

UB-081 MINUTES

BILL NO. 2434 AMEND HMC CHAPTER 15.32 FIRE CODE

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF HENDERSON, NEVADA, AMENDING HMC CHAPTER 15.32 BY REVISING SECTION 15.32.050 "AMENDMENTS TO THE 2006 INTERNATIONAL FIRE CODE" AND REVISING SECTION 15.32.090 "APPEALS AND RELIEF FROM REGULATIONS"; AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO.

Mayor Gibson introduced Bill No. 2434, and City Manager Peck read the Bill by title.

(Motion)

Councilmember Kirk moved to adopt Ordinance No. 2738, introduced as Bill No. 2434. The roll call vote favoring passage was: Those voting Aye: Clark, Gibson, Hafen, Kirk, and Schroder. Those voting Nay: None. Those Abstaining: None. Those Absent: None. Mayor Gibson declared the motion carried.



HENDERSON CITY COUNCIL AGENDA ITEM

REGULAR MEETING

Date: August 5, 2008

UB-081

SUBJECT	Bill No. 2434 - Amend HMC Chapter 15.32 - Fire Code
PETITIONER	Monica M. Simmons, City Clerk
RECOMMENDATION	That Bill No. 2434 be adopted as an Ordinance.

FISCAL IMPACT:

No Impact Budget funds available Augmentation required

Funding Source, Amount, and Account Number(s) to be charged:

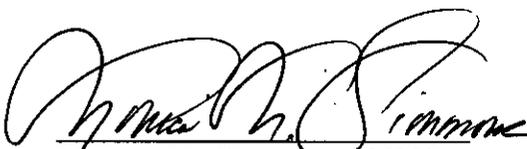
BACKGROUND / DISCUSSION / ALTERNATIVES:

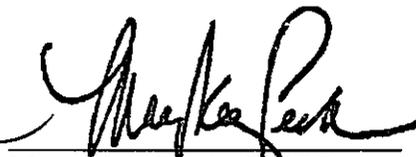
The 2006 Edition of the International Fire Code was adopted by the City Council and became effective on September 01, 2007. This code was an entirely new code with new chapters and new sections which did not correlate with the previous Fire Code (2000 Uniform Fire Code). After using the new International Fire Code for almost a year, the need for several revisions to improve code application and correlation has been identified. These revisions are incorporated into the proposed ordinance and are either editorial in nature or will result in an overall cost savings to our customers.

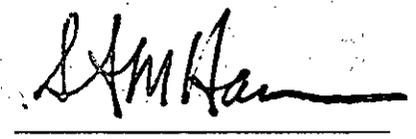
Due to a change in NRS 477.030, the State Fire Marshal Regulations no longer apply in cities and counties with populations over 400,000 that adopt the most recent editions of the International Building Code and the International Fire Code. Due to this change, our customers in Henderson will no longer have to appeal our Fire Code regulations to the State Fire Marshal before they can appeal to the City of Henderson. Accordingly, the proposed ordinance also designates the Board of Appeals established in HMC Section 15.01.115 as the authority for hearing and deciding appeals on matters pertaining to the interpretation and application of the Fire Code and will result in more timely resolution of appeals. This expansion of duties of the Board of Appeals has been reviewed and approved by that Board.

RECOMMENDED MOTION:

I move that Bill No. 2434 be adopted as Ordinance No.


Monica M. Simmons, MMC
City Clerk


Mary Kay Peck, FAICP
City Manager


Steve Hanson
Finance Director

**AGENDA ITEM SUPPLEMENT
INCLUDE WITH EACH AGENDA ITEM**

SUBJECT

Bill No. 2434 - Amend HMC Chapter 15.32 - Fire Code

Supporting Documentation: List all materials to be included as backup with this agenda item (e.g., contracts, agreements, correspondence, exhibits, applications, etc.).

Ordinance, Business Impact Statement, The City of Henderson Fire Code Amendments to the 2006 International Fire Code and the 2006 Southern Nevada Fire Code Consensus Amendments

DOCUMENT SIGNATURES

If backup includes documents requiring original signatures, indicate who will be responsible for routing the documents for signature after Council approval.

Contact:

City Clerk

Note: If the City Clerk's office is requested to route the document, the original document must accompany the agenda item.

PRESENTATION ITEMS

Presentation scripts must be included prior to the council meeting.. Copies of photos taken during the presentation are requested for historical purposes.

