

ORDINANCE NO. 4817

AN ORDINANCE AMENDING ALBANY MUNICIPAL CODE 17.28.130, UNIFORM FIRE CODE-- APPENDICES, AND 17.28.150, AMENDMENTS.

THE PEOPLE OF THE CITY OF ALBANY DO ORDAIN AS FOLLOWS:

Section 1: Albany Municipal Code Section 17.28.130, Uniform Fire Code-- Appendices, is hereby amended to read as follows:

17.28.130 Uniform Fire Code--Appendices Appendices I-A, III-A, III-C, V-A, and V-C of the Uniform Fire Code are on file for public inspection in the office of the city recorder of the City of Albany and in the office of Fire Prevention and is hereby made a part of the Uniform Fire Code, 1985 Edition.

Section 2: Albany Municipal Code Section 17.28.150, Amendments, is hereby amended to read as follows:

17.28.150 Amendments. As part of the adoption cycle for the Uniform Fire Code are the following Amendments ~~Section A-1-(Article 4); -A-2-(79.501); -A-3 (1.103); -A-4-(10.306); -A-5-(10.301); -A-6-(11.201); -A-7-(77.101); -and -A-8-(Article 78):~~

- I. Article 1 Section 1.103(d)
- II. Article 4 Section 4.101
- III. Article 10 Section 10.209
- IV. Article 10 Section 10.301(f)
- V. Article 10 Section 10.306(a)
- VI. Article 11 Section 11.201(e)(f)(g)
- VII. Article 77 Section 77.101(a)
- VIII. Article 78 Section 78.101(a)
- IX. Article 78 Section 78.102(a)(b)(c)
- X. Article 78 Section 78.103(a)(b)(c)
- XI. Article 79 Section 79.501

Passed by Council: May 25, 1988

Approved by Mayor: May 26, 1988

Effective Date: June 24, 1988



Mayor

ATTEST:



City Recorder

UNIFORM FIRE CODE

1985 EDITION

AMENDMENTS

I. That Article 1 Section 1.103 of the Uniform Fire Code is amended by adding the following subsection:

(d) Where conditions imposed by provisions of this code differ from those imposed by ordinance, laws or regulations having applications to the City, the provision which is the most restrictive shall govern.

II. That Article 4 of the Uniform Fire Code is amended by deleting the following Sections:

11.101(a)	24.102	45.102	79.1002
11.105	24.204	46.102	79.1102
11.106	25.101	47.102	79.1201
11.107	26.102	48.102	79.1701
11.108	27.102	49.101(c)	79.1803
11.109	28.102	50.103	80.102
		51.103	
11.110	29.102	62.102	81.103
11.111	30.101	63.103	82.102(a)
11.112	31.102	74.103	83.101
	32.101		
11.113	33.102	75.103	The definition of fireworks in Section 9.103
11.203(a)	34.102	76.102	
11.208(a)	35.102	77.104(a)	
11.410(a)	36.102	79.103	

III. That Article 10 Section 10.209 of the Uniform Fire Code is amended to read as follows:

When access to or within a structure or an area is unduly difficult because of secured openings, or where immediate access is necessary for life-saving or firefighting purposes, **or the structure is 5,000 square**

feet or greater and contains an automatic sprinkler or fire detection system, the chief may require a key box to be installed in an accessible location.

IV. That Article 10 Section 10.301 of the Uniform Fire Code is amended by adding the following subsection:

(f) Fire flow is presently stated as a maximum of 4500 gallons per minute. Where potential fire flows in excess of 4500 gallons per minute may be required, consideration shall be given to structure separations, installation of automatic fire extinguishing systems, fire walls, or other recognized elements to reduce the maximum amount of fire flow to 4500 gallons per minute. The installation and maintenance of fire walls and automatic extinguishing systems shall be accomplished in accordance with local building regulations.

V. That Article 10 Section 10.306(a) of the Uniform Fire Code is amended to read as follows:

(a) Designated occupancies: Approved fire alarm systems shall be installed in E, I, R and SR occupancies as required by the State of Oregon Structural Specialty Code and Fire and Life Safety Code.

VI. That Article 10 Section 10.306(f) of the Uniform Fire Code is amended by adding the following subsection:

(f) All new buildings constructed exceeding 5000 square feet of floor area or existing buildings which, after completion of major alteration or addition will exceed 5000 square feet of floor area, shall be provided with an approved automatic fire detection and alarm system. Such systems shall comply with the requirements of the National Fire Protection Association and the Uniform Fire Code governing installation and approval of such systems.

EXCEPTION:

Buildings that are provided throughout with an approved Automatic Fire Sprinkler System, providing such system is equipped with an approved device to automatically transmit a water flow alarm to the Albany Fire Department upon activation of the system.

VII. That Article 11 Section 11.201 of the Uniform Fire Code is amended by adding the following subsections:

- (e) When required of the chief, waste material containers shall be provided at construction sites for safe accumulation and removal of combustible waste materials.
- (f) Waste material containers shall be provided for the safe accumulation of combustible wastes at storage sites in the open, except where such accumulation meets the requirements of Section 11.203(b), paragraph 2.
- (g) Portable wheeled containers and roll-off boxes used for the accumulation of combustible materials shall not be located in such a manner that a fire occurring in a container would create a threat to persons, buildings, automobiles, exit ways, utilities, vegetation, or adjacent property and its contents.

