

ORDINANCE NO. 1017

AN ORDINANCE OF THE CITY OF KETCHUM, IDAHO, REPEALING ORDINANCE NO. 909 IN ITS ENTIRETY AND ADOPTING THE 2006 EDITION OF THE INTERNATIONAL FIRE CODE INCLUDING APPENDIX CHAPTERS B, D AND F, REGULATING THE SAFEGUARDING OF LIFE AND PROPERTY FROM FIRE AND EXPLOSION HAZARDS ARISING FROM THE STORAGE, HANDLING AND USE OF HAZARDOUS SUBSTANCES, MATERIALS AND DEVICES, AND FROM CONDITIONS HAZARDOUS TO LIFE OR PROPERTY IN THE OCCUPANCY OF BUILDINGS AND PREMISES IN THE CITY OF KETCHUM; PROVIDING FOR THE ISSUANCE OF PERMITS AND COLLECTION OF FEES; PROVIDING A SAVINGS AND SEVERABILITY CLAUSE; PROVIDING A CODIFICATION CLAUSE; PROVIDING A REPEALER CLAUSE; PROVIDING FOR PUBLICATION BY SUMMARY; AND PROVIDING FOR AN EFFECTIVE DATE.

NOW THEREFORE BE IT ORDAINED by the Mayor and City Council of the City of Ketchum, Idaho:

Section 1. That Ordinance #909 is hereby repealed in its entirety and that a certain document, one (1) copy of which is available for review in City Hall of the City of Ketchum, being marked and designated as the International Fire Code, 2006 Edition, including Appendix Chapters B, D and F, as published by the International Code Council, be and is hereby adopted as the Fire Code of the City of Ketchum, in the State of Idaho regulating and governing the safeguarding of life and property from fire, explosions and hazards arising from the storage, handling and use of hazardous substances, materials and devices, and from conditions hazardous to life or property in the occupancy of buildings and premises as herein provided; providing for issuance of permits and collection of fees therefore; and each and all of the regulations, provisions, penalties, conditions and terms of said Fire Code on file in the office of the City Clerk in the City of Ketchum are hereby referred to, adopted, and made a part hereof, as if fully set out in this ordinance, with the additions, insertions, deletions and changes, if any, prescribed in Section 2 of this ordinance.

Section 2. That the following sections of the International Fire Code, 2006 Edition are hereby revised:

A. That said International Fire Code Section 105 is hereby amended by deleting Sections 105.4.1 and 105.4.6 and adding new Sections 105.4.1 and 105.4.6, as follows:

105.4.1 Fire Department Inspection and Approvals. One (1) copy of all plans and specifications for all occupancy groups shall be submitted to the Fire Department before review thereof by the Building Official. Fire Department review shall normally be completed within fifteen (15) business days. Exceptions to the fifteen (15) business day review may be made where in the opinion of the Fire Chief, the plans submitted are too complex and additional time for review is required. Construction shall not commence until approval of the Fire Department is obtained. Approval for occupancy shall also be obtained from the Fire Department after completion of construction, which approval shall not be given until all "on-

site” requirements have been met and inspected and tested for operation.

105.4.6 Plan Check Fees, Permit Fees, Inspection and Re-inspection Charges, Fee for Use of Fire Equipment, and Other Fees and Charges.

1. For every permit issued under the Official Fire Code of the City of Ketchum, Idaho, as amended, a fee therefore shall be charged by and paid in advance to the Fire Department.

2. For every initial plan check for issuance of a permit by the Fire Department, a fee therefore shall be paid to the Fire Department.

3. For every inspection and test of fire extinguishing systems or equipment by the Fire Department, a fee therefore shall be paid to the Fire Department.

4. For each additional plan check for issuance of a permit, inspection and/or test of any system by the Fire Department, an additional fee shall be paid to the Fire Department.

5. For every fire clearance certificate issued by the Fire Department, a fee therefore shall be paid to the Fire Department.

6. For use of Fire Department fire equipment and/or use of Fire Department personnel, a fee therefore shall be paid to the Fire Department.

7. For any checks, inspections or tests of systems or structures that must be completed on the building site, the person seeking said check, inspection or test shall schedule with the City of Ketchum Fire Department for such check, inspection or test at least twenty-four (24) hours prior to the described time for said check, inspection or test.

8. The City of Ketchum Fire Department, upon payment of fees as set forth in the City of Ketchum Fire Department Fee Schedule, and scheduling of, shall check, inspect and/or test the system and/or premises at the next possible opportunity arising during any weekday from nine o'clock a.m. to five o'clock p.m. The City of Ketchum Fire Department shall, prior to the check, inspection or test, give notice to the applicant of when the check, inspection and/or test of the system or premises will take place.

9. The applicant or an authorized agent shall be at the site at the time of any test of systems or structures that must be completed on the building site. In the event the applicant, or an authorized agent, is not at the building site at the specified time, the initial inspection fee may be forfeited and a new application, with an additional initial fee, may be required before the check, inspection and/or test of the system or premises will take place.

10. Fees to be charged for the services set forth above including fees for all permits, plan checks, certificates, and for use of Fire Department fire equipment shall be as set by Resolution of the Ketchum City Council for the City of Ketchum Fire Department Fee Schedule.

B. That said International Fire Code is hereby amended by deleting Section 108.1 in its entirety and adopting a new Section 108.1, as follows:

108.1 Appeals. To determine the suitability of alternate materials and types of construction and to provide for reasonable interpretations of the provisions of this Code, there shall be and hereby is created a Board of Appeals consisting of five (5) members who are qualified by experience and training to pass judgment upon pertinent matters. The Fire Chief shall be an *ex officio* member and

shall act as secretary of the board. The Board of Appeals shall be appointed by the City Council and hold office at their pleasure. All appeals from a decision of the Fire Chief shall be made by the aggrieved party to the Board of Appeals by delivering a copy of said appeal to the Ketchum City Clerk in writing within fifteen (15) days of the date of notification of the decision by the Fire Chief to the aggrieved party. Said written notice of appeal shall contain a written statement of the decision being appealed and the basis of the appeal. The Board of Appeals shall hold a due process hearing and make its decision with written findings of fact and conclusions of law within thirty (30) days from the date that the notice of appeal is filed. The Fire Chief, Fire Code Official or any party aggrieved by decision of the Board of Appeals shall file an appeal to the Ketchum City Council by delivering a written notice of appeal to the Ketchum City Clerk within fifteen (15) days of the date of notification of a decision of the Board of Appeals. The Ketchum City Council shall hear the appeal based on the record before the Board of Appeals and shall hold a due process hearing and render its decision with written findings of fact and conclusions of law within sixty (60) days of the date of the filing of the notice of appeal. Any party aggrieved by the decision of the Ketchum City Council shall file an appeal with a court of competent jurisdiction within sixty (60) days of notification of the decision by the Ketchum City Council. Any decision not appealed within the time periods set forth herein shall be final and not subject to review.

C. That said International Fire Code is hereby amended by adding a new Section 109.3 as follows:

109.3 Violation 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 code official, or of a permit or certificate used under provisions of this code, shall be guilty of a misdemeanor, punishable by a fine of not more than one thousand dollars (\$1,000) or by imprisonment not exceeding six (6) months, or both such fine and imprisonment. Each day that a violation continues after due notice has been served shall be deemed a separate offense.

109.3.1 Abatement of violation.

In addition to the imposition of the penalties herein described, the fire code official is authorized to institute appropriate action to prevent unlawful construction or to restrain, correct or abate a violation; or to prevent illegal occupancy of a structure or premises; or to stop an illegal act, conduct of business or occupancy of a structure on or about any premises.

D. That said International Fire Code is hereby amended by adding a new Section 505.3 as follows:

505.3 Physical addresses. Actual address numbers for all buildings and individual units in multi-unit buildings shall be issued by the City of Ketchum Addressing Officer and approved by the Fire Chief.

E. That said International Fire Code is hereby amended by deleting Section 903 in its entirety and adopting a new Section 903, as follows:

SECTION 903 AUTOMATIC SPRINKLER SYSTEMS

903.1 An approved fire sprinkler system shall be installed throughout all new buildings with 6,000 or more square feet of floor area or as contained in the following chapter. For purposes of this Chapter, Fire Walls shall not define separate buildings.

903.1 General. Automatic sprinkler systems shall comply with this section.

903.1.1 Alternative protection. Alternative automatic fire-extinguishing systems complying with Section 904 shall be permitted in lieu of automatic sprinkler protection where recognized by the applicable standard and approved by the Fire Chief.

