

#8

JUN 12 2008

ORDINANCE NO. 4074

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CHANDLER, ARIZONA, AMENDING CHAPTER 28 OF THE CODE OF THE CITY OF CHANDLER BY ADOPTING THE 2006 EDITION OF THE INTERNATIONAL FIRE CODE AS AMENDED.

WHEREAS, Chapter 28 of the Code of the City of Chandler provides that the City of Chandler, Arizona has adopted the 2003 edition of the International Fire Code, subject to specified amendments thereto as set forth in Chapter 28 of the Code of the City of Chandler, and

WHEREAS, the City of Chandler Fire Department recommends that the City of Chandler adopt the 2006 edition of the International Fire Code and to clarify and amend the exception provisions to the Fire Code that are presently set forth in Chapter 28 of the Code of the City of Chandler.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Chandler, Arizona as follows:

SECTION 1: That certain code designated as the International Fire Code, 2006 Edition, published by the International Code Council, three (3) copies of which shall remain on file in the office of the City Clerk, is hereby declared to be a public record.

SECTION 2: That Chapter 28 of the Code of the City of Chandler is hereby deleted in its entirety and replaced with a new Chapter 28 to read as follows:

Chapter 28. Fire Prevention.

28-1. International Fire Code adopted.

That certain code designated and known as the International Fire Code, 2006 edition published by the International Code Council, three (3) copies of which are on file in the Office of the City Clerk, is hereby adopted by reference and made a part hereof as if fully set out in this Chapter with the additions, insertions, deletions and changes set forth herein. The term "code" when used in this Chapter shall mean the 2006 edition of the International Fire Code with the additions, insertions, deletions and changes set forth and adopted herein, except where the context clearly requires otherwise.

28-2. Jurisdiction.

Section 101.1 of the code is hereby amended by inserting the term "City of Chandler" as the name of the jurisdiction and adding a sentence to the end of such Section to read as follows:

The terms "City" and "City of Chandler" are used interchangeably in this code.

28-3. Appointment of fire code official.

Section 103.2 of the code is hereby deleted in its entirety and replaced with a new *Section 103.2* to read as follows:

103.2. Appointment. The City Fire Chief shall designate and appoint the City Fire Marshal to act as the fire code official.

28-4. Self inspection and fire re-inspection fee.

Section 104.3 of the code is hereby amended by adding a new *Section 104.3.2* entitled "Self inspection" and a new *Section 104.3.3* entitled "Fire re-inspection fee" to read as follows:

104.3.2. Self inspection. The fire code official is hereby authorized to establish procedures regarding inspections of business, commercial and industrial facilities within the City. Any owner or occupant of a business, commercial or industrial facility who fails to perform a self inspection as requested by the fire code official in accordance with the procedures established may be charged the cost for the fire code official, or his/her designee, to perform such inspection.

104.3.3. Fire re-inspection fee. Facilities that are re-inspected to ensure that a code violation has been properly addressed may be assessed a re-inspection fee for a second re-inspection for the same violation. The re-inspection fee shall be adopted by the City by resolution.

28-5. Notice and orders.

Section 104.5 of the code is hereby deleted in its entirety and replaced with a new *Section 104.5* to read as follows:

104.5. Notice and orders. The fire code official is authorized to issue such notices and orders as are required to effect compliance with this code in accordance with *Section 109.5*

28-6. Permits.

Section 105.1.1 of the code is hereby deleted in its entirety and replaced with a new *Section 105.1.1* read as follows:

105.1.1. Permit required. A permit shall be obtained from the fire code official prior to engaging in any of the activities, operations, practices or functions listed in *Section 105.6* of this code, provided, however, that no separate permit shall be required from the fire code official when approval of the fire code official is obtained as a part of the approval process for a permit required by another department of the City for the same activity, operation, practice or function. Permit holders shall update any information submitted with an application for a permit to be issued pursuant to *Section 105.6* within twenty-four (24) hours of any change materially impacting the accuracy of the information previously

provided. Permit fees, if any, shall be adopted by the City by resolution and shall be paid prior to issuance of the permit.

28-7. Open burning.

Section 105.6.30 of the code is hereby deleted in its entirety and replaced with a new Section 105.6.30 to read as follows:

105.6.30. Open burning. An operational permit is required for the handling and maintenance of an open fire or a fire on any public street, alley, road or other public or private ground. Instructions and stipulations of the permit shall be adhered to. An applicant for any open burning permit under this section shall establish compliance with the permitting requirements of the Maricopa County Department of Air Pollution Control prior to being issued an open burning permit by the fire code official.