Resource Requirements at Council Meeting:

TV/VCR

Slide Projector

Software Presentation

Overhead Projector/Screen

Other:

Note: It is recommended that presentation resources be tested prior to the Council meeting by the presenter.

SUGGESTED KEYWORDS FOR DOCUMENT IMAGE SEARCHES

International Fire Code, IFC, International Codes

BUSINESS IMPACT STATEMENT
Bill No. _____

(Adopts revisions to IFC 2006)

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF HENDERSON, NEVADA, AMENDING HMC CHAPTER 15.32 BY REVISING SECTION 15.32.050 "AMENDMENTS TO THE 2006 INTERNATIONAL FIRE CODE" AND REVISING SECTION 15.32.090 "APPEALS AND RELIEF FROM REGULATIONS"; AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO.

Anticipated Council Meeting Date: July 15, 2008

Initiating Department: Department of Building and Fire Safety

Date of Preparation: June 25, 2008

- 1) Will this ordinance have a significant economic impact on businesses?
Check one: ___ Yes ___ X No. If yes, proceed to #2. If no, explain:

The proposed ordinance updates the 2006 edition of the International Fire Code (IFC) currently in use by adoption. Many of the changes will result in a savings for our customers. The revisions to the IFC were open to public comment from various industry interests in the private sector building and construction trades, and the public in general. Discussion of proposed changes anticipated to be adopted in the 2006 IFC were held at a Fire Code Industry Meeting, May 01, 2008 at the City of Henderson, 2101 Moser Drive. The comments made by the attendees at the Fire Code Industry Meeting were very positive.

Many changes are minor in nature; none of the changes should significantly impact businesses economically and many of the changes will result in a savings for our customers.

Pursuant to NRS Chapter 237, the following information has been compiled and filed with the City Clerk's office located at 240 Water Street, Room 102, Henderson, NV, 89015.

- 2) Description of the subjects and issues Involved:

- 3) Notification was sent to the following entities:

- Henderson Chamber of Commerce
 Las Vegas Chamber of Commerce
 Trade organizations/associations: (Please list)

- Other: (Please list)

Hosted a Fire Industry Meeting on May 01, 2008 at the
City of Henderson 2101 Moser Drive.

- 4) Summary of the comments gathered regarding the proposed ordinance (A more detailed summary of comments is available and on file in the City Clerk's office):
- 5) Estimated economic effect on businesses by the proposed ordinance: NONE.
- A) Explain the adverse and beneficial effects:
B) Explain the direct and indirect effects:
- 6) Describe the methods considered and/or used to reduce the impact of the ordinance:
see above explanation.
- 7) Estimated cost of enforcement of the proposed rule:
- 8) Estimated revenues expected to be generated by the proposed ordinance and the manner in which the money is to be used:
- 9) Are the provisions of the proposed ordinance duplicative or more stringent than existing local, state, or federal standards?
Check One: Yes No

If yes, explain:

There are some duplicative requirements contained in the Fire Code from the Building Code and the State Fire Marshal Regulations. The Building Code contains new construction requirements for fire and life safety and some of these fire and life safety requirements are duplicated in the Fire Code for maintenance purposes. Since the State Fire Marshal Regulations are the minimum codes for most of the State (NRS 477.030), many of these regulations are also duplicated in the Fire Code.

BILL NO. _____
(Amending HMC 15.32 Regarding Revisions to the Fire Code Requirements and Related Matters)

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF HENDERSON, NEVADA, AMENDING HMC CHAPTER 15.32 BY REVISING SECTION 15.32.050 "AMENDMENTS TO THE 2006 INTERNATIONAL FIRE CODE" AND REVISING SECTION 15.32.090 "APPEALS AND RELIEF FROM REGULATIONS"; AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO.

WHEREAS, a new Fire Code was adopted during September 2007 which adopted the 2006 Edition of the International Fire Code with attached amendments; and

WHEREAS, this was an entirely new code with new chapters and sections which did not correlate with the previous Fire Code, several deficiencies were observed; and

WHEREAS, due to a recent change to NRS 477, building codes adopted by the State Fire Marshal are inapplicable in Henderson excluding buildings owned or occupied by the State or public schools, as Henderson has adopted the most recently published editions of the International Fire Code and the International Building Code; and

WHEREAS, based on staff's recommendations, it is appropriate that the proposed revisions be provided at this time by amending HMC Chapter 15.32.