903.2 Where required. Approved automatic sprinkler systems in new buildings and structures shall be provided in the locations described in this section.

Exception: Spaces or areas in telecommunication buildings used exclusively for telecommunication equipment, associated electrical power distribution equipment, batteries and standby engines, provided those spaces or areas are equipped throughout with an automatic fire alarm system and are separated from the remainder of the building by fire barriers consisting of not less than one (1) hour fire-resistance-rated walls and two (2) hour fire-resistant-rated floor/ceiling assemblies.

903.2.1 Group A. An automatic sprinkler system shall be provided throughout buildings and portions thereof used as Group A occupancies as provided in this section. For Group A-1, A-2, A-3, and A-4 occupancies, the automatic sprinkler system shall be provided throughout the floor area where the Group A-1, A-2, A-3 or A-4 occupancy is located, and in all floors between the Group A occupancy and the level of exit discharge. For group A-5 occupancies, the automatic sprinkler system shall be provided in the spaces indicated in Section 903.2.1.5.

903.2.1.1 Group A-1. An automatic sprinkler system shall be provided for Group A-1 occupancies where one of the following conditions exists:

1. The fire area exceeds 6,000 square feet (557 m²);
2. The fire area has an occupant load of 300 or more;
3. The fire area is located on a floor other than the level of exit discharge; or,
4. The fire area contains a multi-theater complex.

903.2.1.2 Group A-2. An automatic sprinkler system shall be provided for Group A-2 occupancies where one of the following conditions exists:

- a. The fire area exceeds 5,000 square feet (464.5 m²);
- b. The fire area has an occupant load of 100 or more; or,
- c. The fire area is located on a floor other than the level of exit discharge.

903.2.1.3 Group A-3. An automatic sprinkler system shall be provided for Group A-

3 occupancies where one of the following conditions exists:

- a. The fire area exceeds 6,000 square feet (557 m²);
- b. The fire area has an occupant load of 300 or more; or,
- c. The fire area is located on a floor other than the level of exit discharge.

Exception: Areas used exclusively as participant sports areas where the main floor area is located at the same level as the level of exit discharge of the main entrance and exit.

903.2.1.4 Group A-4. An automatic sprinkler system shall be provided for Group A-4 occupancies where one of the following conditions exists:

- a. The fire area exceeds 6,000 square feet (557 m²);
- b. The fire area has an occupant load of 300 or more; or,
- c. The fire area is located on a floor other than the level of exit discharge.

Exception: Areas used exclusively as participant sports areas where the main floor area is located at the same level as the level of exit discharge of the main entrance and exit.

903.2.1.4 Group A-5. An automatic sprinkler system shall be provided in concession stands, retail areas, press boxes, and other accessory use areas in excess of 1,000 square feet (93 m²).

903.2.2 Group E. An automatic sprinkler system shall be provided for Group E occupancies, as follows:

1. Throughout all Group E fire areas greater than 6,000 square feet (557 m²) in area.
2. Throughout every portion of educational buildings below the level of exit discharge.

Exception: An automatic sprinkler system is not required in any fire area or area below the level of exit discharge where every classroom throughout the building has at least one (1) exterior exit door at ground level.

903.2.3 Group F-1. An automatic sprinkler system shall be provided throughout all buildings containing a Group F-1 occupancy where one of the following conditions exist:

1. Where a Group F-1 fire area exceeds 6,000 square feet (557 m²);
2. Where a Group F-1 fire area is located more than three (3) stories above grade plane; or,
3. Where the combined area of all Group F-1 fire areas on all floors, including any mezzanines, exceeds 6,000 square feet (557 m²).

903.2.3.1 Woodworking operations. An automatic sprinkler system shall be provided throughout all Group F-1 occupancy fire areas that contain woodworking operations in excess of 2,500 square feet in area (232 m²) which generate finely divided combustible waste or which use finely divided combustible materials.

903.2.4 Group H. Automatic sprinkler systems shall be provided in high-hazard occupancies as required in Sections 903.2.4.1 through 903.2.4.3.

903.2.4.1 General. An automatic sprinkler system shall be installed in Group H occupancies.

903.2.4.2 Group H-5 occupancies. An automatic sprinkler system shall be installed throughout buildings containing Group H-5 occupancies. The design of the sprinkler system shall not be less than that required under the *International Building Code* for the occupancy hazard classifications in accordance with Table 903.2.4.2.

Where the design area of the sprinkler system consists of a corridor protected by one (1) row of sprinklers, the maximum number of sprinklers required to be calculated is thirteen (13).

**TABLE 903.2.4.2
GROUP H-5 SPRINKLER DESIGN CRITERIA**

LOCATION	OCCUPANCY HAZARD CLASSIFICATION
Fabrication areas	Ordinary Hazard Group 2
Service corridors	Ordinary Hazard Group 2
Storage rooms without dispensing	Ordinary Hazard Group 2
Storage rooms with dispensing	Extra Hazard Group 2
Corridors	Ordinary Hazard Group 2

903.2.4.3 Pyroxylin plastics. An automatic sprinkler system shall be provided in buildings, or portions thereof, where cellulose nitrate film or pyroxylin plastics are manufactured, stored or handled in quantities exceeding 100 pounds (45 kg).

903.2.5 Group I. An automatic sprinkler system shall be provided throughout buildings with a Group I fire area.

Exception: An automatic sprinkler system installed in accordance with Section 903.3.1.2 or 903.3.1.3 shall be allowed in Group I-1 facilities.

903.2.6 Group M. An automatic sprinkler system shall be provided throughout buildings containing a Group M occupancy where one of the following conditions exists:

1. Where a Group M fire area exceeds 6,000 square feet (557 m²);
2. Where a Group M fire area is located more than three (3) stories above grade; or,
3. Where the combined area of all Group M fire areas on all floors, including any mezzanines, exceeds 6,000 square feet (557 m²).

903.2.6.1 High-piled storage. An automatic sprinkler system shall be provided as required in Chapter 23 in all buildings of Group M where storage of merchandise is in high-piled or rack storage arrays.

903.2.7 Group R. An automatic sprinkler system installed in accordance with Section 903.3 shall be provided throughout all new buildings exceeding 6,000 square feet with a Group R fire area. Automatic fire sprinklers shall be provided in all occupancies attached to and part of Group R fire areas including garages when the total square footage of the Group R occupancy and of all attached occupancies exceeds 6,000 square feet.

Exception: When an addition to an existing detached one- or two- family dwelling or multiple single-family dwellings (townhouses) not more than three stories above grade plane in height with separate means of egress increases the area of the building to 6,000 square feet or more.

903.2.8 Group S-1. An automatic sprinkler system shall be provided throughout all buildings containing a Group S-1 occupancy where one of the following conditions exist:

1. Where a Group S-1 fire area exceeds 6,000 square feet (557 m²);
2. Where a Group S-I fire area is located more than three (3) stories above grade; or,
3. Where the combined area of all Group S-1 fire areas on floors, including any mezzanines, exceeds 6,000 square feet (557 m²).

903.2.8.1 Repair garages. An automatic sprinkler system shall be provided throughout all buildings used as repair garages in accordance with the *International Building Code*, as follows:

- a. Buildings two (2) or more stories in height, including basements, with a fire area containing a repair garage exceeding 6,000 square feet (557 m²).
- b. One-story buildings with a fire area containing a repair garage exceeding 6,000 square feet (557 m²).
- c. Buildings with a repair garage servicing vehicles parked in the basement.

903.2.8.2 Bulk storage of tires. Buildings and structures where the area for the storage of tires exceeds 20,000 cubic feet (566 m²) shall be equipped throughout with an automatic sprinkler system in accordance with Section 903.3.1.1.

903.2.9 Group S-2. An automatic sprinkler system shall be provided throughout buildings classified as an enclosed parking garage in accordance with the *International Building Code* or where located beneath other groups.

903.2.9.1 Commercial parking garages. An automatic sprinkler system shall be provided throughout buildings used for storage of commercial trucks or buses where the fire area exceeds 5,000 square feet (464 m²).

903.2.10 All occupancies. An automatic sprinkler system shall be installed in the locations set forth in Sections 903.2.10.1 through 903.2.10.1.3.

