

NOTICE

This City of Kettering Code section is not the official version and is provided only for the convenience of the public. The only official version of the City of Kettering Code is available through the office of the Clerk of Council, located in the City of Kettering Government Center, 3600 Shroyer Road, Kettering, Ohio 45429.

This version may, occasionally, differ from the official version and should only be relied upon for general information purposes. Any errors or omissions should be reported to the Clerk of Council. In no event shall the City of Kettering be held liable for damages of any nature, direct or indirect, arising from the use of this service or reliance on this unofficial document.

CODIFIED ORDINANCES OF KETTERING
PART FIFTEEN - FIRE PREVENTION CODE

TITLE TWO - Standard Adopted

Chapter 1501 - Unified Fire Code
Chapter 1503 - Means of Appeal

CHAPTER 1501

Unified Fire Code

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CROSS REFERENCES

UFC F-100.2.1 replaced by Section 1501.01
UFC F-101.7 replaced by Section 1501.07
UFC F-111.0 replaced by Section 1501.99 and Chapter 1507
UFC F-500.2 replaced by Section 1501.09
UFC F-1900.1.1 replaced by Section 1501.11
UFC Standard 3.19, Section 319.3 replaced by Section 1501.08
UFC Standard 518, Section 518.1.1 (item #1) replaced by Section 1501.04
UFC Standard 518, Section 518.3 replaced by Section 1501.10

1501.01 1990 EDITION ADOPTED, WITH AMENDMENTS

(a) There is hereby adopted by reference as a part of the Fire Prevention Code of the City of Kettering the 1990 Edition of the Unified Fire Code of the Southwest Ohio Fire Safety Council and all of the optional standards adopted by that fire safety council and adopted as of April, 1991, these being Standards (1990) 3.08, 3.13, 3.19, 4.04, 518.0, 17.0, 28.0, 28.06 and 30.0, except such portions of that Unified Fire Code and these standards, as hereinafter added to, modified or deleted. References to sections identified with a "F" (e.g. F-100.7) are to various sections of the Unified Fire Code, sometimes referred to as the UFC. References such as 'Standard Section 319.3' refer to the standards mentioned previously in this section.

(b) The following amendments are hereby made to the Unified Fire Code and Standards:

- (1) Delete Section F-100.2.1 Adoption
- (2) Delete SWOFSC Unified Fire Code Amendment Section F-101.7
Submission of plans:
- (3) Delete Section F-106.0 Permits (See Chapter 1511)
(This deletes Sections F-106.1 through F-106.7)
- (4) Delete Section F-107.1 Inspection (See Chapter 1507)
- (5) Delete SWOFSC Unified Fire Code Amendment Section F-111.0
Notice of Violation (See Chapter 1501 and 1507)
(This deletes Sections F-111.1 through F-111.4)
- (6) Delete SWOFSC Unified Fire Code Amendment Section F-112.0
Means of Appeal (See Chapter 1503)
(This deletes Sections F-112.1 through F-112.10)
- (7) Delete SWOFSC Unified Fire Code Amendment Section F-113.0
Emergency Alarm Systems (See Chapter 1513)
(This deletes Section F-113.1 through F-113.10)
- (8) Delete SWOFSC Unified Fire Code Standard 3.19, Section 3.19.3
(See Section 1501.08)
- (9) Delete SWOFSC Unified Fire Code Section F-500.2 Permit required:
(Subsection F-500.2.1 to remain as is)
- (10) Delete SWOFSC Unified Fire Code Standard 518, Section 518.1.1, Definitions: item
(1) Reasonable distance:
- (11) Delete SWOFSC Standard 518, Section 518.3 Subdivision fire protection:
- (12) Delete SWOFSC Unified Fire Code Section F-1900.1.1 Permit required:

1501.02 FILE AND DISTRIBUTION COPIES

At least one copy of the Unified Fire Code shall be on file for inspection by the public with the Clerk of Council, and at least one copy shall be on file in Montgomery County Law Library. Additional copies will be made available to the public at cost by the Fire Department.

1501.03 STORAGE LIMITS

(a) The limits referred to in Section 2601.2 of the Unified Fire Code, in which storage of explosives and blasting agents is prohibited, are hereby established as anywhere within the City of Kettering.

Exception: When allowed by the code official for special circumstances.

(b) The installation of above ground liquified petroleum gas tanks in excess of 2000 gallons water capacity shall be prohibited in the City of Kettering.

Exception:

(i) Above ground liquified petroleum gas tanks installed in a manner approved by the code official.

(c) The provisions of this section shall apply equally to new and existing above ground liquified petroleum gas tanks.

Exception:

(i) Existing conditions which do not constitute a distinct hazard to life or property.

