

ORDINANCE 2018-43

Sponsor: Brown

AN ORDINANCE AMENDING THE HENDERSONVILLE MUNICIPAL CODE, TITLE 7, CHAPTER 2, FIRE CODE

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF MAYOR AND ALDERMEN OF THE CITY OF HENDERSONVILLE, TENNESSEE that Title 7, Chapter 2 is hereby amended as follows:

7-201. Fire code adopted. Pursuant to the authority granted by Tennessee Code Annotated, §6-54-502, the City of Hendersonville hereby adopts the 2018 edition of the International Fire Code in its entirety including Appendix B, Appendix C and Appendix D as prepared by the International Code Council, Inc. The City of Hendersonville also adopts NFPA 101, Life Safety Code, 2018 edition in its entirety. The same are adopted and incorporated by reference as fully as if set out at length herein, except where modified.

7-202. Amendments.

The following Sections of the 2018 International Fire Code are hereby amended and replaced with the following language:

(1) Section 101.2.1 is hereby amended to read as follows:

101.2.1 **Appendices.** Appendix B, Appendix C and Appendix D are hereby adopted and shall apply.

(2) Section 109.1 is hereby amended to read as follows:

108.1 **Board of Appeals.** The appeals board referenced in the codes being adopted herein shall be construed to mean the Board of Adjustment and Appeals created in the International Building Code, 2018 edition, duly adopted by the city. The board shall keep one set of minutes and shall deliberate matters involving both codes. The fire official and the director of codes shall each serve on the unified board as an ex-officio member without regard to whether the deliberation involves the International Fire Code, 2018 edition or the NFPA 101, Life Safety Code, 2018 edition. They shall not vote, and they shall not be counted as members for determining the existence of a quorum.

(3) Section 202 is amended to add the following definition:

All weather surface roadway. A roadway meeting the minimum requirements of Appendix D., capable of supporting 75,000 lbs. and constructed of a hard surface.

(4) Section 308.1.4 is amended to read as follows:

“308.1.4. **Open-flame cooking devices.** Charcoal burners and other open-flame cooking devices shall not be operated or stored on combustible balconies or within ten (10) feet (3048mm) of combustible construction.”

Exception. (1) One- and two-family dwellings.

(5) Add a new section 604.12 to read as follows:

Electrical Service Disconnects

(a) **Single family units.** Electrical Service Disconnects shall be located at the service entrance. If more than 1 service is provided they shall be grouped together.

(b) **Multi-family units.** Electrical Service Disconnects shall be located at the service entrance. If there are more than 6 meters in a single gang box provide a single means of disconnect.

(c) **Commercial structures.** Provide an exterior means of Electrical Service Disconnect at the service entrance or an internal means of disconnect located within 8’ of an external entrance door to the building or provide direct access to the electrical equipment room.

(d) If more than 1 external disconnect is provided to a structure, they shall be clearly marked and approved by the fire code official.

(6) Section 901.6.3 is amended to read as follows:

901.6.3 **Records.** “Records of all system inspections, tests and/or maintenance services required by this code and any referenced standard shall be required to be submitted electronically to the Hendersonville Fire Department via Brycer “The Compliance Engine”.

(7) Section 903.1 is amended to read as follows:

903.1 **General.** “Automatic sprinkler systems shall comply with this section. Where there is a conflict between the International Fire Code, International Building Code, International Residential Code or any NFPA requirements, the most stringent shall apply.”

(8) Section 903.2.1.1 Group A-1 is amended by replacing “12,000 square feet” with “5000” square feet (464.5 m²)” in item #1.

(9) Section 903.2.1.3 Group A-3 is amended by replacing “12,000 square feet” with “5000” square feet (464.5 m²)” in item #1.

(10) Section 903.2.1.4 Group A-4 is amended by replacing “12,000 square feet” with “5,000 square feet (464.5 m²)” in item #1.

(11) Section 903.2.3 Group E is amended by deleting item #1 in its entirety and replacing it with “1. Throughout all Group E fire areas.” and by deleting the Exception in its entirety.

(12) Section 903.2.4 Group F-1 is amended by replacing “12,000 square feet” with “5,000 square feet (464.5 m²)” in item #1 and by replacing “24,000 square feet” with “10,000 square feet (929 m²)” in item #3.

(13) Section 903.2.6 Group I is amended by deleting item #2 and item #3 in their entirety.

(14) Section 903.2.7 Group M is amended by replacing “12,000 square feet” with “5,000 square feet (464.5 m²)” in item #1 and by replacing “24,000 square feet” with “10,000 square feet (929 m²)” in item #3.

(15) Section 903.2.9 Group S-1 is amended by replacing “12,000 square feet” with “5,000 square feet (464.5 m²)” in item #1 and by replacing “24,000 square feet” with “10,000 square feet (929 m²)” in item #3.

