

ORDINANCE NO. 13-004

An ordinance of the LAKE OZARK FIRE PROTECTION DISTRICT adopting the 2012 edition of the *International Fire Code*, 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 within the Lake Ozark Fire Protection District; providing for the issuance of permits and collection of fees therefor; and repealing the Lake Ozark Fire Protection District Fire Prevention Code adopted July 10, 2006 and all other ordinances or parts of laws in conflict therewith.

BE IT ORDAINED BY THE BOARD OF DIRECTORS OF THE LAKE OZARK FIRE PROTECTION DISTRICT AS FOLLOWS:

SECTION 1: That a certain document, three (3) copies of which are on file in the office of the Fire Marshal for the Lake Ozark Fire Protection District, being marked and designated as "*International Fire Code, 2012 Edition*" as published by the International Code Council, including Appendix Chapters B, C, D, E, F and I, be and is hereby adopted as the Fire Code of the Lake Ozark Fire Protection District 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 fee therefor; and each and all of the regulations, penalties, conditions and terms of said Fire Code on file in the office of the Fire Marshal for the Lake Ozark Fire Protection District are hereby referred to, adopted and made a part hereof, to the extent authorized by and not in conflict with the Revised Statutes of Missouri, as if fully set out in this ordinance, with the following additions, insertions, deletions and changes, if any, prescribed below.

SECTION 2: The following sections are hereby revised:

101.1: Wherever (name of jurisdiction) appears in such Code, it shall read the Lake Ozark Fire Protection District.

101.1.1: Wherever Code Official or Building Official may appear, it shall be defined as the Fire Marshal of the Lake Ozark Fire Protection District or his/her duly authorized representative.

101.1.2: "Fire Official" is defined as the Fire Chief of the Lake Ozark Fire Protection District or his/her duly authorized representative.

101.1.3: Wherever “Department of Building Inspections” may appear in such Code, it shall read “Division of Building Inspections.”

101.1.4: Wherever “Chief Appointing Authority of the Jurisdiction” may appear in such Code, it shall read “The Board of Directors of the Lake Ozark Fire Protection District.”

101.1.5: “Authority having jurisdiction” shall be defined as the organization, office or individual responsible for approving equipment installation or procedures.

SECTION 3: That the Lake Ozark Fire Protection District Fire Prevention Code adopted by the Lake Ozark Fire Protection District on July 10, 2006 and all other ordinances or parts of laws in conflict herewith are hereby repealed.

SECTION 4: 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 Board of Directors of the Lake Ozark Fire Protection District 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 5: That nothing in this ordinance or in the Building Code hereby adopted shall be construed to affect any suit or proceeding pending in any court, or any rights acquired or liability incurred, or any cause or causes of action acquired and existing under any act or ordinance hereby repealed as cited in Section 4 above; nor shall any just or legal right or remedy of any character be lost, impaired or affected by this ordinance.

SECTION 6: That the Custodian of Records of the Lake Ozark Fire Protection District is hereby ordered and directed to cause this ordinance to be published in accordance with the requirements of the Revised Statutes of Missouri.

SECTION 7: That this ordinance and the rules, regulations, provisions, requirements, orders and matters established and adopted hereby shall take effect and be in full force and effect from at 12:00 a.m. on the 1st day of January, 2014.

SECTION 8: The following amendments are hereby made to the International Fire Code, 2012 edition:

Section 105.1.4: Add new section as follows:

105.1.4 Permit Fees: See International Building Code and International Residential Code adoption ordinances for fee schedules.

Section 108: Delete in its entirety and insert:

Section 108: Board of Appeals

108.1 Application for appeals: An owner, lessee, operator, occupant, contractor, or any other person aggrieved by an order or decision of the fire official pursuant to this code, may file an appeal to the board of directors within ten (10) days from the service for any order or decision. All appeals shall be filed in writing and a \$50.00 filing fee with the fire official in prescribed form of application for appeals. (See attached form). Applications may be made when it is claimed that the true intent of this code or rules adopted thereunder has been incorrectly interpreted, the provisions of this code do not fully apply or an equally good or better form of construction can be used. Except for emergency conditions, such appeal shall stay the execution of an order decision of the fire official until it has been heard and reviewed, vacated or confirmed by the board of directors.

