

# 2009 International Fire Code

City of Victoria

Adopted: August 2, 2011

## Sec. 9-1. International Fire Code -- Adopted.

There is hereby adopted by the City for the purpose of prescribing regulations governing conditions hazardous to life and property from fire and explosion, that certain code known as the International Fire Code, 2009 Edition, published by the International Code Council, save and except such portions as are hereinafter deleted, modified, or amended, of which a copy is on file with the City Secretary and the Victoria Fire Department, and the International Fire Code, 2009 Edition, is hereby adopted and incorporated as fully as if set out at length herein, and from the date on which this section shall take effect, the provisions thereof shall be controlling within the limits of this City.

## Sec. 9-2: Same--Definitions.

- (a) Whenever the words "fire code official" are used in the International Fire Code they shall be held to mean the Fire Chief of the City of Victoria.
- (b) Whenever the words "chief of the fire department" are used in the International Fire Code, they shall be held to mean the Chief of the Victoria Fire Department or that Chief's authorized representative.
- (c) Sec. 302 Definitions. RECREATIONAL FIRE of the International fire Code is amended to read:  
An outdoor fire burning materials other than rubbish where the fuel being burned is not contained in an incinerator, outdoor fireplace, barbeque grill, chiminea, or barbeque pit and has a total fuel area of 3 feet (914 mm) or less in diameter and 2 feet (610 mm) or less in height for pleasure, religious, ceremonial, cooking, warmth or similar purposes.
- (d) Sec. 202 General Definitions. BULK STORAGE of the International Fire Code is added to read:  
Storage of material(s) in a specific area in excess of the following aggregate quantity limits:  
Liquids: 500 gallons  
Solids: 2,000 pounds  
Gas: 12,000 cubic feet
- (e) Sec. 202 General Definitions. PERMANENT STORAGE of the International Fire Code is added to read: Storage for a period of over 30 days.

## Sec. 9-3: Deletions to Published Code.

The following sections of the International Fire Code are hereby deleted:

- Section 102.5 Application of residential code
- Section 105.6 Required operational permits
- Section 105.6.1 Aerosol products
- Section 105.6.2 Amusement buildings
- Section 105.6.3 Aviation facilities
- Section 105.6.5 Carnivals and fairs
- Section 105.6.6 Cellulose nitrate film
- Section 105.6.7 Combustible dust-producing operations

Section 105.6.8 Combustible fibers  
Section 105.6.9 Compressed gases  
Section 105.6.10 Covered mall buildings  
Section 105.6.11 Cryogenic fluids  
Section 105.6.12 Cutting and welding  
Section 105.6.13 Dry cleaning plants  
Section 105.6.14 Exhibits and trade shows  
Section 105.6.15 Explosives  
Section 105.6.15.1 Fire hydrants and valves  
Section 105.6.16 Flammable and combustible liquids  
Section 105.6.17 Floor finishing  
Section 105.6.18 Fruit and crop ripening  
Section 105.6.19 Fumigation and thermal insecticidal fogging  
Section 105.6.20 Hazardous materials  
Section 105.6.21 HPM facilities  
Section 105.6.22 High-piled storage  
Section 105.6.23 Hot work operations  
Section 105.6.24 Industrial ovens  
Section 105.6.25 Lumber yards and woodworking plants  
Section 105.6.26 Liquid- or gas-fueled vehicles or equipment in assembly buildings  
Section 105.6.27 LP-gas  
Section 105.6.28 Magnesium  
Section 105.6.29 Miscellaneous combustible storage  
Section 105.6.30 Open burning  
Section 105.6.31 Open flames and torches  
Section 105.6.35 Private fire hydrants  
Section 105.6.36 Pyrotechnic special effects material  
Section 105.6.37 Pyroxylin plastics  
Section 105.6.38 Refrigeration equipment  
Section 105.6.39 Repair garages and motor fuel-dispensing facilities  
Section 105.6.40 Rooftop heliports  
Section 105.6.41 Spraying or dipping  
Section 105.6.42 Storage of scrap tires and tire byproducts  
Section 105.6.43 Temporary membrane structures and tents  
Section 105.6.44 Tire-rebuilding plants  
Section 105.6.45 Waste handling  
Section 105.6.46 Wood products  
Section 307.4.1 Bonfires  
Section 3801.2 Permits

#### **Sec. 9-4: Amendments to the Fire Code.**

The following sections of the International Fire Code are hereby amended as hereinafter indicated:

- (1) Section 304.3.3 Capacity exceeding 1.5 cubic yards is amended to read: Dumpsters and containers with an individual capacity of 1.5 cubic yards (40.5 cubic feet) (1.15 m<sup>3</sup>) or more shall not be stored in buildings or placed within 10 feet (1524 mm) of combustible walls, openings or combustible roof eave lines.