903.2.10.1 Stories and basements without openings. An automatic sprinkler system shall be installed in every story or basement of all buildings where the floor area exceeds 1,500 square feet (139.4 m²) and where there is not provided at least one of the following types of exterior wall openings:

a. Openings below grade that lead directly to ground level by an exterior stairway complying with Section 1009 or an outside ramp complying with Section 1010. Openings shall be located in each fifty (50) linear feet (15,240 mm), or fraction thereof, of exterior wall in the story on at least one (1) side.

b. Openings entirely above the adjoining ground level totaling at least twenty (20) square feet (1.86 m²) in each fifty (50) linear feet (15,240 mm), or fraction thereof, of exterior wall in the story on at least one (1) side.

903.2.10.1.1 Opening dimensions and access. Openings shall have a minimum dimension of not less than thirty (30) inches (762 mm). Such openings shall be accessible to the Fire Department from the exterior and shall not be obstructed in a manner that fire fighting or rescue cannot be accomplished from the exterior.

903.2.10.1.2 Openings on one (1) side only. Where openings in a story are provided on only one (1) side and the opposite wall of such story is more than seventy-five (75) feet (22,860 mm) from such openings, the story shall be equipped throughout with an approved automatic sprinkler system or openings as specified above shall be provided on at least two (2) sides of the story.

903.2.10.1.3 Basement. Where any portion of a basement is located more than seventy-five (75) feet (22,860 mm) from openings required by Section

903.2.10.1, the basement shall be equipped throughout with an approved automatic sprinkler system.

903.2.10.2 Rubbish and linen chutes. An automatic fire sprinkler system shall be installed at the top of rubbish and linen chutes and in their terminal rooms. Chutes extending through three (3) or more floors shall have additional sprinkler heads installed within such chutes at alternate floors. Chute sprinklers shall be accessible for servicing.

903.2.10.3 Buildings more than fifty-five (55) feet in height. An automatic sprinkler system shall be installed throughout buildings with a floor level having an occupant load of thirty (30) or more that is located fifty-five (55) feet (16,764 mm) or more above the lowest level of Fire Department vehicle access.

Exceptions:

1. Airport control towers.
2. Open parking structures.

903.2.11 During construction. Automatic sprinkler systems required during construction, alteration and demolition operations shall be provided in accordance with Section 1413.

903.2.12 Other hazards. Automatic sprinkler protection shall be provided for the hazards indicated in Sections 903.2.12.1 and 903.2.12.2.

903.2.12.1 Ducts conveying hazardous exhausts. Where required by the *International Mechanical Code*, automatic sprinklers shall be provided in ducts conveying hazardous exhaust, flammable or combustible materials.

903.2.12.2 Commercial cooking operations. An automatic sprinkler system shall be installed in a commercial kitchen exhaust hood and duct system where an automatic sprinkler system is used to comply with Section 904.

903.2.13 Other required suppression systems. In addition to the requirements of Section 903.2, the provisions indicated in Table 903.2.13 also require the installation of a suppression system for certain buildings and areas.

**TABLE 903.2.13
ADDITIONAL REQUIRED FIRE-EXTINGUISHING SYSTEMS**

SECTION	SUBJECT
914.2.1	Covered Malls
914.3.1	High rise buildings
914.4.1	Atriums
914.5.1	Underground structures

914.6.1	Stages
914.7.1	Special amusement buildings
914.8.2, 914.8.5	Aircraft hangers
914.9	Flammable finishes
914.10	Drying rooms
1024.6.2.3	Smoke-protected seating
1208.2	Dry cleaning plants
1208.3	Dry cleaning machines
1504.1	Spray finishing in Group A, E, I or R
1504.4	Spray booths and spray rooms
1505.2	Dip tank rooms in Group A, I or R
1505.4.1	Dip tanks
1505.9.4	Hardening and tempering tanks
1803.10	HPM facilities
1803.10.1.1	HPM work station exhaust
1803.10.2	HPM gas cabinets and exhausted enclosures
1803.10.3	HPM exit access corridors
1803.10.4	HPM exhaust ducts
1803.10.4.1	HPM noncombustible ducts
1803.10.4.2	HPM combustible ducts
1907.3	Lumber production conveyor enclosures
1908.7	Recycling facility conveyor enclosures
2106.1	Class A and B ovens
2106.2	Class C and D ovens
2209.3.2.6.2	Hydrogen motor fuel-dispensing area canopies
Table 2306.2	Storage fire protection
2306.4	Storage
2703.8.4.1	Gas rooms
2703.8.5.3	Exhausted enclosures
2704.5	Indoor storage of hazardous materials
2705.1.8	Indoor dispensing of hazardous materials
2804.4.1	Aerosol warehouses
2806.3.2	Aerosol display and merchandising areas
2904.5	Storage of more than 1,000 cubic feet of loose combustible fibers
3306.5.2.1	Storage of smokeless propellant
3306.5.2.3	Storage of small arms primers
3404.3.7.5.1	Flammable and combustible liquid storage rooms
3404.3.8.4	Flammable and combustible liquid storage warehouses
3405.3.7.3	Flammable and combustible liquid Group H-2 and H-3 areas
3704.1.2	Gas cabinets for highly toxic and toxic gas
3704.1.3	Exhausted enclosures for highly toxic and toxic gas
3704.2.2.6	Gas rooms for highly toxic and toxic gas

3704.3.3	Outdoor storage for highly toxic and toxic gas
4106.2.2	Exhausted enclosures or gas cabinets for silane gas
4204.1.1	Pyroxylin plastic storage cabinets
4204.1.3	Pyroxylin plastic storage vaults
4204.2	Pyroxylin plastic storage and manufacturing

For SI: 1 cubic foot = 0.023 m³.

903.3 Installation requirements. Automatic sprinkler systems shall be designed and installed in accordance with Sections 903.3.1 through 903.3.7.

903.3.1 Standards. Sprinkler systems shall be designed and installed in accordance with Sections 903.3.1.1, 903.3.1.2 or 903.3.1.3.

903.3.1.1 NFPA 13 sprinkler systems. Where the provisions of this Code require that a building or portion thereof be equipped throughout with an automatic sprinkler system in accordance with this section, sprinklers shall be installed throughout in accordance with NFPA 13 except as provided in Section 903.3.1.1.1.

903.3.1.1.1 Exempt locations. Automatic sprinklers shall not be required in the following rooms or areas where such rooms or areas are protected with an approved automatic fire detection system in accordance with Section 907.2 that will respond to visible or invisible particles of combustion. Sprinklers shall not be omitted from any room merely because it is of fire-resistance rated construction or contains electrical equipment.

1. Any room where the application of water, or flame and water, constitutes a serious life or fire hazard.

2. Any room or space where sprinklers are considered undesirable because of the nature of the contents, when approved by the Fire Chief.

3. Generator and transformer rooms separated from the remainder of the building by walls and floor/ceiling or roof/ceiling assemblies having a fire-resistance rating of not less than two (2) hours.

4. In rooms or areas that are of noncombustible construction with wholly noncombustible contents.

903.3.1.2 NFPA 13R sprinkler systems. Where allowed in buildings of Group R, up to and including four (4) stories in height, automatic sprinkler systems shall be installed throughout in accordance with NFPA 13R.

903.3.1.2.1 Balconies. Sprinkler protection shall be provided for exterior balconies and ground floor patios of dwelling units where the building is of Type V construction. Sidewall sprinklers that are used to protect such areas shall be permitted to be located such that their deflectors are within one (1) inch (25 mm) to six (6) inches (152 mm) below the structural members, and a maximum of fourteen (14) inches (356 mm) below the deck of the exterior

balconies that are constructed of open wood joist construction.

903.3.1.3 NFPA 13D sprinkler systems. Where allowed, automatic sprinkler systems installed in one- and two-family dwellings shall be installed throughout in accordance with NFPA 13D.

903.3.2 Quick-response and residential sprinklers. Where automatic sprinkler systems are required by this Code, quick-response or residential automatic sprinklers shall be installed in the following areas in accordance with Section 903.3.1 and their listings:

1. Throughout all spaces within a smoke compartment containing patient sleeping units in Group I-2 in accordance with the *International Building Code*.
2. Dwelling units and sleeping units in Group R and I-1 occupancies.
3. Light-hazard occupancies as defined in NFPA 13.

