AN ORDINANCE

of the City Council of the City of Berkley, Michigan to Repeal and Replace Article II of Chapter 50, Fire Prevention Code, of the City of Berkley Code of Ordinances to Adopt the 2015 International Fire Code, and to Prescribe Penalties for Violations.

THE CITY OF BERKLEY ORDAINS:

SECTION 1: Article II of Chapter 50 of the Berkley Code of Ordinances shall be repealed in its entirety and replaced with the following new Article II, as follows:

ARTICLE II. - FIRE PREVENTION CODE

Sec. 50-31. - Adoption of the 2015 International Fire Code.

The city hereby adopts by reference the 2015 International Fire Code, including Appendices B, C, D, E, F, G, H and I for the purpose of regulating the safe guarding of life and property from fire and explosion hazards arising from the storage, handling, and use of hazardous substances, materials, and devices.

Sec. 50-32. - Code on file.

Copies of the International Fire Code are on file and available for public inspection at the building department and the library.

Sec. 50-33. - Building code board of appeals.

The building code board of appeals is hereby constituted as the fire code board of appeals.

Sec. 50-34. - Blanks in code to be filled in.

The following blanks in the 2015 International Fire Code shall be filled in as follows:

(1) The words “the City of Berkley, Michigan” shall be inserted into Section 101.1.

(2) The words “municipal civil infraction punishable by a civil fine of not more than $500, and/or such other sanctions and remedies as prescribed in Article IX of Chapter 82 of the Code of Ordinances” shall be inserted into Section 109.4.

(3) The words “zero” and “$500” shall be inserted into Section 111.4.

Sec. 50-35. - Geographic limits.

The geographic limits referred to in certain sections of the 2015 International Fire Code are hereby established as follows:

(1) The words “The storage of Class I and Class II liquids in above ground tanks outside of buildings is prohibited except in the Eleven Mile District and shall not
be closer than 200 feet to a residential district” shall be inserted into Section 5704.2.9.6.1.

(2) The words “The storage of Class I and Class II liquids in above-ground tanks is prohibited except in the Eleven Mile District and shall not be closer than 200 feet to a residential district” shall be inserted into Section 5706.2.4.4.

(3) The words “The storage of flammable cryogenic fluids in stationary containers is prohibited except in the Eleven Mile District and shall not be closer than 200 feet to a residential district” shall be inserted into Section 5806.2.

(4) The words “The storage of liquefied petroleum gas is restricted for the protection of heavily populated or congested areas to the Eleven Mile District and shall not be closer than 200 feet to a residential district” shall be inserted into Section 6104.2.

SECTION 2: Severability Clause

Should any word, phrase, sentence, paragraph, or section of this Ordinance be held invalid or unconstitutional, the remaining provisions of this ordinance shall remain in full force and effect.

SECTION 3: Penalty

All violations of this ordinance shall be municipal civil infractions and upon a determination of responsibility therefore shall be punishable by a civil fine of not more than $500, and/or such other sanctions and remedies as prescribed in Article IX of Chapter 82 of the Code of Ordinances.

SECTION 4: Effective Date

This Ordinance shall become effective 30 days following the date of adoption.

SECTION 5: Publication

The City Council directs the City Clerk to publish a summary of this ordinance in compliance with Public Act 182 of 1991, as amended, and Section 6.5 of the Berkley City Charter.

Introduced on the First Reading at the Regular City Council Meeting on Monday, May 4, 2020.

Passed on the Second Reading at the Regular City Council Meeting on Monday, May 18, 2020.

Attest:

Victoria Mitchell
City Clerk

Mayor