Exception: Recreational fires.

28-8. Places of assembly.

Section 105.6.34 of the code is hereby amended to read as follows:

105.6.34. Places of assembly. An operational permit is required to operate a place of assembly classified as an Assembly Group A Occupancy.

28-9. Incinerators.

Section 105.6 of the code is hereby amended by adding a new section 105.6.47 entitled "Incinerators" to read as follows:

105.6.47. Incinerators. An operational permit is required to construct, operate or maintain an incinerator. Instructions and stipulations of the permit shall be adhered to. An applicant for any incinerator permit under this section shall establish compliance with the permitting requirements of the Maricopa County Department of Air Pollution Control prior to being issued an incinerator permit by the fire code official.

28-10. Fire protection equipment.

Section 105.6 of the code is hereby further amended by adding a new section 105.6.48 entitled "Fire protection equipment" to read as follows:

105.6.48. Fire protection equipment. In addition to obtaining a City of Chandler privilege tax license, and an Arizona State Contractor's License, an operational permit is required for any person, corporation, partnership or other entity engaged in the primary business of selling, servicing or installing portable fire extinguishers, fire alarms and fire detection equipment or fixed fire-extinguishing equipment within the City of Chandler. Permittees shall provide and maintain a certificate of insurance showing proof of

coverage in the amount of one million dollars (\$1,000,000.00) in Commercial General Liability insurance to include products and completed operations coverage to compensate its customers for any injury or financial loss as a result of negligence of the permittee, its employees or agents. Each certificate of insurance shall be issued by an insurance company or broker licensed to issue same in the State of Arizona and carry a provision for automatic notification to the fire code official thirty (30) days prior to termination or cancellation in coverage.

Further, permittees shall, to the fullest extent permitted by law, indemnify, defend, and save harmless the City of Chandler, its Mayor and Council, appointed boards and commissions, officials, officers, employees, individually and collectively, from all losses, claims, suits, actions, payments and judgments, demands, expenses, attorney's fees, defense costs or actions of any kind and nature resulting from personal injury to any person, including employees of the permittee or of any subcontractor employed by the permittee (including bodily injury an death) or damages to any property, arising or alleged to have arisen, out of the negligent performance of the permittee for the work done in connection with the permit, or on account of any act or omission by the permittee or his/her agents, or from any claims or amounts arising or recovered under Workers' Compensation laws or any other law, bylaw, ordinance, or order or decree, except any such injury or damages arising out of the sole negligence of the City, its officers, agents or employees. It is the intention of the parties that the City of Chandler, its Mayor and Council, appointed boards and commissions, officials, officers, employees, individually and collectively, are to be indemnified against their own negligence unless and except where their negligence is found to be the sole cause of the injury to persons or damages to property. The amount and type of insurance coverage requirements required of permittees in this Section will in no way be construed as limiting the scope of indemnity set forth herein. The City, by virtue of these permit provisions, does not warrant the equipment, business practices or status of insurance for any such entity and any person doing business with a fire protection equipment business should take their own precautions in dealing with such business.

28-11. Healthcare facilities.

Section 105.6 of the code is hereby further amended by adding a new Section 105.6.49 entitled "Healthcare facilities" to read as follows:

105.6.49. Healthcare facilities. An operational permit is required for the operation of a healthcare facility. A healthcare facility is a residential or institutional facility used in whole or in part for providing childcare, adult care or assisted living services for non-family members.

28-12. Violations.

Sections 108, 109 and 111 of the code are hereby deleted in their entirety and replaced with a new Section 109 entitled "Enforcement" to read as follows:

109. Enforcement.

109.1. Unauthorized tampering. Signs, tags or seals posted or affixed by the fire code official shall not be mutilated, destroyed or tampered with or removed without written authorization from the fire code official.

109.2. Unlawful acts. It shall be unlawful for a person, firm or corporation to violate any provisions of this code, or any order or decision rendered pursuant to this code, including, without limitation, erecting, constructing, altering, repairing, removing, demolishing or utilizing a building, occupancy, premises or system regulated by this code, or cause same to be done, in conflict with or in violation of any of the provisions of this code.

109.3. Enforcement. Unlawful acts constitute a violation of the Code of the City of Chandler and shall be subject to enforcement pursuant to Section 1-8.7 and Chapter 26, Code of the City of Chandler.