903.3.3 Obstructed locations. Automatic sprinklers shall be installed with due regard to obstructions that will delay activation or obstruct the water distribution pattern. Automatic sprinklers shall be installed in or under covered kiosks, displays, booths, concession stands, or equipment that exceeds four (4) feet (1,219 mm) in width. Not less than a three (3) foot (914 mm) clearance shall be maintained between automatic sprinklers and the top of piles of combustible fibers.

Exception: Kitchen equipment under exhaust hoods protected with a fire-extinguishing system in accordance with Section 904.

903.3.4 Actuation. Automatic sprinkler systems shall be automatically actuated unless specifically provided for in this Code.

903.3.5 Water supplies. Water supplies for automatic sprinkler systems shall comply with this section and the standards referenced in Section 903.3.1. The potable water supply shall be protected against backflow in accordance with the requirements of this section and the *International Plumbing Code*.

903.3.5.1 Domestic services. Where the domestic service provides the water supply for the automatic sprinkler system, the supply shall be in accordance with this section.

903.3.5.1.1 Limited area sprinkler systems. Limited area sprinkler systems serving fewer than twenty (20) sprinklers on any single connection are permitted to be connected to the domestic service where a wet automatic standpipe is not available. Limited area sprinkler systems connected to domestic water supplies shall comply with each of the following requirements:

1. Valves shall not be installed between the domestic water riser

control valve and the sprinklers.

Exception: An approved indicating control valve supervised in the open position in accordance with Section 903.4.

2. The domestic service shall be capable of supplying the simultaneous domestic demand and the sprinkler demand required to be hydraulically calculated by NFPA 13, NFPA 13R or NFPA 13D.

903.3.5.1.2 Residential combination services. A single combination water supply shall be permitted provided that the domestic demand is added to the sprinkler demand as required by NFPA 13R.

903.3.5.2 Secondary water supply. A secondary on-site water supply equal to the hydraulically calculated sprinkler demand, including the hose stream requirement, shall be provided for high-rise buildings in Seismic Design Category C, D, E or F as determined by the *International Building Code*. The secondary water supply shall have a duration of not less than thirty (30) minutes as determined by the occupancy hazard classification in accordance with NFPA 13.

Exception: Existing buildings.

903.3.6 Hose threads. Fire hose threads used in connection with automatic sprinkler systems shall be as prescribed by the fire code official.

903.3.7 Fire Department connections. Fire Department Connections to all automatic fire sprinkler systems are required in the City of Ketchum. The location of Fire Department Connections shall be approved by the Fire Chief.

903.3.8 Fire Protection Equipment. All required fire protection systems and equipment, including standpipe systems, shall be installed by an approved Licensed Contractor for the type of equipment being installed. Licensed Contractors shall provide certification and licensure documentation to the Fire Chief upon request. Submittal of construction documents, meeting the requirements of the 2006 IFC Section 105, for approval by the Fire Chief is required before commencing installation of any required fire protection system or equipment including standpipe systems.

903.4 Sprinkler system monitoring and alarms. All valves controlling the water supply for automatic sprinkler system pumps, tanks, water levels and temperatures, critical air pressures, and water-flow switches on all sprinkler systems shall be electrically supervised.

Exceptions:

1. Jockey pump control valves that are sealed or locked in the open position.
2. Control valves to commercial kitchen hoods, paint spray booths or dip tanks that are sealed or locked in the open position.
3. Valves controlling the fuel supply to fire pump engines that are sealed or locked in the open position.
4. Trim valves to pressure switches in dry, pre-action and deluge sprinkler systems that are sealed or locked in the open position.

903.4.1 Signals. Alarm, supervisory and trouble signals shall be distinctly different and shall be automatically transmitted to an approved central station, remote supervising station or proprietary supervising station as defined in NFPA 72.

Exceptions:

1. Underground key or hub valves in roadway boxes provided by the municipality or public utility are not required to be monitored.
2. Backflow prevention device test valves, located in limited area sprinkler system supply piping, shall be locked in the open position. In occupancies required to be equipped with a fire alarm system, the backflow preventer valves shall be electrically supervised by a tamper switch installed in accordance with NFPA 72 and separately annunciated.

903.4.2 Alarms: Approved audible devices shall be connected to every automatic sprinkler system. Such sprinkler water-flow alarm devices shall be activated by water flow equivalent to the flow of a single sprinkler of the smallest orifice size installed in the system. Alarm devices shall be provided on the exterior of the building in an approved location. Where a fire alarm system is installed, actuation of the automatic sprinkler system shall actuate the building fire alarm system.

903.4.3 Floor control valves. Approved supervised indicating control valves shall be provided at the point of connection to the riser on each floor in high-rise buildings.

903.5 Testing and maintenance. Sprinkler systems shall be tested and maintained in accordance with Section 901 of the International Fire Code, 2006 Edition. All fire sprinkler systems shall meet NFPA 13 hydrotesting requirements as well as a final entire system hydrotest as determined by the Fire Chief. Inspections and testing of fire suppression systems shall be scheduled twenty-four (24) hours in advance at a minimum.

903.6 Existing buildings. The provisions of this section are intended to provide a reasonable degree of safety in existing structures not complying with the minimum requirements of the *International Building Code* by requiring installation of an automatic fire-extinguishing system.

903.6.3 Pyroxylin plastics. All structures occupied for the manufacture or storage of articles of cellulose nitrate (pyroxylin) plastic shall be equipped with an approved automatic fire-extinguishing system. Vaults located within buildings for the storage of raw pyroxylin shall

be protected with an approved automatic sprinkler system capable of discharging 1.66 gallons per minute per square foot (68 L/min/m²) over the area of the vault.

903.7 Construction documents. Two (2) copies of construction documents, including hydraulic calculations and device specifications, for all fire sprinkler systems shall be submitted for review and approval prior to system installation. Fire Department review and approval shall normally be completed within fifteen (15) calendar days. Exceptions to the fifteen (15) calendar day review may be made where in the opinion of the Fire Chief, the plans submitted are too complex and additional time for review is required. Construction shall not commence until approval and a permit from the Fire Department is obtained.

E. That said International Fire Code is hereby amended by deleting Section 907 in its entirety and adopting a new Section 907, as follows:

SECTION 907 FIRE ALARM SYSTEMS

907.1 Scope. This section governs the application, installation, performance and maintenance of fire alarm systems and their components in all occupancies as specified herein. The regulations contained in this section require the installation of electrically supervised fire alarm systems and automatic and manual fire alarm systems. Fire alarm systems shall be in accordance with this section.

907.2 Definitions.

Alarm Signal is an audible or visual signal, or both, indicating the existence of an emergency fire condition. Audible devices may be bells, horns, chimes, speakers or similar devices. Voice alarms and their messages shall be approved by the Fire Chief.

Alarm System is a combination of approved compatible devices with the necessary electrical interconnection and energy to produce an alarm signal in the event of fire or system activation.

Annunciator is equipment which indicates the zone or area of a building from which an alarm has been initiated, the location of an alarm initiating device or the operational condition of the circuits of the system.

Compatible means tested by a nationally recognized testing agency to function properly with the control unit monitoring system.

Control Unit is a unit comprising the controls, relays, switches and associated circuits necessary to (1) distribute power to a fire alarm system, (2) receive signals from alarm initiating devices and transmit them to alarm signaling devices and accessory equipment and, (3) electrically supervise the system circuitry.

False Alarms - An alarm signal necessitating response by the Ketchum Fire Department where an emergency does not exist. False alarms shall be classified as follows:

1. **Nuisance Alarms** - Alarms caused by factors which the alarm system is not intended to be activated by. This category shall include, but is not limited to, alarms caused by cooking smoke, inadequate housekeeping, construction dusts, and related building operations causing alarms.

2. **Intentional Alarms** - Alarm system activation or alarm signal transmission by any person knowingly, willingly, or recklessly when no emergency exists. This category shall include, but is not limited to, the activation of manual fire alarm pull stations; discharge of fire-extinguishing equipment or appliances; or activation of an alarm system in violation of orders issued under Section 109.3 of this ordinance.

3. **Equipment Malfunction** - An alarm caused by the failure of an alarm system or failure of peripheral equipment, causing or allowing an alarm signal transmission.

4. **Undetermined Cause** - An alarm system activation or transmission of an alarm signal for which the cause cannot or has not been determined by responding personnel and for which there is no apparent cause and alarms due to failure to maintain alarm systems in violation of orders issued under provisions of this ordinance.

5. **Good Intent** - This category shall include, but is not limited to, alarms transmitted by an individual believing an emergency condition exists. Such alarms under this category shall not be held to constitute a violation of this ordinance.

