

Chapter 111 FIRE PREVENTION¹

9:101. Adoption by reference.

- (1) The City of Ann Arbor adopts the International Fire Code, 2021 edition, as published by the International Code Council, including Appendices B, C, D, F, H, I, J, K, and N, except those sections and appendices amended, deleted, or added as provided in this chapter.
- (2) The IFC, together with the provisions of this chapter, shall be known as the Ann Arbor Fire Prevention Code, which regulates conditions hazardous to life and property from the standpoint of fire and explosion in the city and defines the Fire Marshal's scope of authority.
- (3) A complete copy of the IFC is available to the public for inspection in the Ann Arbor City Clerk's Office and in the City of Ann Arbor Fire Prevention Bureau.

(Ord. No. 40-88, § 1, 8-1-88; Ord. No. 22-97, § 1, 5-5-97; Ord. No. 14-04, § 2, 4-6-04; Ord. No. 13-16, § 1, 7-1-13; Ord. No. 17-09, § 1, 6-19-17)

9:102. Purpose.

The purpose of this chapter and Code is to provide for the prevention of fires and the protection of persons and property from exposure to the dangers of fire and explosion; to authorize the investigation of fires and the discovery of crime or other offenses in relation thereto; to require the razing, repair and alterations of buildings, and the clearing and improvement of premises which constitute a fire hazard or a menace to the peace, security or safety of persons or property; to control the use and occupancies of such buildings and premises; to provide for the transportation, use and storage of inflammable liquids, compressed gases, and corrosive liquids; to prohibit the use of certain fire extinguishers and fire extinguishing agents; to provide for the administration of this chapter and to fix penalties for violation of the provisions of this chapter.

9:103. Amendments to and deletions from IFC.

The following sections, subsections, and appendices of the IFC are amended or deleted as set forth in this section:

101.1 Title. Deleted. See section 9:101(2).

102.7 Referenced codes and standards is amended to read as follows:

The codes and standards referenced in this Code shall be those that are listed in Chapter 80 of the IFC, except that all references to NFPA 55 in this Code and as listed in Chapter 80 of the IFC shall mean the 2022 edition of NFPA 55. Such codes and standards shall be considered a part of the requirements of

¹Editor's note(s)—Ord. No. 48-64, adopted Nov. 2, 1964 adopted Ch. 111. Ord. No. 55-70, adopted Aug. 3, 1970 and Ord. No. 88-81, adopted Jan. 4, 1982 subsequently amended said Ch. 111. Subsequent amendments to Ch. 111 are indicated by a history note following affected sections.

Cross reference(s)—Fires in parks, § 3:2(5).

this Code to the prescribed extent of each such reference and as further regulated in Sections 102.7.1 and 102.7.2.

104.9 Modifications. Deleted. See section 9:105.

104.12.2 Obstructing operations is amended by adding the following language:

A violation of this section is punishable by a fine of not more than \$500.00 or by imprisonment for a period not to exceed 90 days or by both, plus costs of prosecution.

104.12.3 Systems and devices is amended by adding the following language:

A violation of this section is punishable by a fine of not more than \$500.00 or by imprisonment for a period not to exceed 90 days or by both, plus costs of prosecution.

109.4 Supervision is amended by adding the following language:

A violation of this section is punishable by a fine of not more than \$500.00 or by imprisonment for a period not to exceed 90 days or by both, plus costs of prosecution.

109.6 Overcrowding. Deleted. See section 9:118.

Section 111 Board of Appeals. Deleted in its entirety. See section 9:108.

112.3.4 Unauthorized tampering is amended by adding the following language:

A violation of this section is punishable by a fine of not more than \$500.00 or by imprisonment for a period not to exceed 90 days or both, plus costs of prosecution.

112.4 Violation penalties is amended to read as follows:

Except as otherwise expressly provided in this Code, 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 responsible for a civil infraction punishable by a civil fine of not more than \$1,000.00, plus costs and all other remedies available by statute. Each day of violation shall be a separate violation.

113.4 Failure to comply is amended by adding the following language:

A violation of this section is punishable by a fine of not more than \$500.00 or by imprisonment for a period not to exceed 90 days or by both, plus costs of prosecution.

305.4 Deliberate or negligent burning is amended by adding the following language:

A violation of this section is punishable by a fine of not more than \$500.00 or by imprisonment for a period not to exceed 90 days or by both, plus costs of prosecution.

316.3 Pitfalls is amended by adding the following language:

A violation of this section is punishable by a fine of not more than \$500.00 or by imprisonment for a period not to exceed 90 days or by both, plus costs of prosecution.

401.5 Making false report. Deleted. See section 9:114.

401.8 Interference with fire department operations is amended by adding the following language:

A violation of this section is punishable by a fine of not more than \$500.00 or by imprisonment for a period not to exceed 90 days or by both, plus costs of prosecution.

605.7 Unauthorized operation is amended by adding the following language:

A violation of this section is punishable by a fine of not more than \$500.00 or by imprisonment for a period not to exceed 90 days or by both, plus costs of prosecution.

901.8 Removal of or tampering with equipment is amended by adding the following language:

A violation of this section is punishable by a fine of not more than \$500.00 or by imprisonment for a period not to exceed 90 days or by both, plus costs of prosecution.

901.8.1 Removal of or tampering with appurtenances is amended by adding the following language:

A violation of this section is punishable by a fine of not more than \$500.00 or by imprisonment for a period not to exceed 90 days or by both, plus costs of prosecution.

(Ord. No. 17-09, § 2, 6-19-17; Ord. No. 24-28, § 1, 11-7-24)

9:104. References in chapter.

The following terms, as used in this chapter and the IFC shall have the following meanings:

- (1) "Building Board of Appeals" shall mean the board of appeals required under the Stille-DeRossett-Hale Single State Construction Code Act, MCL 125.1501 et seq. and the Michigan Building Code, as adopted by the city in Chapter 100 of this Code.
- (2) "Fire Code Official" shall mean either the Chief or the Fire Marshal of the City of Ann Arbor Fire Department and their designees.
- (3) "Code" shall mean the Ann Arbor Fire Prevention Code.
- (4) "IFC" shall mean the edition of the International Fire Code as adopted in this chapter with amendments and deletions as indicated.
- (5) "Municipality" shall mean the City of Ann Arbor.
- (6) "State" shall mean the State of Michigan.

(Ord. No. 22-97, § 1, 5-5-97; Ord. No. 13-16, § 3, 7-1-13; Ord. No. 17-09, § 3, 6-19-17)

9:105. Modifications.

The Chief of the Fire Department and/or the Fire Marshal shall have the power to modify any of the provisions of this Code 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 the intent and purpose of the code of observed and that such modification does not lessen health, life, and safety requirements. The particulars of such modification when granted or allowed and the decision of the Chief of the Fire Department and/or the Fire Marshal thereon shall be entered upon the records of the department and a signed copy shall be furnished to the applicant.

(Ord. No. 17-09, § 4, 6-19-17)

9:106. Periodic fire safety inspections required.

- (1) Structures shall be classified according to the occupancy classifications as defined in the IFC. Periodic fire safety inspections by the Fire Marshal, or his/her designee, are required for structures annually, every 2 years, or every 3 years, depending on occupancy classification as provided below. Except as otherwise provided, the occupancy classifications specified below include all groups within the IFC occupancy

classification. Where multiple use groups apply to a structure, the applicable period for inspection for the entire structure will be the period applicable to the use group that represents the greatest percentage of the total square footage of the structure.

Occupancy Classifications Requiring Annual Inspections:

Assembly Group A

Factory Industrial Group F

High Hazard Group H

Mercantile Group M

Residential Group R (Group R-1 and Group R-2, only, as specified below).

Residential Group R-1: Hotels, Motels, and Transient Boarding Houses, only.

Residential Group R-2: Dormitories, Fraternities, and Sororities, only.

Occupancy Classifications Requiring Inspections Every 2 Years:

Business Group B

Storage Group S

Occupancy Classifications Requiring Inspections Every 3 Years:

Miscellaneous Group U.

- (2) The Fire Marshal, or his/her designee, shall have the authority to enter a structure at all reasonable times to conduct an inspection required under this section and as provided in the IFC.
- (a) If the structure is occupied, entry will first be requested.
 - (b) If the structure is unoccupied, a reasonable effort will be made to locate the owner or other person having charge or control of the structure and entry will be requested.
 - (c) If entry is refused, the Fire Marshal may employ any legal means to secure entry, including, but not limited to obtaining a warrant from a court of competent jurisdiction.

(Ord. No. 40-88, § 5, 8-1-88; Ord. No. 47-89, § 1, 8-7-89; Ord. No. 22-97, § 1, 5-5-97; Ord. No. 14-04, § 3, 4-6-04; Ord. No. 13-16, § 4, 7-1-13; Ord. No. 18-27, § 1, 9-17-18)

9:107. Fees for permits and re-inspection.

Schedule of fees. The fee schedule for permits and inspections shall be established by resolution of the City Council upon the recommendation of the City Administrator.

(Ord. No. 40-88, § 5, 8-1-88; Ord. No. 22-97, § 1, 5-5-97)

9:108. Appeals.

Whenever the Chief or the Fire Marshal shall disapprove an application or refuse to grant a permit applied for, or when it is claimed that the provisions of this Code do not apply or that the true intent and meaning of this Code have been misconstrued or wrongly interpreted, the applicant may appeal from the Chief's or Fire Marshal's decision to the Building Board of Appeals within 30 days from the date of the decision appealed.

(Ord. No. 40-88, § 2, 8-1-88; Ord. No. 22-97, § 1, 5-5-97; Ord. No. 14-04, § 4, 4-6-04; Ord. No. 13-16, § 5, 7-1-13; Ord. No. 17-09, § 5, 6-19-17)

9:109. New materials, process or occupancies which may require permits.

The Building Official, Chief of the Fire Department, and the Fire Marshal, or their duly appointed representatives, shall act as a committee to determine and specify, after giving affected persons an opportunity to be heard, any materials, processes or occupancies, which shall require permits, in addition to those enumerated in this Code. The Fire Marshal shall post such a list in a conspicuous place in their office, and distribute copies thereof to interested persons, the City Clerk and the City Attorney.

(Ord. No. 40-88, § 4, 8-1-88; Ord. No. 14-04, § 5, 4-6-04; Ord. No. 17-09, § 6, 6-19-17)

9:110. Reserved.

Editor's note(s)—Ord. No. 14-04, § 6, adopted April 6, 2004, repealed § 9:110, which pertained to the National Fire Protection Association Standards. See also the Code Comparative Table.

9:111. Reserved.

Editor's note(s)—Ord. No. 17-09, § 7, adopted June 19, 2017, repealed § 9:111, which pertained to penalties and derived from Ord. No. 40-88, § 3, adopted Aug. 1, 1988; Ord. No. 23-89, § 1, adopted April 17, 1989; Ord. No. 14-04, § 7, adopted April 6, 2004; Ord. No. 13-16, § 6, adopted July 1, 2013.

9:112. Reserved.

Editor's note(s)—Ord. No. 13-16, § 7, adopted July 1, 2013, repealed § 9:112 which pertained to changes in the code and derived from Ord. No. 40-88, § 4, adopted Aug. 1, 1988; Ord. No. 24-89, § 1, adopted April 17, 1989; Ord. No. 22-97, § 1, adopted May 5, 1997; and Ord. No. 14-04, § 8, adopted April 6, 2004.