109.4. Cease and Desist Order. Whenever the fire code official finds any work or activity regulated by this code being performed in a manner contrary to the provisions of this code or in a dangerous or unsafe manner, the fire code official is authorized to issue a cease and desist order. Absent an emergency, a cease and desist order shall be in writing and shall be given to the owner of the property, or to the owner's agent, or to the person doing the work or activity. Upon issuance of a cease and desist order, the cited work or activity shall immediately cease. The cease and desist order shall state the reason for the order and the conditions under which the cited work or activity is authorized to resume. Where an emergency exists, the fire code official shall not be required to give a written notice prior to causing the work or activity to cease.

109.5. Notice of Violation. Upon finding a building, premises, vehicle, storage facility or outdoor area that is in violation of this code, the fire code official may, at his or her sole discretion, prepare a written notice of violation describing the violations prior to initiating the formal enforcement mechanisms for violations of this code set forth in Section 109.3 and, when compliance is not immediate, specifying a time for such compliance and re-inspection. A notice of violation issued pursuant to this Section shall be served upon the owner, operator, occupant or other person responsible for the condition or violation, either by personal service, mail, or by delivering the same to, and leaving it with, some person of responsibility upon the premises. For unattended or abandoned locations, a copy of such notice of violation shall be posted on the premises in a conspicuous place at or near the entrance to such premises and the notice of violation shall be mailed with return receipt requested or a certificate of mailing, to the last known address of the owner, occupant or both. A notice of violation issued or served as provided by this Section shall be complied with by the owner, operator, occupant or other person responsible for the condition or violation to which the notice of violation pertains.

109.6. Abatement. Nothing in this Section 109 shall be deemed to preclude the City from seeking an abatement order pursuant to either Section 110 of this code or Section 26-10, Code of the City of Chandler. To the extent that the terms of any such abatement order are not complied with, the City may seek recovery of its expenses in abating the nuisance cited, including, without limitation, those expenses associated with orders issued pursuant to Section 304 of this code, pursuant to the procedures set forth in Section 26-11, Code of the City of Chandler.

28-13. Definitions.

Exceptions 1 and 2 of the definition of “Assembly Group A” under the definition of “Occupancy Classifications” in Section 202 of the code are hereby amended to read as follows:

1. A building used for assembly purposes with an occupant load of less than ~~50~~ 100 persons shall be classified as a Group B occupancy.
2. A room or space used for assembly purposes with an occupant load of less than ~~50~~ 100 persons and accessory to another occupancy shall be classified as a Group B occupancy or classified as part of that occupancy.

28-14. Vacant property.

Section 304 of the code is hereby amended by adding new Sections 304.4, entitled “Vacant property”, and 304.5, entitled “Expense recovery”, to read as follows:

304.4. Vacant property. No person, including but not limited to subdividers, developers, sellers, and/or realtors shall place, post or maintain on any vacant property, any sign advertising such property for sale or lease if said property is in violation of Section 30-2, Code of the City of Chandler, or Sections 304.1 and 304.2 of this code regarding combustible rubbish and vegetation. Weeds or grass in excess of six (6) inches in height growing on vacant property shall be considered to be in violation of Section 304.1. The fire code official is authorized to order removed, or cause to be removed, at the sign owner's expense, any signs erected or maintained in violation of this Section.

304.5. Expense recovery. Any owner, operator, occupant or other person responsible for property, who fails to correct a violation of Section 304 within fifteen (15) days of the fire code official issuing an order or notice which is served pursuant to the provisions of Section 109.5, shall be charged for any costs incurred by the City of Chandler in responding to any fire at the subject property while the violation continues to exist. The provisions of this Section are for the purpose of reimbursing the City of Chandler's costs and shall be in addition to any penalties that may apply. The fire code official shall keep or cause to be kept an itemized account of the expenses involved in responding to each fire, including personnel, equipment and administrative costs, as well as the costs incurred by other fire departments responding to calls within the City of Chandler, due to

City of Chandler fire crews being unavailable for service as a result of said fire. The collection and appeal provisions set forth in Section 26-11, Code of the City of Chandler, shall apply to this Section.

28-15. Open-flame cooking devices.

Sections 308.3.1 and 308.3.1.1 are hereby deleted in their entirety and replaced with a new Section 308.3.1 to read as follows:

308.3.1. Open flame cooking devices. Except as expressly set forth below, charcoal burners and other open flame cooking devices shall not be operated on combustible balconies or within ten (10) feet (3048 mm) of combustible construction.

