

# Chapter 10 FIRE PREVENTION AND PROTECTION<sup>1</sup>

## ARTICLE I. IN GENERAL<sup>2</sup>

### Sec. 10-1. Code—Adopted.

The International Fire Code, 2024 Edition, with Appendices B, C, D, E and I, and the NFPA 101, Life Safety Code, 2024 Edition, are adopted by reference as if they were copied fully herein, with exceptions and amendments as outlined in Sec. 10-1 through Sec. 10-28:

Sec. 10-2. Same – Definitions.

Sec. 10-3. Same – Modifications.

Sec. 10-4. Same – Appeals from decisions under.

Sec. 10-5 Same – Reference Editions.

Sec. 10-6 Same – Conflict in Different Codes

Sec. 10-7. Same – New materials, processes or occupancies which may require permits.

Sec. 10-8. Same – Bureau of Fire Prevention – Generally.

Sec. 10-9. Same – Miscellaneous powers.

Sec. 10-10. Same – Open Burning.

Sec. 10-11. Same – Explosives/Fireworks.

Sec. 10-12. Same – Access for firefighting equipment.

Sec. 10-13. Same – Establishment of limits of districts in which storage of explosives and blasting agents is to be prohibited.

Sec. 10-14. Same – Establishment of motor vehicle routes for vehicles transporting explosives and blasting agents.

Sec. 10-15. Same – Establishment of motor vehicle routes for vehicles transporting hazardous chemicals or other dangerous articles.

Sec. 10-16. Same – Establishment of fire lanes on private property, devoted to public use.

Sec. 10-17. Same – Fire hydrants.

Sec. 10-18. Same – Post indicating valves.

Sec. 10-19. Same – Required Means of Egress.

Sec. 10-20. Same – Fire Protection Requirement for Low-Volume Cooking.

---

<sup>1</sup>Cross reference(s)—Buildings and building regulations, Ch. 7; emergency management, Ch. 9; fire protection, etc. at airport, § 42-141 et seq.; flood damage prevention and control, Ch. 11; garbage, trash and refuse, Ch. 12; health and sanitation, Ch 13; fire protection for mobile home parks, § 16-11; planning, Ch. 21; streets, sidewalks and public places, Ch. 24; utilities, Ch. 26.

<sup>2</sup>State law reference(s)—Municipal authority to adopt fire prevention regulations, MCA 1972, § 21-19-21; state fire prevention code, MCA 1972, § 45-11-1 et seq.

Sec. 10-21. Same – KnoxBox Requirements

Sec. 10-22. Same – Where Sprinkler Systems are Required.

Sec. 10-23. Same – NFPA 13R Sprinkler Systems.

Sec. 10-24. Same – Fire Alarm Requirements.

Sec. 10-25. Same – Tagging System.

Sec. 10-26. Same – Penalties

Sec. 10-27. Same – Standard Fines and Penalties.

### **Sec. 10-2. Same—Definitions.**

1. Wherever the word "municipality" is used in the fire prevention code adopted by section 10-1, it shall be held to mean the City of Tupelo, Mississippi.
2. Wherever the term "corporation counsel" is used in the fire prevention code adopted by section 10-1, it shall be held to mean the attorney for the city.
3. Wherever the term "Chief of the Bureau of Fire Prevention" is used in the fire prevention code adopted by section 10-1, it shall be held to mean the City of Tupelo Fire Marshal or his/her designee.
4. Wherever the term "Fire Code Official" is used in the International Fire Code, 2024 Edition adopted by section 10-1, it shall be held to mean the City of Tupelo Fire Marshal or his/her designee.

### **Sec. 10-3. Same—Modifications.**

The chief of the bureau of fire prevention shall have power to modify any of the provisions of the fire prevention code adopted by section 10-1 upon application in writing by the owner or lessee, or his duly authorized agent, when there are practical difficulties in the way of carrying out the strict letter of the code, provided that the spirit of the code shall be observed, public safety secured, and substantial justice done. The particulars of such modification when granted or allowed and the decision of the chief of the bureau of fire prevention thereon shall be entered upon the records of the department and a signed copy shall be furnished the applicant.