108.2 Public Hearing: Upon receipt of a written application for an appeal together with prescribed filing fees, the board of directors shall schedule and conduct a timely public hearing on the appeal. At such hearing, the board of directors shall provide the applicant and parties having interest the opportunity to be heard, consider recommendations of a professional advisory committee (when applicable), and affirm, modify, revoke or vacate the order or decision of the fire official. The decision of the board shall be in writing and delivered to the applicant and fire marshal within ten (10) working days of the conclusion of the hearing.

108.3 Professional advisory committee: When emergency conditions do not exist and professional analysis is demanded by the applicant or determined necessary by the board of directors for the matters of technical or legal complexity, the board shall direct the formation of a special professional advisory committee to make recommendations on appeal decisions to the board of directors.

108.4 Composition of the professional advisory committee: The professional advisory committee shall consist of no less than three (3) persons, one of whom shall be a fire district or fire department fire official from another District. Another shall be a licensed professional engineer or architect designated by the fire district and the third shall be a representative of the owner, contractor, and applicant of his or her choice. In the event that the applicant demands both technical and legal analysis, then a five (5) member committee shall be directed, one being a fire district or fire department fire official from another District. Another shall be a licensed professional engineer or architect designated by the fire district and two shall be a representative of the owner, contractor, or applicant of his or her choice. Legal counsel selected by the Fire District shall hold the remaining position.

108.5 Compensation of professional advisory committee: Compensation for the time and services of the jointly determined member(s) of the professional advisory committee shall be the responsibility of the appeal applicant. The applicant shall post a security payment prior to the committee's deliberations, which the board may utilize to pay for the time and services of the jointly determined members of the professional advisory committee. The amount of such security shall be as reasonably determined by the board and in no case shall such security be less than the total amount of the estimated building permit fee plus plan review (if applicable) of the district for the project when involving matters related to building permits.

108.6 Filing fees: A filing fee of \$500.00 per project shall accompany applications for appeals with the advisory committee. This fee shall be collected by the district prior to the hearing.

108.7 Compensation of professional advisory committee: Each member of the professional advisory committee shall receive a fee of \$50.00 per hearing for time, services and expenses related thereto. This fee shall be paid by the applicant for each member present at the hearings.

108.8 Court Review: Nothing contained herein shall be deemed to deny the right of any person, firm, or corporation, co-partnership or voluntary association to appeal from an order and/or decision of the board of directors to a court of competent jurisdiction. Such appeals shall stay the execution of such order and/or decision until it has been heard and reviewed, vacated or confirmed. Application for review shall be made to the proper court of jurisdiction within 15 days after the delivery of the board's decision to the applicant by certified mail, or filing with the office of the fire official when conditions prohibit such delivery.

108.9 Fee Schedule:

1. Filing fee \$500.00 as per 108.6
2. Compensation of advisory board
 - A. Compensation of advisory board \$150.00
 - B. Compensation of advisory board \$250.00 if 5 person board

Section 109: Delete 109.4 and insert:

109.4 Violation penalties: Persons who 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 issued under the provisions of this code, shall be guilty of a fire code violation punishable by a fine or not more than \$1,000 or by imprisonment not exceeding 1 year, or both. Each day that a violation continues after due notice has been served shall be deemed a separate offense.

109.4.2 Civil Action: Notwithstanding the provisions hereof, the Code Official, with the approval of the Board of Directors, may cause to be instituted in the name of the District, a civil

action for injunction or other appropriate relief to secure compliance with the provisions of this Code. Injunctive or other appropriate relief shall not be denied on the grounds that an adequate remedy at law exists through the imposition of criminal sanctions.

Section 111.4: Delete in its entirety and insert:

111.4 Failure to Comply: Any person who shall continue to 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 \$100.00 or more than \$1,000.