Exceptions:

1. This restriction does not apply to single family detached dwellings.
2. This restriction does not apply to LP-gas burners having an LP-gas container with a water capacity of 2.5 pounds or less.
3. This restriction does not apply to LP-gas burners having an LP-gas container with a water capacity between 2.5 pounds and 25 pounds where the building, balconies and decks on which the LP-gas burners are operated are protected by an automatic sprinkler system.

28-16. Premises identification.

Section 505.1 of the code is deleted in its entirety and a new Section 505.1 entitled "Address numbers" is added to read as follows:

505.1. Address numbers. Approved numbers or addresses shall be placed on all new or existing buildings within the City in accordance with criteria specified in the 1998 version of the Street Naming and Addressing Procedures adopted by the City of Chandler, three (3) copies of which are on file in the Office of the City Clerk. Properties annexed into the City shall display only a city-assigned premises identification number. Said number shall be permanently affixed to all premises within thirty (30) days of notification of the City of the new address. No building address shall be changed except in the manner prescribed in the City of Chandler Street Naming and Addressing Procedures.

28-17. Fire extinguishing system installations, educational brochure.

Section 903 of the code is hereby amended by deleting Sections 903.2 through 903.2.10 in their entirety, replacing them with new Sections 903.2 through 903.2.10 to read as follows:

903.2. Where required. Subject to the exceptions set forth herein, approved automatic

sprinkler systems shall be provided in the locations within the City described in this Section. Installation of fire sprinkler systems shall be performed by an Arizona licensed fire protection contractor.

Exception 1. An automatic sprinkler system is not required for spaces or areas in telecommunications buildings used exclusively for telecommunications equipment, associated electrical power distribution equipment, batteries and standby engines, provided those spaces or areas are equipped throughout with an automatic fire alarm system and are separated from the remainder of the building by fire barriers consisting of not less than 1-hour fire-resistance-rated walls and 2-hour fire-resistance-rated floor/ceiling assemblies.

Exception 2. An automatic sprinkler system is not required for buildings or structures which were constructed and in use prior to September 11, 1986. This exception shall not apply if, after such date, there is a discontinuation of use for a period to twelve (12) months, there is, in the opinion of the fire code official, a change in use to a less restrictive use or there is an enlargement or structural alteration of the building or structure.

Exception 3. An automatic sprinkler system is not required for additions to an existing building where the required fire flow does not exceed one thousand (1,000) gallons per minute (gpm).

Exception 4. In addition to the general authority granted to the fire code official pursuant to Section 104.9, the fire code official shall have discretion to exempt other facilities from automatic sprinkler system requirements where the size, intended use, and extent of use of the facility does not warrant the installation of fire sprinklers and alternate methods to secure public safety are provided. Such other facilities may include, but are not limited to: (1) enclosed structures which are less than three thousand (3,000) square feet in size, at least fifty (50) percent open on the sides and used to protect humans, animals, or property from the sun or elements; (2) structures which are less than three hundred (300) square feet in size used to monitor access to a larger facility, site, or area; (3) structures temporarily used for a period not to exceed two (2) years for onsite storage or maintenance purposes provided that the structure is not used for Group A, E, F, H or I occupancies; and (4) mini-self storage units comprising a single building or group of buildings where primary or principal use of the facility is for storage.

903.2.1. Group A. An automatic sprinkler system shall be provided for Group A occupancies.

Exception: When any Group A-3 occupancy is constructed specifically as a church and used for regularly scheduled religious activities for not more than eight (8) hours per day or more than twenty-four (24) hours per week, calculated on an annual basis, including such buildings used for educational purposes and not classed as Group E or Group B occupancies, an automatic fire alarm system,

employing a Class A circuit configuration and monitoring through a remote station, proprietary or central station facility, may be installed in lieu of the required automatic sprinkler system. Administrative and clerical offices and similar rooms which are ancillary to the church use and which do not exceed twenty-five (25) percent of the floor area of the major use group may be included in this exception, provided these areas are protected by the fire alarm system. Basements constructed as Group A-3 occupancies which are ancillary to the church use that are larger than one thousand five hundred (1,500) square feet, or any part of which is more than seventy-five (75) feet from openings required in this Section, shall be equipped with an automatic sprinkler system.

903.2.2. Group E. An automatic sprinkler system shall be provided for Group E occupancies.

903.2.3. Group F. An automatic sprinkler system shall be provided for Group F occupancies.

903.2.4. Group H. Automatic sprinkler systems shall be provided for Group H occupancies.

903.2.5. Group I. An automatic sprinkler system shall be provided for Group I occupancies.

903.2.6. Group M. An automatic sprinkler system shall be provided for Group M occupancies.

903.2.7. Group R. An automatic sprinkler system shall be provided for Group R-3 occupancies for condominiums and multiplexes that contain more than two dwelling units within a structure.