Initiating Device is any manually or automatically operated equipment which, when activated, initiates an alarm through an alarm signaling device.

Inspection Contract - An agreement in writing with an alarm company to perform testing and inspection of a required fire alarm system for a certain contractual period of time. Such contract may include repair, installation and/or relocation of equipment, as necessary.

Maintenance Contract - An agreement in writing with an alarm company to perform repair, service and maintenance. Maintenance contracts may be required at the discretion of the Fire Chief for alarm systems shown to be subject to repeated false alarms. Such contract may include inspection, testing, installation and/or relocation of equipment, as necessary.

Required Fire Alarm - A monitored fire or smoke detection system required by this ordinance.

Signaling Device is equipment that produces an approved alarm signal.

Smoke Detector is an approved device which senses visible or invisible particles of combustion. The detector shall bear a label or other identification issued by an approved testing agency having a service for inspection of materials and workmanship at the factory during fabrication and assembly.

Zone is a building or defined area of a building as approved by the Fire Chief for purposes of identifying locations.

907.3 Fire Department Inspection and Approvals.

907.3.1 Construction documents. Two (2) copies of construction documents for fire alarm systems shall be submitted for review and approval prior to system installation. Fire Department review and approval shall normally be completed within fifteen (15) calendar days. Exceptions to the fifteen (15) calendar day review may be made where in the opinion of the Fire Chief, the plans submitted are too complex and additional time for review is required. Construction shall not commence until approval and a permit from the Fire Department is obtained. Construction documents shall include, but are not be limited to, all of the following:

1. A floor plan which indicates the use of all rooms.
2. Locations of alarm-initiating and notification devices.
3. Alarm control and trouble signaling equipment.
4. Annunciation.
5. Power connection.
6. Battery calculations.
7. Conductor type and sizes.
8. Voltage drop calculations.
9. Manufacturers, model numbers and listing information for equipment, devices and materials.
10. Details of ceiling height and construction.
11. The interface of fire safety control functions.

907.3.2 Systems

1. **Equipment.** Systems and their components shall be listed and approved for the purpose for which they are installed.
2. **System Design.** Fire alarm systems, automatic fire detectors, emergency voice/alarm communication systems and notification devices shall be designed, installed and maintained in accordance with NFPA 72 and other nationally recognized standards.
3. **Acceptance Test.** Upon completion of the installation or alteration, a satisfactory test of the entire system shall be made in the presence of the Fire Chief or an appointee. All functions of the system or alterations shall be tested. Inspections and testing shall be scheduled twenty-four (24) hours in advance at a minimum.
4. **Certification.** The permittee shall provide written certification to the Fire Department that the system has been installed in accordance with the approved plans and specifications.
5. **Location/Security.** The alarm control unit, remote enunciator panel and access keys to locked fire alarm equipment shall be installed and maintained in a location approved by the Fire Chief.
6. **Instructions.** Written operating instructions shall be provided at a location approved by the Fire Chief.
7. **Key Boxes.** An appropriately sized approved key box shall be provided in a location

approved by the Fire Chief for all monitored alarm systems.

907.4 Required Installations

1. An approved monitored automatic fire alarm system shall be installed in the following locations;

(a) In Zoning Districts **CC, LI-1, LI-2, LI-3, T, T-3000, and T-4000** every new building constructed for nonresidential occupancy, including buildings with sleeping quarters as a secondary use.

(b) In Zoning Districts **CC, GR-H, STO-H, T-3000 and T-4000** every new building constructed for any residential use, and over 4,000 square feet in floor area, and every newly constructed hotel, motel, apartment house or lodge of any size.

(c) In Zoning districts **CC, GR-H, STO-H, LI-1, LI-2, LI-3, T, T-3000 and T-4000** every existing dwelling or commercial unit within a building that is altered or changed, when such modifications exceed Fifteen Thousand Dollars (\$15,000.00) in value. (Cosmetic modifications such as painting, decorative window and floor coverings and furniture shall not be considered as contributing to the Fifteen Thousand Dollar (\$15,000.00) value limit). Said systems must provide fire detection for the entire building, including the existing and new construction area, when the alteration or change affects more than fifty (50) percent of the units in that building.

Exception: A separate fire alarm system need not be installed in buildings which are protected throughout by an approved supervised fire sprinkler system conforming to NFPA standards 13, 13D or 13R and having a local alarm to notify all occupants.

Note: Group E, Group I, Group R-1 and Group R-2 occupancies are excluded from this exception.

907.5 Inspection, testing and maintenance

1. An annual inspection shall be performed on every required fire alarm system. Said inspection shall be performed to determine that the operation of the alarm system is in accordance with the manufacture's specifications, design and performance criteria. Tests shall be conducted to determine whether or not the system is free from ground faults, dead or intermittent shorts and that all self diagnostic functions are operable. Required fire alarm systems shall be tested in accordance with testing procedures adopted by the National Fire Protection Association. The owner of any alarm system, which is shown by such test not to be one hundred (100) percent operational, shall make such repairs as indicated by the test results.

2. A copy of such test and inspection report shall be maintained on the premises.

3. A maintenance contract may be required by the Fire Chief for alarm systems subject to false alarms in excess of Section 907.2 of this ordinance.

4. The maintenance contract shall provide for the following minimum services:

- (a) Repairs which may be necessary from time to time to maintain the reliability and integrity of the alarm system.
 - (b) Operational testing of system components shall occur on at least a semi-annual basis, including one hundred (100) percent of all peripheral devices over a period of one (1) year.
5. Trouble calls or service calls regarding an alarm system shall be made to an alarm company. Trouble or service calls shall be responded to within a reasonable time period as determined by the Fire Chief but in no case shall the response time exceed twenty-four (24) hours. If repair to a required fire alarm does not occur within seventy-two (72) hours, the Fire Chief may require a change in operation, or place specific restrictions or conditions on the owner including restrictions relating to the use of the building until such time as repairs are completed. Such special restrictions shall be made with consideration of the relative degree of hazard imposed by the nature of the alarm system's condition, and with respect to the nature of the building and its use.
6. Upon request of a Ketchum Fire Officer, a responsible party shall respond to the premises for the purpose of permitting access to determine the cause of the alarm, secure the property, or reset the alarm system. The City of Ketchum, Idaho shall not be held liable for any loss due to the failure of the responsible party to respond to the premises when requested to do so by a responding officer. Responsible parties shall respond in an expedient manner and shall arrive at the premises within one (1) hour of notification. For purposes of this section a responsible party shall be:
- 6.1 The owner of the property or business.
 - 6.2 The manager or authorized agent .
 - 6.3 The tenant.
 - 6.4 An employee of an alarm company under contract providing for such services.
7. It shall be the responsibility of the alarm system owner to provide for the required response in accordance with the above section, and to insure that the current information is provided to the Ketchum Communications Center on file at the respective alarm receiving station, including a list of responsible parties, phone numbers and current street and mailing addresses, locations of key boxes, sprinkler valves and alarm panels.
8. Operational testing of alarm systems shall be made only after notification has been given to the appropriate alarm monitoring facility. Notice shall be given to the Ketchum Communications Center both prior to the test and upon completion of the test. It shall be the responsibility of the person conducting the tests to advise tenants, building management and those normally responsible for and occupying the premises of the test in order to prevent unnecessary calls to the Ketchum Communications Center regarding audible signals.
9. **Fire Department Notifications.** The Fire Department Duty Officer shall be notified immediately whenever any required fire alarm system is placed temporarily out of service and upon restoration of service.

907.6 Performance Standards

1. All alarm systems shall be afforded a thirty (30) day adjustment period commencing with the date of activation or issuance of a Certificate of Occupancy in order that the system may be brought to maximum efficiency. During that period of time, no penalty shall be assessed against the

owner of the alarm system for system malfunctions. Intentionally caused false alarms, unauthorized service and tampering are not subject to the thirty (30) day grace period.

2. Alarm systems shall be allowed no more than:

2.1. Three (3) false alarms in a thirty (30) day period.

2.2. Six (6) false alarms in a one hundred eighty (180) day period.

2.3. Nine (9) false alarms in a three hundred sixty (360) day period.

The owner of any alarm system found to have a false alarm rate in excess of the foregoing number of allowable alarms per specified time period, shall receive written notice of violation and the Fire Chief may require compliance with Section 201 of the *International Fire Code*, FIRE WATCH.