### **Sec. 10-4. Same—Appeals from decisions under.**

Whenever the chief of the bureau of fire prevention shall disapprove an application or refuse to grant a permit applied for, or when it is claimed that the provisions of the code adopted by section 10-1 do not apply or that the true intent and meaning of the code have been misconstrued or wrongly interpreted, the applicant may appeal the decision of the chief of the bureau of fire prevention to the Tupelo License Commission. Any such petition shall be filed with the fire department or department of development services within five (5) days from the date of the decision and notice is received by the appellant, applicant or petitioner.

### **Sec. 10-5. References Editions**

When referencing NFPA 13 or NFPA 72 in Chapter 80 of the International Fire Code or Chapter 35 of the International Building Code. The reference shall be from the 2025 edition.

When referencing NFPA 17 or NFPA 17A in Chapter 80 of the International Fire Code or Chapter 35 the International Building Code. The reference shall be from the 2024 edition.

### **Sec. 10-6. Conflict in Different Codes.**

Section 102.7.1 of the International Fire Code 2024 edition shall be amended to read the following: If a conflict is found between provisions of this code and another adopted code, or referenced standard, the most stringent code, or reference standard shall apply.

**Exception:** The fire code official deems the less stringent code or referenced standard is more applicable based on individual circumstance.

### **Sec. 10-7. Same—New materials, processes or occupancies which may require permits.**

The chief of the bureau of fire prevention shall determine and specify, after giving affected persons an opportunity to be heard, any new materials, processes or occupancies which shall require permits, in addition to those now enumerated in the code adopted by section 10-1. The chief of the bureau of fire prevention shall post such list in a conspicuous place in his office, and distribute copies thereof to interested persons.

### **Sec. 10-8. Bureau of fire prevention—Generally.**

1. The fire prevention code adopted by section 10-1 shall be enforced by the bureau of fire prevention in the fire department of the city which is hereby established and which shall be operated under the supervision of the chief of the fire department.
2. The chief in charge of the bureau of fire prevention shall be appointed by the chief of the fire department of the city. His appointment shall continue during good behavior and satisfactory service, and he shall not be removed from office except for cause.
3. The chief of the fire department may detail such members of the fire department as inspectors as shall from time to time be necessary.
4. A report of the bureau of fire prevention shall be made annually and transmitted to the chief executive officer of the municipality; it shall contain all proceedings under the code adopted by section 10-1, with such statistics as the chief of the fire department may wish to include therein; the chief of the fire department shall also recommend any amendments to such code which, in his judgment, shall be desirable.

### **Sec. 10-9. Same—Miscellaneous powers.**

1. The bureau of fire prevention shall have the power to require necessary access for ingress and egress in public buildings and is empowered to regulate so as to provide necessary access for ingress and egress to public buildings.
2. The bureau of fire prevention shall have the power to require that new buildings be constructed in accordance with the requirements of the code adopted by section 10-1, and shall have the power to require that existing buildings meet proper safety requirements.
3. Fire drills may include, at the discretion of the bureau of fire prevention, school buses and other public transportation facilities.
4. The Fire Code Official shall be authorized to revoke a certificate of occupancy in so that section 111.4 of the International Building Code shall be amended to read the following:

The *building official* and/or the *fire code official* is authorized to suspend or revoke a certificate of occupancy or completion issued under the provisions of this code, in writing, wherever the certificate is issued in error, or on the basis of incorrect information supplied, or where it is determined that the building or *structure* or portion thereof is in violation of the provisions of this code or other ordinances of the *jurisdiction*.

### **Sec. 10-10. Open Burning.**

1. All Open Burning as defined in 2024 International Fire Code shall be prohibited within the city limits unless all the following conditions are met:
  - 1.1. It is permitted by the *fire code official*.
  - 1.2. It is done on 50 continuous acres.
  - 1.3. The location is more than 50 feet from any structure.
  - 1.4. Provisions have been made to prevent the fire from spreading to with 50 feet of any structure.
  - 1.5. It is constantly attended until the fire is extinguished.
  - 1.6. An approved means of extinguishing the fire such as a 4-A rated fire extinguisher, a water truck, or dirt is available for immediate utilization.
  - 1.7. The land on which the fire is to be kindled is owned by the person to which the burn permit is issued to.
  