Section 111: Add a new section:

111.5 Penalties: Notwithstanding the foregoing, the Lake Ozark Fire Protection District reserves all rights to enforce its ordinances, including the remedies found in the International Fire Code and those set forth in Chapter 321, RSMo, *et seq.*

Section 307.2: Add a new section:

307.2.2 Obtaining Burn Permit: A permit shall be obtained for open burning from the Fire District Office by calling 573-365-6407 prior to kindling. Application for approval shall only be presented by and permits issued to the owner of the land upon which the fire is to be kindled. If a burn permit is required outside of normal business hours, there shall be a recording at the same number stating whether it is or is not a burn day. The applicant on a burn day shall leave their name, address, location, telephone number and the type of material they are burning.

Section 505.1: Add a new sentence:

505.5.1 The Fire Marshall shall have authority to require larger numerals as necessary.

Section 506.1: Delete in its entirety and insert:

506.1 Where required: 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 fire-fighting purposes, the Code Official is authorized to require a key box to be installed in an approved location. The box shall be installed at the fire department connection. The box shall be visible and accessible to the fire department and shall be installed not less than 42 inches and no more than 54 inches above the finished grade and within 10 feet of the main entrance, or as required by the Code Official.

Section 506.1: Add six new sections as follows:

506.1.3 Requirements for “Rapid Access” Key Switch or Padlock: Any gate across an access point to be used by emergency personnel responding to an emergency at a property servicing one commercial or industrial building and/or more than one residence shall be installed to the following minimum guidelines.

506.1.4 General:

1. There shall be two site plans filed with the Lake Ozark Fire Protection District.
2. Plans shall include measurements, location, type of gate/barrier and direction of swing.
3. Plan shall indicate location of Rapid Access Key Switch and/or Padlock.
4. The gate shall be equipped with an approved opening device.
5. The gate shall be equipped with a currently approved Rapid Access Key Switch of the “Knox” 3500 series or an approved Rapid Access Padlock of the “Knox” 3700 series.
6. Chained gates shall include both a padlock of the owner’s choice and a Rapid Access Padlock that interlock with each other.
7. Opening of both ingress and egress of vehicles shall be a minimum of 13’6” in height and a minimum of 15’ in width for a single lane.
8. The minimum inside turning radius shall be 17’ with an outside radius of 38’ for the exterior and interior approach to the gate.
9. The Key Switch or Padlock shall be identified by a red sign with white reflective letters not less than ½” high reading “FIRE DEPT.”
10. A minimum of 25’ unobstructed setback is required from a gate to the first right turn to allow for apparatus clearance.
11. A Rapid Entry Key Switch must be located at the Fire Department Connection as required by the Fire Marshal.
12. A remote electrical disconnect must be located at the Fire Department Connection as required by the Fire Marshal.

506.1.5 Electronically Operated Gates:

1. The gate control shall be operated by an approved emergency override key switch of the “Knox” type.
2. In the event of a power failure, the gate shall automatically open by means of battery backup and remain unlocked until power is restored.
3. A means of opening the gate manually shall be provided and approved by the Fire Marshal.

4. Upon activation of the key switch, the gate shall remain open and returned to normal operation by means of the key switch.
5. Key switch shall be located a minimum of 40" to maximum of 60" above the roadway surface.
6. Opening of both ingress and egress of vehicles shall be a minimum of 13'6" in height and a minimum of 15' in width for a single lane.
7. The minimum inside turning radius shall be 17' with an outside radius of 38' for the exterior and interior approach to the gate.
8. The Key Switch or Padlock shall be identified by a red sign with white reflective letters not less than ½" high reading "FIRE DEPT."
9. A minimum of 25' unobstructed setback is required from a gate to the first right turn to allow for apparatus clearance.

506.1.6 Manually Operated Gates:

1. Gates and barriers across fire department access routes shall include an approved padlock of the "Knox" type.
2. Gate shall be able to be opened by one person.
3. Gates or immediate surrounding shall be inscribed with the name of the subdivision, building and/or other structures serviced by said gate.
4. Opening of both ingress and egress of vehicles shall be a minimum of 13'6" in height and a minimum of 15' in width for a single lane.
5. The minimum inside turning radius shall be 17' with an outside radius of 38' for the exterior and interior approach to the gate.
6. The Key Switch or Padlock shall be identified by a red sign with white reflective letters not less than ½" high reading "FIRE DEPT."
7. A minimum of 25' unobstructed setback is required from a gate to the first right turn to allow for apparatus clearance.

