

ORDINANCE NO. 2023-153

**AMENDING THE CITY'S FIRE CODE, AS ADOPTED IN CHAPTER 8 OF
THE CITY CODE OF ORDINANCES**

WHEREAS, §§ 36-19-3, 36-19-9 of the Code of Alabama (1975) provides that City fire departments and officials are assistants of the Fire Marshal and subject to the duties and obligations that the State Fire Marshal imposes; and

WHEREAS, the regulations of the Alabama State Fire Marshal specified in Chapter 482-2-101 of the Alabama Administrative Code adopt the 2021 edition of the International Fire Code;

BE IT HEREBY ORDAINED by the City Council of the City of Madison, Alabama that:

Section 1. Section 8-99(5) of the *Code of Ordinances, City of Madison, Alabama*, is hereby repealed in its entirety and replaced as follows:

“International Fire Code, 2021 Edition, including appendices B, C, D, E, I and M.”

Section 2. Section 8-100(4) of the *Code of Ordinances, City of Madison, Alabama*, is hereby repealed in its entirety and replaced as follows:

“(4) *International Fire Code, 2021 Edition*. The International Fire Code is hereby amended as follows:

- a. 112.4. 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 misdemeanor, punishable by a fine of not more than \$500.00 dollars or by imprisonment not exceeding six months, 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 3. Section 8-78(b) of the *Code of Ordinances, City of Madison, Alabama*, is hereby repealed in its entirety and replaced as follows:

“(b) Residential communities or developments approved by the planning commission for gate-restricted access must have access to all entrances by a method approved by the fire marshal and the entrances with electronic access must open automatically in the event of a power loss.”

Section 4. Section 8-78(f) of the *Code of Ordinances, City of Madison, Alabama*, is hereby repealed in its entirety and replaced as follows:

“(f) Industrial and commercial occupancies protected by an alarm system or automatic suppression system must participate in the lockbox program.”

Section 5. Section 18-29 of the *Code of Ordinances, City of Madison, Alabama*, is hereby repealed in its entirety and replaced as follows:

- (a) Adopted Code - “There is hereby adopted, for the purpose of the preservation and safety of human life from fire and similar emergencies within the city, the following code known as International Fire Code, 2021 Edition, including appendices B, C, D, E, I and M. The provisions of the adopted code shall be hereafter controlling within the city.”
- (b) Use of Other Codes – In order to better perform the statutory duties and responsibilities of the office of City Fire Marshal, portions of the current National Fire Code promulgated by the National Fire Protection Association may be consulted by the City Fire Marshal as needed to determine the proper applicability of the 2021 International Fire Code to any structure or building.
- (c) This rule does not purport to adopt the current National Fire Code. Instead, it is intended to state that said code may be consulted as necessary to determine whether the fire prevention and protection aspects of the code that is adopted by reference in the 2021 International Fire Code are properly applied under the circumstances.

Section 6. Section 18-30 of the *Code of Ordinances, City of Madison, Alabama*, is hereby added to the *Code of Ordinances, City of Madison, Alabama*, and states as follows:

“18-30 – Suspended Ceiling Systems

- (a) Flexible sprinkler hose fittings, ceiling-mounted air terminals or other services weighing less than 20 lb [9 kg] shall be positively attached to the ceiling suspension main runners or to cross runners that have the same carrying capacity as the main runners.
- (b) Flexible sprinkler hose fittings, air terminals or other services weighing more than 20 lb [9 kg] but less than 56 lb [25 kg] shall have, in addition to the requirements in 18-30(a), two No. 12-gauge [2.70 mm] hanger wires connected from the terminal or service to the ceiling system hangers or to the structure above that act as safety wires. It is not necessary for these wires to be taught.
- (c) Flexible sprinkler hose fittings, air terminals or other services weighing more than 56 lb [25 kg] shall be supported directly from the structure above by approved hangers.”

Section 7. Section 18-31 of the *Code of Ordinances, City of Madison, Alabama*, is hereby added to the *Code of Ordinances, City of Madison, Alabama*, and states as follows:

“18-31 - Fire Extinguishers

All fire extinguishers required under the *Code of Ordinances, City of Madison, Alabama*, and adopted fire codes set forth in the *Code of Ordinances, City of Madison, Alabama* shall be rated as a 4-A:40B:C ten-pounds fire extinguishers minimum.”

Section 8. Section 18-32 of the *Code of Ordinances, City of Madison, Alabama*, is hereby added to the *Code of Ordinances, City of Madison, Alabama*, and states as follows:

“18-32 – Fireblocking System Requirements

- (a) All penetrations to be filled with fire caulk, as required by applicable codes, are to be approved by fire marshal and building officials.
- (b) Fire collars shall be installed on all non-ductile penetrations 2 inches or larger in fire-rated walls and ceilings.

Section 9. Section 18-33 of the *Code of Ordinances, City of Madison, Alabama*, is hereby added to the *Code of Ordinances, City of Madison, Alabama*, and states as follows:

“18-33 – Fire Protection System Requirements

- (a) Buildings which are required to have a fire department connection (FDC) shall have a fire hydrant located within 50 feet of the FDC. The FDC shall be located remote from the building either freestanding or at the fire vault as determined by the Fire Marshal unless deemed impractical.
- (b) Private fire hydrants shall be painted silver in color with the bonnet painted in accordance with 2019 NFPA 291 to match the rated hydrant capacity.
- (c) Building equipped throughout with an automatic sprinkler system in accordance with 2021 IFC 903.3.1.1 and 903.3.1.2 shall be provided with occupant notification appliances that will activate throughout the interior notification zones on sprinkler water flow. The automatic sprinkler system shall also be equipped with an approved audible and visual device located on the exterior of the building in an approved location that will activate on sprinkler water flow.”
- (d) Automatic sprinkler system risers, fire pumps and controllers shall be provided with ready access including having required signage along with an exterior access door with an outward swing if building design allows.”

Section 10. Section 18-80 of the *Code of Ordinances, City of Madison, Alabama*, is hereby repealed in its entirety and replaced as follows:

“18-80 – Scope of article.

This article in no way replaces or negates the requirements pertaining to explosives as contained in the International Fire Code, 2021 Edition, as the same may be amended, including appendices, or any rule or regulations of any governmental agency. The Standard Fire Prevention Code is administered by the chief of the city fire department within the city limits of Madison.”

Section 11. Section 18-124(4) of the *Code of Ordinances, City of Madison, Alabama*, is hereby repealed in its entirety and replaced as follows:

“(4) No open burning permit, safety permit or notification is required for fires used for cooking of food, including barbecues and outdoor fireplaces or fire pits. Only clean fuel not containing garbage, rubber, leaves, grass clippings, plastics, or other refuse is permitted. In multi-family occupancies, grills, barbecues, heating appliances, and portable outdoor fire pits shall not be stored, used, or kindled on any balcony or under any overhanging portion within ten feet of any structure.”

Section 12. That each section herein is hereby declared to be an independent provision and that the holding by a court of competent jurisdiction of any provision hereof to be void and invalid for any reason shall not affect any other provision hereof.

Section 13. That this ordinance shall become effective immediately upon its passage and upon its proper publication as required by law.

READ, PASSED AND ADOPTED this 22nd day of May 2023.

Ranae Bartlett, Council President
City of Madison, Alabama

ATTEST:

Lisa D. Thomas, City Clerk-Treasurer
City of Madison, Alabama

APPROVED this ____ day of May 2023.

Paul Finley, Mayor
City of Madison, Alabama