903.2.8. Group R, Educational brochure. Any person, including but not limited to subdividers, developers, sellers and/or realtors, offering homes for sale within the City through the use of a model home sales office, shall provide to each prospective homebuyer an educational brochure or handout explaining misconceptions and facts concerning residential automatic sprinkler systems, and, further, shall cause to be provided, as an available purchase option, to the homebuyer, an approved residential automatic sprinkler system, to be installed in the home as the home is constructed, at a competitive cost, by an Arizona State licenses fire protection contractor. The City of Chandler Fire Department will have available acceptable brochures for use by such sellers. Such sellers shall, at the time a purchase and construction contract is executed, obtain signed documentation from any homebuyer who chooses to decline an optional automatic sprinkler system.

903.2.9. Group S. An automatic sprinkler system shall be provided in Group S occupancies.

903.2.10. Group U. An automatic sprinkler system shall be installed in Group U occupancies that are larger than three thousand (3,000) square feet.

28-18. Fire extinguishing system exception.

Section 903 of the code is hereby further amended by amending Exception 2 of Section 903.4 to read as follows:

2. Limited area systems serving fewer than ~~20~~ 100 sprinklers.

28-19. Emergency radio communication.

Chapter 9 of the code is hereby amended by adding a new Section 915 entitled “Emergency radio communications” to read as follows:

915. Emergency radio communications.

915.1. General. Reliable emergency radio communications are critical for emergency response operations. Lack of radio communications within a structure presents dangerous conditions for both emergency response personnel and the occupants of the structure.

915.2. Adequate radio coverage. Any building or structure covered by Section 915 must support adequate radio coverage. For purposes of this Section adequate radio coverage shall mean:

1. A minimum signal strength of one (1) microvolt (-107 dBm) received in ninety (90) percent of each floor area of the building or structure when transmitted from the police and fire dispatch centers utilized by the City of Chandler; and
2. A minimum signal strength of one (1) microvolt (-107 dBm) received at the police and fire dispatch centers utilized by the City of Chandler when transmitted from ninety (90) percent of the floor area of each floor of the building or structure.

915.3. Amplification system. Buildings and structures which cannot support the required level of radio coverage shall be equipped with any of the following in order to achieve the required adequate radio coverage; a radiating cable system or an internal multiple antenna system with or without FCC accepted bidirectional UHF amplifiers as needed. If any part of the installed system or systems contains an electrical powered component, the system shall be capable of operating on an independent battery and/or generator system for a period of at least twelve (12) hours without external power input. The battery system shall automatically charge

in the presence of an external power input.

915.4. Applicability. Except as set forth in Section 915.6 the requirements of Section 915 shall apply to all buildings and structures located in the City, or components thereof including underground structures, totaling ten thousand (10,000) square feet or more for which construction is completed after December 31, 2003, and existing buildings and structures that are expanded, modified or altered after December 31, 2003 in a manner requiring City of Chandler approval that total ten thousand (10,000) square feet or more after such alterations or modifications. The requirements of Section 915 shall apply to all buildings and structures totaling ten thousand (10,000) square feet or more not exempted by Section 915.6 commencing on January 1, 2009.

915.5. Field testing. City of Chandler employees shall conduct initial field testing prior to approval of any newly constructed or altered building or structure covered herein to ensure compliance with the provisions of this Section 915 and shall, either in conjunction with a fire inspection of the building or structure or after providing reasonable notice to the owner or occupant of the building or structure, or his or her designee, have the right to enter into the property to ensure that adequate radio coverage is being provided and maintained.

915.6. Exemptions. Notwithstanding the provisions of Section 915.4 herein, the requirements set forth in this Section 915 do not apply to:

1. R-1 and U occupancies;
2. Buildings and structures utilizing only wood framing; and
3. Buildings and structures that are less than thirty-five (35) feet high and do not utilize any metal framing or metal roofing.

28-20. Breathing air replenishment system.

Chapter 9 of the code is hereby further amended by adding a new Section 916 entitled "Breathing air replacement system" to read as follows:

916. Breathing air replenishment systems.

916.1. General. A breathing air replenishment system (BAR System) is a complete, self-contained high pressure breathing air replenishment system consisting of a fire department air connection panel, remote air fill panels and high pressure interconnected piping, permanently installed with a structure, allowing fire department personnel to replenish empty self-contained breathing apparatus cylinders within close proximity to the location of the incident requiring emergency response, thus reducing the amount of travel distance, time and support personnel needed at an emergency incident.