1501.04 DEFINITIONS

(a) Wherever the word "Municipality" is used in the Fire Prevention Code, it shall be held to mean the City of Kettering, sometimes referred to as the City.

(b) Wherever the term "Corporation Counsel" is used in the Fire Prevention Code, it shall mean the Law Director for the City.

(c) Wherever the term "Fire Department" is used in the Fire Prevention Code, it shall mean Kettering Fire Department.

(d) Wherever the term "Code Official" is used in the Fire Prevention Code it shall mean the Fire Chief, or the Director of Fire Prevention, or their duly authorized representative.

(e) When the term "Reasonable Distance" is used in Unified Fire Code, Standard 518.0 Water Main Systems and Fire Hydrants it shall mean any geographical area within the corporate limits of the City of Kettering.

1501.05 NEW MATERIALS, PROCESSES OR OCCUPANCIES WHICH MAY REQUIRE PERMITS

The Fire Chief and the Director of Fire Prevention shall act as a committee to determine and specify, after giving affected persons an opportunity to be heard, any new materials, processes or occupancies which shall require permits in addition to those now enumerated in the Fire Prevention

Code. The Director of Fire Prevention shall post a list of required permits in a conspicuous place in his office and distribute copies thereof to interested persons.

1501.06 FIRE DEPARTMENT ACCESS

(a) The provisions of Section 1501.06, Fire Department Access, shall apply to all premises which the fire department may be called upon to protect. Suitable gates, access roads, and fire lanes shall be provided so that all buildings on the premises are accessible to emergency vehicles. Fire department access shall be provided as required per Southwest Ohio Fire Safety Council Standard #3.13 (1990) except as modified herein.

(b) The stopping by a vehicle in a fire lane is prohibited at all times except for vehicles actively engaged in loading and unloading merchandise or people, or for public safety vehicles. Any vehicle stopping in a fire lane as provided in this section may be impounded or cited by a police officer or an authorized fire official of the City in accordance with Section 452.03 Paragraph N, Section 452.02, and Section 404.07 of the Traffic Code. If the identity of the driver cannot be determined, the owner or person in whose name such vehicle is registered shall be held prima-facie responsible for such violation.

"Stopping by a vehicle" for purposes of this section is defined to mean the stopping, obstructing, parking, standing, or any arrest of motion of a vehicle regardless of whether such vehicle is occupied or not and regardless of the duration of time.

(c) Traffic signs prohibiting parking in fire lanes shall be provided as required by Southwest Ohio Fire Safety Council Standard #3.13. If the signs are not posted upon public streets or easements within the time provided, the City may at its option install the signs itself and assess the cost of installation against the property owner. Such assessment shall be made by giving notice requesting payment within thirty days from the receipt of the bill for installation by the City and if payment is not received within that time then the amount uncollected may be certified to the County Auditor as an assessment against the property. If the signs are not posted upon private property not subject to a public easement the City may at its option: (1) notify the owner and/or tenant, and/or mortgagor of such failure and the resulting violation of this Code; or

(2) install the signs itself with or without such notification with this property owner being liable for all expenses of the City in doing so, including the time cost of city employees. Any signs prohibiting parking within fire lanes which do not conform to the approved standard design shall be removed upon posting of the signs heretofore designated.

1501.07 SUBMISSION OF PLANS

Before a building or addition to a building regulated under the Ohio Basic Building Code is constructed or erected, and before a building is altered, relocated, or building equipment is installed therein, or there is a change of use or occupancy, plans relating to the work and/or equipment under consideration shall be prepared and submitted to the Kettering Planning and Development Department. The Kettering Planning and Development Department shall forward a set of said plans to the Fire Department for review and comment. Plans submitted under these provisions shall be reviewed in a timely and orderly manner with one set being retained for a matter of record.

1501.08 STREET SIGNS

All streets where fire protection is provided by the Kettering Fire Department shall be marked with street signs acceptable to the code official, City of Kettering Engineering Department and the City of Kettering Transportation Department. These signs shall be erected so that the sign shall be legible, and at a height and manner acceptable to the code official, City of Kettering Engineering Department and the City of Kettering Transportation Department.

1501.09 PERMIT / REGISTRATION REQUIRED

Before any fire alarm, detection or fire suppression system is installed, enlarged, or extended a permit shall be secured from the City of Kettering Planning and Development Department for all structures regulated under the Ohio Basic Building Code. Plans and specifications shall be reviewed by the (fire) code official prior to the installation or modification of any fire protection system. All fire alarm and detection systems not regulated by the Ohio Basic Building Code shall be required to be registered at the Kettering Police Department, who will forward a copy of said registration to the Kettering Fire Department Bureau of Fire Prevention

Exception:

- (i) Single station smoke detectors, or other stand alone detection devices.

