200 heads	\$120
201-300 heads	\$140
301-400 heads	\$160
401-500 heads	\$180
501-1000 heads	\$200
>1000 heads	\$0.50 per head

Standpipes: \$45 per standpipe

Fire pump: \$50

Dry or wet chemical fire suppression systems: \$90 per system. Each additional system in the same building reviewed at the same time is \$45. Alterations, additions, or modifications to each existing system are \$35.

Total flooding agent extinguishing systems: \$90 plus appropriate detection system fee.

Plan Reviews: The code official might require an outside third party. This review will be charged at the current fire safety consultant's or plan reviewer's rates. These fees shall be paid prior to issuance of the permit.

*Section 105.7.3.1 Installations.* Before any fire alarm or detection system or component is installed, enlarged, extended or modified, a permit shall be obtained from the code official. This shall include auxiliary devices such as magnetic locks, electronic locks, or any device or relay connected to or controlled by the fire alarm or detection system. A qualified installer who is property licenses and/or certified to perform such work as determined by the code official must perform all work. Construction documents shall be reviewed by the code official prior to the issuance of the permit. Upon issuance of the permit, the permit must be posted at the job site in plain view.

*Section 105.7.3.2 Permit Fees.* Permit fees cover initial plan review and two inspections.

<u>Device</u>	<u>Fee</u>
Control panel	\$ 20
First initiating or auxiliary control devices (smoke detector, heat detector, control switch, etc.)	\$ 10
Each additional initiating or auxiliary control device	\$ .50 per device
First audiovisual indicating or communications device (horn, strobe, bell, etc.)	\$10
Each additional audiovisual indicating or communications device	\$ .50 per device

Plan Reviews: The code official might require an outside third party. This review will be charged at the current fire safety consultant's or plan reviewer's rates. These fees shall be paid prior to issuance of the permit.

*Section 105.7.13 Permit Issuance.* A permit granted hereunder shall not be transferable nor shall any such permit be extended beyond the time set forth therein unless approved by the fire official. When work is started without a permit, the permit fee shall be doubled.

*Section 106.4 Additional Fees.* The following fees may be charged for a reinspection and shall apply to each inspector performing the reinspection. These fees shall be paid in full prior to the reinspection being performed.

1. \$30 per reinspection during normal working hours.
2. \$75 per reinspection during non-working hours.

*Section 106.5 Cancellation Fees.* Handling cost of permits cancelled after being issued is 35% of the permit fee or \$10, whichever is greater.

*Section 108.4 Board of Appeals Members.* The board of appeals shall consist of the following:

- Two (2) members of the Howell Area Fire Authority board.
- Three (3) certified fire inspectors from a jurisdiction outside the jurisdiction.

No member of the appeals board shall have a conflict of interest with the issue being addressed.

*Section 109.3 Violation Penalties.* Persons who shall violate a provision of this code or shall fail to comply with any of the requirements thereof or who shall erect, install, alter, repair, or do work in violation of the approved construction documents or directive of the code official, or of a permit or certificate used under provisions of this code, shall be responsible for a municipal civil infraction. The sanction for a violation which is a municipal civil infraction shall be a civil fine in the amount as provided by this code or any ordinance, plus any costs, damages, expenses, and other sanctions, as authorized by the Revised Judicature Act, MCL 600.101, et.seq., that being Act No. 236 of the Public Acts of 1961, as amended, and other applicable laws.

1. Unless otherwise specifically provided for a particular municipal civil infraction violation by this code or any ordinance, the civil fine for a violation shall be a minimum of \$100 and a maximum of \$500, plus costs and other sanctions, for each infraction.
2. Increased civil fines may be imposed for repeated violations by a person of any requirement or provision of this code or any ordinance. As used in this section, "repeat offense" means a second (or any subsequent) municipal civil infraction violation of the same requirement or provision committed by the same person within a 24-month period and for which the person admits responsibility or is determined responsible. Unless otherwise provided by this code or any ordinance for a particular municipal civil infraction violation, the increased fine for a repeat offense shall be as follows:
  - a. The fine for any offense which is a first repeat offense shall be a minimum of \$250 and a maximum of \$750, plus costs.
  - b. The fine for any offense which is a second repeat offense or any subsequent repeat offense shall be a minimum of \$400 and a maximum of \$900, plus costs.