NOW, THEREFORE, the City Council of the City of Henderson, Nevada, does ordain as follows:

SECTION 1: **15.32.050 AMENDMENTS TO THE 2006 INTERNATIONAL FIRE CODE**
15.32.050 Amendments to the 2006 International Fire Code are revised as follows:

Section 104.8.1 Substantial Compliance Standard,

A new Section 104.8.1 Substantial Compliance Standard is added as follows:

Section 104.8.1 Substantial Compliance Standard. In the enforcement of specific provisions of the adopted technical codes and standards, the Fire Chief and the Building & Fire Safety Director are authorized to grant minor variations from the strict application of specific code provisions where, in the opinion of the Fire Chief or the Building & Fire Safety Director, the work is in substantial compliance with the intent of the adopted codes and standards.

Amendment 40, Section 508.4 Water Supply Test

Section 508.4 Water Supply Test is revised as follows:

508.4 Water supply test. Permit applications for water supply information shall be submitted. The City will provide the applicant with the available flow at 20 psi. [within 7 days].

508.4.1 Hydraulically modeled water supply information. When available, hydraulic modeled water supply information provided by the City shall be used as the basis for design. A request for permit shall be made on a form provided by the City. The City will process the request and provide the applicant with the available flow based upon hydraulic modeling. The information provided by the City shall be valid for a period of six (6) months from the date of issuance.

The available flow provided is predicted using a computer hydraulic model of the City's water distribution system which is based on the City's GIS data and approved civil utility plans. The results are from the model's maximum day demand scenario with no part of the water system upstream of the fire flow demand point having less than 20 psi residual pressure. The available flow information is typically provided at a water main and does not account for any pressure losses down stream from that location (for example: from the service or hydrant lateral, backflow devices, meters or any onsite piping to the fire sprinkler system).

The City makes no guarantee that the flow is presently available, nor does it guarantee that these flows will be available in the future due to continued growth which places additional demands for water on our distribution system. Availability of flow is also subject to periodic shutdowns and variations required by the operation of the City's distribution system.

It is the contractor's responsibility to obtain the approved civil utility plans in order to verify the appropriate backflow device(s) has been or will be installed on the system and to verify the existing on-site pressure prior to final system acceptance. The Contractor shall notify the City's Fire Safety Division immediately upon discovery of any major pressure discrepancies.

508.4.2 Water supply field test. When approved, a manual water supply test may be permitted. A request for permit shall be made on a form provided by the City. Prior to performing the water supply field test, the Utilities Services Department must be notified at 267-5908. The fire code official shall be notified prior to the water supply test. The water supply field test shall be witnessed by the fire code official. The test shall be documented by the contractor. Water supply information obtained through this test shall be valid for a period of six (6) months.

Amendment 60, Section 903.2: Where required.

Section 903.2 Where required, is revised as follows:

903.2 Where Required. Approved automatic sprinkler systems in new buildings and structures shall be provided in the locations described in this section.

If any fire area in a building or structure is provided with fire sprinklers, whether required or not, all fire areas in the building or structure shall be provided with fire sprinklers.

EXCEPTIONS:

1. If a fire area is separated from other fire areas by a listed four-hour rated firewall with no openings.
2. Special hazard areas may be fire sprinklered without requiring additional fire sprinklers, when approved by the fire code official.

New buildings: An approved automatic fire sprinkler system shall be provided in all new buildings and structures of 5000 square feet or greater.

EXCEPTIONS:

1. Buildings separated into fire areas of less than 5000 square feet by a listed or approved four-hour rated fire wall with no openings constructed in accordance with the IBC.
2. R-3 occupancies with fire areas of less than 6201 square feet unless otherwise required by the provisions of this code.
3. As provided in section 903.3.1.1.1

Additions to existing buildings: Any addition to an existing non-sprinklered building or structure which expands the total area to 5000 square feet or greater shall conform to this section.

EXCEPTIONS:

1. R-3 occupancies with fire areas of less than 6201 square feet unless otherwise required by the provisions of this code.
2. Minor additions to existing nonsprinklered structures which do not exceed 10% square feet increase.

Amendment 61, Section 903.2.1.1: Group A-1 – Automatic sprinkler system.