2. All recreational fires as defined in 2024 International Fire Code shall be prohibited unless contained in an incinerator, outdoor fireplace, portable outdoor fireplace, barbeque grill, barbeque pit, or other approved manor, AND all the conditions from section 307.5 *Attendance* in the 2024 International Fire Code are met.

### **Sec. 10-11. Explosives/Fireworks.**

1. A permit is required for the manufacture, storage, handling, sale or use of any quantity of explosives, explosive materials, fireworks or pyrotechnic special effects.
2. Any individual or pyrotechnic company conducting a pyrotechnic display within the city limits of Tupelo must apply for and obtain a permit prior to the display. Application for a permit must be submitted to Tupelo's Convention and Visitors Bureau no less than fifteen (15) days before the event is to take place. An inspection of the event (pre-show) is to be conducted by the Fire Marshal's Office before a permit is issued. A representative from the Fire Marshal's Office may require to be present for the event.
3. Any individual or pyrotechnic company wishing to apply for a permit must submit the following paperwork for review:
  - 3.1. Site plan that includes location of extinguishers, location of fireworks display, buildings, highways, overhead obstructions, utilities, spectator area, and fallout area.
  - 3.2. Safety protocols that include general safety practices and misfire protocols.
  - 3.3. A list of items being used/fired off.
  - 3.4. Credentials
  - 3.5. Picture ID
  - 3.6. Proof of liability insurance for at least 1 million dollars (\$1,000,000.00).

### **Sec. 10-12 Access for firefighting equipment.**

Access shall be provided for firefighting equipment to all places under construction over an all-weather road or driveway provided by the party responsible for the building or buildings under construction.

**Sec. 10-13. Establishment of limits of districts in which storage of explosives and blasting agents is to be prohibited.**

There shall be no storage of explosives or blasting agents in areas which are zoned residential or in areas which are heavily populated or in commercial areas which are closely built-up.

**Sec. 10-14. Establishment of motor vehicle routes for vehicles transporting explosives and blasting agents.**

Trucks or other vehicles transporting explosives and blasting agents shall follow the bypass in going around the city and shall not operate in the downtown area or in heavily congested traffic. (deleted Appalachian road)

**Sec. 10-15. Establishment of motor vehicle routes for vehicles transporting hazardous chemicals or other dangerous articles.**

Trucks or other vehicles transporting hazardous chemicals or other dangerous articles shall follow the bypass in going around the city and shall not operate in the downtown area or in heavily congested traffic. (deleted Appalachian road)

**Sec. 10-16. Establishment of fire lanes on private property, devoted to public use.**

Fire lanes are hereby established as follows: Fire lanes twelve (12) feet in width which may include driveway space shall be established at each of the Tupelo malls, at shopping centers, and at large places of assembly. The fire lanes shall be marked, and the blocking of a fire lane is a misdemeanor and anyone guilty of blocking the fire lane may be prosecuted.

**Sec. 10-17. Fire hydrants.**

1. Fire hydrants shall be fitted with two (2) two and one-half (2½)-inch hose connections and one (1) four and one-half (4½)-inch steamer connection with national standard threads. The above ground part of the hydrant shall be given a prime coat then two (2) coats of approved, white, weatherproof enamel paint. Hydrants shall also meet construction specifications as defined by Tupelo Water and Light.
2. Section 507.5.1.2 Shall be added to the 2024 International Fire Code and read: When measuring the distance to the closest fire hydrant, the approved route shall not be allowed to cross any public street four (4) or more lanes in width.

**Sec. 10-18. Post indicating valves.**

All post indicating valves or wall indicating valves that are a component of a fire sprinkler system that is in an unsecured area of a building shall be locked with a Knox Padlock and chain designed for exterior use. It shall be unlawful to remove or tamper with the lock or chain except for in the event of an emergency. Anyone who willfully

damages or tampers with the chain and lock without permission of the Bureau of Fire Prevention of the Fire Chief shall be guilty of a misdemeanor, punishable as provided in section 1-8 of this Code of Ordinances.

