

ORDINANCE NO. _____

1 AN ORDINANCE amending Chapter 19.03 of the Lincoln Municipal Code, the Fire
2 Code, by amending Section 19.03.010 to adopt the 2006 edition of the International Fire Code
3 (“IFC”), amending Section 19.03.090 to increase the plan review and inspection fee for plans and
4 specifications submitted to the Bureau of Fire Prevention for approval from \$.95 to \$1.10 per \$1,000
5 of total value of the proposed improvement; amending Section 19.03.100 to increase permit fees
6 required by Chapter 19.03; amending Section 19.03.110 to reflect a change in the section number
7 in the International Fire Code; adding a new section numbered 19.03.135 to add an exception
8 regarding sprinkler systems in Group R occupancies; adding a new section numbered 19.03.143 to
9 require supervised fire alarm systems in dormitories, fraternities, and sororities and to delete an
10 exception allowed under the IFC for Group R-2 occupancies; adding a new section numbered
11 19.03.145 to delete the exception allowed under Section 1004.1.1 of the IFC relating to areas
12 without fixed seating; adding a new section numbered 19.03.147 to delete the exception allowed
13 under Section 1014.2.1 of the IFC relating to exit access in multiple-tenant structures; amending
14 Section 19.03.150 to reflect a change in the section number in the IFC; repealing Section 19.03.200
15 of the LMC relating to IFC Section 3404.2.13, Abandonment of Tank Permits; repealing Section
16 19.03.210 of the LMC relating to IFC Section 3404.2.13.1.3, Underground Tanks out of Service for
17 One Year; and repealing Sections 19.03.010, 19.03.090, 19.03.100, 19.03.110, and 19.03.150, of the
18 Lincoln Municipal Code as hitherto existing.

19 BE IT ORDAINED by the City Council of the City of Lincoln, Nebraska:

20 Section 1. That Section 19.03.010 of the Lincoln Municipal Code be amended to
21 read as follows:

1 **19.03.010 Code Adopted.**

2 For the purpose of prescribing regulations governing conditions hazardous to life and
3 property from fire and explosion, there is hereby adopted the "International Fire Code," ~~2000~~ 2006
4 Edition, save and except such portions as are hereinafter deleted, modified, or amended.

5 Section 2. That Section 19.03.090 of the Lincoln Municipal Code be amended to
6 read as follows:

7 **19.03.090 Section 105.4.7 Added; New Construction and Alterations.**

8 Section 105.4.7 is added to the International Fire Code to read as follows:

9 **105.4.7 New construction and alterations.** When plans and specifications required to be
10 submitted by Section 106.1 of the International Building Code is for construction of work for which
11 bureau of fire prevention approval is required, a separate and additional bureau of fire prevention
12 plan review and inspection fee shall be paid to the bureau of fire prevention. One-third of the fee
13 shall be paid at the time of submitting said plans and specifications for review and shall not be
14 refunded after any plan review has been completed by the bureau of fire prevention, even if the
15 application is withdrawn. The remainder of the fee shall be paid upon issuance of the building
16 permit. Said plan review and inspection fee shall be ~~ninety-five cents (\$.95)~~ one dollar and ten cents
17 (\$1.10) per \$1,000 of total value of the proposed improvement; provided that the minimum fee for
18 such plan review shall be ~~eighteen~~ twenty-five dollars (~~\$18.00~~ 25.00). Construction or work for
19 which bureau of fire prevention approval is required shall be subject to inspection by the code
20 official and such construction or work shall remain accessible and exposed for inspection purposes
21 until approved by the code official.

22 Section 3. That Section 19.03.100 of the Lincoln Municipal Code be amended to
23 read as follows:

24 **19.03.100 Section 105.6 Amended; Permits and Permit Fees.**

25 Section 105.6 of the International Fire Code is amended to read as follows:

26 **105.6 Permits and permit fees.**

27 **105.6.1 Permit required.** A permit shall be obtained from the bureau of fire prevention
28 prior to engaging in the following activities, operations, practices, or functions and on items (3), (4),
29 (6), (8), (9), (11) and (12), the premises shall be inspected annually and a permit must be obtained
30 each year to continue the activities, operations, practices, or functions:

- 1 (1) Explosives and blasting agents, see Chapter 33.
- 2 (2) Fireworks, see Chapter 33 and L.M.C. Chapter 9.44.
- 3 (3) Flammable combustible liquids and tanks, see Chapters 22 and 34.
- 4 (4) Hazardous materials in excess of exempt amounts listed in Table 105.6.2+20.
- 5 (5) Storage and use liquified petroleum gas, see Chapter 38.
- 6 (6) Places of assembly.
- 7 (7) Pyrotechnic special effect material, see Chapter 33.
- 8 (8) Spraying or dipping operations utilizing flammable or combustible finishes, see
- 9 Chapter 15.
- 10 (9) Storage of scrap tires and tire byproducts that exceed 2,500 cubic feet, see Chapter
- 11 25.
- 12 (10) Temporary membrane structure, tent or canopy, see Chapter 24.
- 13 (11) Hotels and motels.
- 14 (12) Fraternities and sororities.
- 15 (13) Installation of fire alarm systems.

16 **105.6.2 Permit fees.** The following shall be the permit fees charged for the permits required
 17 in this section:

18	(1) Explosives and blasting agents	\$50.00 <u>100.00</u>
19	(2) Fireworks display	\$125.00 <u>150.00</u>
20	Fireworks stand	\$75.00/
21		\$25.00 Late Fee
22		after 6/23
23		<u>\$100.00</u>
24		<u>\$50.00 Late Fee</u>
25		<u>after 6/10</u>
26	(3) Flammable combustible liquid tank installation	\$55.00 <u>50.00</u> per tank
27	Tank closures	\$25.00 <u>50.00</u> per tank
28	(4) Hazardous materials	\$65.00
29	<u>Less than exempt amount</u>	<u>\$75.00</u>
30	<u>More than exempt amount</u>	<u>\$125.00</u>
31	(5) Storage and use of liquified petroleum gases	\$ 45.00 <u>55.00</u>

1	(6)	Places of assembly	
2		50 to 299 (annually)	\$50.00
3		300 to 999 (annually)	\$75.00
4		1000 or more (annually)	\$100.00
5	(7)	Pyrotechnics and special effects material	\$75.00
6	(8)	Spraying or dipping	\$55.00 <u>65.00</u>
7	(9)	Storage of scrap tires and tire byproducts	\$45.00
8	(10)	Temporary membrane structures, tents, canopies	\$25.00 <u>50.00</u>
9	(11)	Hotels and motels	
10		0 to 40 rooms	\$50.00
11		41 to 120 rooms	\$75.00
12		121 to 200 rooms	\$100.00
13		201 or more rooms	\$125.00
14	(12)	Fraternities and Sororities	
15		0 to 40 rooms	\$ 55.00
16		41 to 120 rooms	\$ 75.00
17		121 to 200 rooms	\$100.00
18		201 or more rooms	\$125.00
19	(13)	Fire alarm systems	
20		1 to 30 devices	\$65.00
21		31 to 60 devices	\$95.00
22		61 to 90 devices	\$125.00
23		91 or more devices	\$155.00
24		<u>Where work for which a fire alarm permit is required by this code is</u>	
25		<u>started or proceeded with prior to obtaining said permit, the fees</u>	
26		<u>herein specified shall be doubled; but the payment of such double</u>	
27		<u>fees shall not relieve any person or persons from fully complying</u>	
28		<u>with the requirements of this code in the execution of the work or any</u>	
29		<u>other penalties prescribed herein.</u>	
30	(14)	Reinspection fee/late fee (wrong address, equipment	
31		that does not pass inspection, incomplete work,	
32		equipment inaccessibility, etc.	1/2 Permit Fee
33			Minimum \$25.00
34	(15)	Late fee assessed if payment is not received	
35		within 60 days of due date	\$50.00

1 It shall be the duty of the person requesting any required inspections to provide access to and
2 means for proper inspection of such work.

3 Section 5. That Chapter 19.03 of the Lincoln Municipal Code be amended by adding
4 a new section numbered 19.03.135 to read as follows:

5 **19.03.135 Section 903.2.7 Exception Added; Group R Sprinkler Requirements.**

6 An exception to Section 903.2.7 of the International Fire Code is added to read as follows:

7 Exception: A sprinkler system is not required when all of the following conditions exist:

- 8 (1) The building is an R-2 occupancy and contains eight or fewer apartment units.
9 (2) Separation is maintained between living units by means of one-hour fire partitions
10 creating a complete vertical separation from foundation to roof.
11 (3) Each living unit has its own separate exit access independent of other living units.

12 Section 6. That Chapter 19.03 of the Lincoln Municipal Code be amended by adding
13 a new section numbered 19.03.143 to read as follows:

14 **19.03.143 Section 907.3.1.7 Amended; Exception 2 Deleted; Group R-2.**

15 Section 907.3.1.7 of the International Fire Code is amended to read as follows:

16 **907.3.1.7 Group R-2.** A fire alarm system shall be installed in existing Group R-2
17 occupancies more than three stories in height or with more than 16 dwelling units or sleeping units.
18 Fire alarm systems installed in dormitories, fraternities, and sororities in existing Group R-2
19 occupancies shall be monitored by an approved supervising station in accordance with NFPA 72.