Section 903.2.1.1 Group A-1 is revised as follows:

903.2.1.1 Group A-1. An automatic sprinkler system shall be provided for Group A-1 occupancies where one of the following conditions exists:

1. The fire area exceeds 5,000 [12,000] square feet (465 [1115] m²).
2. The fire area has an occupant load of 300 or more.
3. The fire area is located on a floor other than the level of exit discharge.
4. The fire area contains a multi-theater complex.

Amendment 72, Section 903.7: Fire Pump Rooms

The new section 903.7 Fire Pump Rooms is revised as follows:

Section 903.7 Fire Pump Rooms. Where fire pumps are required to provide the required sprinkler and/or standpipe system demand, the fire pumps shall be located in a dedicated room enclosed by fire barriers that have a fire-resistance rating of not less than 2 hours with an exterior door or a door leading to an exit passageway in accordance with IBC Section 1021. Fire pump rooms shall be provided with permanent lighting and permanent means to maintain the temperature in the room above 40°F (5°C). All fire pump rooms shall be provided with a floor drain.

Section 905.1.1 Signage

A new section 905.1.1 Signage is added as follows:

Section 905.1.1 Signage. In addition to all signage required by NFPA Standard 14, an approved architectural floor plan with room numbers shall be provided adjacent to each standpipe hose valve outlet. The plan shall graphically show the area reachable by 100 feet of hose. The floor plan shall include the following:

1. Standpipes and the distances between them.
2. Room numbers displayed on the appropriate spots on the floor plan.
3. All elevators.
4. All places of refuge (i.e. locations where firefighters need to check during emergencies).
5. All Key Box locations.
6. Smoke detector locations (i.g. smoke detector 1 is located outside of room #111).
7. All fire extinguisher and hose cabinet locations.
8. Reference points (i.e. you are here markers).
9. Total length of floors

Section 906.1.1 Where Required

Section 906.1.1 Where required is revised by deleting the exception as follows:

1. **[Exception:** In new and existing Group A, B and E occupancies equipped throughout with quick-response sprinklers, portable fire extinguishers shall be required only in locations specified in Items 2 through 6.]

Section 906.2 General Requirements

Section 906.2 Exception #2 is revised as follows:

2. Thirty day inspections shall not be required and maintenance shall be performed annually [allowed to be once every three years] for dry-chemical or halogenated agent portable fire extinguishers that are supervised by a listed and approved electronic monitoring device, provided that all of the following conditions are met:

Section 906.2 General Requirements

Section 906.2 Exception #2.2.4 is revised as follows:

2.4. Electronic monitoring devices and supervisory circuits shall be tested annually [every three years] when extinguisher maintenance is performed.

Amendment 83, Section 907.9.4.2 Annunciator Access and Location

Section 907.9.4.2 Annunciator Access and Location is revised by deleting the last sentence as follows:

Section 907.9.4.2 Annunciator Access and Location. All required annunciator means shall be readily accessible to responding personnel and shall be located as required by the fire code official to facilitate an effective response to the fire situation. [A remote annunciator shall be provided in the main entrance of all buildings. For buildings without a main entrance the annunciator or control panel shall be installed in the riser room or other approved location. When the fire alarm control panel is located in the main entrance, a remote annunciator may not be required.]

Amendment 88, Section 907.15.7 UL Certification

Section 907.15.7 UL Certification is revised as follows:

Section 907.15.7 UL or FM Certification. [Annually] A current UL or FM Central Station Certification shall be provided annually.

Section 3404.5.2 Interior Installations

Section 3404.5.2.1 General is deleted in its entirety:

[3404.5.2.1.General. Interior installations of aboveground fuel tanks shall comply with Chapter 34. Tanks containing more than 120 gallons (454.25 L) in a non-sprinklered building, or more than 240 gallons (908.5 L) in a sprinklered building shall be in a room meeting the requirements in the IBC]

Amendment 141, Section 4602, NFPA 13, 2007 Edition: Installation of Sprinkler Systems

Section 4602 NFPA 13, 2007 Edition: Chapter 6, Section A.6.9.3.1 is deleted as follows:

Section 6.9.3.1 Attachments - General

[A.6.9.3.1 Audible alarms are normally located on the outside of the building. Listed electronic gongs, bells, horns, or sirens inside the building, or a combination of such used inside and outside, are sometimes advisable.]

Amendment 141, Section 4602, NFPA 13, 2007 Edition: Installation of Sprinkler Systems

Section 4602 NFPA 13, 2007 Edition: Chapter 7, Section A.7.1.3 is deleted as follows:

Section 7.1.3 Auxiliary Systems.

