

ORDINANCE 506

AN ORDINANCE ADOPTING THE INTERNATIONAL CODE COUNCIL, INC., INTERNATIONAL FIRE CODE, 2018 EDITION

WHEREAS, this ordinance sets forth the rules and regulations to improve public safety by promoting the control of fire hazards; regulating the installation, use and maintenance of equipment; regulating the use of structures, premises and open areas in the City of Collins; providing for the abatement of fire hazards; establishing the responsibilities and procedures for enforcement; setting forth standards for compliance; and providing penalties for the violation thereof, and

WHEREAS, the City of Collins, Mississippi, is desirous of promoting the health, safety, morals and general welfare of the community by inspecting and regulating buildings and flammable structures and activities in order to prevent and/or control the possibility of fire and other hazards, and

WHEREAS, the Mayor and Board of Alderman of the City of Collins, Mississippi, is now fully authorized to pass an ordinance for such purpose under the authority of §21-19-25 of the Mississippi Code of 1972, and other sections of the said Code:

NOW, THEREFORE, BE IT ORDERED by the Mayor and Board of Aldermen of the City of Collins, Mississippi:

SECTION 1: Adoption of Fire Prevention Code:

That the Fire Protection Code as recommended by the International Code Council, Inc., International Fire Code, 2018 Edition, this being the current edition, superseding any previous editions, and any subsequent revisions, a copy of which Fire Prevention Code has been exhibited to and approved by the Mayor and Board of Aldermen of the City of Collins, Mississippi, be the same is hereby adopted, save and except such portions as are hereafter deleted, modified or amended by this Ordinance, and declared operative, and binding within the corporate limits of said City of Collins, Mississippi, and the police jurisdiction thereof.

Section 2: Filing of Fire Prevention Code:

That said Fire Prevention Code as recommended by the International Code Council, International Fire Code, 2018 edition, as identified above, is too voluminous to here set out in full, a copy of the same is on file with the Clerk of the City of Collins, and the same is hereby made part of this Ordinance as is fully and completely copied and set forth herein.

SECTION 3: Certification of Fire Prevention Code:

The City Clerk of the City of Collins is hereby authorized, directed and empowered to insert at the appropriate place therein, a certificate to the effect that said Fire Prevention code as recommended by the International Code Council, International fire Code, 2018 edition, and described above, is an official publication in book form said ordinance, laws and resolutions affecting said City of Collins, Mississippi, by authority and under the direction of the Mayor and Board of Aldermen of the said City of Collins, is to be and become effective as the Fire Prevention laws and ordinances of the said City.

SECTION 4: Enforcement:

The Fire Prevention Code shall be enforced by and through the Fire Department of the City of Collins, but violations shall be prosecuted on the complaint of the Fire Department, through citations, to the City Municipal Court. The Fire Department is vested with authority to issue citations and make arrests for any violations of the provisions of the Fire Prevention code. The Fire Marshal of the City of Collins and/or the Deputy Fire Marshall shall have and they are each hereby vested with authority to enforce this Ordinance and all amendments to said Ordinance of the City of Collins and authority to investigate suspected cases of arson and to make arrests in case or arson.

SECTION 5: Definitions:

A. Wherever the word "Municipality" is used in the Fire Prevention Code, it shall be held to mean the City of Collins, Mississippi.

B. Wherever the term "Corporation Counsel" is used in the Prevention Code, it shall be held to mean the City of Collins, Mississippi.

C. Wherever the words "Fire Official" are used in the Fire Prevention Code, they shall be held to mean the Fire Chief, Fire Marshall, and Fire Inspector.

D. Wherever the words “Governing Body” are used in the Fire Prevention Code, it shall be held to mean the Mayor and Board of Aldermen of the City of Collins.

SECTION 6: Established of Limits of Districts in Which Storage of Explosives, Blasting Agents and Ammunition is to be Prohibited:

The limits referred to in Chapter 19 of the Fire Prevention Code, in which storage of explosives, blasting agents and ammunition is prohibited, are hereby established as corporate limits of the City of Collins, Mississippi.

SECTION 7: Establishment of Motor Vehicle Routes for Vehicles Transporting Explosives, Blasting Agents and Ammunition:

The routes referred to in Chapter 19, section 1903 of the Fire Protection Code for vehicles transporting explosives, blasting agents or ammunition are hereby established as follows: United States Highway 84 and United States Highway 49 within said City; provided, however, in the event that a vehicle or vehicles carrying explosives, blasting agents or ammunition may be allowed to traverse the streets of the City of Collins, to and from a given destination, notification shall be made to the Traffic Division of the Collins Police Department. Nothing in this Section shall prohibit vehicles from making normal deliveries to destinations inside the corporate limits of the City of Collins.

SECTION 8: Establishment of Limits of Districts in Which Storage of Flammable or Combustible Liquids in Outside Aboveground Tanks, Containers and Portable Tanks is to be Prohibited:

A. The limits referred to in Chapter 9 of the Fire Prevention Code, in which storage of flammable liquids in outside aboveground tanks is prohibited, are hereby established as: the corporate limits of the City of Collins, except those areas zoned as Industrial Use Districts; however no building or occupancy of any land shall be permitted for any use until the location and operation shall have been approved by the governing body of the City of Collins.