### **Sec. 10-19. Minimum Number of Required Means of Egress.**

Section 1006.3.4 of the International Fire Code shall be amended to read:

A single exit or access to a single exit shall be permitted from any story or occupiable roof, where it is approved by the *fire code official* AND one of the following conditions exists:

1. The occupant load, number of dwelling units and exit access travel distance do not exceed the values in Table 1006.3.4(1) or 1006.3.4(2).
2. Rooms, areas and spaces complying with Section 1006.2.1 with exits that discharge directly to the exterior at the level of exit discharge, are permitted to have one exit or access to a single exit.
3. Parking garages where vehicles are mechanically parked shall be permitted to have one exit or access to a single exit.
4. Group R-3 and R-4 occupancies shall be permitted to have one exit or access to a single exit.
5. Individual single-story or multistory dwelling units shall be permitted to have a single exit or access to a single exit from the dwelling unit provided both of the following criteria are met:
  - 5.1. The dwelling unit complies with Section 1006.2.1 as a space with one means of egress.
  - 5.2. Either the exit from the dwelling unit discharges directly to the exterior at the level of exit discharge, or the exit access outside the dwelling unit's entrance door provides access to not less than two approved independent exits.

Section 7.4.1.1 of the 2024 NFPA 101 Code has been amended and shall read:

The number of means of egress from any balcony, mezzanine, story, or portion thereof shall be not less than two, unless it is approved by the *fire code official* AND one of the following conditions are met:

1. A single means of egress shall be permitted where permitted in Chapters 11 through 43.
2. A single means of egress shall be permitted for a mezzanine or balcony where the common path of travel limitations of Chapters 11 through 43 are met.

### **Sec. 10-20. Fire Protection Requirements for Low-Volume Cooking.**

Exception #5 shall be added to section 606.2 of the 2024 International Fire Code and shall read:

A Type II hood system compliant with UL 507 (ed.10), UL 300A (Ed. 3), and NFPA 101 shall be allowed to be installed in place of a Type I hood system for a single residential cooking appliance provided all the following conditions are met:

- A. The building is fully equipped with an automatic sprinkler system compliant with R13
- B. The cooking appliance shall be a residential-type stove or an oven with a cooking surface no larger than 36 inches
- C. There is no more than one (1) residential stove per occupant or unit
- D. The hood is equipped with an automatic extinguishing system complying with UL 300A
- E. The hood system is vented to the outside
- F. The hood system is equipped with an automatic shut-off
- G. The hood system covers the entire cooking surface

- H. The hood system is integrated into a commercial fire alarm system that will activate upon activation of the extinguishing system
- I. A type K fire extinguisher is installed per IFC Section 906, (2024).

Exception #5 is contingent upon the appliance being installed in a low-volume cooking operation not associated with food being prepared for compensation and/or trade and the appliance being located in a building not classified as E, I, or R1.

**Sec. 10-21. Key Access Box.**

Section 506.1 of the 2024 International Fire Code is amended to require any new occupant of a commercial businesses is to have a City of Tupelo Fire Prevention Bureau approved key access box(es) installed either on the right side of the front door/main entrance, or another location approved by the fire code official, if any of the following conditions apply:

- 1. They currently are or are required to be electronically monitored per IFC 2024, NFPA 101, 2024 edition, or the bureau of fire prevention.
- 2. They have more than one (1) occupant or occupant space within the same building.
  - a. Example: A row of stores.
- 3. The bureau of fire prevention determines the building to pose a high risk to property or loss of life during non-business hours.

An exception to the above shall be if the location has on-site security in the building on a 24-hour basis, 365 days of the year.