Exceptions:

1. Dumpsters or containers in areas protected by an approved automatic sprinkler system complying with Chapter 9.
  2. Storage in a structure shall not be prohibited where the structure is of Type I or Type IIA construction, located not less than 10 feet (3048 mm) from other buildings and used exclusively for dumpster or container storage.
- (2) Section 903.3.6 Hose threads is amended to read: Fire hose threads and fittings used in connection with automatic sprinkler systems shall be National Standard Hose Thread.
  - (3) Section 903.3.7 Fire department connections is amended to read as follows:  
Fire department connections shall be either valve pit or wall mounted connections. These connections must meet [cov1] the requirements for Public Works Construction and N.F.P.A. Standard No.13. The fire official must approve the style and location of these connections prior to installation and the connection must be near, but not greater than a distance of 100' from a fire hydrant of sufficient capacity.
  - (4) Section 3301.2.4 Financial responsibility is amended to read: Before a permit is issued, as required by Section 3301.2, the applicant shall file with the jurisdiction a corporate surety bond in the principal sum of \$1,000,000 for personal injuries and \$500,000 for property damage. The policy shall be current and shall name the City of Victoria as an additional insured for the purpose of the payment of all damages to persons or property which arise from, or are caused by, the conduct of any act authorized by the permit upon which any judicial judgment results. The fire code official is authorized to specify a greater or lesser amount when, in his or her opinion, conditions at the location of use indicate a greater or lesser amount is required. Government entities shall be exempt from this bond requirement.
  - (5) Section 3301, General, is amended to add Section 3301.9, which will read as follows:  
3301.9 Fireworks Prohibited in or within 5,000 feet of City Limits. Unless possessed pursuant to a permit issued under Section 3308.2, it shall be unlawful for any person to manufacture, possess, store, transport, offer for sale, expose for sale, sell or use or explode any fireworks within the city or within 5,000 feet of the limits of the City of Victoria.

Unless possessed pursuant to a permit issued under Section 3308.2, the presence of any fireworks within the city or within 5,000 feet of the limits of the City of Victoria in violation of this chapter is hereby declared to be a nuisance. The fire marshal is hereby directed and required to seize and cause to be destroyed any fireworks found within the jurisdiction in violation of this division and any member of the fire prevention division of the fire department of the City of Victoria or any police officer of the City of Victoria or any other peace officer is empowered to stop the transportation of and detain any fireworks found being transported illegally or to close any building where any fireworks are found stored illegally until the fire marshal can be notified in order that said fireworks may be seized and destroyed in accordance with the terms of this section. Notwithstanding any penal provision of this division, the city attorney is authorized to file suit on behalf of the city or the fire marshal or both for such injunctive relief as may be necessary to prevent unlawful storage, transportation, keeping or using of fireworks within the jurisdiction of the City of Victoria and to aid the fire marshal in the discharge of such official's duties and to particularly prevent any person from interfering or attempting to interfere with the seizure and destruction of such fireworks, but it shall not be necessary to obtain any such injunctive relief as a prerequisite to such seizure and destruction. The fire marshal or any member of the fire prevention division of the fire department of the city is hereby authorized to enter any building where the unlawful presence of fireworks is suspected in order to inspect the same for the presence of such fireworks.

In any instance where the fire marshal or any other duly authorized member of the fire department has probable cause to believe that fireworks are being stored in a building they shall promptly enter the building for the purpose of inspection and it shall be the duty of the owner or lessee, or their agents, to open and permit the entry to the building.

(6) Section 3308.2.1 Outdoor Fireworks Displays, is amended to read:

It shall be lawful for a person to a conduct fireworks display in the city or within 5,000 feet of the limits of the city provided a permit has been obtained for such purposes from the fire marshal. An application for a permit shall be made in writing at least 10 days in advance of the date of display. After such privilege shall be granted, possession and use for such display shall be lawful for that purpose only. No permit granted hereunder shall be transferable.

