

WINDSOR CHARTER TOWNSHIP
ORDINANCE ADOPTING NATIONAL FIRE PROTECTION ASSOCIATION 1,
FIRE CODE, 2015 EDITION
Ordinance No. 41
Introduced for First Reading

At a meeting of the Township Board of Windsor Charter Township, Eaton County, Michigan, held at the Windsor Charter Township Emergency Services Building on June 23, 2015, at 7:30 p.m., Piper moved to introduce the following Ordinance for posting, publication and subsequent final adoption, which motion was seconded by Myers:

An Ordinance to provide for the adoption and enforcement of the National Fire Protection Association (“NFPA”) 1, Fire Code, 2015 Edition (“2015 NFPA Fire Code”) by Windsor Charter Township; amend certain portions of the 2015 NFPA Fire Code; and address conflicts with currently adopted ordinances.

WINDSOR CHARTER TOWNSHIP, EATON COUNTY, MICHIGAN, ORDAINS:

Section 1: Adoption of Code: The 2015 NFPA Fire Code, including Annexes A through F, as published by the NFPA, is hereby adopted as the Fire Code of Windsor Charter Township (the “Code”). All of the regulations, provisions, penalties, conditions and terms of the Code are hereby referred to, adopted, and made a part hereof, as if fully set out in this Ordinance, with the amendments as set forth in Section 3. A copy of the Code shall be kept on file in the offices of the Windsor Township Emergency Services, and may be inspected during regular business hours.

Section 2: Scope and General Requirements: These regulations shall be known as the Fire Code of Windsor Charter Township. The Fire Code shall apply unless a higher requirement or standard of state law applies. Such state law shall be construed as part of the Fire Code as if fully set forth herein, and shall be enforceable as part of the Fire Code of Windsor Charter Township.

Section 3: Amendments to Code: The following sections of the 2015 NFPA Fire Code are hereby amended as follows:

A. Section 1.1.2-Title. These regulations shall be known as the Fire Code of the Charter Township of Windsor, hereafter referred to as the “Code.”

B. Section 1.6 – Enforcement. The Fire Chief or designee is authorized to render interpretations of this Code and to make and enforce rules and supplemental regulations in order to carry out the application and intent of its provisions. Such interpretations, rules and regulations shall be in conformance with the intent and purpose of this Code. Any new rules and regulations may be recorded in the Windsor Township Emergency Services Supplemental Rules & Regulations. The supplemental rules and regulations shall be kept on file in the offices of Windsor Township Emergency Services, and may be inspected during regular business hours.

C. Section 1.7.1.1 – Authority. The Fire Chief or designee is hereby authorized to enforce the provisions of this Code and shall have the authority to render interpretations of this Code, and to adopt policies, rules and regulations in order to clarify the application of the Code. Such interpretations, policies and procedures, rules and regulations shall be in compliance with the intent and purpose of this Code and shall not have the effect of waiving requirements specifically provided for in this Code, as amended.

D. Section 1.7.14 – Certificate of Occupancy. Occupancy of any structure is prohibited until a Final Certificate of Occupancy is issued. A Final Certificate of Occupancy shall be reviewed and approved by the Fire Chief or his or her designated agent after meeting the requirements provided by the Windsor Township Emergency Services Supplemental Rules & Regulations.

E. Section 1.12.8 – Permits. Permits shall be required in accordance with the Windsor Township Emergency Services Supplemental Rules & Regulations.

F. Section 1.16.4.1 – Penalties. Persons who shall violate a provision of this code or shall fail to comply with any of the requirements thereof or who shall erect, install, alter, repair or do work in violation of the approved construction documents or directive of the Fire Chief or designee, or of a permit or certificate used under the provisions of this Code, may be subject to a Municipal Civil Infraction. Each day that a violation continues after notice has been served shall be deemed a separate offense.

G. Section 17.3.4.4.1. Explosives and Fireworks. The sale, display, storage, transportation, or distribution of fireworks shall comply with the Windsor Township Emergency Services Supplemental Rules & Regulations.

H. Section 18.2.3.1.5. Marking of Fire Department Access Road. Fire Department access roads shall be marked in accordance with the requirements of the Windsor Township Emergency Services Supplemental Rules & Regulations.

Section 4: Enforcement of Code: The Township hereby assumes the right and authority to administer and enforce this Ordinance, the Windsor Township Emergency Services Supplemental Rules & Regulations, and the 2015 NFPA Fire Code in all manners authorized by law.

Section 5: Conflict with Code: Where provisions of the 2015 NFPA Fire Code are in conflict with other Windsor Charter Township ordinances, the requirements in the other ordinances shall apply.

Section 6: Severability: The provisions of this Ordinance are hereby declared to be severable and if any part is declared invalid for any reason by a court of competent jurisdiction it shall not affect the remainder of the Ordinance which shall continue in full force and effect.

Section 7: Effective Date: This Ordinance shall take effect thirty (30) days following publication or posting after final adoption by the Windsor Charter Township Board.

YEAS: Blair, Kandler, Braman, Dailey, Piper and Myers.

NAYS: None.

ABSENT/ABSTAIN: None.

INTRODUCED FOR FIRST READING, POSTING, PUBLICATION AND SUBSEQUENT
FINAL ADOPTION.