**Sec. 10-22. Where Sprinkler Systems are Required**

- 1. One- and two- family dwellings.
  - 1.1. An automatic sprinkler system shall not be required for one- and two-family dwelling units if all the following conditions are met:
    - 1.1.1. The building meets the definition of a one- and two-family dwelling unit as defined by the 2024 NFPA 101 Life Safety Code Section 6.1.8.1.1
    - 1.1.2. The building is governed by the 2024 International Residential Code.
  - 1.2. Sections 24.3.5.1 and 24-3.5.3 of the NFPA 101, Life Safety Code, 2024 Edition are deleted.
- 2. Shell Buildings:
  - 2.1. A fully automatic sprinkler system shall be installed in all new commercial buildings with occupiable space that has not yet been classified (shell buildings) if one or more of the following conditions apply:
    - 2.1.1. The fire area is not yet classified and meets or exceeds 2,500 square feet.
    - 2.1.2. The fire area is designed for more than one occupant.
- 3. All new commercial building:
  - 3.1. A fully automatic sprinkler system shall be installed in all new commercial buildings regardless of occupancy type where the total fire area of all floors exceeds 24,000 square feet.
- 4. Self-Storage Facilities.
  - 4.1. Section 903.2.9, line item 6 shall be added to both the 2024 IBC & IFC, causing both sections of 903.2.9 to read: "An automatic sprinkler system shall be provided throughout all buildings containing a Group S-1 occupancy where any of the following conditions exist:
    - 1. A Group S-1 fire area exceeds 12,000 square feet (1115 m<sup>2</sup>).
    - 2. A Group S-1 fire area is located more than three stories above grade plane.

3. The combined area of all Group S-1 fire areas on all floors, including any mezzanines, exceeds 24,000 square feet (2230 m<sup>2</sup>).
  4. A Group S-1 fire area used for the storage of commercial motor vehicles where the fire area exceeds 5,000 square feet (464 m<sup>2</sup>).
  5. A Group S-1 fire area used for the storage of lithium-ion or lithium metal powered vehicles where the fire area exceeds 500 square feet (46.4 m<sup>2</sup>).
  6. A self-storage facility, where all/each storage space(s) cannot be accessed directly from the exterior of the building".
5. Restaurants: Section 12.5.3.1 item number 5 of the 2024 NFPA 101 Life Safety Code has been amended to read: Restaurants carrying a beer and/or liquor license.

### **Sec. 10-23 Sprinkler System Requirements.**

1. All automatic sprinkler systems in commercial buildings shall be built to NFPA 13, 2025 edition standards.
2. Section 903.3.1.2 (NFPA 13R Sprinkler Systems) of the 2024 International Fire Code and the 2024 International building code shall be amended to read: Any time a sprinkler system is required by this code, that system shall meet the requirements of NFPA 13. A sprinkler system meeting the requirements of NFPA 13R shall not be allowed if a sprinkler system is required by this code.
3. Sections 903.3.1.2.1, 903.3.1.2.2, and 903.3.1.2.3 are no longer applicable insofar as NFPA 13 provides standards for balconies and deck, open-ended corridors, and attics.
4. Any room or space containing a sprinkler riser shall be required to have a door opening directly to the outside.

### **Sec. 10-24 Requirements for Fire Alarm Systems.**

1. A remote fire alarm annunciator panel shall be required to be installed near the main inside entrance to any building where fire an alarm system is required to be installed.
  - 1.1. This includes any building with an existing system that is required to be upgraded or brought into code compliance.
2. Additional remote fire alarm annunciators are required to be installed in each separate tenant space if any of the following conditions apply:
  - 2.1. The main control panel for the fire alarm system is located in a room or location not accessible to the occupant.
  - 2.2. The fire alarm system covers several tenants or occupants.
3. A sign approved by the *fire code official* indicating location of sprinkler riser and/or main fire alarm panel shall be installed at or near all remote annunciator panels.
  - 3.1. Signs shall be of metal, plastic, vinyl, or other approved material, and shall be permanently affixed to structure.
  - 3.2. Lettering shall be a minimum of 18pt. Bold face font in contrasting color of background.

## Sec. 10-25 Tagging Requirements for Fire Protection Systems

The City of Tupelo has adopted the following tagging requirements for Fire Alarm Systems & Extinguishing Systems (including kitchen suppression systems and other alternative suppression systems) hence forth referred to in section 10-25 of this ordinance as fire protection system(s).

All fire protection systems are hereby required to have a service tag, meeting the requirements set forth in this ordinance, affixed to the system. This tag is in addition to any other tag or placard requirements outlined in the NFPA standard governing such system.