*Section 109.4 Prohibited Parking; Exception; Bus loading Zone; Violation as Civil Infraction.*

1. 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, fire official/personnel or traffic-control device, in any of the following places:
  - a. Within 15 feet of a fire hydrant.
  - b. Within 20 feet of the driveway entrance to a fire station and within 75 feet of a fire station entrance on opposite side of street if properly marked by an official sign.
  - c. Alongside or opposite a street excavation or obstruction, if the stopping, standing, or parking would obstruct traffic.
  - d. Within 500 feet of an accident at which police officer and/or fire official/personnel is in attendance.
  - e. In a place or in a manner that blocks immediate egress from an emergency exit conspicuously marked as an emergency exit of a building.
  - f. 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.
  - g. Within 500 feet of a fire at which fire apparatus is in attendance. However, volunteer fire fighters responding to the fire may park within 500 feet of the fire in a manner not to interfere with fire apparatus at the scene. A vehicle parked legally previous to the fire is exempt from this provision.
  - h. In a place or in a manner that blocks access to a space clearly designated as a fire lane.
  - i. A person shall not move a vehicle not owned by the person into a prohibited area or away from a curb a distance that makes the parking unlawful.
2. A person who violates this section will be issued a civil infraction by the Fire Chief and/or his/her designees, who shall be the Deputy Fire Chief, Assistant Fire Chiefs, Fire Marshal, and fire inspectors assigned to the Fire Marshal's division.

*Section 109.4.1 Fee Schedule.* For any violation of the parking requirements listed in Section 109.4 of this code, the fine for such an offense shall be \$25 per violation if paid within ten (10) days of the violation, and if not paid within ten (10) days of said violation, shall be increased to \$50 per violation.

*Section 109.4.2 Towing and Storage Costs.* In addition to the above violation penalties, a person who violates this section shall be responsible for all vehicle towing and storage costs incurred if the Fire Chief and/or his/her designee, as defined in Section 109.4 (2) herein, determines that the vehicle parked in violation of Section 109.4 must be towed to insure public safety and/or fire department access to a building or emergency scene.

*Section 109.5 Application and Allocation for Fees, Fines.* Payment for any permit fees or violation fines shall be paid to the Howell Area Fire Authority.

*Section 109.5.1 Issuing of Tickets for Violations.* The Fire Chief and/or his/her designees, who shall be the Deputy Fire Chief, Assistant Fire Chiefs, Fire Marshal, and fire inspectors assigned to the Fire Marshal's Division shall be authorized to issue tickets for violation of any code within this document.

*Section 111.4 Failure to Comply.* Any person 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 to a fine of a minimum of \$25 or a maximum of \$500.

*Section 111.5 Collection of Charges.* The Howell Area Fire Authority may proceed in a court of appropriate jurisdiction to collect any monies remaining unpaid for services provided as a mature debt of the Howell Area Fire Authority and shall have any and all other remedies provided by law for the collection of all charges.