The following requirements must be met by an applicant in order to obtain a permit approval of the fire marshal for a fireworks display. The applicant shall

1. Furnish a certificate of insurance to the city showing liability insurance coverage in the minimum amount of \$300,000.00 per occurrence for personal injuries and \$100,000.00 per occurrence for property damage arising out of the permitted display and arising from any acts of the permittee, or permittee's agents or employees. If the permittee is to conduct the fireworks display on City property, then the insurance certificate shall name the city as an additional insured.
2. Furnish written permission from the property owner where the display is to be located.
3. Provide a qualified pyrotechnic technician who will be present at all times during the display.
4. Employ a sufficient amount of firefighters to properly man a pumper and additional firefighters to enforce the fire codes for public safety during the display.
5. Allow only persons who are under the direct supervision of the pyrotechnic technician to discharge the fireworks.
6. Employ personnel to man an ambulance during the display.

(7) Appendices C and D are amended to provide that the provisions of said appendices are not mandatory, but may be used as a basis for the exercise of discretion by the fire official.

(8) Section 3404.2.11.2 Location is amended to read: Flammable and combustible liquid storage tanks located underground, either outside or under buildings, shall be in accordance with all of the following:

1. Tanks shall be located with respect to existing foundations and supports such that the loads carried by the latter cannot be transmitted to the tank.
2. The distance from any part of a tank storing liquids to the nearest wall of a basement, pit, cellar or lot line shall not be less than 3 feet (914 mm).
3. A minimum distance of 2 feet (610 mm), shell to shell, shall be maintained between underground tanks.

(9) Section 3804.2. Maximum capacity within established limits is amended to read: The storage of LP-gas in aggregate quantities greater than 2000 gallons (7571 L) water capacity is not permitted within the city. The storage of LP-gas in aboveground or below ground containers, greater than 24 gallons (91 L) water capacity and up to a maximum of 2000 gallons (7571 L) water capacity, is prohibited outside of Major Industry (MI) or Light Industry (LI) districts.

Exceptions:

1. The fire chief may approve the placement of aboveground or below ground containers for single family residential, multi-family residential or commercial occupancies on a case-by-case base provided the container and appurtenances are listed and installed in accordance with that listing and issues such as zoning and fire exposures are addressed adequately.

**Sec. 9-5: Arson and False Fire Alarm; Reward for Conviction.**

- (a) The mayor is hereby authorized to offer a standing reward of two hundred fifty dollars (\$250.00), payable to any person furnishing information leading to the arrest and conviction of one or more persons guilty of arson in connection with any one fire, and when information is given by more than one person leading to the arrest and final conviction of any person guilty of arson, then the reward of two hundred fifty dollars (\$250.00) will be prorated.
- (b) No officer in the employ of the city, county or state, whose duty it is to detect violations of the law or make arrests in connection therewith, shall be entitled to any reward for information leading to the arrest or conviction of any person guilty of arson.
- (c) The city does hereby offer a reward of one hundred dollars (\$100.00) to be paid to any person furnishing information leading to the arrest and conviction of any person giving a false fire alarm, that is, giving an alarm of fire when there is no fire, falsely and maliciously, by any means whatsoever in the city, or making any attempt to commit such criminal act.

**Sec. 9-6: Opening, Adjusting Fire Hydrants.**

No person other than an employee of the City or a duly authorized independent contractor of the City shall open, adjust or attempt to repair any fire hydrant within the city limits.

**Sec. 9-7: Burning of Garbage and Trash--Conditions.**

It shall be unlawful for any person to burn any garbage, trash or waste in the city; provided, however, any person in possession or control of any private residence, house, building, flat, apartment or tenant in the city (not including hotels or motels), where persons reside or lodge, may burn trash and miscellaneous waste, (not including garbage or dead animals or fowl), accumulating on such premises in an incinerator located on such premises, provided such incinerator is equipped with a smokestack at least eight (8) feet in height with an adequate spark arrestor thereon.

**Sec. 9-8: Installations not to be located in Fire District.**

- (a) Liquefied petroleum gas installations shall not be located in the fire district.

**Sec. 9-9--9-57: Reserved.**