The tag shall be a visual indicator of the systems status at the time/date of the installation, inspection, maintenance, service, or repair work. The tag shall be placed in a location to allow for convenient inspection while not hampering actuation or operation of the system(s) and shall adhere to the following specifications:

1. Tags shall be a minimum of 5 ¼ inches in height, and a minimum of 2 ¾ inches in width.
2. All tags must utilize a "punch out" system for dating and may be printed and established for a period of five (5) years.
  - 2.1. Only one date may be "punched out" per tag.
  - 2.2. The date "punched out" should represent the day the inspection was performed or the day the installation, repair, maintenance, or service was concluded.
  - 2.3. If the system is not fully compliant or operational at the conclusion of the work being performed, a tag bearing the color indicating the status of the system at the time work was concluded should be affixed to the fire protection system.
3. All tags shall bear the following information:
  - 3.1. The font must be of a contrasting color no smaller than 10 point.
  - 3.2. Printed at the top of the tag in all capital letters in at least 16 point bold face type will be the following: "DO NOT REMOVE BY ORDER OF THE FIRE MARSHAL".
  - 3.3. Name, address, & telephone number of the firm performing the service.
  - 3.4. Name, license number or employee number of the firm's inspector or RME clearly printed.
    - 3.4.1. If utilizing an employee number, then a second identifier such as signature of the person performing the work shall be required.
  - 3.5. Type of work performed – installation, service, maintenance, inspection or repair.
  - 3.6. Day, month, and year the work was completed.

Exception: Only the month and year shall be required on "compliant" tags.
  - 3.7. The tag on the fire protection system must indicate what type of system it is (Wet, Dry, Clean Agent, Purple K, etc.).
  - 3.8. Comments/Impairments (shall include a minimum of three (3) lines).
4. The most recent tag shall remain affixed to the system.
  - 4.1. Exception: All impairment tags (yellow and red tags) must remain affixed to the system until it passes an inspection at which point a green "compliant" tag shall take their place(s) (Section 5.1 & 5.2 still apply).
5. Only the following persons are authorized to attach or remove tags:
  - 5.1. The fire protection system firm's Responsible Managing Employee (RME).
  - 5.2. Tupelo Fire Marshal
6. NFPA 25, 2023 edition, section 3.3.8.1 shall be used to define "critical deficiency" for all fire protection systems.
7. NFPA 25, 2023 edition, section 3.3.8.2 shall be used to define "noncritical deficiency" for all fire protection systems.
8. NFPA 25, 2023 edition, section 3.3.23 shall be used to define "impairment" for all fire protection systems.
9. The background color of the tag must be green, yellow, or red.
  - 9.1. See 10.a.i for alternative.
10. The color of the tags shall adhere to and represent the following requirements/conditions:

- 10.1. Green Tag – Any fire protection system that is green-tagged is understood to have successfully passed inspection by a licensed inspector or RME utilizing approved inspection forms. This system should be free from any deficiencies or impairments and should meet or exceed the NFPA standard governing the system at the time of installation.
  - 10.1.1. As an alternative to the green tag – With written permission from the Fire Marshal, the company may be given permission to use an alternative color other than green to indicate a system is in compliance. All other requirements under item number three (3) still apply.
- 10.2. Yellow Tag – Any fire protection system that is yellow-tagged is understood to have *noncritical deficiencies* (see#7 above). Any fire protection system found to have either *impairments* or *critical deficiencies* shall be red-tagged (see 10.4 below).
  - 10.2.1. Other Requirements – A copy of the inspection report detailing the deficiencies shall be given to the owner of the system or their representative.
  - 10.2.2. All yellow tags shall remain affixed to the system until the system has passed an inspection, and a green tag shall take its place.
- 10.3. Red Tag – Any fire protections system that is red-tagged is understood to have *impairments* or *critical deficiencies* that either have caused the system to be considered out-of-service, or will severely retard the system’s ability to operate correctly and provide protection to the occupants in the building.
  - 10.3.1. Other Requirements – A copy of the inspection report detailing the deficiencies or impairments shall be given to the owner of the system or their representative.
  - 10.3.2. The Fire Marshal shall be notified within 24 hours of the deficiency being found either by text or email.
  - 10.3.3. A copy of the inspection report, as well as a written course of action or plan of correction, shall be submitted via email to the Tupelo Fire Department at [TupeloFireDepartment@tupeloms.gov](mailto:TupeloFireDepartment@tupeloms.gov) within five (5) business days of the initial inspection.
  - 10.3.4. Once the critical impairment or deficiency has been abated, a green or yellow tag shall be affixed to the system to signify the status after the work, and the Tupelo Fire Department shall again be notified via email.