Section 506: Add two new sections:

506.3 Requirements for "Knox" Type Rapid Entry Boxes: Rapid Entry Boxes of the Knox type shall be required in all new buildings or structures of use A, B, E, R, I, M and S where fire suppression systems and/or fire detection systems are installed, or as directed by the Code Official, and in all new R-1 and R-2 use groups except where each dwelling unit has an exit directly to the exterior. Any Rapid Entry System installed in an existing building or structure fully comply with all the provisions set forth herein.

506.4 Rapid Access Key Switch or Padlock: All owners of buildings, structures, and/or gates built after the effective date of this ordinance shall be required to have a Rapid Access key switch and/or key padlock of the Knox type. Owners shall be responsible for the purchase,

installation and maintenance of the key switch and/or key padlock. It shall be the owner's responsibility to notify the Fire Official and/or his designee of any malfunction or damage to the key switch and/or key padlock. Any Rapid Access Key or Padlock System installed in an existing building or structure shall fully comply with all the provisions set forth herein.

Section 507.2: Delete in its entirety and insert:

507.2 Type of water supply: A water supply shall consist of reservoirs, pressure tanks, elevated tanks, water mains or other fixed systems capable of providing the required fire flow, as required by the Code Official.

507.2.1 Definitions: For the purpose of this section, certain terms and words are to be used and interpreted as defined below:

Public water system: a system of water wells, storage facilities, transmission mains, distribution mains and service lines providing for the production and distribution of potable drinking water to more than one residence or commercial building owned and/or operated by one of the following entities:

1. Any city within the Lake Ozark Fire Protection District;
2. Any public water supply district created under Missouri law;
3. A public water utility which holds a certificate of service issued by the Missouri Public Service Commission for an area within the Lake Ozark Fire Protection District.

Private water system or a water system: a system other than a public water system that provides potable drinking water to one or more residences or commercial buildings. Private water systems are further divided into three subcategories:

