

**ORDINANCE NO. 2025**

**AN ORDINANCE AMENDING AND RE-ENACTING ARTICLE 18, SECTIONS 18-4, 18-27, 18-30, 18-31, 18-32, 18-60, 18-64 OF THE DICKINSON MUNICIPAL CODE REGARDING FIRE PREVENTION AND PROTECTION**

BE IT ORDAINED BY THE BOARD OF CITY COMMISSIONERS OF THE CITY OF DICKINSON, NORTH DAKOTA, AS FOLLOWS:

**SECTION 1:** Section 18-4 of the City Code of the City of Dickinson is hereby amended and re-enacted as follows:

**Sec. 18-4. Day care.**

- (a) Any day care not in a dwelling shall meet the requirements of the International Fire Code and International Building Code.
- (b) Home day cares in a dwelling shall meet the requirements of the International Residential Code Appendix BD, with the additions, deletions, and amendments as set out in Subsection (c) of this section.
- (c) Amendments to 2024 International Residential Code Appendix BD. The 2024 International Residential Code Appendix BD, as adopted by the City, is amended to state as follows:
  - (1) Section BD 101.1. This appendix shall apply to a home day care operated within a dwelling. It is to include buildings and structures occupied by 12 persons or less of any age who receive custodial care for less than 24 hours by individuals other than parents or guardians or relatives by blood, marriage, or adoption, and in a place other than the home of the person cared for.
  - (2) Section BD103.1.3 is deleted in its entirety.
  - (3) Additional requirements:
    - a. Fire extinguishers shall meet the requirements of the International Fire Code.
    - b. Fire drills shall meet the requirements of the International Fire Code.

**SECTION 2:** Section 18-27 of the City Code of the City of Dickinson is hereby amended and re-enacted as follows:

**Sec. 18-27. Adoption of 2024 International Fire Code.**

- (a) For the purpose of prescribing regulations governing conditions hazardous to life and property from fire, hazardous materials, or explosion, there is hereby adopted by the City the 2024 International Fire Code. Copies of the 2024 International Fire Code have been and are now on file in the Office of the Fire Chief and City Administrator.
- (b) The provisions of the 2024 International Fire Code shall be controlling within the limits of the City, with the following additions, deletions, and amendments:

- (1) *Definitions.* The following words, terms and phrases, when used in any code adopted pursuant to this article or set out herein, shall have the meanings ascribed to them in this subsection, except where the context clearly indicates a different meaning:

*Corporate Counsel or City Attorney,* as used in any code adopted pursuant to this article, means the City Attorney of the City of Dickinson, North Dakota.

*ICC Electrical Code,* as used in the International Fire Code, means the Wiring Standards of North Dakota.

*International Building Code,* as used in the International Fire Code, means the "Dickinson Building Code."

*International Plumbing Code,* as used in the International Fire Code, means the "State Plumbing Code."

*Municipality, jurisdiction or City,* as used in any code adopted pursuant to this article, means the City of Dickinson, North Dakota.

- (2) *Permit fees.* The fee for any permit or license required by the International Fire Code and authorized by the Fire Chief, shall be as approved by the Board of City Commissioners.
- (3) *Amendments to 2024 International Fire Code.* The 2024 International Fire Code, as adopted by the City of Dickinson, is amended to state as follows:
- a. Section 101.1 Title. These regulations shall be known as the City Fire Code, hereinafter also referred to as "this code."
  - b. Section 105.1.1, permits required, is amended to read as follows: A property owner or authorized agent who intends to conduct an operation or business, or install or modify systems and equipment that are regulated by this Code, or to cause any such work to be performed, shall first make application to the Fire Code Official and may be required to obtain a permit.
  - c. The specified permits identified in each operational permits in sections 105.5.1 through 105.5.57 and construction permits in sections 105.6.1 through 105.6.25 are amended from "required" to "required upon the determination of the Code Official."
  - d. Section 112 is deleted in its entirety.
  - e. Section 113.4 Violation penalties. Persons who shall violate a provision of this code or who 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 directives of the Fire Code Official, or of a permit or certificate used under provisions of this code, shall be guilty of an infraction, punishable by a fine of not more than \$1,000.00. Each day that a violation continues after due notice has been served shall be deemed a separate offense.
  - f. Section 114.4 Failure to comply. Any person who shall continue any 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 subject to a fine of not less than \$100.00 nor more than \$1,000.00.