## Sec. 10-26. Penalties.

1. Any person who shall violate any of the provisions of the code adopted in section 10-1, or fail 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 appeals committee or by a court of competent jurisdiction, within the time fixed herein, shall severally for each and every such violation and noncompliance respectively, be guilty of a misdemeanor, punishable as provided in section 1-8 and sections 10-26 & 10-27 of this Code of Ordinances. The imposition of one (1) penalty for any violation shall not excuse the violation 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.
2. The application of the above penalty shall not be held to prevent the enforced removal of prohibited conditions.
3. There shall be three (3) tiers of fines based on level of hazards. Examples of violations for each tier can be found in Sec. 10-27.
  - a. **Low Hazard:** This violation should not impact occupants’ ability to evacuate. Although this condition still poses a risk; either the risk of the event occurring is small, or if an event were to happen, other conditions would likely have to be present for loss of life to occur.

- b. **Medium Hazard:** Under the right conditions this violation could pose a threat to human life. During an emergency, this violation could contribute to the loss of human life, fire spread, or the delay of evacuation.
  - c. **High Hazard:** Poses in immediate danger to life and safety, and if an emergency were to occur, this violation would likely cause or contribute to the loss of human life, rapid fire spread/ignition, or cause the inability of occupants to evacuate.
4. Conditions that are deemed to constitute a high hazard may result in immediate fines, evacuation of a building, and/or revoking of the Certificate of Occupancy. Table 10-27-2 are conditions that have been predetermined to be high hazard conditions. As it is not possible to predict all types of violations, any condition not listed in Table 10-27-1 & 10-27-2 will be evaluated for severity on a case-by-case basis.

**Sec. 10-27. Pre-determined fines.**

The following predetermined fines have been established in Table 10-27-1 and Table 10-27-2:

**Table 10-27-1**

Examples of Low Hazard Violations	
Description	Fine Amount
Address not visible from the roadway	\$ 253.25
Access not provided in accordance with Section 10-20	\$ 253.25
Fire Hydrant not properly accessible	\$ 253.25
FDC not properly maintained	\$ 253.25
Combustible waste accumulation	\$ 253.25
Holes in Ceiling and/or walls	\$ 253.25
Improper storage creating a fall hazard	\$ 253.25
Combustible storage in utility room	\$ 253.25
Compressed gas cylinder improperly stored	\$ 253.25
Hazardous Materials improperly marked.	\$ 253.25
No shutoff valve present on gas appliance	\$ 253.25
Fire extinguisher not properly mounted	\$ 253.25
Fire extinguisher not properly serviced	\$ 253.25
Sprinkler system not properly serviced	\$ 253.25
Sprinkler system not properly accessible	\$ 253.25
Fire alarm system not properly serviced	\$ 253.25
Kitchen extinguishing system not properly serviced	\$ 253.25
Vent-hood not properly serviced	\$ 253.25
Improper use of extension cords	\$ 253.25
Not enough clearance to electrical panel	\$ 253.25
Examples of Medium Hazard Violations	
Description	Fine Amount
Emergency exits improperly locked	\$503.25
Emergency lighting inoperable	\$503.25
Emergency exit signs not properly maintained	\$503.25
Improper storage below ceiling	\$503.25

Improper clearance around sprinkler head	\$503.25
Improper number and/or type of fire extinguisher	\$503.25
Fire extinguisher not readily accessible or properly marked	\$503.25
Sprinkler valves not properly maintained	\$503.25
Smoke/Heat detectors not properly maintained	\$503.25
Fire alarm system components obstructed	\$503.25
Manual kitchen system activation not properly maintained	\$503.25
Exposed electrical wires	\$503.25
Illegal or unauthorized burning	\$503.25

The following violations in Table 10-27-2 are considered High Hazard violations:

**Table 10-27-2**

Description	Fine Amount
Emergency exits blocked	\$998.25
Exit isles and/or corridors blocked	\$998.25
Combustible material stored too close to an ignition source	\$998.25
Improper storage of hazardous materials	\$998.25
Fire alarm system not fully operational	\$998.25
Not proper coverage of kitchen extinguishing system	\$998.25
Sprinkler system not fully operational	\$998.25
Over crowding	\$998.25