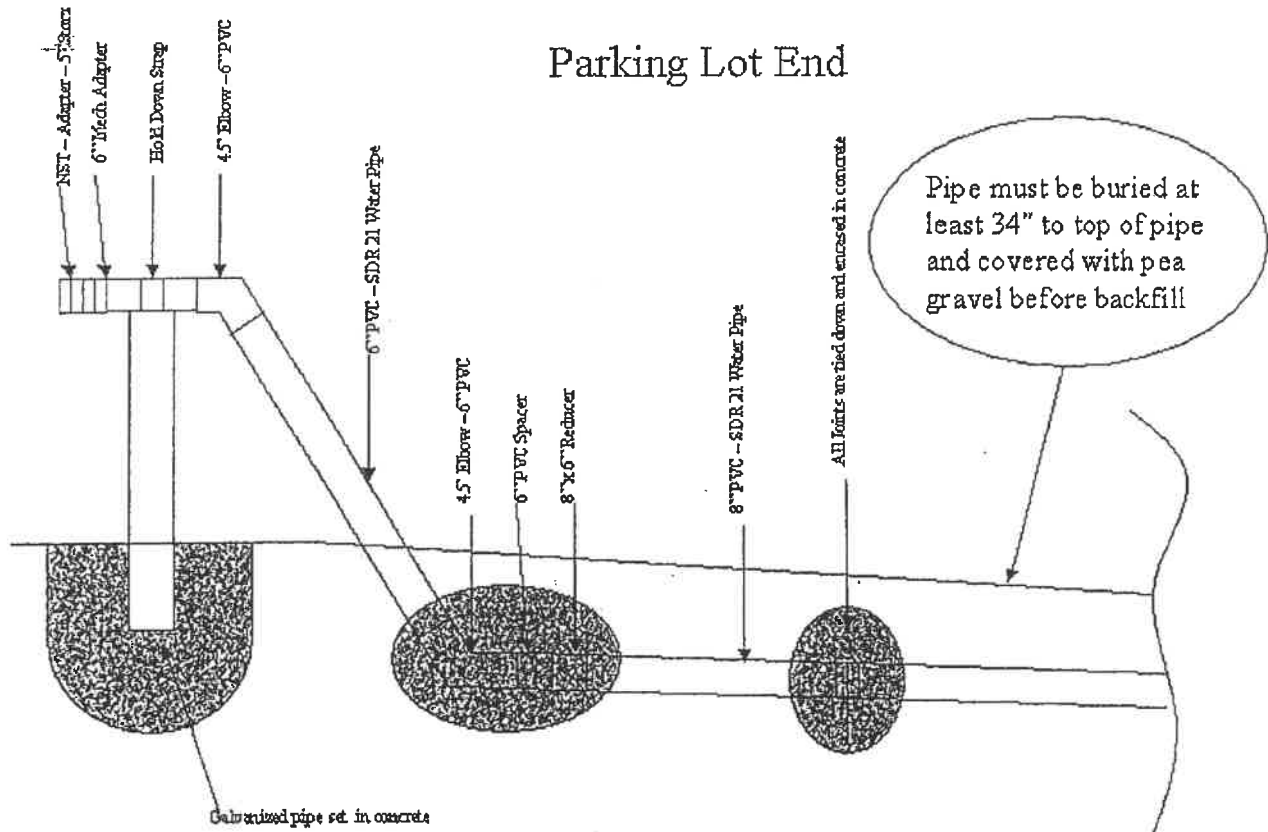
1. State approved well: a water well constructed to the standards established by the Missouri Department of Natural Resources for a "public drinking water supply."
2. Single family well: a water well constructed after 1987 for the purpose of providing drinking water to not more than three single family residences.
3. Existing well: a water well constructed prior to 1987 and which does not comply with the standards for a "public drinking water supply."

507.2.2 Private fire service mains: Private fire service mains and appurtenances shall be installed in accordance with NFPA 24.

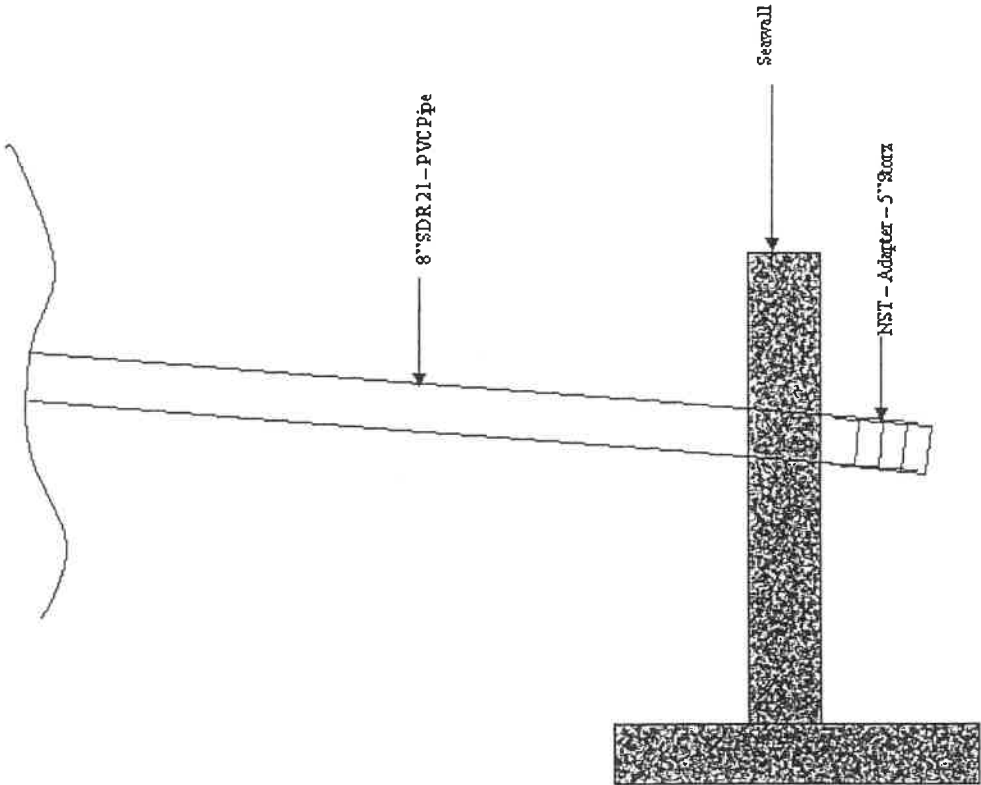
507.2.3 Water tanks: Water tanks for private fire protection shall be installed in accordance with NFPA 22.