[A.7.1.3 An auxiliary system should be comparatively small to the system it is being attached to, and should not pose confusion as to what system is flowing water in the event of a fire. Multiple flow alarms or a single flow alarms connected to two systems protecting two different areas of a building should be avoided.]

Amendment 141, Section 4602, NFPA 13, 2007 Edition: Installation of Sprinkler Systems

Section 4602 NFPA 13, 2007 Edition: Chapter 7, Section 8.15.7.5 is revised by adding an exception as follows:

Section 8.15.7 Exterior Roofs, Canopies, or Porte-Cochere.

8.15.7.5 Sprinklers shall be installed under roofs, canopies, or porte-cocheres over areas where combustibles are stored and handled.

Exception: Where vehicles are normally parked, stopped or standing and the drivers remain with their vehicles.

Amendment 145, Section 4606 NFPA 20, 2007 Edition: Standard for the Installation of Stationary Pumps For Fire Protection

Section 4606 NFPA 20, 2007 Edition Chapter 5.12 Equipment Protection is revised as follows:

Section 5.12 Equipment Protection

Section 5.12.1.1 Indoor Fire Pump Units. Section 5.12.1.1.1 is revised as follows:

5.12.1.1.1 Where fire pumps are required to provide the required sprinkler and/or standpipe system demand, the fire pumps shall be located in a dedicated room enclosed by fire barriers that have a fire-resistance rating of not less than 2 hours with an exterior door or a door leading to an exit passageway in accordance with IBC Section 1021. Fire pump rooms shall be provided with permanent lighting and permanent means to maintain the temperature in the room above 40°F (5°C). All fire pump rooms shall be provided with a floor drain.

[Indoor fire pumps in high-rise buildings shall be physically separated or protected by 2-hour fire-rated construction.]

Section 5.12.1.1 Indoor Fire Pump Units. Section 5.12.1.1.2 is deleted as follows:

5.12.1.1.2 [Indoor fire pumps in non-high-rise buildings shall be physically separated or protected by fire-rated construction in accordance with Table 5.12.1.1.2.]

Amendment 146, Section 4607, NFPA 72, 2007 Edition: National Fire Alarm Code.

Section 4607, NFPA 72, 2007 Edition: Chapter 4, Section 4.4.6.3 is revised by deleting the last sentence as follows:

Section 4.4.6.3 Annunciator Access and Location. All required annunciator means shall be readily accessible to responding personnel and shall be located as required by the authority having jurisdiction to facilitate an efficient response to the fire situation. [A remote annunciator shall be provided in the main entrance of all buildings. When the fire alarm control panel is located in the main entrance, a remote annunciator may not be required.]

Appendix Section H Emergency Access Gates and Barriers.

Appendix Section H Emergency Access Gates and Barriers is deleted in its entirety.

SECTION 2: 15.32.090 APPEALS AND RELIEF FROM REGULATIONS

15.32.090 Appeals and relief from regulations is deleted in its entirety and replaced as follows:

[All decisions made by the City of Henderson Fire Marshal, the Director of the Building and Fire Safety Department, or the Chief of the Fire Department under any discretionary authority granted to them by Sections 2.28.040 of the Henderson Municipal Code; or any discretionary Section contained in the International Fire Code; or any local amendment to the International Fire Code are subject to review by the City Council. Presentation of a written protest by an affected party must be made to the Building and Fire Safety Department with a copy filed with the City Clerk within 14 calendar days from the date of the action protested.]

[Any person desiring relief from any of the provisions of the Nevada State Fire Marshal Regulations must appeal same in accordance with NRS 477.285. Written approval from the State Fire Marshal's Office for relief from regulations adopted by the State shall be required prior to any appeal to the Fire Chief for relief in regulations contained in this Ordinance which are also contained in the State Fire Marshal's Regulations.]

All decisions made by the City of Henderson Fire Marshal, the Deputy Fire Marshals, members of the Fire Safety Department, or members of the Fire Department are subject to review by the Director of the Building and Fire Safety Department and the Chief of the Fire Department.

All decisions made by the City of Henderson, Director of the Building & Fire Safety Department and the Fire Chief of the Fire Department are subject to review in accordance with HMC Chapter 15.01.

END OF ORDINANCE.