*Section 112.1 False Alarms; Inspections; Orders to Correct.*

1. A fire sprinkler or water alarm system experiencing more than two (2) false alarms within a thirty (30) day period or four (4) false alarms within the calendar year is deemed defective. Upon written notice to the owner or lessee of the alarm system by the Fire Chief and/or his/her designee, the owner or lessee shall have the system inspected by an alarm system contractor who shall, within fifteen (15) days, file a written report to the Fire Chief and/or his/her designee of the result of his/her inspection, the probably cause of the false alarms and his/her recommendation for eliminating false alarms.
2. Upon receipt of the report, the fire chief and/or his/her designee shall forward the same to the owner or lessee, ordering corrections, based upon recommendations contained in the report.
3. The owner or lessee shall have three working days from the receipt of the order to make such corrections. Thereafter, to defray the cost of responding to false alarms, the owner or lessee of an alarm system shall pay to the fire authority the amount of the response as per the cost recovery fees for each false alarm received and responded to by the fire department during the calendar year in which the order to correct the system was issued. The amount due to the fire authority shall be paid upon demand by the fire department and if not paid, the fire authority and/or designee shall have the right, along with all of the other rights if may have, to impose a lien on the real and personal property of the owner or lessee and such lien shall be enforced in the same manner as delinquent taxes.

*Section 112.2 Misrepresented False Alarms.* It shall be unlawful for any person to summon, in any way, the fire department unless a valid reason for response is present. The fire chief and/or his/her designee shall have the authority to issue fines, per the cost recovery ordinance, to any person causing a false alarm. If the person causing a false alarm is a minor, the fines shall be the responsibility of the minor's legal supervisor.

*Section 202 General Definitions.* The following definitions shall be in addition to the definitions noted in the International Fire Code, 2003 edition:

**Code Official:** The fire chief, fire marshal, fire inspector, code enforcement officer, or other designated authority charged by the applicable governing body with the duties of administration and enforcement of the code, or duly authorized representative. The term "fire official" may be used interchangeably with "code official" in this code.

**False Alarm:** Activation of an alarm of an alarm system through mechanical failure, malfunction, improper installation or the negligence of the owner or lessee of an alarm system or his/her employee or agent. "False alarm" does not include the alarm caused by severe weather or other violent conditions beyond the control of the owner or lessee of an alarm system or his/her employee or agent.

**Farm:** Land, plants, animals, buildings, structures, including ponds used for agricultural or aqua cultural activities, machinery, equipment, and other appurtenances used in the commercial production of farm products. MCL 286.472(a).

**Farm Operations:** The operation and management of a farm or a condition or activity that occurs at any time as necessary on a farm in connection with the commercial production, harvesting, and storage of farm products. MCL 286.472(b).

**Fire Watch:** A temporary measure intended to ensure continuous and systematic surveillance of a building or portion thereof by one or more qualified individuals for the purposes of identifying and controlling fire hazards, detecting early signs of unwanted fire, raising an alarm of fire and notifying the fire department by method(s) approved or recommended by the code official.

**Misrepresented False Alarm:** The willful and knowing initiation or transmission of a signal, message or other notification of event of fire or the emergency when no danger exists.

**Water Capacity:** The amount of water, in either pounds or gallons, at 60° F (15.6° C) required to fill a container full of water.

*Section 307.1.1 Local Burning Ordinances Preserved.* Nothing in this code shall be construed as prohibiting a township or city served by the Howell Area Fire Authority from regulating matters of open burning by duly adopted local ordinance, whether or not such ordinance predates the adoption of this code. In the event of a conflict between this code and the ordinance in force and adopted by the township or city wherein the location in question lies, the local ordinance shall be deemed to supercede this code and control, for so long as it remains in force. Notwithstanding any superceding local ordinance, however, the fire chief, fire marshal, or fire code official shall retain the authorization under Section 307.6 of this code to ban all open burning if conditions warrant.

*Section 307.5 Fire Department Training.* Open burning is allowed for the purpose of training fire fighters, or for the purpose of training the public, including workers or employees, or for the purpose of demonstration by the fire official or other trained fire personnel, when such burning is done in accordance with accepted practice.

*Section 307.6 Banning Open Burning.* The fire chief, fire marshal, or fire code official shall be authorized to issue a ban on all open burning if conditions are too hazardous in the opinion of the fire code official to allow the open burning, open flame, etc.

*Section 308.3 Open Flame.* A person shall not utilize, or allow to be utilized, an open flame in connection with any public meeting or gathering for purpose of deliberation, entertainment, amusement, instruction, education, recreation, awaiting transportation or similar purpose in assembly or educational occupancies without first obtaining approval from the code official.