9:113. Validity.

The City of Ann Arbor hereby declares that should any section, paragraph, sentence or word of this ordinance or of this Code hereby adopted be declared for any reason invalid, it is the intent of the City of Ann Arbor that it would have passed all other portions of this ordinance independent of the elimination herefrom of any such portion as may be declared invalid.

9:114. False alarm.

No person or persons shall willfully turn in, sound, or cause to be communicated to the Fire Department a false alarm of fire or any other false alarm requiring the response of any emergency equipment, vehicle or fire personnel. A violation of this section is punishable by a fine of not more than \$500.00 or by imprisonment for a period not to exceed 90 days or by both, plus costs of prosecution.

(Ord. No. 14-04, § 9, 4-6-04; Ord. No. 17-09, § 8, 6-19-17)

9:115. Injury to fire equipment.

No person shall willfully molest, take for his own private use or damage in any manner, any firefighting equipment or apparatus or anything pertaining to the fire protection system or firefighting service, or drive any vehicle upon or against or over any hose or equipment of the Fire Department. A violation of this section is punishable by a fine of not more than \$500.00 or by imprisonment for a period not to exceed 90 days or by both, plus costs of prosecution.

(Ord. No. 14-04, § 10, 4-6-04; Ord. No. 17-09, § 9, 6-19-17)

9:116. Starting fires in buildings.

No person shall carelessly, recklessly, or negligently cause a fire in or to any hotel, motel, rooming house, lodging house, multifamily, apartment house, town house, row house, office, commercial occupancy, school, church, hospital, place of assembly, nursing home, home for the aged, storage building, factory or any other building other than an owner occupied single-family dwelling; to any bedding, furniture, curtains, drapery, fixtures or any other furnishings therein so as to endanger life or property in any way. A violation of this section is punishable by a fine of not more than \$500.00 or by imprisonment for a period not to exceed 90 days or by both, plus costs of prosecution.

(Ord. No. 14-04, § 11, 4-6-04; Ord. No. 17-09, § 10, 6-19-17)

9:117. Smoke detectors required in dwellings.

Battery-powered or hard-wired single station smoke detectors shall be installed in the following:

1. *One- and 2-family dwelling units.*
 - a. In all sleeping rooms.
 - b. Outside of each sleeping area, in the immediate vicinity of the sleeping rooms.
 - c. On each level of the dwelling unit, including basements.
2. *Existing apartment buildings.*
 - a. Outside of each separate sleeping area, in the immediate vicinity of the sleeping rooms.
 - b. On each level of the dwelling unit, including basements.
3. *Existing hotels.*
 - a. In every guest room.
 - b. In every living area and sleeping room within a guest suite.

Exceptions: Buildings with an approved fire alarm system, hardwired or interconnected smoke detectors system shall not require additional detectors where existing detectors meet the above requirements.

(Ord. No. 14-04, § 12, 4-6-04; Ord. No. 13-16, § 8, 7-1-13)

9:118. Overcrowding.

A person shall not permit the overcrowding or admittance of any person beyond the approved occupant load. The code official, upon finding overcrowded conditions or obstructions in aisles, passageways or other means

of egress, or upon finding any condition which constitutes a hazard to life and safety, shall cause the occupancy, performance, presentation, spectacle or entertainment, to be stopped until such a condition or obstruction is corrected and the addition of any further occupants prohibited until the approved occupant load is reestablished. For purposes of this section overcrowding shall be defined as a condition in which the number of persons exceeds the total number of occupants permitted to occupy a structure at 1 time. A violation of this section is punishable by a fine of not more than \$500.00 or by imprisonment for a period not to exceed 90 days or by both, plus costs of prosecution.

(Ord. No. 14-04, § 13, 4-6-04; Ord. No. 17-09, § 11, 6-19-17)

9:119—9:149. Reserved.