3. After the adjustment period, the owner of an alarm system transmitting a false alarm, upon the issuance of a written order by the responding officer or his agent, shall be required to do one and/or more of the following:

3.1. Show a material change in employee training. Such training may be conducted by a representative of the owner or by or in conjunction with a representative of an alarm company.

3.2. Show written proof that the alarm system has been inspected and tested by an alarm company and detected faults have been repaired.

3.3. Show written proof that peripheral equipment has been relocated in accordance with applicable design standards and applicable codes by an alarm company. It is understood, however, that none of the aforementioned requirements shall pertain to a situation where a person reported or transmitted an alarm with good intent as set forth in Section 907.2 of this ordinance, the definition of false alarms.

4. Any alarm system owner having complied with orders issued as required by this section, and whose alarm system is still subject to repeated false alarms may be required to participate in a discussion with a representative from the Fire Department, the owner of the alarm system or his agent, and the alarm company responsible for the installation and/or service and/or the maintenance of the alarm system, for the purpose of determining the cause(s) of and solutions(s) to the problem(s). Orders may be issued to their alarm system owner to facilitate the resolution of the false alarm problem under the foregoing section of this ordinance.

F. That said International Fire Code is hereby revised by amending Chapter 33, as follows:

1. Fireworks. The possession, storage, use, transport or sale of fireworks, 1.4G (formerly known as Class C, Common Fireworks) other than non-aerial common fireworks as defined by Idaho Code Title 39 Chapter 26 is prohibited. The sale of any fireworks outside of incorporated cities in Blaine County is prohibited.

The possession, storage, use or transport of Special Fireworks as defined by Idaho Code Title 39 Chapter 26 or Fireworks 1.3G (formerly known as Class B, Special Fireworks) requires a permit from the Fire Chief.

Special Fireworks for fireworks display, as defined by Section 3302 of the 2006 IFC, shall meet all of the requirements of the 2006 IFC Section 3308.

2. The following definitions are added to Section 3302:

Authority Having Jurisdiction is the Fire Chief, Fire Code Official or Officer of the Fire Department in charge.

Non-Aerial Common Fireworks means any fireworks such as ground spinners, fountains, sparklers, smoke devices or snakes designed to remain on or near the ground and not to travel outside a fifteen (15) foot diameter circle or emit sparks or other burning material which land outside a twenty (20) foot diameter circle or above a height of twenty (20) feet. Non-aerial common fireworks do not include bottle rockets, firecrackers, jumping jacks, or similar products.

Wholesale means sale of fireworks to a retailer or wholesaler.

3. Wholesale and Import License Required: Any person desiring to engage in the wholesale or import of fireworks into this State shall conform to Section 39-2603 of Chapter 26, Title 39, Idaho Code.

4. Permit for Non-Aerial Common Fireworks: No person, without having a valid non-aerial common fireworks permit issued pursuant to the terms and conditions set forth in this ordinance shall import, export, possess for the purpose of sale, offer for sale, or sell non-aerial common fireworks for any use or purpose.

5. Permit for Public Display or Other Event Using Fireworks: It shall be unlawful for any person in the City to import, export, offer for sale, sell, possess, keep, use, store or permit the keeping or storing of any fireworks or special fireworks for any use or purpose, except that a person holding a "Public Display Fireworks Permit" issued pursuant to the terms and conditions of this ordinance may use said fireworks when used and stored safely and in accordance with appropriate National Fire Protection Association and International Fire Code provisions. Said fireworks may be stored for a period not exceeding seventy-two (72) hours immediately preceding the date of said public display, provided fireworks are to be used exclusively for public display.

6. Application for Non-Aerial Common Fireworks Permit: Any person desiring to engage in the sale of "non-aerial common fireworks" within the City of Ketchum shall first make a written application, including fees as set by Resolution of the Ketchum City Council for the City of Ketchum Fee Schedule, Fire Department, to the Fire Chief, Fire Code Official or representative for a "Non-Aerial Common Fireworks Permit".

7. Application for Public Display Fireworks Permit: Any person desiring to engage in a public display or other events using fireworks shall first make a written application, including fees as set by Resolution of the Ketchum City Council for the City of Ketchum Fee Schedule, Fire Department, to the Fire Chief, Fire Code Official or his representative for a "Public Display Fireworks Permit".

8. Form of Application: Each applicant for a "Non-Aerial Common or Public Display Fireworks Permit" shall file an application with the Fire Chief. Each application shall show the following:

A. Name and address of the applicant (or the names of all partners, if a partnership, the name of the corporation and the corporate officers if a corporation, or the name of the limited liability company and all of its members, if a limited liability company).

B. The location and owner of the premises where the applicant requests permission to sell “non-aerial common fireworks” or the location and owner of the premises where the applicant requests to perform a “public display of fireworks.”

C. Such other information as the Fire Chief may require on a standard form submitted to all applicants and which is reasonably necessary to protect public health and safety.

9. The Fire Chief shall have the power to grant or deny any application, subject to such reasonable conditions, if any, as it shall prescribe so long as the denial of the application or any conditions imposed on the granting of the application are reasonably necessary for protection of public health and safety, subject to review by the Board of Appeals as set for in Section 108.1 of this Ordinance.

10. **Term of Permit:** A “Non-Aerial Common Fireworks Permit” shall be issued if the application is complete and in compliance with applicable law, shall be valid for thirty (30) days from the date of final stand inspection and shall be nontransferable. A “Public Display Fireworks Permit”, if issued, shall be nontransferable, shall list the specific date or dates upon which the display or event shall occur and the types of fireworks and uses that will be allowed.

11. **Time of Filing Application:** Each application for a permit to sell “non-aerial common fireworks” at retail shall be filed with the Fire Chief on or before May 1 of the calendar year for which the permit is sought. Application for a permit valid between December 26 and January 1 shall be filed by November 1 of the same calendar year.

12. **Insurance Required:** Each applicant for a “Non-Aerial Common Fireworks Permit” or a “Public Display Fireworks Permit” shall have filed with the Fire Chief prior to the issuance and validity of any permit, a policy or certified true copy thereof, of public liability insurance, including both “accident” and “occurrence” coverage. The insurance coverage limits for both public liability and for products liability coverage shall be at least One Million Dollars (\$1,000,000) per person per occurrence bodily injury; One Million Dollars (\$1,000,000) per occurrence aggregate bodily; and, One Million Dollars (\$1,000,000) per occurrence aggregate property damage. Each policy of insurance shall be in the form and substance acceptable to the City, and shall name as insured parties under the terms of the policy the City, all officials, elected and appointed, of the City in performance of official functions regarding all operations under or pertaining to said permit, any licensee or licensor of the applicant, and all vendors of fireworks covered by the permit to be issued to the applicant. Said policy of insurance shall be so written that it cannot be canceled without at least ten (10) days prior written notice to the City from the underwriting insurance company. The policy of insurance shall be underwritten through or by a qualified and duly licensed insurance company or companies doing or authorized to do insurance business in Idaho, and a copy of said policy shall be filed with the Fire Chief prior to the issuance of the permit.

13. **Authorized Dates for the Sale and Use of Fireworks:**

A. Non-aerial common fireworks may be sold at retail and used beginning at midnight June 23, and ending at midnight July 5 and beginning at midnight December 26 and ending at midnight January 1. The Fire Chief may extend each period of sales by not more than five (5) consecutive days.

B. Fireworks may be sold and used at any time in compliance with permits under the provisions of this ordinance.

14. Temporary Fireworks Stands: Temporary fireworks stands from which “non-aerial common fireworks” are to be sold shall be subject to the following provisions:

A. All retail sales of “non-aerial common fireworks” shall be permitted from within a temporary fireworks stand, and the sale from any other building or structure is hereby prohibited.

B. A stand shall not be located within twenty-five (25) feet of any building or within one hundred (100) feet of the nearest fuel dispensing device.

C. All such stands shall meet the requirements of the current Building Code of the City of Ketchum, Idaho and all lighting circuits and other electrical equipment shall meet the requirements of the State Electrical Codes. In addition, any signs to advertise the fireworks stands shall meet the sign requirements of the City of Ketchum Zoning Code in effect at the time.

D. Each stand shall have two (2) exits, each a minimum of thirty (30) inches wide at each end of the stand or as near the ends as is practical in a mobile home conversion. One (1) additional door is required for each thirty-two (32) feet of rear wall in excess of thirty-two (32) feet. All doors shall open outward from the stand and shall be kept unlocked and unlatched during hours of operations and free and clear of supplies and materials at all times.