507.2.4 Dry hydrants: All condominiums, residential construction or commercial developments which have property that touches the Lake of the Ozarks and that cannot install a pressurized hydrant system because of the absence of a private water tower or insufficient water pressure must install a dry hydrant or standpipe. The dry hydrant will be used when the hydrant can be placed within 15' elevation of low pool of the Lake of the Ozarks. When this is not possible, a dry standpipe must be used. When the feet of lift of the dry standpipe exceeds the capability of the Fire Boat, an engine driven pump should be installed to enhance water flow.

507.2.5 Dry Standpipe:



Seawall End



507.6: Add three new sections as follows:

507.6 Installation of other new fire hydrants: No person shall install or cause to be installed any fire hydrant within the district, unless the location thereof and the design and type of hydrant, including the threads and outlets thereof shall have been approved by the fire official.

507.6.1 Hydrant Color: All public or private fire hydrant barrels are to be painted yellow. All fire hydrant bonnets shall be painted as follows to indicate water main flows available based on insurance services office and the national fire protection association recommendations:

HYDRANT CLASS	COLOR	GALLONS AVAILABLE
Class AA	Light Blue	1500 Gallons or greater
Class A	Green	1000-1499 Gallons
Class B	Orange	500-999 Gallons
Class C	Red	Less than 500 Gallons

Section 1027.22 add a new section as follows:

507.6.2 Exceptions: On the application of any person, the Board of Directors of the district may grant exception to the requirements of this section for fire hydrant installations where there is no water supply reasonably available for the installation of fire hydrants.

Section 907.20.6 Add a new section as follows:

907.20.10 Fire Alarm and Smoke Detector Nuisances: Whenever an alarm system or smoke detector system is installed, there shall be a penalty for use alarms. False notification is allowed for up to three times per year. The fourth false notification shall result in a charge of \$100.00, which will be increased by an additional \$100.00 for each false alarm thereafter.

1027.22 Firefighter assist plans: An approved pictographic display (sign, drawing or wall marking) shall be posted within an enclosed stairway at each floor landing in all new and existing high-rise buildings. Individual displays or signs shall show the floor level number where the graphic is displayed, the configuration of exit access corridors, including all door openings, exit stairways, elevators, exterior building walls, fire alarm pull stations, fire hoses and sprinkler valves. The sign shall be located 5 feet (1524 mm) above the floor landing in a position that is readily visible when the doors are in the open or closed positions.

Section 5601.2.5: Add a new section as follows:

5601.2.5 Penalty Provision: The manufacture, distribution and sale of fireworks shall be done in accordance with Sections 320.106 to 320.161, RSMo and all regulations promulgated thereunder. Any person violating any provision of this section or said provisions of Missouri law shall be penalized in accordance with Section 320.161, RSMo.

Adopt Appendix B Fire Flow Requirements for Buildings

Adopt Appendix C Fire Hydrant Locations and Distribution


Adopt Appendix D Fire Apparatus Access Roads

Adopt Appendix E

Adopt Appendix F

Adopt Appendix I

Adopted this 5th day of December, 2013 and effective 1-1-2014.


Charlie Kempf, III, Chairman


Ed Dobson, Director


Paul Faulconer, Director

Attest:


Karen Bishop, Secretary