*Section 312.2.1. Maintenance.* It shall be the property owner's responsibility to provide and maintain this protection.

*Section 505.1 Address Numbers.* New and existing building shall have approved, numbers, building numbers, or approved building identification placed in a position to be plainly legible and visible from the street or road fronting this property. These numbers shall contrast with their background. Address numbers shall be Arabic numbers or alphabet letters. Numbers shall be a minimum of six inches high with a minimum stroke of 0.5 inches.

*Section 506.1.1 Locks and Key Switches.* An approved lock or key switch shall be installed on gates or similar barriers when required by the code official.

*Section 508.3 Fire Flow.* Fire flow requirements for buildings or portions of buildings and facilities shall be determined in accordance with Appendix B. An appropriate pressure and flow margin of safety shall be provided with each fire sprinkler system as required by the code official.

*Section 508.5 Fire Hydrant Systems.* Fire hydrant systems shall comply with Section 508.5.1 through 508.5.6 and shall be in accordance with Appendix C and Howell Area Fire Department standards and policies.

*Section 508.5.4.1 Removal of Obstructions.* If upon the expiration of the time mentioned in a notice of violation, obstructions or encroachments to fire hydrant, or to other fire protection equipment, are not removed, the code official shall proceed to remove or have removed the same. The expense incurred shall be a debt to the local governing body from the responsible person and shall be collected as any other debt to the Howell Area Fire Authority.

*Section 805.1 General.* In occupancies of Group A, B, E, F, H, I, M, R-1 and dormitories in Group R-2, R-4, S, and U, curtains, draperies, hangings and other decorative materials suspended from walls or ceilings shall be flame resistant in accordance with Section 805.2 and NFPA 701 or be noncombustible.

*Exception:* Curtains, draperies, hangings and other decorative materials suspended from walls or ceilings located in areas protected by an approved automatic fire sprinkler systems installed in accordance with Section 903.3.1.1 or 903.3.1.2 shall not be prohibited in Group A, B, F, M, S, and U.

*Section 901.6.2 Records.* Records of all system inspections, tests, and maintenance required by the referenced standards shall be maintained on the premises for a minimum of three (3) years

and made available to the code official upon request. The service company or individual performing such work shall also send a copy to the code official.

*Section 901.6.3 Anti-freeze Fire Sprinkler Systems.* Fire sprinkler systems designed and installed to protect areas prone to freezing shall be drained and tested, then refilled and maintained to insure the solution is operable to -40° F or as otherwise approved by the code official.

*Section 903.3.5.3 Required Pressure Margin.* Due to unforeseeable and changing conditions within the water supply, the code official is authorized to require a pressure margin of up to 20 lbs. over the minimum design criteria for installed automatic fire sprinkler systems. Where this margin cannot be achieved, approved means shall be taken to provide this margin.

*Section 904.3.5 Monitoring.* A supervising station in accordance with NFPA 72 as approved by the code official shall monitor automatic fire extinguishing systems. Where a building fire alarm system is installed, automatic fire extinguishing systems shall be monitored by the building fire alarm systems in accordance with NFPA 72 and shall automatically annunciate their location at the building's fire alarm control panel, and activate the building's appropriate fire protective signaling sequence.

*Section 907.4.4 Signs.* Where fire alarm systems are not monitored by a supervising station, an approved permanent sign shall read: **THIS ALARM DOES NOT NOTIFY THE FIRE DEPARTMENT—TO REPORT A FIRE, DIAL 911.** Such sign shall be installed adjacent to each manual fire alarm box.

*Exception:* Where the manufacturer has permanently provided this information on the manual fire alarm box and as approved by the code official.

*Section 907.7.1 Annunciation.* Where fire suppression systems exist in multi-tenant occupancies, i.e., strip malls, separate annunciation shall be required for each separately addressed tenant space unless otherwise approved by the code official.

*Section 907.10.2.1 Temporal Code-3.* Audible alarm notification appliances shall sound in temporal code-3 pattern as approved by the code official.