VIII. That Article 77 Section 77.101 of the Uniform Fire Code is amended by adding the following subsection:

- (a) Storage of explosives and blasting agents is prohibited in the city limits of Albany unless authorized by the Chief.

IX. That Article 78 Section 78.101 of the Uniform Fire Code is amended to read as follows:

- (a) Fireworks shall mean and include an combustible or explosive composition substance, or any combination of such compositions or substances, or any article prepared for the purpose of providing a visible or audible effect by combustion, explosion, deflagration, or detonation, and includes blank cartridges, toy cannons, or toy guns, in which explosives are used; the type of unmanned balloons which require fire underneath to propel the same, firecrackers, torpedoes, skyrockets, roman candles, dayglow bombs, rockets, wheels, colored fire fountains, mines, serpents or any other article of like construction, substance or flammable compound.
- (b) The term "Fireworks" shall not include:
 - (1) Sparklers, toy pistols, toy pistol paper caps, toy canes, toy guns or other devices in which paper caps containing not more than .25 grain of explosive compound per cap are used, and when the rate of burning and the explosive force of the material in such devices is

not greater than an equivalent weight of F.F.F.G. black powder, and when such devices are so constructed that the hand cannot come in contact with the cap when in place for explosion, and the major explosive force is contained or dispelled within the housing or shell device, there is no visible flame during discharge, no flames or smoldering of any of the components or parts of the device after discharge, and the device does not produce sufficient heat to readily ignite combustible materials upon which the device may be placed. The sale and use of such devices shall be permitted at all times.

(2) Snakes or similar smoke-producing material containing not more than 100 grains of combustible substances when there is no visible flame during discharge, there is no after-smoldering, and the devices do not produce sufficient heat to readily ignite combustible materials upon which the devices may be placed. The sale and use of such devices shall be permitted at all times.

(3) Sparklers consist of materials of a character that will, when ignited, sparkle without throwing or dropping hot residue capable of igniting combustible materials, attached to a wire or other non-combustible central support, with such materials arranged in cylindrical shape not more than 10 inches in length nor more than one-quarter inch in diameter, and which shall not burn more rapidly than 1 inch in 10 seconds, but not including materials encased within a container of any character.

(c) "Explosive substance" or "explosive mixtures" as used in this section shall mean any substance so arranged as to burn in less than 1 second. "Combustible substance" shall mean any substance so arranged as to burn in more than one second.

X. That Article 78 Section 78.102 of the Uniform Fire Code is amended to read as follows:

(a) No person shall sell, keep, or offer for sale, expose for sale, use, explode, or have exploded any fireworks as defined in Section

78.101(a), except as follows:

(1) Sales by manufacturers and wholesalers for direct out-of-state shipment.

- (2) Sales to persons or organizations having obtained a permit from the state fire marshal for supervised public display.
 - (3) Sales to railroads, boats, motor vehicle, or other transportation agencies to be used for signal, warning, or illumination purposes in connection with such businesses.
 - (4) Sale and use of blank cartridges for licensed shows or theaters or for signal or ceremonial purposes in athletics or sports.
 - (5) Experimental purposes by a manufacturer of explosives at such a place experiments are normally conducted, and only after obtaining written permission from the chief or his designee.
 - (6) Sale of blank cartridges for use by the militia or any organization authorized by law to parade in public in a color guard armed with firearms.
 - (7) Sale of shells, cartridges, gunpowder, or explosives for use in legally permitted firearms.
 - (8) Sale or use of commercially manufactured model rockets.
- (b) All persons, municipalities, associations or organizations or groups of individuals desiring to sell, discharge, fire off, explode, or display fireworks for a public display shall meet the following requirements:
- (1) Obtain a permit from the office of the state fire marshal, and comply with the applicable requirements of ORS 480.130.
- (c) Every public display held within the boundaries of the jurisdiction shall be under the supervisor of the chiefs of police and fire departments and shall be of such character and so located, discharged, or fixed as in the opinion of the chief of the fire department, after proper inspection, shall not be hazardous to property or endanger any person.

XI. That Article 78 Section 78.103 is amended to read as follows:

- (a) The permittee shall furnish a bond or certificate of insurance in an amount deemed adequate by the chief for the payment of all damages which may be caused either to a person or persons or to property by reason of the permitted display and arising from any acts of the permittee, his agents, employees or subcontractors.
- (b) Permit Revoking. The chief or his designated subordinate may revoke permits for display or sale of fireworks and other articles listed under the provisions of Sections 78.101(a) and 78.101(b) 1, 2, and 3

when in his opinion, the sale or display of fireworks or articles described in Section 78.101(b) 1, 2, and 3 is not in compliance with the applicable rules and regulations governing such sale or displays or is in violation of the Oregon Revised Statutes. Permit fees shall not be refunded in the event such permits are revoked.

- (c) The chief or his designated subordinate shall seize, take, remove, or cause to be removed at the expense of the owner all stocks of fireworks or combustibles or articles described in Section 78.101(b) 1, 2, and 3 that are offered for sale and found in violation of this article.

XII. That Article 79 Section 79.501 of the Uniform Fire Code is amended to read as follows:

Storage of Class I and Class II liquids in outside above-ground tanks is ~~prohibited~~ **limited to 2,000 gallons** within the city limits, except as shall be allowed by the Chief of the Fire Department.

EXCEPTION:

Liquid petroleum tanks that do not exceed 2,000 gallons water capacity.
See Section 32.105(a)