20 **Exceptions:**

- 21 1. Where each living unit is separated from other contiguous living units by fire barriers
22 having a fire-resistance rating of not less than 0.75 hour, and where each living unit has either its
23 own independent exit or its own independent stairway or ramp discharging at grade.

1 **Exception 2 Deleted.** Deletion of the Exception 2 applies retroactively to all existing
2 buildings for the safety and welfare of the occupants and the public.

3 3. A fire alarm system is not required in buildings that do not have interior corridors
4 serving dwelling units and are protected by an approved automatic sprinkler system installed in
5 accordance with Section 903.3.1.1 or 903.3.1.2, provided that dwelling units either have a means
6 of egress that leads directly to the exits or are served by open-ended corridors designed in
7 accordance with Section 1023.6, Exception 4.

8 Section 7. That Chapter 19.03 of the Lincoln Municipal Code be amended by adding
9 a new section numbered 19.03.145 to read as follows:

10 **19.03.145 Section 1004.1.1 Exception Deleted; Areas Without Fixed Seating.**

11 The exception to Section 1004.1.1 of the International Fire Code is hereby deleted.

12 Section 8. That Chapter 19.03 of the Lincoln Municipal Code be amended by adding
13 a new section numbered 19.03.147 to read as follows:

14 **19.03.147 Section 1014.2.1 Exception Deleted; Exit Access; Multiple Tenants.**

15 The exception to Section 1014.2.1 of the International Fire Code is hereby deleted.

16 Section 9. That Section 19.03.150 of the Lincoln Municipal Code be amended to
17 read as follows:

18 **19.03.150 Section 1504.1.4 .9 Amended; Limited Spraying Spaces.**

19 Section 1504.1.4 of the International Fire Code is amended to read as follows:

20 **1504.1.4 .9 Limited spraying spaces.** Limited spraying spaces shall comply with Sections
21 ~~1404.1.4.1 through 1504.1.4.4.~~ 1504.9.1 through 1504.9.5

22 **1504.1.4 .9.1 Job size.** The aggregate surface area to be sprayed shall not exceed
23 9 square feet (0.84m²)

1 **1504.1.4 .9.2 Frequency.** Spraying operations shall not be of a continuous nature.

2 **1504.1.4 .9.3 Ventilation.** Positive mechanical ventilation providing a minimum of
3 six complete air changes per hour shall be installed. Such system shall meet the requirements of this
4 code for handling flammable vapors. Explosion venting is not required.

5 **1504.1.4 .9.4 Electrical wiring.** Electrical wiring within 10 feet (3048 mm) of the
6 floor and 20 feet (6096 mm) horizontally of the limited spraying space shall be designed for Class
7 1, Division 2 locations in accordance with the ICC Electrical Code.

8 **1504.1.4 .9.5** All auto body shops spraying a flammable liquid are required to have
9 at least one approved paint booth.

10 Section 10. That Section 19.03.200 of the Lincoln Municipal Code be and the same
11 is hereby repealed.

12 ~~**19.03.200 — Section 3404.2.13 Amended; Abandonment of Tank Permits.**~~

13 ~~Section 3404.2.13 of the International Fire Code is amended to read as follows:~~

14 ~~**3404.2.13 Abandonment of tank permits.** A permit is required to remove, abandon, place~~
15 ~~temporarily out of service, or otherwise dispose of any flammable or combustible liquid tank. See~~
16 ~~Sections 3404.2.13.1 through 3404.2.13.2.3, Section 105, and API 1604.~~

17 Section 11. That Section 19.03.210 of the Lincoln Municipal Code be and the same
18 is hereby repealed.

19 ~~**19.03.210 — Section 3404.2.13.1.3 Amended; Underground Tanks Out of Service for One**~~
20 ~~**Year.**~~

21 ~~Section 3404.2.13.1.3 of the International Fire Code is amended to read as follows:~~

22 ~~**3404.2.13.2.3 Underground tanks out of service for one year.** Any underground tank~~
23 ~~which has not been used for a period of one year shall be either removed from the property by the~~
24 ~~property owner and the hole properly filled or such tank may be abandoned in place and safeguarded~~
25 ~~in a manner and with materials approved by the code official. See Sections 3404.2.14 and~~
26 ~~3404.2.13.1.4.~~

1 Section 12. That Sections 19.03.010, 19.03.090, 19.03.100, 19.03.110, and 19.03.150
2 of the Lincoln Municipal Code as hitherto existing be and the same are hereby repealed.

3 Section 13. That this ordinance shall take effect and be in force from and after its
4 passage and publication according to law.

Introduced by:

Approved as to Form & Legality:

City Attorney

Approved this ____ day of _____, 2007: _____ Mayor
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