

Chapter 16

FIRE PROTECTION AND PREVENTION*

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Cross reference(s)--Fire department, § 2-246 et seq.

State law reference(s)--Powers of home rule charter cities, Mo. Const. art. VI, § 19(a); fire protection generally, RSMo ch. 320.

ARTICLE I. IN GENERAL

Sec. 16-1. Interfering with fire department apparatus.

No person driving or having charge of any vehicle or animal shall willfully or carelessly permit the vehicle or animal to obstruct, impede or otherwise interfere with the progress or working of any engine, hose truck, hook and ladder truck or other facilities, equipment or apparatus of the fire department while the apparatus is going to or attending a fire.

(Code 1969, § 9-1)

Sec. 16-2. Injuring fire equipment.

No person shall willfully or carelessly cut, mark or otherwise injure or deface any engine house, hose, engine or other apparatus of the fire department.

(Code 1969, § 9-2)

State law reference(s)--Property damage, RSMo 569.100.

Sec. 16-3. Riding on fire apparatus.

Persons not members of the fire department shall not be allowed to ride any apparatus going to or from fires, without the written consent of the fire chief.

(Code 1969, § 9-5)

Sec. 16.4. Violation penalties; abatement.

(a) *Violation penalties.* Persons who shall violate a provision of this code during the same 36 month period, including the standards adopted by reference 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 code official, or of a permit or certificate used under provisions of this code, shall be guilty of a misdemeanor and upon conviction, punishment shall be assessed as follows:

- (1) For the first conviction, by a fine of not less than \$25.00.
- (2) For the second conviction, by a fine of not less than \$200.00 or by confinement in the county jail for a term of not less than 30 days.

- (3) For the third and subsequent convictions, by a fine of \$500.00 or by confinement in the county jail for a term of not less than 60 days.

Nothing in this subsection shall be construed to prevent the imposition of a larger fine or the imposition of a longer jail sentence or the imposition of both a fine and imprisonment consistent with Section 1-14 of this code. Each day that a violation continues shall be deemed a separate offense.

(b) *Abatement of violation.* In addition to the imposition of the penalties herein described, the fire code official is authorized to institute appropriate action to prevent unlawful construction or to restrain, correct or abate a violation; or to prevent illegal occupancy of a structure or premises; or to stop an illegal act, conduct of business or occupancy of a structure on or about any premises.

(G.O. 2350, 10-19-09)

Secs. 16-5--16-30. Reserved.

ARTICLE II. FIRE CODE*

Sec. 16-31. Fire prevention code adopted.

The International Fire Code, 2012 edition (2012 IFC), including Appendices B, C, D, E, F and G, as published by the International Code Council, Inc., be, and hereby is, adopted as the fire prevention code of the city, of which two copies are on file in the office of the city clerk, being marked and designated as for the control of buildings and structures as provided in this article. Each and all of the regulations, provisions, penalties, conditions and terms of the fire prevention code are referred to, adopted and made a part of this section, as if fully set out in this article with the additions, insertions, deletions and changes prescribed in Section 16-32.

(Gen. Ord. No. 1197, § 1(9-54), 7-18-94; G.O. 1867, 1-7-02; G.O. 2232, 5-7-07; G.O. 2665, 12-10-12)

*Cross reference(s)--Building and fire prevention code board of appeals, § 2-696 et seq.; buildings and building regulations, ch. 7.

Sec. 16-32. Amendments to the fire prevention code.

The International Fire Code (IFC) adopted in Section 16-31 is amended by the following insertions, additions and deletions:

- (1) *Section 101.0 General.* The IFC, Section 101.0, "General", is amended by deleting Subsection 101.1 and substituting the following:

101.1 Title: These regulations shall be known as the Fire Code of the City of St. Joseph, Missouri, hereinafter referred to as "this code".

- (2) *Section 103.0 Department of fire prevention.* The IFC, Section 103.0, "Department of fire prevention," is amended by deleting Subsection 103.2 and substituting the following:

103.2 Appointment. The fire code official shall be appointed by the chief appointing authority of the jurisdiction and may be removed from office in accordance with any applicable provisions of the city charter or the city personnel manual; in conjunction with the terms of any valid working agreement.

- (3) *Section 105.0 Permits.* The IFC, Section 105.0, "Permits", is amended by adding a new subsection to be known as Subsection 105.6.47 to read as follows:

105.6.47 Maintenance of fire suppression equipment. An operational permit is required to perform maintenance on fire suppression equipment, including sprinkler systems, hood systems and fire extinguishers.

- (4) *Section 109.0 Violations.* The IFC, Section 109.0, "Violations", is amended by adding a new subsection to be known as Subsection 109.3.5 to read as follows:

109.3.5 Citations without notice. The following sections of the 2012 International Fire Code are considered a threat to the public health, safety and welfare due to their nature. As such, a citation may be issued immediately upon discovery of the violation, without

serving a notice of violation and/or providing a time period within which to correct the deficiency:

Section 105.6.47 - Maintenance of fire suppression equipment.

Section 107.4 - Rendering equipment inoperable.

Section 107.5 - Overcrowding.

Section 109.1 - Unlawful acts.

Section 109.3.4 - Unauthorized tampering.

Section 305.4 - Deliberate or negligent burning.

Section 310.5 - Compliance with No Smoking signs.

Section 316.3 - Pitfalls.

Section 401.5 - Making false report.

Section 5003.3.1 - Unauthorized discharges.

Section 5703.3 - Site assessment.

- (5) *Section 109.0 Violations.* The IFC, Section 109.0, "Violations", is amended by deleting Subsections 109.4 and 109.4.1 in their entirety.

- (6) *Section 111.0 Stop work order.* The IFC, Section 111.0, "Stop work order", is amended by deleting Subsection 111.4 and substituting the following:

111.4 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 or remove a violation or unsafe condition, shall be liable for a fine in the amount of not less than \$25.00 or more than \$500.00.

- (7) *Section 507.0 Fire protection water supplies.* The IFC, Section 507.0, "Fire protection water supplies", is amended by deleting Subsection 507.5.1 and substituting the following:

507.5.1 Where required. Where a portion of the facility or building hereafter constructed or moved into or within the jurisdiction is more than 400 feet (122 m) from a hydrant on a fire apparatus access road, as measured by an approved route around the exterior of the facility or building, on-site fire hydrants and mains

shall be provided where required by the fire code official.

Exceptions:

1. For Group R-3 occupancies, the distance requirement shall be 600 feet (183 m).
2. For buildings except single family homes equipped throughout with an approved automatic sprinkler system installed in accordance with Section 903.3.1.1 or 903.3.1.2, the distance requirement shall be 600 feet (183 m).
3. For single family homes equipped throughout with an approved automatic sprinkler system installed in accordance with Section 903.3.1.1 or 903.3.1.2 or 903.3.1.3, the distance requirement shall be 1000 feet and may be lengthened with the permission of the fire chief.
4. For Group U structures the distance requirement shall be 1000 feet and those Group U structures in an agricultural setting can have the distance requirement lengthened with the permission of the fire chief.

- (8) *Section 903.0 Automatic sprinkler systems.* The IFC, Section 903.0, "Automatic sprinkler systems", is amended by deleting Subsections 903.2.8, 903.2.8.1 and 903.2.8.2 in their entirety.
- (9) *Section 1103.0 Fire safety requirements for existing buildings.* The IFC, Section 1103.0, "Fire safety requirements for existing buildings", is amended by deleting Subsection 1103.9 in its entirety.
- (10) *Section 1104.0 Means of egress for existing buildings.* The IFC, Section 1104.0, "Means of egress for existing buildings", is amended by deleting Subsection 1104.24 in its entirety.
- (11) *Section 5504.0 Storage.* The IFC, Section 5504.0, "Storage", is amended by deleting Subsection 5504.3.1.1.3 and substituting the following:

5504.3.1.1.3 Location. Containers of cryogenic fluids shall not be located within diked areas containing other hazardous materials.

Storage of flammable cryogenic fluids in stationary containers outside of buildings is prohibited in occupancies with a building classification of Residential Group R without approval of the code official.

- (12) *Section 5601.0 General.* The IFC, Section 5601.0, "General", is amended by adding the following at the end of Subsection 5601.1.3 "Fireworks":
 5. No person shall offer fireworks for sale to individuals before June 20 and after July 10 of the same year, nor before December 20 and after January 2 of the next year, as it shall be defined by the laws of the State of Missouri.
- (13) *Section 5601.0 General.* The IFC, Section 5601.0, "General", is amended by adding the following at the end of Subsection 5601.3 "Prohibited explosives":
 11. No person shall store, offer for sale, expose for sale, sell at retail, use, explode, discharge, set off or possess any Class 1.4G fireworks, devices or any device with a report; or any device that discharges a projectile or any fireworks forbidden for shipment by the Interstate Commerce Commission or any fireworks condemned or prohibited by the Bureau of Explosives, except for the following:
 - a. Sparklers.
 - b. Colored torches.
 - c. Colored fire cones and boxes.
 - d. Nonpoisonous snakes.
 - e. Colored smoke items without report.
 - f. Cones, fountains.
 - g. Pinwheels, spinners and spinners wheels.
 - h. Snappers.
 - i. Caps, as used in toy cap guns.
 - j. Confetti type poppers.

- (14) *Section 5704.0 Storage.* The IFC, Section 5704.0, “Storage”, is amended by deleting Subsection 5704.2.9.6.1 and substituting the following:

5704.2.9.6.1 Locations where above-ground tanks are prohibited. Storage of Class I and II liquids in above-ground tanks outside of buildings is prohibited in occupancies with a building classification of Residential Group R without approval of the code official.

- (15) *Section 5706.0 Special operations.* The IFC, Section 5706.0, “Special operations”, is amended by deleting Subsection 5706.2.4.4 and substituting the following:

5706.2.4.4 Locations where above-ground tanks are prohibited. The storage of Class I and II liquids in above-ground tanks is prohibited in occupancies with a building classification of Residential Group R without approval of the code official.

- (16) *Section 6104.0 Location of LP-gas containers.* The IFC, Section 6104.0, “Location of LP-gas containers”, is amended by deleting Subsection 6104.2 and substituting the following:

6104.2 Maximum capacity within established limits. The storage of liquefied petroleum gas for the protection of heavily populated or congested areas, the aggregate capacity of any one installation shall not exceed a water capacity of 2,000 gallons, is prohibited in occupancies with a building classification of Residential Group R without approval of the code official.

(Gen. Ord. No. 1197, § 1(9-55), 7-18-94; G.O. 1283, 4-10-95; G.O. 1674, 12-28-98; G.O. 1867, 1-7-02; G.O. 1952, 6-23-03; G.O. 2124, 9-15-05; G.O. 2233, 5-7-07; G.O. 2349, 10-19-09; G.O. 2417, 1-12-11; G.O. 2446, 10-17-11; G.O. 2665, 12-10-12)

Cross reference(s)--Stopping, standing and parking, § 28-636 et seq.

State law reference(s)--Fireworks, RSMo 320.100 et seq.

Sec. 16-33. Establishment of limits.

All limits established by this code are applied to the corporate city limits of St. Joseph, Missouri.

(G.O. 1969, § 9-56; G.O. 1867, 1-7-02)

Sec. 16-34. Reserved.

Sec. 16-35. Permit fees.

(a) *Operational permit fees.* Operational permits, as referenced in the International Fire Code, shall be issued on a yearly basis and may be revoked at any time for cause. Operational permits shall be \$50.00 for the first permit and \$25.00 for each additional permit, but not to exceed \$500.00.

Exception: No permit shall be required for burning of yard waste during the Spring and Fall open burning periods, as allowed.

(b) *Construction permit fees.* Construction permits, as referenced in the International Fire Code shall be issued at the time of the construction, repair, replacement or extension of all listed systems, processes or occupancies as set out in the International Fire Code. These permits may be revoked at any time for cause. Cost for construction permits shall be a sum of \$50.00 each.

(c) *Penalty Fees.* Where work for which a permit is required by this code is started prior to obtaining such permit, the fee specified in the schedule of fees shall be doubled, but the payment of such double fees shall not relieve any persons from fully complying with the requirements of this code in the execution of the work nor from any other penalties presented herein.

(d) *Exemption from fees.* The United States government or any of its agencies, State of Missouri, County of Buchanan, or their agencies shall be exempt from payment of any fee for any building permit or certificate of occupancy for buildings owned by the above entities. Said exemption does not relieve the obligation to obtain applicable permits, unless otherwise provided under law.

(G.O. 1867, 1-7-02; G.O. 2234, 5-7-07)

ARTICLE III. RESERVED

Secs. 16-45--16-61. Reserved.

ARTICLE IV. STORM PROTECTION

Sec. 16-62. Storm protection.

(a) *General requirements.* Every mobile home park of ten or more mobile home spaces which is constructed after May 1, 2000, shall be provided with above-grade or below-grade storm shelters which shall:

- (1) Have a minimum floor area of ten square feet for each mobile home space.
- (2) Be designed and constructed in accordance with Federal Emergency Management Agency (FEMA) National Performance Criteria for Tornado Shelters.
- (3) If the shelter is within a floodplain, be designed and constructed in accordance with all requirements and guidelines of the Federal Emergency Management Agency.
- (4) Be designed and constructed in accordance with all applicable requirements of the Americans with Disabilities Act (ADA).
- (5) Be located no further than 1,320 linear feet from the furthest mobile home space within the park.

(b) *Additions to existing mobile home parks.* Whenever a cumulative total of five or more mobile home spaces will be or have been added to a mobile home park existing at the time of this regulation, the owner must provide a storm shelter for the entire mobile home park which complies with the requirements of Subsection (a)(1) above. Each cumulative addition of five or more spaces shall constitute a new requirement.

(c) *Access to shelters.* The mobile home park owner, or such owner's designated agent or representative, shall be responsible for making the storm shelter accessible and usable in times of need. It shall be unlawful for any required storm shelter to be used for storage purposes if such storage reduces the minimum floor area available

for shelter of persons below the requirements of Subsection (a)(1) above.

(d) *Existing nonconforming mobile home parks.* All mobile home parks with ten or more spaces existing at the time of this regulation which have an existing storm shelter which does not conform to the requirements of Subsection (1) shall be deemed nonconforming with regard to these requirements and may continue to operate so long as the existing shelter remains usable. However, additions to the park shall be subject to Subsection (a)(2) above.

All mobile home parks with 20 or more spaces existing at the time of this regulation which do not have a storm shelter, shall be required to provide a storm shelter that meets the requirements of Subsection (a)(1) above within four years from date of adoption of this regulation.

(e) *Registration of existing shelters.* All shelters within mobile home parks shall be required to register the shelter with the planning and zoning division of the community services department. Such registration shall include a submittal of a site plan for the shelter. Registration shall be updated annually with the mobile home park license renewal.
(G.O. 1760, 4-17-00)