B. The limits referred to in Chapter 9, Section 904 and Section 905 of the Fire Prevention Code, in which storage of flammable or combustible liquids in containers and portable tanks is limited, may be modified or eliminated by the Fire Official, if the condition is deemed hazardous.

C. The limits referred to it Chapter 9, Section 906 of the Fire Prevention Code, in which new bulk plants for flammable or combustible liquids are prohibited, are hereby established as: the corporate limits of the City of Collins, except those areas zoned as Industrial Use Districts; however, no building or occupancy of any land shall be permitted for any use until the location and operation shall have been approved by the governing body of the City of Collins.

D. Any construction, installation or use of the land areas mentioned in Chapter 9 of the Fire Prevention Code must meet the following requirements:

1. The applicant shall file with the Fire Officials an accurate set of plans and specifications, produced by an architect or qualified person, showing the type of materials to be used, which must be fire-resistive, and which plans and specifications must show the grade level of the proposed driveways of the proposed installation with reference to the street level or grade and must further show the grade or level of the sidewalk or sidewalks adjacent and contiguous to such proposed installation and shall further show if it will ne necessary to cut the street curbs, and if necessary, give the specifications and plans for cutting of the street, curb or curbs, and must further show that no appliance dispensing petroleum products and no underground petroleum product storage tank is within ten (10) feet of any street or alley right-of-way of a greater distance may be required if deemed necessary by the Fire Officials or Directors of Engineering. Such plans and specifications shall be reviewed by the Fire Official, Director of Engineering, and Building Official of the City of Collins for approval or disapproval; however, no occupancy of any land shall be permitted for any use until the location and operation shall have been approved by the governing body of the City of Collins.

Section 9: Establishment of Limits in Which Bulk Storage of Liquefied Petroleum Gases is to be Restricted:

The limits referred to in Chapter 17 of the Fire Prevention Code, in which bulk storage of liquefied petroleum gas is restricted, are hereby established as the Corporate limits of the City of Collins, except those areas zoned as Industrial Use Districts, provided a distance of not less than 50 feet is maintained

from all buildings; however, no occupancy of any land shall be permitted for any use until the location and operation shall have been approved by the governing body of the City of Collins.

Section 10: Establishment of Motor Vehicle Routes for Vehicle Transporting Hazardous Chemicals, Flammable Liquids, Liquefied Petroleum Gases or Other Dangerous Articles:

The routes for transporting hazardous chemicals, gases and other dangerous articles are hereby established as follows: United States Highway 84 and United States Highway 49 within said City; provided, however, in the event that a vehicle or vehicle carrying hazardous chemicals, gases, and other dangerous articles may be allowed to traverse the streets of the City of Collins to and from a given destination after notification is made to the Traffic Division of the Collins Police Department. Nothing in this Section shall prohibit vehicles from making normal deliveries to destinations inside the corporate limits of the City of Collins.

Section 11: Establishment of Fire Lanes:

Access to buildings by fire apparatus, as referred to in Chapter 6, of the Fire Prevention Code, shall also include the following:

A. Fire lanes shall be established on private property, devoted to public use, where the parking and motor vehicle or other obstructions may interfere with the ingress or egress of fire department vehicles. This shall include, but not be limited to, shopping centers, bowling lanes, theaters, hospital, churches and similar locations. It shall be responsibility of the property owner or occupant to the property to properly mark these fire lanes as required by the Fire Official or the Police Department.

B. Fire Lanes established before the date of this Ordinance shall be maintained in the accordance with this Ordinance.

C. All alleys shall be considered fire lanes and must be kept clear at all times. The only exceptions will be vehicles making deliveries to businesses with the maximum parking time being one (1) hour. Proof of such deliveries must be provided by the driver of the delivery vehicle.

D. Vehicles found in violation of this section will be cited and are subject to being towed away at the owner's expense.

SECTION 12: Amendments Made in the Fire Prevention Code:

The Fire Prevention Code is amended and changed in the following respects; by deleting the word "Garage" in Chapter 35 and substituting in lieu thereof the word "Commercial Building".

SECTION 13: Modifications:

The Mayor and Board of Aldermen of the City of Collins shall have power to modify any of the provisions of the Fire Prevention Code.

SECTION 14: Penalties:

A. Any person who shall violate any of the provisions of the Code hereby adopted or fails to comply therewith, or who shall violate or fail to comply with any order made thereunder, or who shall build in violation of any detailed statement of specifications or plans submitted and approved thereunder, or any certificate or permit issued thereunder, and from which no appeal has been taken, or who shall fail to comply with such an order as affirmed or modified by the Board of Aldermen of the City of Collins or by a Court of competent jurisdiction, within the time fixed herein, shall severally for each and every violation and noncompliance respectively, be guilty of a misdemeanor, punishable by a fine of not more than \$500.00 or by imprisonment for not more than six (6) months, or by both such fine and imprisonment. The imposition of one penalty for any violations shall not excuse the violations or permit it to continue; and all such persons shall be required to correct or remedy such violations or defects within a reasonable time; and when not otherwise specified, each ten (10) days that prohibited conditions are maintained shall constitute a separate offense.

B. The application of the above penalty shall not be held to prevent the enforced removal of prohibited conditions.

