

Staff Summary Report



Council Meeting Date: 03/05/09

Agenda Item Number: _____

SUBJECT: This is the second public hearing to amend Chapter 14 of the Tempe City Code relating to Fire Prevention and Protection by adopting the 2006 Edition of the International Fire Code with amendments thereto.

DOCUMENT NAME: 20090305cacc01 **TCC CH 14 (0503-14)** Ordinance No. 2009.04

SUPPORTING DOCS: No

COMMENTS: This ordinance will adopt the 2006 International Fire Code and amendments. Generally, the 2006 International Fire Code has been amended and revised to maintain code language consistency between the revised or amended sections of the 2006 International Building Code adopted by Council in December 2008.

PREPARED BY: Marc Scott, Assistant Fire Chief (858-7233)

REVIEWED BY: Cliff Jones, Fire Chief (858-7201)

LEGAL REVIEW BY: Kara Stanek, Assistant City Attorney (350-8458)

FISCAL NOTE: N/A

RECOMMENDATION: Staff recommends adoption of Ordinance No. 2009.04

ADDITIONAL INFO: The Tempe Fire Department currently enforces (as adopted) the 2003 edition of the International Fire Code.

The International Fire Code, in scope, prescribes regulations consistent with internationally recognized good practices. The primary areas of emphasis are the safeguarding to a reasonable degree of life and property from the hazards of fire, explosion, and dangerous conditions arising from the use of hazardous materials and devices; and from conditions hazardous to life or property in the use or occupancy of buildings or premises and provisions to assist emergency response personnel.

The 2006 International Fire Code is the third edition now published by the International Code Council (ICC).

The staff of the Fire Prevention and Public Education Division has reviewed the 2006 Uniform Fire Code in its entirety and worked extensively on the amendments and revisions. Most of the changes are either editorial or numerical in nature to maintain language consistency between the revised or added sections of the 2006 International Fire Code and the 2006 International Building Code as amended and adopted.

ORDINANCE NO. 2009.04

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TEMPE, ARIZONA, AMENDING CHAPTER 14 OF THE TEMPE CITY CODE RELATING TO FIRE PREVENTION AND PROTECTION BY ADOPTING THE 2006 EDITION OF THE INTERNATIONAL FIRE CODE WITH CERTAIN AMENDMENTS THERETO.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF TEMPE, ARIZONA, as follows:

Section 1. That Section 14-16 of the Tempe City Code is hereby amended to read as follows:

Sec. 14-16. Adopted; where filed.

That certain document known as the International Fire Code, ~~2003~~ 2006 Edition, which has been published in book form by the International Code Council, Inc. (ICC), together with appendix chapters B, C, E, F and G, three (3) copies of which are on file in the office of the city clerk, and this same code is hereby referred to, adopted and made a part hereof, as if fully set out in this article. (Permit and Inspection fees set by resolution - see Appendix)

Section 2. That Section 14-41 of the Tempe City Code is hereby repealed.

Section 3. That new Section 14-41 of the Tempe City Code is hereby referred to, adopted and made a part hereof as if fully set out in this article, three (3) copies of which are on file in the office of the city clerk.

Sec. 14-41. Legal status.

The provisions of this division are amendments to the International Fire Code as now or hereafter adopted in § 14-16. All sections, chapters, etc., in this division other than this section shall be considered to be both a part of this code and a part of the International Fire Code.

Sec. 109. Violations.

Section 109.3 is hereby amended as follows:

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 fire code official, or of a permit or certificate used under provisions of this code, shall be guilty of a class 1 misdemeanor punishable by a fine of not more than two thousand five hundred dollars (\$2,500.00) or by imprisonment not exceeding ninety (90) days or both such fine and imprisonment. Each day that a violation continues after due notice has been served shall be deemed a separate offense.

Section 4. Pursuant to City Charter, Section 2.12, ordinances are effective thirty (30) days after adoption.

PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF TEMPE, ARIZONA, this _____ day of _____, 2009.

MAYOR

ATTEST:

City Clerk

APPROVED AS TO FORM:

City Attorney