916.2. Applicability. The requirements of this Section 916 shall apply to all buildings and structures meeting the specifications set forth in Section 916.3 for which construction is completed after December 31, 2003 and to all expansions, alterations and modifications to existing buildings and structures meeting the specifications set forth in Section 916.3 completed after December 31, 2003 which required City of Chandler approval. The requirements of Section 916 shall apply to all buildings and structures meeting the specifications set forth in Section 916.3 commencing on January 1, 2009.

916.3. Buildings and structures requiring BAR System. A BAR System shall be installed in buildings and structures located in the City meeting either of the following criteria:

1. Buildings and structures five (5) floors or seventy-five (75) feet in height or more above grade or which are otherwise characterized as high rise buildings; and
2. Underground buildings and structures, or components thereof, totaling ten thousand (10,000) square feet or more that are either more than two (2) floors below grade or more than thirty (30) feet below grade.

916.4. Plans. Two (2) sets of engineered stamped design drawings of the BAR System shall be submitted to the City building official and the fire code official. The plans shall include equipment/component drawings, system calculations, and manufacturer's technical product data, to include all piping, fittings, valves, gauges, cabinets, locking devices, hangers, supports and all other system components as may be necessary to install the BAR System. The installation of the BAR System shall not commence until the plans therefore have been approved. A fee for plan review and inspection shall be adopted by the City by resolution and shall be paid prior to plan review.

916.5. Contractor qualifications. The BAR system shall be installed, tested and maintained by contractor with an Arizona Registrar of Contractors license classification of:

L-5: Rescue Air Systems (Commercial)

C-5: Rescue Air Systems (Residential)

K-5: Rescue Air Systems (Dual)

Any contractor responsible for installation, testing, or maintenance of a BAR system shall also have a Chandler Fire Department Permit for Fire Protection Contractors pursuant to Section 105.6.48.

916.6. BAR System requirements. The BAR System shall allow fire department personnel to simultaneously replenish four (4), forty-five (45) cubic foot self-contained breathing apparatus cylinders at any one (1) time; two (2) at three thousand (3,000) psi and two (2) at four thousand five hundred (4,500) psi. Fire department personnel shall be able to connect into the BAR System's fire department air connection panel from a mobile air support apparatus thereby providing a constant source of breathing air supplied directly from the air support apparatus to the system's remote air fill panels.

916.7. Bar System components. The BAR System shall consist of the following minimum components:

1. Fire department air connection panel;
2. Remote air fill panels;
3. Interconnected piping; and
4. Low pressure monitoring switches and alarm.

916.8. Fire department air connection panel. A fire department air connection panel shall be installed on the exterior of the building or within a remote monument at a location approved by the fire code official and shall be interconnected to the building's interior remote air fill panels. The fill inlet and associated components of the air connection panel shall be contained in a lockable, weather tight enclosure.

The exterior fire department connection panel shall contain all of the necessary gauges, isolation valves, pressure relief valves, pressure regulating valves, check valves, tubing, fittings, supports, connectors, adapters and other necessary components as may be required to allow the fire departments mobile air unit to connect and augment the system with a constant source of breathing air.

The fire department air connection panel shall be installed in an area protected from physical damage. The panel shall be locked at all times, unless in use by fire department personnel. The locking mechanism for the panel cover shall be contained in an approved key box installed at a location approved by the fire code official. The key to unlocking the cover shall be stored in the approved key box.

916.9. Remote air fill panels. Unless otherwise approved by the fire code official, the remote air fill panels shall be installed in the above grade portion of applicable structures in stairwells commencing on the third floor above grade level and every other floor above grade level thereafter. Unless otherwise approved by the fire code official, the remote air fill panels shall be installed in the below grade portion of applicable structures in stairwells, or other areas of ingress or egress approved by the fire code official, commencing on the third floor

below ground level and every other floor below grade level thereafter or, if there are less than three (3) floors below ground level, the lowest floor.

The remote air fill panels shall contain all of the necessary gauges, isolation valves, pressure relief valves, pressure regulating valves, check valves, tubing, fittings, supports, connectors, adapters and other necessary components as may be required to allow firefighters and other first responders to safely and reliably replenish a minimum of two (2) forty-five (45) cubic feet breathing air cylinders simultaneously.

916.10. Piping, valves and fittings. Unless otherwise approved by the fire code official, all piping, valves and fitting shall be compatible and support a minimum working pressure of five thousand (5,000) psi with a safety factor of 4 to 1.