(16) Section 903.2.9.1 Repair garages is amended by replacing “10,000 square feet” with “5,000 square feet (464.5 m²)” in item #1 and by replacing “12,000 square feet” with “10,000 square feet (929 m²)” in item #2.

(17) Section 903.3.1.2 NFPA 13R sprinkler systems is amended to read as follows:

Automatic sprinkler systems in Group R occupancies up to and including four stories in height, Group R-3 and R-4 Congregate Care Living facilities, Board and Care Facilities with 16 or less occupants shall be permitted to be installed throughout in accordance with NFPA 13R including the following additions.

(a) Automatic sprinklers shall be installed in all bathrooms, regardless of square footage.

(b) Automatic sprinklers shall be installed in all attached garages and structures.

(c) Automatic sprinklers shall be installed in all accessible storage areas.

(d) Automatic sprinklers shall be installed in all under-stair spaces including all closets.

(18) Section 903.3.1.3 NFPA 13D sprinkler systems is amended to read as follows:

Automatic sprinkler systems installed in one and two-family dwellings, and townhouses shall be permitted to be installed throughout in accordance with NFPA 13D including the following additions

- (a) Automatic sprinklers shall be installed in all bathrooms, regardless of square footage.
- (b) Automatic sprinklers shall be installed in all accessible storage areas.
- (c) Automatic sprinklers shall be installed in all under-stair spaces including all closets.

(19) Add a new Section 903.3.1.3.1 to read as follows:

Water systems supplying both the domestic water supply and the fire protection system shall be permitted and shall meet the following requirements.

- (a) The system shall have a single indicating- type control valve,
- (b) Arranged to shut off both the domestic water and the fire sprinkler system from a single water meter.
- (c) A separate shut-off valve for the domestic system shall be permitted to be installed. The location of which shall be approved by the fire code official.
- (d) The water to the master bathroom lavatory shall be supplied directly from the fire sprinkler water supply.

(20) Section 903.4.2 is amended to read as follows:

An approved audible and visual device, located on the exterior of the building in an approved location, shall be connected to each automatic sprinkler system. Such sprinkler water-flow alarm devices shall be activated by water flow equivalent to the flow of a single sprinkler of the smallest orifice size installed in the system. Where a fire alarm system is installed actuation of the automatic sprinkler system shall actuate the building fire alarm system.

(21) Add a new section 903.4.2.1 to read as follows:

Where an automatic fire sprinkler system is installed in a new building with more than one tenant or with over 100 sprinkler heads, audible and visual notifications appliances shall be installed throughout the building.

(22) Add a new section 907.1.4 to read as follows:

Multiple Fire Alarm Systems within a single protected premise are not permitted, unless specifically authorized by the fire code official.

(23) Section 907.2 is amended to read as follows:

An approved fire alarm system installed in accordance with the provisions of this code and NFPA 72 shall be provided in new buildings and structures in accordance with Sections 907.2.1 through 907.2.23 and provide occupant notification in accordance with Section 907.5. Dedicated Function Fire Alarm Systems shall be considered Required Fire Alarm Systems.

(24) Section 907.6.6.1 is amended to read as follows:

Fire alarm signals shall be transmitted to an approved supervised monitoring station by either a cellular communicator or a GSM radio system.

(25) Chapter 80 is amended to read as follows:

The most current published addition of the National Fire Alarm Code NFPA 72 shall be the Referenced Standard.

The following Sections of the NFPA 101, Life Safety Code, 2018 are hereby amended and replaced with the following language:

Section 9.7 Automatic Sprinklers and Other Extinguishing Equipment is amended to read as follows:

A. For the purpose of this section, occupancies shall be classified in accordance with Chapter 2 of the International Fire Code.

B. An approved automatic sprinkler system shall be provided for the following new or renovated buildings or structures:

- 1) Assembly (A-1, A-2, A-3, A-4): All buildings or structures 5,000 square feet gross floor area or more;
- 2) Educational (Group E): All buildings or structures;
- 3) Institutional (I-1, I-2, I-3, I-4): All buildings or structures;
- 4) Residential (R-1, R-2, R-3, R-4): All residential buildings or structures as follows:
 - i) Hotel/motel R-1 and R-2: NFPA13.
 - ii) Lodging and rooming houses R-1 and R-2: NFPA13R.
 - iii) Board and care facilities R-3 and R-4 with 16 or less occupants - NFPA13R; with more than 16 occupants - NFPA13.
 - iv) Multi-family R-2 (attached) three or more attached units up to four stories - NFPA13R; three or more attached units more than four stories - NFPA 13.
 - v) Mercantile (Group M): All buildings or structures 5,000 gross square feet or more floor area.
 - vi) Business (Group B): All buildings or structures 5,000 gross square feet or more floor area.
 - vii) Factory/Industrial (F-1, F-2): All buildings or

structures 5,000 gross square feet or more floor area.

viii) Storage (S-1, S-2): All buildings or structures 5,000 gross square feet or more floor area.

ix) Mixed uses: All buildings or structures 5,000 gross square feet or more floor area.

x) High Hazard (H-1, H-2, H-3, H-4, H-5): All buildings or structures.

