

FIRE PREVENTION ORDINANCE

TOWNSHIP OF KAWKAWLIN
COUNTY OF BAY STATE OF MICHIGAN

ORDINANCE NO: 2022-002

ADOPTED: July 11, 2022

EFFECTIVE: July 20, 2022

FIRE PREVENTION ORDINANCE

An ordinance adopting the 2018 International Fire Code including Appendix Chapters as published by the International Code Council, regulating and governing the safeguarding of life and property from fire and explosion hazards arising from storage, handling, and use of hazardous materials and devices, and from conditions hazardous to life and property in the occupancy of buildings and premises in Kawkawlin Township; providing the issuance of permits and collection of fees there of: repealing Ordinance___of Kawkawlin Township and all other parts of ordinances in conflict therewithin.

THE TOWNSHIP OF KAWKAWLIN
BAY COUNTY, MICHIGAN ORDAINS:

SECTION I

TITLE

This Ordinance shall be known as and may be cited as the Kawkawlin Township Fire Prevention Ordinance

SECTION II

DEFINITIONS

Words used herein shall have the definitions as provided in the 2018 International Fire Code Chapter 2 as well as the Michigan Fire Prevention Code Act 207 of 1941.

SECTION III
ADOPTION OF CODE

The Township of Kawkawlin being marked and designated in the International Fire Code 2018 Edition, including all appendix chapters as published by the International Code Commission, is hereby adopted as the fire code for the Township of Kawkawlin in the County of Bay, State of Michigan. Regulating and governing the safeguarding of life and property from fire and explosion hazards arising from the storage, handling, and use of materials and devices, and from conditions hazardous to life or property in the occupancy of buildings and premises as herein provided, providing the issuance of permits and collections of fees therefor, as if fully set out in this legislation.

Section IV
International Fire Code Additional Changes:

The limits or restrictions referred to in certain sections of the International Fire Code are hereby established as follows:

- A. 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 except where authorized by the Kawkawlin Township Zoning Ordinance.
- B. 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 except where authorized by the Kawkawlin Township Zoning Ordinance.
- C. 5806.2 Limitations. Storage of flammable cryogenic fluids in stationary containers outside of buildings is prohibited except where authorized by the Kawkawlin Township Zoning Ordinance.
- D. 6104.2 Maximum capacity within established limits. Within the limits established by Zoning Ordinance of the local governmental unit wherein the storage occurs or is proposed restricting 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 (7570 L). In particular installations, this capacity limit shall be determined by the fire code official, after consideration of special features such as topographical conditions, nature of occupancy, and proximity to buildings, capacity of proposed LP-gas containers, degree of fire protection to be provided and capabilities of the local fire department.

SECTION V
VIOLATIONS AND PENALTIES

1. Any person who disobeys, neglects, or refuses to comply with any provision of this ordinance or who causes, allows or consents to any of the same shall be deemed to be responsible for the violation of this ordinance.
2. A violation of this ordinance is a municipal civil infraction, for which the fines shall not be less than \$100 nor more than \$500 for the first offense and not less than \$250 nor more than \$1,000 for subsequent offenses, in the discretion of the court. For the purposes of this section, "subsequent offense" means a violation of the provisions of this ordinance committed by the same person within 12 months of the previous violation of the same provision of this ordinance for which said person admitted responsibility or was adjudicated to be responsible. The foregoing sanctions shall be in addition to the rights of the township to proceed at law or equity with other appropriate and proper remedies. Additionally, the violator shall pay costs which may include all expenses, direct and indirect, which the township occurs in connection with the municipal civil infraction.
3. Each day during which a violation continues shall be deemed a separate offense.
4. In addition, The township may seek injunctive relief against persons alleged to be in violation of this ordinance, and such other relief as may be provided by law.
5. This ordinance shall be administered and enforced by the Fire Marshal or Fire Chief on the Township of Kawkawlin Fire Department.

SECTION VI
SEVERABILITY

The provisions of this ordinance are hereby declared severable. If any clause, sentence, word, section or provision is hereafter declared void or unenforceable for any reason by a court of competent jurisdiction, it shall not affect the remainder of such ordinance which will continue in full force and effect.

SECTION VII
EFFECTIVE DATE

This ordinance shall be published in newspapers, circulated within the Township of Kawkawlin, Bay County, Michigan and shall be effective on the date of such publication.

CERTIFICATION

I, GREGORY PETRIMOULX, as Clerk for the Township of Kawkawlin, Bay County, Michigan, hereby certify the following relative to the foregoing Ordinance:

1. That the same was introduced by the Township of Kawkawlin Board on the 11 day of July, 2022.
2. That the same was published in a newspaper circulated within the Township of Kawkawlin, Bay County on the _____ day of _____, 2022.
3. That the same was adopted by the Township of Kawkawlin Board on the 11 day of July, 2022.
4. That the same was published in a newspaper circulated within the Township of Kawkawlin, Bay County on the 20 day of July, 2022.

Dated: 7-13-22 Gregory Petrimalx
GREGORY PETRIMOULX, Clerk

AUTHENTICATION OF RECORD

WE, SAMUEL DAVIDSON, Supervisor, and GREGORY PETRIMOULX, Clerk, for the Township of Kawkawlin, Bay County, Michigan, hereby authenticate the following relative to the foregoing ordinance:

1. That the same was adopted by the Township of Kawkawlin Board on the 11 day of July, 2022.
2. That the following members of the Township Board voted "yes" in favor of said Ordinance: Davidson, Petrimalx, Klass, Campbell, DeShano
3. That the following members of the Township Board voted "no" against said Ordinance: _____
4. That the following members of the Township Board were absent: _____

DATED this 13 day of July, 2022.

Samuel Davidson
SAMUEL DAVIDSON
Supervisor

Gregory Petrimalx
GREGORY PETRIMOULX
Clerk