Piping shall be supported at not less than five-foot intervals. The entire system shall be protected by a minimum of two-hour rated fire wall that protects the system from possible damage.

When piping must pass through a fire rated or solid material, the piping shall be protected by a sleeve that is at least three (3) times the pipe diameter. Both ends of the sleeve shall be filled with an approved fire stop.

916.11. Low pressure monitoring and alarm. When not being utilized by fire department personnel, the BAR System shall maintain a constant pressure of at least four thousand five hundred (4,500) psi. An alarm or monitoring system capable of detecting, and that is set to detect, a pressure drop of one thousand (1,000) psi shall be included and maintained with the BAR System. A building or structure owner, or his or her designee, shall notify the fire department of any alarm signaling a loss of pressure to the system and of any scheduled test of the system to be conducted by the owner of the building or structure. Unless otherwise approved by the fire code official, the low pressure alarm shall be tied into the fire and smoke alarm system for the building or structure.

916.12. Markings and record keeping. The fire department air connection panel and the remote air fill panels shall be clearly identified by means of permanently installed signage stating FIREFIGHTER AIR SYSTEM in minimum one and one-half (1½) inch letters and be located where plainly visible. The owner and/or occupant of the building or structure shall keep the area in and around the fire department air connection panel and the remote air fill panels free of objects that may block use of these panels.

916.13. Initial testing requirements. When fabrication, assembly and installation of the Bar System is complete, the entire system shall be tested in accordance with the following:

1. The system shall be inspected for leaks by pneumatically pressure testing

the system to five thousand (5,000) psi using oil-free, dry air. An approved solution shall be used on each joint and fitting in the system. All leaks or failure to maintain five thousand (5,000) psi pneumatic pressure shall be documented by the system installer and forwarded to the system manufacturer for inspection, repair and/or replacement.

2. Upon successful completion of the five thousand (5,000) psi pressure testing, the entire system shall be pneumatically pressure tested to one and one-half (1 1/2) times the working pressure (seven thousand five hundred (7,500) psi) using oil free, dry air for at least one (1) hour. All leaks or failure to maintain seven thousand five hundred (7,500) psi pneumatic pressure shall be documented by the system installer and forwarded to the system manufacturer for inspection, repair and/or replacement.
3. Upon successful completion of the seven thousand five hundred (7,500) psi pressure testing, the entire system shall be retested for a period of twenty-four (24) hours. All leaks or failure to maintain five thousand (5,000) psi pneumatic pressure shall be documented by the system installer and forwarded to the system manufacturer for inspection, repair and/or replacement.

916.14. On-going testing and maintenance requirements. Breathing air samples from the BAR System shall be taken by an independent, qualified entity on an annual basis and shall be analyzed by an accredited testing laboratory in the manner specified in NFPA 1989, Section 5.3. Testing pursuant to this Section and Section 916.13 shall also be required after the BAR System is utilized or upon determination by the fire code official that contamination of the air in the BAR System may be contaminated. The BAR System shall otherwise be tested and maintained in accordance with NFPA Standards and manufacturer specifications.

916.15. Inspection and record keeping. Records of all maintenance and testing of the BAR System shall be kept on-site for a minimum of three (3) years and be available to fire department personnel upon request. Fire department personnel shall either in conjunction with a fire inspection of the building or structure or, after providing reasonable notice to the owner or occupant of the building or structure, or his or her designee, have the right to enter onto the property to inspect the BAR System and the records relating to the maintenance and testing of that system.

28-21. Electronic filing.

Section 2701.5 of the code is hereby amended by adding a new Section 2701.5.3 entitled "Electronic filing" to read as follows:

2701.5.3. Electronic filing. The fire code official is hereby authorized to establish

procedures requiring the electronic filing of HMMP and HMIS. An approved HMMP and/or HMIS must remain on site.

28-22. Stationary containers location.

Section 3204.3.1 of the code is hereby deleted in its entirety and replaced with a new Section 3204.3.1.1 to read as follows:

3204.3.1.1. Location. In addition to any other location restrictions that may apply, stationary containers shall be located in accordance with Section 3203.6 and, for stationary containers first utilized after November 23, 1993, shall be located at least one thousand (1,000) feet from any residence, church, school, hospital or similar facility and at least one-half (1/2) mile from any bulk storage facility for liquefied petroleum gases. Stationary containers first utilized prior to November 23, 1993 must comply with all such restrictions if, after such date, there is a discontinuance of the use for a period of twelve (12) months, there is, in the opinion of the fire code official, a change in use to a less restrictive use or there is an enlargement of the use. Containers of cryogenic fluids shall not be located within diked areas containing other hazardous materials. The fire code official may reduce the location restrictions set forth above upon request based on best available hazard analysis modeling approved by the fire code official.

