

VILLAGE COUNCIL
VILLAGE OF NASHVILLE
BARRY COUNTY, MICHIGAN

Council Member Coll, supported by Council Member Kenyon, moved the adoption of the following ordinance:

ORDINANCE NO. 9-13-2007-B

FIRE SAFETY ORDINANCE

THE VILLAGE OF NASHVILLE ORDAINS:

SECTION 1 TITLE.

This ordinance shall be known and cited as the "Fire Safety Ordinance."

SECTION 2 PURPOSE AND SCOPE.

The purpose of this ordinance is to set minimum conditions and standards for fire safety for dwellings. For purposes of this ordinance, a dwelling includes a rental unit but does not include any dwelling or residence subject to the Fire Prevention Code, MCL 29.1, *et seq.*, and its administrative rules.

SECTION 3 GENERAL FIRE SAFETY REQUIREMENTS .

The owner of a dwelling shall provide and maintain fire safety facilities and equipment in compliance with the requirements of this ordinance. A person shall not occupy or permit another person to occupy a dwelling that does not comply with the requirements of this ordinance.

SECTION 4 DEFINITIONS.

For the purposes of this ordinance, the following words and phrases shall have the following meanings:

Approved smoke detectors. All devices or systems which comply with the specifications of the Underwriters Laboratories, Inc., or any other nationally recognized laboratory standards and bear a label indicating that the detector has been so listed and approved.

Dwelling. The term "dwelling" shall have the same meaning as used in the Zoning Ordinance of the Village of Nashville.

Malfunction. Any defect or other problem with a smoke detector or smoke detection

system; except, that such term shall not include dead, weak or defective batteries.

Owner. The person, corporation or legal entity holding title to a dwelling, and any agent or representative of an owner exercising control over the premises on the owner's behalf.

Rental unit. Any residential apartment, flat, motel room, hotel room, boarding room or boardinghouse for which consideration is paid by one person to another for use or occupancy thereof.

Single station alarm device. Any assembly incorporating the approved smoke detector, control equipment and the signaling device in one unit, operating from a power supply either in the unit or obtained at the point of installation.

Smoke detection system. One or more smoke detectors in any system composed of self-supervised smoke detection and signaling devices operating on an approved, permanently wired electric circuit, so arranged that the activation of any one smoke detection device will activate all signaling devices throughout the building.

Smoke detector. An instrument which detects visible or invisible particles of combustion and activates a signaling device.

SECTION 5 MEANS OF EGRESS FOR DWELLINGS.

A. General.

A safe, continuous and unobstructed path of travel shall be provided from any point in a dwelling to the public way.

B. Aisles.

The required width of aisles, in accordance with the *International Fire Code*, shall be unobstructed.

C. Locked doors.

All means of egress doors shall be readily openable from the side from which egress is to be made without the need for keys, special knowledge or effort, except where the door hardware conforms to that permitted by the *International Building Code*.

D. Emergency escape openings.

Required emergency escape and rescue openings shall be operational from the inside of any such dwelling room without the use of keys or tools. Bars, grilles, grates, or similar devices are permitted to be placed over emergency escape and rescue openings provided the minimum net clear opening size complies with the *International Building Code* and such devices shall be releasable or removable from the inside without the use of a key, tool, or force greater than that which is required for normal operation of the escape and rescue opening. Where such bars, grilles, grates, or similar devices are installed in existing dwellings, smoke detectors shall be installed in accordance with Section 7.

SECTION 6 FIRE-RESISTANCE RATINGS.

A. Fire-resistance-rated assemblies.

The fire-resistance rating of fire-resistance-rated walls, fire stops, shaft enclosures, partitions and floors, as required by the *International Fire Code*, shall be maintained.

B. Opening protectives.

Opening protectives required by the *International Fire Code* shall be maintained in an operable condition. All fire and smokestop doors shall be maintained in operable condition. Fire doors and smoke barrier doors shall not be blocked or obstructed or otherwise made inoperable.

SECTION 7 SMOKE DETECTORS.

A. Installation and maintenance requirements.

All new and existing dwellings shall have approved smoke detectors installed and maintained in accordance with the following requirements:

(1) A building that serves as a dwelling for more than 20 individuals shall have a minimum of one single station smoke detector installed in each guest room, suite, or sleeping area.

(2) Except as set forth in subsection (1) above, each building used for one or more dwellings shall have at least one single station smoke detector for each level on which there are bedrooms. The smoke detectors shall be in the immediate vicinity of the bedrooms. In addition, the owners of any new or converted dwellings shall comply with the smoke detector requirements of the building and other codes adopted by the Village of Nashville.

(3) The installation and maintenance of all smoke detectors shall be in accordance with the manufacturer's recommendations and with the requirements of the National Fire Protection Association's Pamphlet Number 74, as may be amended.

(4) The owner of any existing rental unit(s) shall have until November 1, 2007 to comply with this section.

(5) An owner shall be deemed to have complied with the maintenance requirement set forth in subsection (3) if he corrects any malfunctions of which he has actual knowledge or which are reported by a tenant pursuant to section 11 and if such corrective action is taken as soon as reasonable under the circumstances.

B. Power source.

Single-station smoke alarms shall be battery operated or shall receive their primary power from the building wiring provided that such wiring is served from a commercial source. When power is provided by the building wiring, the wiring shall be permanent and without a disconnecting switch other than those required for overcurrent protection.

SECTION 8 ALTERNATE INSTALLATIONS.

The Fire Chief or his duly authorized representative may waive the requirements of sections 7 to 11 upon approval and installation of an alternate form of smoke detector or system designed to adequately safeguard the safety of the occupants of a particular dwelling. Any person requesting approval of an alternate form of smoke detector or system shall submit adequate proof to the Fire Chief or his duly authorized representative showing that the alternate system adequately safeguards the occupants of the dwelling.

SECTION 9 COMPLIANCE WITH PROVISIONS OF CODE CONCERNING ELECTRICITY.

If any smoke detector device is directly connected to the electrical system of a building, the person installing the device shall comply with the provisions of the Village of Nashville's ordinances dealing with electricity and shall obtain an electrical permit. A permit shall not be required for installation of a battery-powered single station alarm device.

SECTION 10 TAMPERING OR INTERFERING WITH A SMOKE DETECTOR.

No person shall tamper with or interfere with the operation or effectiveness of a smoke detector.

SECTION 11 NOTIFICATION CONCERNING MALFUNCTIONING OR INOPERABLE DETECTORS.

A tenant shall immediately notify the property owner or an agent thereof upon discovery of a malfunctioning or inoperable smoke detector or smoke detection system.

SECTION 12 ENFORCEMENT.

The Fire Chief and the Nashville Police Department are hereby designated as the enforcement agents for this ordinance.

SECTION 13 PENALTIES.

Any person who shall violate or fail to comply with the provisions of section 7, 9 or 10 shall be deemed guilty of a misdemeanor, punishable by a fine not to exceed five hundred dollars (\$500.00) or imprisonment not to exceed ninety (90) days, or both. In addition, the violation of such sections shall be deemed a nuisance per se, subject to abatement as provided by law.

SECTION 14 SEVERABILITY.

The provisions of this ordinance are declared to be severable and if any clause, sentence, word, section or provision is declared void or unenforceable for any reason by any court of competent jurisdiction, it shall not affect any portion of this ordinance other than the part or portion thereof.

SECTION 15 REPEAL

All other ordinances or parts of ordinances in conflict with this ordinance are hereby repealed.

SECTION 16 EFFECTIVE DATE

This ordinance shall take effect 20 days following its publication as permitted by law.

Aye: Coll, J Dunham, Harwood, Holden, Kenyon, F Dunham

Nay: none

Absent: one open seat

Ordinance No. 9-13-2007-B Adopted.

Frank Dunham, President

Cathy Lentz, Clerk

I, Cathy Lentz, the Clerk for the Village of Nashville, hereby certify that the foregoing is a true and accurate copy of an Ordinance adopted by the Village Council of the Village of Nashville at a regularly scheduled meeting held on September 13, 2007.

Cathy Lentz, Clerk

Adopted: 9-13-2007
Published: 9-22-2007
Effective: 10-12-2007