- g. Section 307.4.1 is deleted in its entirety.
- h. The exception to Section 307.4.3, portable outdoor fireplaces, is deleted in its entirety.
- i. Section 308.3. Group A occupancies. Add exception 1.4. Open-flame devices for food warming
- j. Section 308.3. Group A occupancies. Add exception 1.5 Outdoor open flame devices approved by the Fire Code Official.
- k. Section 311.6, note 1, is amended to read. "Storage is kept to a minimum and is neat and orderly."
- l. Section 320.1. Add exception 6. New or refurbished batteries for resale more than 300 watt-hours not to exceed 5 cubic feet.
- m. Section 503.2.3 is hereby amended to read, "Fire apparatus access roads shall be designed and maintained to support the imposed loads of fire apparatus and shall be surfaced so as to provide all-weather driving capabilities, and shall be concrete or asphalt."
- n. Chapter 9 and Chapter 10 of the 2024 International Fire Code as adopted by the City are hereby adopted with such amendments, additions and deletions as necessary to make such chapters consistent with the concurrent sections of the applicable International Building Code, as adopted pursuant to City Code Section 8-1. In the event of any dispute, the then applicable sections of the International Building Code, as adopted pursuant to City Code Section 8-1 shall take precedence.
- o. Section 905, all references to Class II standpipes or Class III standpipes are amended to state "Class I standpipes."
- p. Section 1103.5.1 of the 2024 International Fire Code as adopted by the City, regarding sprinklers in Group A-2, is deleted in its entirety.
- q. Exception 3 to Section 4104.2, LP-gas cooking devices having an LP-gas container with a water capacity not greater than 20 pounds.
- r. Exception 4 to Section 4104.2, Unless approved by the Fire Code Official. s.  
Exception 1 to Section 5601.1.3 is deleted in its entirety.
- t. Exception 2 to Section 5601.1.3 is deleted in its entirety.
- u. Exception 4 to Section 5601.1.3 is deleted in its entirety.
- v. Section 3107.2 General. Insert the words "with planned attendance exceeding 1,000 people" between the words "events" and "shall".
- w. Appendix B, Fire-flow requirements for buildings, to the 2024 International Fire Code is adopted in its entirety.
- x. Appendix C, Fire hydrant locations and distribution, to the 2024 International Fire Code is adopted in its entirety.
- y. Appendix D, Fire apparatus access roads, to the 2024 International Fire Code, is adopted in its entirety.

- z. Appendix E, Hazard categories, to the 2024 International Fire Code, is adopted in its entirety.
- aa. Appendix F, Hazard ranking, to the 2024 International Fire Code, is adopted in its entirety.
- bb. Appendix I, Fire protection systems — noncompliant conditions, to the 2024 International Fire Code, is adopted in its entirety.
- cc. Appendix N, Indoor trade shows and exhibitions, to the 2024 International Fire Code, is adopted in its entirety.

**SECTION 3:** Section 18-30 of the City Code of the City of Dickinson is hereby amended and re-enacted as follows:

**Sec. 18-30. Establishment of limits of districts in which storage of flammable or combustible liquids in outside above-ground tanks is prohibited.**

The limits referred to in IFC §§ 5704.2.9.6.1 and 5706.2.4.4 of the 2024 International Fire Code in which the storage of Class I, II, and III liquids is restricted are hereby established as follows:

- (1) No Special use permit for storage of Class I, II, and III liquids will be allowed within 300 feet adjacent to or within any residentially zoned areas, heavily populated areas or congested commercially zoned areas without appropriate spacing as deemed necessary by the authority having jurisdiction.
- (2) Tanks greater than 500 gallons require a special use permit.

**SECTION 4:** Section 18-31 of the City Code of the City of Dickinson is hereby amended and re-enacted as follows:

**Sec. 18-31. Establishment of limits in which storage of liquefied petroleum (LP) gases is to be restricted.**

The limits referred to in Section 6104.2 of the 2024 International Fire Code, in which storage of liquefied petroleum gas is restricted, are hereby established as follows: No conditional use permit shall be allowed for liquefied petroleum (LP) storage adjacent to or within residential zoned areas, heavily populated areas and congested commercial zoned areas without appropriate spacing as deemed necessary by the authority having jurisdiction. At no time shall the aggregate capacity exceed 2,000 gallons per location in areas approved by authority having jurisdiction.

**SECTION 5:** Section 18-32 of the City Code of the City of Dickinson is hereby amended and re-enacted as follows:

**Sec. 18-32. Establishment of limits of districts in which storage of explosives and blasting agents is to be prohibited.**

The limits referred to in Sections 5604.5 and 5604.5.3.1 of the 2024 International Fire Code, in which storage of explosives and blasting agents is prohibited, are hereby established as follows: Conditional use permits shall be allowed only in isolated

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industrial areas and shall comply with nationally recognized standards for separation distances.

**SECTION 6:** Section 18-60 of the City Code of the City of Dickinson is hereby amended and re-enacted as follows:

**Sec. 18-60. Investigation of fires.**

The Chief of the Fire Department or a designee shall, immediately after each fire, carefully and thoroughly investigate such fire and may, for that purpose, call on the Chief of Police for assistance and, if possible, shall ascertain, record and report the origin and cause of such fire.

**SECTION 7:** Section 18-64 of the City Code of the City of Dickinson is hereby amended and re-enacted as follows:

**Sec. 18-64. Acting Chief.**

In the absence of the Chief of the Fire Department, the Deputy Chief or such other officer in charge of the company shall possess all the power granted in this article to perform all the duties herein required of the Chief and shall be subject to all the requirements, conditions and restrictions of this article relating to the Chief of the Fire Department.

**SECTION 8:** Repeal of Ordinances in Conflict. All Ordinances and parts of Ordinances in conflict herewith are hereby repealed.

**SECTION 9:** Severability. In the event any section of this Ordinance is held invalid by court of competent jurisdiction, the invalidity shall extend only to the section affected, and other sections of this Chapter shall continue in full force and effect.

**SECTION 10:** Effective Date: This Ordinance shall be in full force and effect on final passage.

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Scott Decker, President  
Board of City Commissioners

ATTEST

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Dustin Dassinger, City Administrator

First Reading: \_\_\_\_\_, 2025

Second Reading: \_\_\_\_\_, 2025

Final Passage: \_\_\_\_\_, 2025