

ORDINANCE #25 2003 INTERNATIONAL FIRE CODE

An ordinance of Beaver Creek Township adopting the 2003 International Fire Code, as amended, regulating and governing the safeguarding of life and property for 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 Beaver Creek; providing for the issuance of permits and collection of fees therefore; repealing Ordinance #17 of the Township of Beaver Creek and all other ordinances and parts of the ordinances in conflict therewith.

The Beaver Creek Township Board of the Township of Beaver Creek does ordain as follows:

The administration of this ordinance, issuance and approval of its permits shall be controlled and administered by Beaver Creek Fire Department and its code officials, as directed by the Fire Chief.

Section 1. That a certain document, one (1) copy of which is on file in the Office of the Clerk of the Township of Beaver Creek, being marked and designated as the International Fire Code, 2003 edition, including Appendix Chapters B, C, D, E, F and G, as published by the International Code Council, be and is hereby adopted as the Fire Code of the Township of Beaver Creek, in the State of 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, provision, penalties, conditions and terms of said Fire Code on file in the Office of the Township Clerk are hereby referred to, adopted, and made a part hereof, as if fully set out in this ordinance, with the additions, insertions, deletions and changes, if any, prescribed in Section 2 of this ordinance.

Section 2. That the following sections are hereby revised:

Section 101.1 Insert: Beaver Creek Township

Section 105 Add: Whereas Beaver Creek has adopted 2003 International Fire Code as Ordinance #25. Beaver Creek Township now wishes to amend its code so as to support an agency as the agent to issue burning permits for open burning, namely the Department of Natural Resources. Therefore, Section 105 shall have additional requirements that read: open burning shall be allowed only after obtaining a permit from the DNR. Failure to secure a permit will be a violation of this code.

Section 109.3 Insert: Misdemeanor, \$500, 90 days.

Section 111.4 Insert: \$100, \$500

Section 3. That the geographic limits referred to in certain sections of the 2003 International Fire Code are hereby established as follows:

Section 3214.3.1.1 (geographic limits in which the storage of flammable cryogenic fluids in stationary containers is prohibited): any location, unless approved by code official.

Section 3404.2.9.5.1 (geographic limits in which the storage of Class I and Class II liquids in above-ground tanks outside of buildings is prohibited): any location, unless by code officials

Section 3406.2.4.4 (geographic limits in which the storage of Class I and Class II liquids in above-ground tanks is prohibited): any location, unless approved by code officials

Section 3804.2 (geographic limits in which the storage of liquefied petroleum gas is restricted for the protection of heavily populated or congested areas): by permit of the code official only

Section 4. That Ordinance No. 17 of the Township of Beaver Creek entitled Fire Prevention Code and all other ordinances or parts of ordinances in conflict herewith are hereby repealed.

Section 5. 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 Beaver Creek Township Board 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 or phrases be declared unconstitutional.

Section 6. That nothing in this ordinance or in the Fire Code hereby adopted shall be construed to affect any suit or proceeding impending in any court, or any rights acquired, or liability incurred, or any cause or causes of action acquired or existing, under any act or ordinance hereby repealed as cited in Section 2 of this ordinance; nor shall any just or legal right or remedy of any character be lost, impaired or affected by this ordinance.

Section 7. That the Township Clerk is hereby ordered and directed to cause this ordinance to be published.

Section 8. 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 30 days from and after the date of publication.

Motion by Balmes and seconded by Little to adopt Ordinance #25 as presented.

Ayes: Riley, Little, Balmes, Hartman

Nays: -0-

Absent: Mobarak

Motion carried.

Date of Adoption: August 11, 2003

Date of Publication: August 27, 2003