28-23. Above ground tanks location.

Sections 3404.2.9.5.1 and 3406.2.4.4 are hereby deleted in their entirety and replaced with new Sections 3404.2.9.5.1 and 3406.2.4.4 to read as follows:

3404.2.9.5.1. Location where above-ground outdoor tanks are prohibited. In addition to any other location restrictions that may apply, storage of Class I and Class II liquids in above-ground tanks, located outside a building, that were first utilized after November 23, 1993, shall be located at least one thousand (1,000) feet from any residence, church, school, hospital or similar facility and at least one-half (1/2) mile from any bulk storage facility for liquefied petroleum gases. Tanks first utilized prior to November 23, 1993 must comply with all such restrictions if, after such date, there is a discontinuance of the use for a period of twelve (12) months, there is, in the opinion of the fire code official, a change in use to a less restrictive use or there is an enlargement of the use. The fire code official may reduce the location restrictions set forth above upon request based on best available hazard analysis modeling approved by the fire code official.

3406.2.4.4. Locations where above-ground tanks for special operations are prohibited. In addition to any other location restrictions that may apply, storage of Class I and Class II liquids in above-ground tanks, used for special operations, that were first utilized after November 23, 1993, shall be located at least one thousand (1,000) feet from any residence, church, school, hospital or similar facility and at least one-half (1/2) mile from any bulk storage facility for liquefied petroleum gases. Tanks first utilized prior to November 23, 1993 must comply with all such restrictions if, after such date, there is a

discontinuance of the use for a period of twelve (12) months, there is, in the opinion of the fire code official, a change in use to a less restrictive use or there is an enlargement of the use. The fire code official may reduce the location restrictions set forth above upon request based on best available hazard analysis modeling approved by the fire code official.

28-24. LP-gas containers location.

Section 3804.1 of the code is hereby amended by adding the following location restrictions to the end of that Section before the exception set forth therein:

Additionally, any storage of LP gas initiated after November 23, 1993, shall be located at least one thousand (1,000) feet from any residence, church, school, hospital or similar facility and at least one-half (1/2) mile from any bulk storage facility for liquefied petroleum gases. Such storage initiated prior to November 23, 1993 must comply with all such restrictions if, after such date, there is a discontinuance of the use for a period of twelve (12) months, there is, in the opinion of the fire code official, a change in use to a less restrictive use or there is an enlargement of the use. The fire code official may reduce the location restrictions set forth above upon request based on best available hazard analysis modeling approved by the fire code official.

28-25. Appendices.

This code is hereby further amended by deleting Appendix A in its entirety and specifying that Appendix E is included for informational purposes only and is not adopted by the City as part of this code. All other Appendices set forth in this code are hereby adopted as part of this code.

SECTION 3: Any person violating any section of the code adopted by reference in Chapter 28, Code of the City of Chandler may be punished by imposition of a civil sanction not to exceed five hundred dollars (\$500.00), unless another penalty is specified. Any person who commits a violation of the code adopted by reference in Chapter 28, Code of the City of Chandler, after previously having been found responsible for committing two (2) or more infractions of this code within any thirty-six (36) month period, whether by admission, by payment of the fine, by default, or by judgment after hearing, shall be guilty of a Class I criminal misdemeanor punishable by a fine not exceeding two thousand five hundred dollars (\$2,500.00), by imprisonment for a term not exceeding six (6) months, by probation for a term not exceeding three (3) years, or by any combination thereof. Each day a violation continues shall constitute a separate offense.

INTRODUCED AND TENTATIVELY APPROVED by the City Council of the City of Chandler, Arizona, this _____ day of _____, 2008.

ATTEST:

CITY CLERK

MAYOR

PASSED AND ADOPTED by the City Council of the City of Chandler, Arizona this _____ day of _____, 2008.

ATTEST:

CITY CLERK

MAYOR

Approved as to form:



CITY ATTORNEY

CERTIFICATION

I HEREBY CERTIFY that the above and foregoing Ordinance No. 4074 was duly passed and adopted by the City Council of the City of Chandler, Arizona, at a regular meeting held on the _____ day of _____, 2008, and that a quorum was present thereat.

CITY CLERK

Published: