

CODIFIED ORDINANCES OF MIAMISBURG
PART SIXTEEN - FIRE PREVENTION CODE

**Chap. 1610. Standards (BOCA National Fire Prevention Code
and Unified Fire Code).**

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CHAPTER 1610

Standards (BOCA National Fire Prevention Code and Unified Fire Code)

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CROSS REFERENCES

State Fire Marshal - see Ohio R.C. Ch. 3737

Gasoline, oils and paint - see Ohio R.C. Ch. 3741

Division of Fire - see ADM. Ch. 260

Driving over fire hose - see TRAF. 432.28

Open burning - see GEN. OFF. 660.08

Employee liability re enforcement of Unified Fire Code - see B. & H. 1440.03

Structures damaged by fire - see B. & H. Ch. 1486

1610.01 ADOPTION BY REFERENCE.

(a) The 1993 edition of the BOCA National Fire Prevention Code, prepared and promulgated by Building Officials and Code Administrators, International, Inc., is hereby adopted by reference and made a part hereof as if fully set forth in this chapter, save and except such portions thereof as may be hereinafter amended or deleted.

(b) The 2005 edition of the Ohio Fire Code, together with the 2005 modifications thereof, if any, prepared and promulgated by the Southwest Ohio Fire Safety Council, is hereby adopted by reference and made a part hereof as if fully set forth in this chapter, save and except such portions thereof as may be hereinafter amended or deleted.

(Ord. 5098. Passed 2-4-97; Ord. 5694. Passed 5-20-03; Ord. 5936. Passed 9-5-06.)

1610.02 PURPOSE.

The purpose of the BOCA National Fire Prevention Code and the Unified Fire Code, as adopted in Section 1610.01, is to prescribe regulations consistent with nationally and locally recognized good practice for safeguarding, to a reasonable degree, of life and property from the hazards of fire and explosion arising from the storage, handling and use of hazardous substances, materials and devices, and from conditions hazardous to life or property in the use or occupancy of buildings or premises. Compliance with the standards set forth in said Codes or other approved nationally recognized standards shall be deemed to be prima-facie evidence of compliance with this purpose.

1610.03 ADMINISTRATIVE PROCEDURES.

The administrative procedures governing the Unified Fire Code, as adopted in Section 1610.01, shall be that which is contained in the BOCA National Fire Prevention Code, as adopted in Section 1610.01.

(Ord. 4410. Passed 4-2-91.)

1610.04 FILE AND DISTRIBUTION COPIES.

At least three copies of the BOCA National Fire Prevention Code and the Unified Fire Code, as adopted in Section 1610.01, are on file with the Clerk of Council for inspection by the public. At least one copy is also on file in the County Law Library. In addition, the Clerk of Council has copies available for distribution to the public, at cost.

1610.05 CONFLICTS OF LAWS.

(a) In the event of a conflict between a provision of the BOCA National Fire Prevention Code and the Unified Fire Code, as adopted in Section 1610.01, and a provision of any State law, the State law shall control.

(b) In the event of a conflict between a provision of the BOCA National Fire Prevention Code and the Unified Fire Code, as adopted in Section 1610.01, and a provision of any other standard technical code adopted by the Municipality or otherwise applicable to the Municipality, the stricter standard shall control.

(c) In the event of a conflict between a provision of the BOCA National Fire Prevention Code and the Unified Fire Code, as adopted in Section 1610.01, and a provision of any local ordinance, resolution, rule or regulation, the local ordinance, resolution, rule or regulation shall control.