C. Major renovations.

1) For the purpose of this section only, Major Renovation shall be defined as construction to the building that is greater than 50% of the estimated cost of reconstruction of the entire structure.

2) In the event of a disagreement regarding the estimated cost percentage, the building owner or his/her agent shall provide a certified appraisal of the structure and a certified construction estimate shall be provided upon request to the Fire Official, as proof of compliance. Appraisal shall not include associated land cost, furnishings or decorations.

D. Any addition to an existing building or structure, which brings the gross floor area above the applicable square footage listed in division (B) of this section, shall cause the entire building or structure to meet the requirements of that section, with the exception of A-5 and one- and two-family dwellings.

E. Change of use and occupancy.

1) Any change in use and occupancy of a structure to that of a higher hazard classification as defined in the International Building Code or the International Fire Code shall cause the entire building or structure to meet the requirements of that section in division (B).

2) High hazard shall be classified as those facilities that are likely to burn with extreme rapidity or from which explosions are likely.

F. For the purpose of this section, only approved two-hour rated fire walls with properly protected openings shall be considered when calculating the gross floor area or constituting a separate building in occupancies specified in division (B) of this section.

G. Where automatic sprinkler protection is determined to increase the hazard to the property or its occupants to be protected, other automatic extinguishing systems appropriate for the hazard shall be provided.

7-203. Available in recorder's office. Pursuant to the requirements of Tennessee Code Annotated, §6-54-502 one (1) copy of the herein adopted code has been placed on file in the recorder's office for the use and inspection of the public.

7-204. Conflict between adopted codes. In the event of conflict between the requirements of the codes hereby adopted and other codes or ordinances of the city, the most restrictive provisions shall apply.

7-205. Fire official to utilize codes. The fire official may utilize any of the codes, standards, manuals and recommended practices contained within the National Fire Codes as a guide and/or reference in the enforcement of fire protection and prevention provisions of the adopted codes.

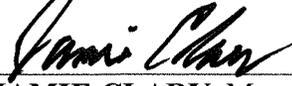
7-206. Violation and penalties. It shall be unlawful for any person to violate the codes adopted by this chapter, to permit or maintain such a violation, to refuse to obey any provision thereof, or to fail to refuse to comply with any such provision or regulation, except for a variation which is allowed by the action of the Board of Adjustments and Appeals. Proof of such unlawful act is that of the owner or other person in control of the premises. Prosecution or lack thereof of either the owner, occupant or the person in charge shall not be deemed to relieve any of the others.

Any person who shall violate any of the provisions of the codes hereby adopted or of this chapter shall be guilty of an offense, and shall, upon conviction, be fined in an amount not to exceed fifty dollars (\$50.00). The imposition of a penalty for any violation shall not excuse the violation nor shall the violation be permitted to continue. Each day that a violation is allowed to continue shall constitute a separate offense. All such persons shall be required to correct or remedy such violations or defects within reasonable time.

First Reading: 10/23/18 Passed

Second Reading: 11/13/18 Passed

APPROVED:



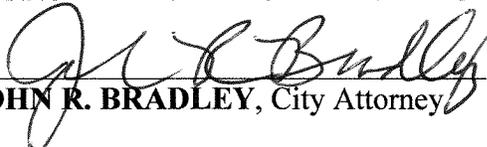
JAMIE CLARY, Mayor

ATTEST:



KAY FRANKLIN, City Recorder

APPROVED AS TO FORM AND LEGALITY:



JOHN R. BRADLEY, City Attorney

LEGISLATIVE HISTORY
Ordinance 2018-43

Sponsor: Brown

Committee: Public Safety

Date of Committee Meeting: October 9, 2018

Committee Recommendation: Yes

First BOMA Reading: October 23, 2018

Vote: Aye: Bolt, Brown, Campbell, Cunningham, Frisbee, Frost, Petrelli, Skidmore, Sprouse, Stamper, Waters, Woodcock and Clary. Nay: None.

Second BOMA Reading: November 13, 2018

Vote: Aye: Bolt, Brown, Campbell, Cunningham, Frisbee, Frost, Petrelli, Skidmore, Sprouse, Stamper, Waters, Woodcock and Clary. Nay: None.