*Section 907.10.2.2 Audible Alarm Appliance Silencing.* Where required by the code official, there shall be a means provided at the fire alarm control panel to silence audible alarm devices without resetting the panel. Where audible alarm devices are provided in connection with visual alarm devices, there shall be a means provided to silence the audible alarm devices without disabling the visual alarm devices or resetting the panel.

*Section 907.12.1 Remote Annunciation.* Where required by the code official, a means of remote annunciation such as a light or other visible indicator shall be installed and marked with an approved description of the detector location in order to indicate the presence and location of detectors in accordance with NFPA 72.

*Section 909.16.1 Smoke Control Systems.* Fans within the building shall be shown on the firefighter's control panel. A clear indication of the direction of airflow and the relationship of components shall be displayed. A means of confirming equipment function such as an atmospheric pressure switch, air velocity switch, or electrical current differential device, shall be

installed to indicate the status of fans, dampers, or other associated equipment during alarm activation or smoke control operations. Status indicators shall be provided for all smoke control equipment, annunciated by fan and zone and by pilot lamp-type indicators as follows:

1. Fans, dampers and other operating equipment in their normal status—WHITE.
2. Fans, dampers and other operating equipment in their off or closed status—RED.
3. Fans, dampers and other operating equipment in their on or open status—GREEN.
4. Fans, dampers and other operating equipment in a fault status—YELLOW/AMBER.

*Section 912.2 Location.* With respect to hydrants, driveways, buildings and landscaping, fire department connections shall be so located that fire apparatus and hose connected to supply the system will not obstruct access to the buildings for other fire apparatus. The location of fire department connections shall be within 100 feet of a hydrant and shall be approved by the code official.

#### **Section 914 Fire Protection Systems Precautions**

*Section 914.1 General.* Precautions shall be taken in all rooms and areas containing fire sprinkler equipment such as piping, valve(s), and fire pump(s), to prevent freezing of said equipment during times of extremely cold temperatures.

*Section 1201.1 Scope.* Dry cleaning plants and their operations shall comply with the requirements of this chapter and NFPA 32, and the Michigan Fire Prevention Code 1941 PA 207, as amended, or its equivalent.

*Section 2201.1 Scope.* Automotive service stations, marine service stations, fleet vehicle service stations and repair garages shall be in accordance with this chapter and the International Fuel Gas Code, International Building Code, International Mechanical Code, and the Michigan Storage and Handling of Flammable and Combustible Liquids Rules, as amended, or their equivalent. Such operations shall include both public accessible and private operations.

*Section 2206.1 General.* Storage of flammable and combustible liquids shall be in accordance with Chapter 34 and Section 2206, and the Michigan Storage and Handling of Flammable and Combustible Liquids Rules, as amended, or their equivalent.

*Section 2206.7.8 Gravity and Pressure Dispensing.* Flammable and combustible liquids shall not be dispensed by gravity from tanks, drums, barrels, or similar containers. A device operating through pressure within a storage tank, drum or container shall not dispense flammable or combustible liquids. Approved pumps taking suction from the top of the container shall be utilized.

*Exception:*

1. Tanks, drums, barrels, or similar containers used in farms or farm operations as defined within this code.

2. Tanks, drums, barrels or similar containers used at one- or two-family residential dwellings.

*Section 2803.2 Identification.* Cartons shall be identified on at least one side with the classification level of the aerosol products contained within the carton as follows:

LEVEL \_\_\_\_\_ AEROSOLS

The side of the carton marked shall be clearly visible when stored in configurations of two or more cartons.

*Section 3301.1.1 Explosive Materials Standards.* In addition to the requirements of this chapter, NFPA 495 shall govern the manufacture, transportation, storage, sale handling and use of explosive materials, and the Michigan Explosive Law 1970 PA 202, as amended, or its equivalent.