1610.06 PERMIT FEES.

The following schedule of permit fees is hereby established for the City pursuant to Section F-107.8 of the BOCA National Fire Prevention Code, as adopted in Section 1610.01:

<u>BOCA National Fire Prevention Code Section</u>		<u>Fee</u>
F-301.3	Open burning (bonfires)	n/c
F-303.2	Torches for removing paint	\$ 15.00
F-305.2	Combustible materials storage	15.00
F-308.3	Kerosene heater	15.00
F-316.2	Cellulose nitrate film	15.00
F-317.2	Cellulose nitrate plastics	15.00
F-800.2	Airports, heliports and helistops	15.00
F-900.2	Application of flammable finishes	15.00
F-1000.2	Bowling lane resurfacing and pin resurfacing	15.00
F-1100.2	Crop ripening and color processes	15.00
F-1200.2	Dry cleaning operations	15.00
F-1300.2	Dust explosion hazards	15.00
F-1400.2	Fumigation and thermal insecticidal fogging	15.00
F-1500.2	Lumber yards and woodworking plants	15.00
F-1600.2	Oil and gas production (drilling and wells)	15.00
F-1700.2	Place of assembly and/or education	
	50 - 99 occupants	n/c
	100 - 199 occupants	15.00
	200 - 499 occupants	25.00
	500 - 999 occupants	40.00
	1000 and over occupants	55.00
F-1800.2	Semiconductor fabrication using hazardous materials	100.00
F-1900.1.1	Tents and air-supported structures	15.00
F-2000.2	Vehicle wrecking yards, junk yards and waste plants	15.00
F-2100.2	Welding and cutting operations, calcium carbide and acetylene generators	15.00
F-2103.2	Section 2100 cylinder storage	15.00
F-2105.1	Calcium carbide systems storage	15.00
F-2106.1	Acetylene generator	15.00
F-2106.7	Acetylene generator storage	15.00
F-2300.2	Combustible fiber storage and handling	15.00
F-2400.2	Compressed gas use, storage and handling	15.00
F-2500.2	Cryogenic liquids use, sale, storage and handling	15.00

(Cont.)

BOCA National
Fire Prevention

Code Section (Cont.)

	<u>Fee</u>
F-2600.2 Explosives, ammunition and blasting agents	\$ 30.00
F-2700.2 Fireworks	30.00
F-2800.3 Flammable and combustible liquids (per tank) (In accordance with the State of Ohio)	
Removals	50.00
Installations or upgrading	75.00
Repairs	50.00
Associated pumps and pipings (per location)	25.00
Release detection upgrade (per location)	25.00
Manufacturing, blending, etc.	100.00
F-2900.2 Hazardous materials and chemicals	30.00
F-3000.2 Liquefied petroleum gases (LPG)	
299 - 1000 gallons	15.00
1001 - 2500 gallons	30.00
2501 gallons and over	100.00
F-3100.2 Magnesium	15.00
F-3200.2 Matches	15.00
F-3300.2 Organic coating	15.00

The fee for all other permits required by the Unified Fire Code shall be fifteen dollars (\$15.00).

All permit fees shall be payable through the Department of Building, Zoning and Housing Inspection of the City.

Permit fees shall be collected as set forth herein except for existing operations.

Any change in ownership or use shall be deemed to require a new permit for which a fee shall be charged in accordance with this section.

(Ord. 4410. Passed 4-2-91.)

1610.07 APPEALS.

All appeals under this chapter shall be made to the Residential Board of Appeals (administered by Montgomery County) in accordance with Section 112.1 of the Unified Fire Code, as adopted in Section 1610.01.

(Ord. 4410. Passed 4-2-91.)

1610.08 OCCUPANCY PERMITS.

No occupancy permit, as provided for in these Codified Ordinances, shall be issued unless the premises have been inspected and approved by the Department of Building, Zoning and Housing Inspection and the Division of Fire of the City.

(Ord. 4410. Passed 4-2-91.)

1610.99 PENALTY.

Whoever violates or fails to comply with any of the provisions of this chapter, including the provisions of the BOCA National Fire Prevention Code and the Unified Fire Code, as adopted in Section 1610.01, is guilty of a minor misdemeanor for a first offense and shall be fined not more than one hundred dollars (\$100.00). For a subsequent offense such person is guilty of a misdemeanor of the fourth degree and shall be fined not more than two hundred fifty dollars (\$250.00) or imprisoned not more than thirty days, or both. A separate offense shall be deemed committed each day during or on which a violation or noncompliance occurs or continues.