E. Each stand shall have at least two (2) fire extinguishers with a 2A minimum rating, in good working order, with a current inspection tag in place, placed near the exits in a visible and readily accessible manner.

F. “No Smoking within 25 feet” signs shall be prominently displayed on all four (4) sides of the stand. Smoking shall not be permitted inside the stand.

G. There shall be at least one (1) supervisor eighteen (18) years of age or older, on duty at all times the stand is open for business. When the stand is not open for business, it shall be securely locked and fireworks shall be effectively kept away from any kind of self service by the public, and shall be placed in a location which is unavailable and inaccessible to members of the public in capacities other than as legal customers. No person under eighteen (18) years of age shall work at or about any stand where “non-aerial common fireworks” are sold or offered for sale.

H. No person employed as a watch person shall be permitted to remain inside of any stand when it is not open for business.

I. A stand shall not be erected before June 16 nor remain up after July 6 for the first sales period; nor shall it be erected before December 20 or remain up after January 3 for the second sales period. The premises on which the stand is erected shall be cleared of all structures and debris no later than July 6 or January 3, respectively.

J. The fireworks stand operator shall not permit the discharge of fireworks within

twenty-five (25) feet of the stand.

K. The stand operator shall not allow any rubbish to accumulate in or around the stand causing a fire nuisance.

L. Only noncombustible waste containers shall be permitted within the stand.

M. No fireworks shall remain unattended at any time the fireworks stand is open for business. Short-term storage of "non-aerial common fireworks" may be permitted inside the fireworks stand prior to authorized sales dates provided the stand is locked and secured at all times and "no smoking within 25 feet" signs are posted on all four (4) sides of the stand. No other short-term storage is permitted within the City of Ketchum.

N. No stand shall have a floor area in excess of seven hundred fifty (750) square feet.

O. No stand shall be erected at a location where retail sales are not allowed under the Zoning Code of the City of Ketchum.

P. There shall be a one (1) time inspection fee of Twenty-Five Dollars (\$25.00) for the inspection of a temporary fireworks stand.

15. Bond: The applicant shall post with the Fire Chief a cash bond or cash equivalent in the amount of not less than One Hundred Dollars (\$100.00) conditioned upon the prompt removal of the temporary fireworks stand and the cleaning up of debris from the site of the temporary fireworks stand, which deposit or security shall be returned to the applicant only in the event he/she removes said temporary stand and cleans up all the debris to the satisfaction of the Fire Chief, Fire Code Official or such other official as the Council, Fire Chief may designate. In the event of the applicant's failure to so remove the stand and debris, said cash bond or cash deposit shall be forfeited to the City. In no event shall the applicant be entitled to the return of said cash bond or cash deposit if the applicant has failed to remove said temporary fireworks stand and clean up all debris by noon of the sixth (6th) day of July of the year in which the permit is granted in the first sales period or by noon of the third (3rd) day of January in the second sales period, and failure to do so shall be punishable by a Three Hundred Dollar (\$300.00) fine and/or thirty (30) days confinement in the County jail.

16. General Prohibitions: It shall be unlawful for any person, except in compliance with this chapter, to:

- A. Alter any fireworks;
- B. Throw any fireworks from, into, or at a moving vehicle or at any person;
- C. Sell or use any fireworks at any time not permitted by this ordinance;
- D. Use fireworks in any area that constitutes a severe fire threat based on the vegetative conditions during the current fire season as determined by the authority having jurisdiction, provided that the notice of such areas is given in advance.

17. Exceptions: The provisions of this chapter do not apply to and shall not prohibit:

- A. The use of flares, noisemakers or signals designed and used for the purpose of protecting the public.
- B. The use of blank cartridges.
- C. The use of flares or noisemakers designed and labeled specifically for pest control

purposes and approved by the Idaho Department of Fish and Game.

18. Liability of Parents or Guardians: The parents, guardians or other persons having custody or control of a minor shall be liable for damage caused by the use of fireworks by the minor.

19. Comply with Idaho State Fireworks Act: It shall be the duty of every person issued a "Fireworks Permit" to comply with all the provisions of Chapter 26, Title 39, Idaho Code, Idaho State Fireworks Act and of this ordinance. Violation of the Act or any provisions of this ordinance by the permittee, or by any of their agents, employees, or officers shall constitute a cause, in and of itself, to deny any subsequent application for a permit.

20. The manufacture of fireworks within the jurisdictional area is prohibited.

G. That said International Fire Code is hereby amended by deleting Section 2704.2.2 in its entirety and adopting a new Section 2704.2.2, as follows:

2704.2.2 Secondary Containment. An approved method of secondary containment shall be provided for underground tank systems, including tanks, piping and related components.

H. That said International Fire Code Appendix D is amended by deleting Section D105 in its entirety and adopting a new Section D105 as follows:

D105.1 Where required. Buildings or portions of buildings or facilities exceeding 35 feet in height above the lowest level of fire department vehicle access shall be provided with approved fire apparatus access roads capable of accommodating fire department aerial apparatus. Overhead utility and power lines shall not be located within the aerial fire apparatus access roadway.

D105.2 Width. Fire apparatus access roads shall have a minimum unobstructed width of 26 feet in the immediate vicinity of any building or portion of building more than 35 feet in height.

D105.3 Proximity to building. At least one of the required access routes meeting this condition shall be located within a minimum of 15 feet and a maximum of 30 feet from the face of the building, and shall be positioned parallel to one entire side of the building. Additional access may be required when conditions or situations warrant in the opinion of the Fire Chief.

I. ESTABLISHMENT AND DUTIES OF THE FIRE DEPARTMENT.

A. The *International Fire Code* as adopted and amended herein shall be enforced by the Fire Department of the City of Ketchum and shall be operated under the supervision of the Fire Chief.

B. The Fire Chief shall be appointed by the Mayor of the City of Ketchum, Idaho on the basis of examination to determine his or her qualifications.

C. The Fire Chief may detail such members of the Fire Department as inspectors as shall

from time to time be necessary. The Fire Chief shall recommend to the Mayor the employment of technical inspectors, who, when such authorization is made, shall be selected through an examination to determine their fitness for the position. The examination shall be open to members and nonmembers of the Fire Department, and appointments made after examination shall be for an indefinite term with removal only for cause.

J. DEFINITIONS.

Wherever the word "jurisdiction" is used in the *International Fire Code*, it is the City of Ketchum, Idaho.

Where the party responsible for the enforcement of the *International Fire Code* is given the title of "Fire Code Official," add the following definition: FIRE CODE OFFICIAL is the Fire Chief for the Fire Department of the City of Ketchum, Idaho.

Wherever the term "Corporation Counsel" is used, it shall mean the City Attorney of the City of Ketchum, Idaho.

K. ESTABLISHMENT OF LIMITS OF DISTRICTS IN WHICH STORAGE OF FLAMMABLE OR COMBUSTIBLE LIQUIDS IN OUTSIDE ABOVE GROUND TANKS IS LIMITED.

The limits referred to in Section 3404.2.9.5.1 of the *International Fire Code* in which the storage of flammable or combustible liquids in outside above-ground tanks is limited, are hereby established as within the municipal boundaries of the City of Ketchum, Idaho.

L. ESTABLISHMENT OF LIMITS IN WHICH STORAGE OF FLAMMABLE GASES ARE LIMITED.

The limits referred to in Section 3503.1 of the *International Fire Code* in which storage of flammable gas is limited, are hereby established as within the municipal boundaries of the City of Ketchum, Idaho.

M. ESTABLISHMENT OF LIMITS OF DISTRICTS IN WHICH STORAGE OF EXPLOSIVES AND BLASTING AGENTS IS TO BE RESTRICTED.

The limits referred to in Section 3304.1 of the *International Fire Code* in which storage of explosives and blasting agents is restricted, are hereby established as within the municipal boundaries of the City of Ketchum, Idaho.

N. ESTABLISHMENT OF LIMITS OF DISTRICTS IN WHICH THE STORAGE OF STATIONARY TANKS OF FLAMMABLE CRYOGENIC FLUIDS IS TO BE PROHIBITED.

The limits referred to in Section 3204.1 in which the storage of flammable cryogenic fluids in stationary containers is prohibited, are hereby established as within the municipal boundaries of the City of Ketchum, Idaho.