*Section 3301.1.3 Fireworks.* The possession, manufacture, storage, sale, handling and use of fireworks are prohibited unless in compliance with the Michigan Fireworks Law 1931 PA 328, as amended, or its equivalent.

*Section 3301.1.4 Rocketry.* The storage, handling and use of model and high-power rockets shall comply with the requirements of NFPA 1122, NFPA 1125, and NFPA 1127, and the Michigan Model Rocket Law 1965 PA 333, as amended, or its equivalent.

*Section 3308.1 General.* The display of fireworks, including proximate audience displays and pyrotechnic special effects in motion picture, television, theatrical, and group entertainment productions, shall comply with this chapter and NFPA 1123 or NFPA 1126. Approved public displays shall be handled by an approved competent operator, and the fireworks shall be arranged, located, discharged and fired in a manner that will not be a hazard to property or endanger any person.

*Section 3401.3 Referenced Documents.* The applicable requirements of Chapter 27, other chapters of this code, the International Building Code, and the International Mechanical Code pertaining to flammable liquids, and the Michigan Storage and Handling of Flammable and Combustible Liquids Rules, as amended, or their equivalent shall apply.

*Section 3401.4 Permits.* Permits shall be required as set forth in Section 105.6 and 105.7, and the Michigan Fire Prevention Code 1941 PA 207, as amended, or its equivalent.

*Section 3404.2.9 Aboveground Tanks.* Aboveground storage of flammable and combustible liquids in tanks shall comply with Section 3404.2 and Section 3404.2.9.1 through 3404.2.9.6.10, and the Michigan Aboveground Storage Tanks Rules, or their equivalent.

*Exception:*

1. Aboveground storage tanks used in farms or farm operations as defined within this code.
2. Aboveground storage tanks used at one or two family residential dwellings where the water capacity of said tank is less than 1,100 gallons.

*Section 3404.2.11 Underground Tanks.* Underground storage of flammable and combustible liquids in tanks shall comply with Section 3404.2 and Sections 3404.2.11.1 through 3404.2.11.5.2, and the Michigan Underground Storage Tank Rules, or their equivalent.

*Section 3406.2.5.2 Tanks for Gravity Discharge.* When approved by the code official, tanks with a connection in the bottom or end for gravity-dispensing liquids shall be mounted and equipped as follows:

1. Supports to elevate the tank for gravity discharge shall be designed to carry all required loads and provide stability.
2. Bottom or end openings for gravity discharge shall be equipped with a valve located adjacent to the tank shell, which will close automatically in the event of fire through the operation of an effective heat-activated releasing device. Where this valve cannot be operated manually, a second, manually operated valve shall supplement it. The gravity discharge outlet shall be provided with an approved hose equipped with a self-closing valve at the discharge end of a type that can be padlocked to its hanger.

*Section 3801.2 Permits.* Permits shall be required as set forth in Sections 105.6 and 105.7 and the Michigan Fire Prevention Code 1941 PA 207, as amended, or its equivalent.

#### **Chapter 45—Referenced Standards**

This chapter shall also include the following State of Michigan Laws, Rules, or Requirements, including but not necessarily limited to, the following with amendments:

- Michigan Fire Prevention Code 1941 PA 207
- Michigan Explosives Law 1970 PA 202
- Michigan Fireworks Law 1931 PA 328
- Michigan Model Rocket Law 1965 PA 333
- Michigan Storage and Handling of Flammable and Combustible Liquids Rules
- Michigan Underground Storage Tank Rules 1999

**Section 3.** That 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. The Township of Marion hereby 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.

**Section 4.** That the Clerk of the Township of Marion is hereby ordered and directed to cause a notice to be published as required by law that this ordinance has been adopted and that three copies of same are available to the public for inspection during regular business hours at the Howell Area Fire Authority's main fire station, 1211 W. Grand River, Howell, MI 48843, and a copy at the Marion Township Hall, 2877 W. Coon Lake Road, Howell, MI 48843. Said notice shall also contain the introductory paragraph of this ordinance which shall serve as its stated purpose.