1501.10 SUBDIVISION FIRE PROTECTION

All subdivisions and/or multi-tract developments shall be provided with approved water main systems and fire hydrants as required in Unified Fire Code, Standard 518.0 Water Main Systems and Fire Hydrants for Fire Protection, Sections 518.4 through 518.5.5.

Exception:

- (i) The use of alternate fire protection as specified in Unified Fire Code, Standard 518.0, Section 518.2 shall be permitted when approved by the code official.

1501.11 PERMIT / INSPECTION REQUIRED FOR TENTS/AIR SUPPORTED STRUCTURES

A tent or air supported structures covering an area in excess of 120 square feet and used or intended to be used for the gathering together of ten or more persons shall not be erected, operated or maintained for any purpose without first obtaining a permit from the City of Kettering Planning and Development Department. All tents or air supported structures regulated under the Ohio Basic Building Code shall not be occupied until a fire safety inspection has been conducted by the fire code official and the structure has been determined to be in compliance with the City of Kettering Fire Prevention Code.

Exception:

- (i) Tents used exclusively for recreational camping.

1501.99 PENALTY

(a) Except as provided in Section 1513.11 EMERGENCY ALARM SYSTEMS and in 1501.99 paragraph (b), whoever violates any provision of this fire code or fails to comply therewith, and has not appealed or who fails to comply with such order as affirmed or modified by the code official of the City or by a court of competent jurisdiction within the time fixed therein, shall, severally for each and every such violation and noncompliance respectively, be guilty of a minor misdemeanor on the first offense and fined not less than twenty-five dollars (\$25.00) nor more than one hundred dollars

(\$100.00) plus court costs, no part of which sentence may be suspended. A second offense shall constitute a fourth degree misdemeanor subject to a fine of not less than one hundred dollars (\$100.00) plus court costs, no part of which sentence may be suspended. A third offense or subsequent offense shall constitute a third degree misdemeanor subject to a fine of not less than four hundred dollars (\$400.00) and court costs plus imprisonment for not less than (3) three days, no portion of which sentence may be suspended.

(b) Except as provided for in paragraph (a) of Section 1501.99, whoever violates any of the following Fire Code Sections F-110.2, F-110.3, F-114.0, F-601.1 in occupancies of Assembly, Educational, Daycare and Institutional, F-602.2 in occupancies of Assembly, Educational, Daycare and Institutional, F-602.1, F-901.2, F-1302.1, F-1700.4.1, F-2102.5, F-2600.2, F-2701.1, F-2801.8, F-2805.0, F-2900.2, F-2901.6, F-2909.0, F-3400.1.1 or Standard 28.06 and fails to comply with any order made thereunder, and who has not appealed either Section F-2600.2, F-2701.1 or F-2805.0 [no administrative appeal be provided for the other Sections referred to in this paragraph (b)], shall, severally for each and every such violation and noncompliance respectively, be guilty of a first degree misdemeanor so as to be subject to the penalties provided by state law for such offenses and in any event shall be fined for a first offense not less than two hundred dollars (\$200.00) plus court costs and for each subsequent offense not less than four hundred dollars (\$400.00) plus court cost, and in no event more than one thousand dollars (\$1,000.00), plus court cost for any single offense. The penalty for any such offense may include imprisonment as provided by state law.

(c) The imposition of one penalty for any violation shall not excuse the violation or permit it to continue and all such persons shall be required to correct or remedy such violations or defects within a reasonable time. When not otherwise specified, each day that prohibited conditions are maintained shall constitute a separate offense. The application of any criminal or civil penalty shall not be held to prevent other additional remedies as provided by this Fire Prevention Code or law.

(d) If someone violates the City of Kettering Fire Prevention Code and has been served a written notice of violation and when such hazardous condition has not been corrected within the time specified on the fire department order and an emergency condition occurs or such emergency condition is exacerbated as result of this hazardous condition requiring the emergency response of the Kettering Fire Department, the violator may be charged for the cost of said emergency response action in addition to or in place of a criminal complaint for such violation, at the option of the city. This shall include the cost of apparatus, equipment used and manpower. The cost factor for apparatus, equipment used and manpower shall be determined by the Fire Chief. The owner/operator shall be charged for each piece of apparatus that responds. Responding shall mean any apparatus which has radioed the fire dispatcher that said unit is responding. Equipment which requires replacement due to use shall have its cost established on a actual replacement factor to include any associated shipping cost or associated expenses. An individual may replace said equipment with an equal piece of equipment when said equipment meets the approval of the Fire Chief.