O. ESTABLISHMENT OF LIMITS OF DISTRICTS IN WHICH THE STORAGE OF HAZARDOUS MATERIALS IS TO BE PROHIBITED OR LIMITED.

The limits referred to in Section 2701.1 of the *International Fire Code* in which the storage of hazardous materials is prohibited or limited, is hereby established as within the municipal boundaries of the City of Ketchum, Idaho.

Section 3. SAVINGS AND SEVERABILITY CLAUSE. It is hereby declared to be the legislative intent that the provisions and parts of this Ordinance shall be severable. If any paragraph, part, section, subsection, sentence clause or phrase of this Ordinance is for any reason held to be invalid for any reason by a Court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance.

Section 4. CODIFICATION CLAUSE. The City Clerk is instructed to immediately forward this ordinance to the codifier of the official municipal code for proper revision of the code.

Section 5. REPEALER CLAUSE. All City of Ketchum Ordinances or resolutions or parts thereof which are in conflict herewith are hereby repealed.

Section 6. PUBLICATION. This Ordinance, or a summary thereof in compliance with Section 50-901A, Idaho Code, substantially in the form annexed hereto as Exhibit "A," shall be published once in the official newspaper of the City, and shall take effect immediately upon its passage, approval, and publication.

Section 7. EFFECTIVE DATE. This Ordinance shall be in full force and effect upon the date of its publication as provided by law which is July 25, 2007.


PASSED BY THE CITY COUNCIL OF THE CITY OF KETCHUM, IDAHO, and approved by the Mayor this 16th day of July, 2007.

CITY OF KETCHUM, IDAHO



Randy Hall Mayor

ATTEST:


Sandra E. Cady, CMC
City Treasurer/Clerk



APPROVED AS TO FORM
AND CONTENT:



Benjamin W. Worst,
City Attorney



EXHIBIT A

**PUBLICATION OF SUMMARY OF ORDINANCE NO. 1017
CITY OF KETCHUM, IDAHO**

AN ORDINANCE OF THE CITY OF KETCHUM, IDAHO, REPEALING ORDINANCE NO. 909 IN ITS ENTIRETY AND ADOPTING THE 2006 EDITION OF THE INTERNATIONAL FIRE CODE INCLUDING APPENDIX CHAPTERS B, D AND F, REGULATING THE SAFEGUARDING OF LIFE AND PROPERTY FROM FIRE AND EXPLOSION HAZARDS ARISING FROM THE STORAGE, HANDLING AND USE OF HAZARDOUS SUBSTANCES, MATERIALS AND DEVICES, AND FROM CONDITIONS HAZARDOUS TO LIFE OR PROPERTY IN THE OCCUPANCY OF BUILDINGS AND PREMISES IN THE CITY OF KETCHUM; PROVIDING FOR THE ISSUANCE OF PERMITS AND COLLECTION OF FEES; PROVIDING A SAVINGS AND SEVERABILITY CLAUSE; PROVIDING A CODIFICATION CLAUSE; PROVIDING A REPEALER CLAUSE; PROVIDING FOR PUBLICATION BY SUMMARY; AND PROVIDING FOR AN EFFECTIVE DATE.

A summary of the principal provisions of Ordinance No. 1017 of the City of Ketchum, Blaine County, Idaho, adopted on July 16, 2007, is as follows:

SECTION 1. Repeals Ordinance No. 909 in its entirety and adopts the 2006 International Fire Code, including Appendix Chapters B, D and F.

SECTION 2. Amends Sections 105 **Fire Department Inspection and Approvals and Plan Check Fees, Permit Fees, Inspection and Re-inspection Charges, Fee for Use of Fire Equipment, and Other Fees and Charges**; 108 **Appeals**; 109 **Violations** 109.1 Unlawful acts. It shall be unlawful for a person, firm or corporation to erect, construct, alter, repair, remove, demolish or utilize a building, occupancy, premises or system regulated by this code, or cause same to be done, in conflict with or in violation of any of the provisions of this code.

109.2 Notice of violation.

When the fire code official finds a building, premises, vehicle, storage facility or outdoor area that is in violation of this code, the fire code official is authorized to prepare a written notice of violation describing the conditions deemed unsafe and, when compliance is not immediate, specifying a time for reinspection.

109.2.1 Service.

A notice of violation issued pursuant to this code shall be served upon the owner, operator, occupant, or other person responsible for the condition or violation, either by personal service, mail, or by delivering the same to, and leaving it with, some person of responsibility upon the premises. For unattended or abandoned locations, a copy of such notice of violation shall be posted on the premises in a conspicuous place at or near the entrance to such premises and the notice of violation shall be mailed by certified mail with return receipt requested or a certificate of mailing, to the last known address of the owner, occupant or both.

109.2.2 Compliance with orders and notices.

A notice of violation issued or served as provided by this code shall be complied with by the owner,

operator, occupant or other person responsible for the condition or violation to which the notice of violation pertains.

109.2.3 Prosecution of violations.

If the notice of violation is not complied with promptly, the fire code official is authorized to request the legal counsel of the jurisdiction to institute the appropriate legal proceedings at law or in equity to restrain, correct or abate such violation or to require removal or termination of the unlawful occupancy of the structure in violation of the provisions of this code or of the order or direction made pursuant hereto.

109.2.4 Unauthorized tampering.

Signs, tags or seals posted or affixed by the fire code official shall not be mutilated, destroyed or tampered with or removed without authorization from the fire code official.

109.3 Violation 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 code official, or of a permit or certificate used under provisions of this code, shall be guilty of a misdemeanor, punishable by a fine of not more than one thousand dollars (\$1,000) or by imprisonment not exceeding six (6) months, or both such fine and imprisonment. Each day that a violation continues after due notice has been served shall be deemed a separate offense.

109.3.1 Abatement of violation.

In addition to the imposition of the penalties herein described, the fire code official is authorized to institute appropriate action to prevent unlawful construction or to restrain, correct or abate a violation; or to prevent illegal occupancy of a structure or premises; or to stop an illegal act, conduct of business or occupancy of a structure on or about any premises.; 505.3 **Physical addresses**; 903 **Automatic Sprinkler Systems**; 907 **Fire Alarm Systems**; Chapter 33 **Explosives and Fireworks**; 2704.2.2 **Secondary Containment**; Appendix D, Section D105 **Aerial Fire Apparatus Access Roads** of the International Fire Code, 2006 Edition, partially or entirely and adopts such amendments.

SECTION 3. Provides a Savings and Severability Clause.

SECTION 4. Provides a Codification Clause.

SECTION 5. Provides for a Repealer Clause.

SECTION 6. Provides for publication of this Ordinance by Summary.

SECTION 7. Establishes an effective date of July 25, 2007.

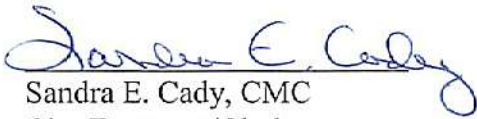
The full text of this Ordinance is available at the City Clerk's Office, Ketchum City Hall, 480 East Avenue North, Ketchum, Idaho 83340 and will be provided to any citizen upon personal request during normal office hours.

CITY OF KETCHUM, IDAHO



Randy Hall, Mayor

ATTEST:

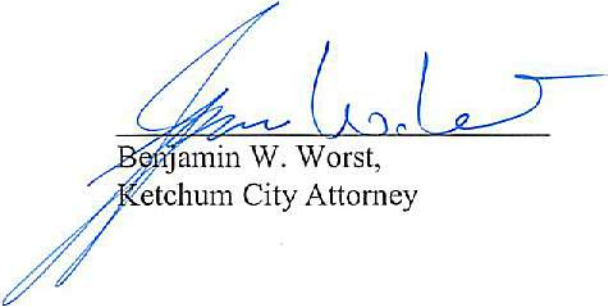


Sandra E. Cady, CMC
City Treasurer/Clerk

STATEMENT OF LEGAL ADVISOR

I, the undersigned attorney at law, duly licensed in the State of Idaho and serving as City Attorney to the City of Ketchum, Idaho, hereby certify that I have read the attached Summary of Ordinance No. 1017 of the City of Ketchum and that the same is true and complete and provides adequate notice to the public of the contents of said Ordinance.

Dated this 16th day of July, 2007.



Benjamin W. Worst,
Ketchum City Attorney

Publish: Idaho Mountain Express
Date: July 25, 2007