

INDIANA FIRE PREVENTION AND BUILDING SAFETY COMMISSION

TO: Dustin D. Huddleston, Attorney for the Town of Edinburgh, Indiana
FROM: Fire Prevention and Building Safety Commission (Commission) Staff
DATE: Thursday, November 18, 2021
RE: Preliminary Review of the Town of Edinburgh, Indiana's Fire Prevention Ordinance Draft

The above referenced ordinance has been received by the Commission and has been assigned to staff for preliminary review. Staff will review your ordinance for any **duplication, conflict, or overlap** with the fire safety and buildings laws of the state and will provide the results of their review upon completion. Staff may request additional information or clarification of provisions in the ordinance.

Please note, the results of this preliminary staff review are not binding upon the Commission, and additional defects may be found at a later date, which may result in the denial of your ordinance. For this reason, it is strongly recommended that ordinances **follow the Commission's approved templates**. Ordinances that do not follow the templates are likely to duplicate, conflict, and overlap with the fire safety and building laws of the state and take longer to review. If the templates are not followed, **do not repeat language** in your ordinance that is **already required by law** in the Commission's rules (which includes language in the model codes adopted within the Commission's rules) or Indiana Code.

To obtain copies of the Commission's ordinance templates, follow these instructions:

1. Visit the Commission's webpage at this link: <https://www.in.gov/dhs/boards-and-commissions/fire-prevention-and-building-safety-commission/>.
2. Scroll down to the "Ordinance Review" section and click the box to expand its content.
3. Within the expanded contents, there is a section titled "Ordinance Templates" that contains links to the Commission's ordinance templates. Click on the template that you wish to adopt.

Please be advised, **property maintenance codes are very likely to conflict** with the Commission's rules and must be narrowly tailored. The Commission's rules generally allow construction to comply with the codes in effect at the time of construction without needing to be modified to comply with current rules, such as those contained in property maintenance codes.

If after reading this notice you would like to revise your ordinance before it is reviewed, or if you have any questions regarding this process, please email buildingcommisison@dhs.in.gov and reference the title of your ordinance which is contained in the subject line of this correspondence.

ORDINANCE NO. 2021

AN ORDINANCE ESTABLISHING THE FIRE PREVENTION ORDINANCE OF THE TOWN OF EDINBURGH, INDIANA

ARTICLE I: GENERAL REQUIREMENTS

SECTION 1: TITLE. This ordinance and all material included herein by reference shall be known as the “Fire Prevention Ordinance of the Town of Edinburgh, Indiana” (“Ordinance”).

SECTION 2: PURPOSE. The purpose of this Ordinance is to protect the life, public safety, health and general welfare of the citizens of the Town of Edinburgh, Indiana, and shall be construed in such a manner as to effectuate this purpose.

SECTION 3: AUTHORITY. The Fire Chief, or his designee, is hereby authorized and directed to administer and enforce the following:

1. All provisions of this Ordinance.
2. Variances granted in accordance with IC 22-13-2-11.
3. Orders issued under IC 22-12-7.

SECTION 4: APPLICABILITY. The provisions of this Ordinance are supplemental to the Indiana General Administrative Rules, Indiana Fire Code, Indiana Building Code, Indiana Mechanical Code, and Indiana Fuel Gas Code as adopted by the Indiana Fire Prevention and Building Safety Commission.

The provisions of this Ordinance apply to maintenance of Fire Prevention and Life Safety Features as herein described. The provisions of this Ordinance apply to existing conditions as well as to the conditions arising after the adoption thereof.

SECTION 5: CONFLICTING PROVISIONS. If any provision of this Ordinance is found to be in conflict with any Building, Zoning, Safety, Health, or other applicable law or ordinance of the Town of Edinburgh, Indiana, whether existing on the effective date of this Ordinance or later adopted, the provision which establishes the higher standard for the promotion and protection of the safety and welfare of the public applies.

SECTION 6: SEVERABILITY. If any provision of this Ordinance is declared invalid, by a court of competent jurisdiction, for any reason, the remaining provisions shall not be affected, if such remaining provisions can, without the invalid provision or provisions, be given their original intended effect in adopting this Ordinance. To this end, the provisions of this Ordinance are severable.

SECTION 7: MINIMUM STANDARDS. All rules of the Indiana Fire Prevention and Building Safety Commission as set out in Articles 12, 13, 18, 22 and 25 of Title 675 of the Indiana Administrative Code are incorporated in this Ordinance and shall include all later amendments to that article as published in the Indiana Register or the Indiana Administrative Code with effective dates as fixed therein.

Any special processes or procedures not addressed in the Indiana Fire Code (675 IAC 22) or this Ordinance shall be subject to applications found in Fire Safety Standards recognized by Indiana Fire Code (675 IAC 22), Referenced Standards and as approved by the Fire Chief, or his designee.

Any special processes or procedures not addressed in this Ordinance shall be subject to applications found in the current editions of the National Fire Protection Association (NFPA) Standards or other recognized Fire Safety Standards— subject to the rules of the Indiana Fire Prevention and Building Safety Commission.

SECTION 8: EFFECT OF ADOPTION ON PRIOR ORDINANCE. The expressed or implied repeal or amendment by this Ordinance, of any other ordinance or part of any other ordinance, does not affect any rights or liabilities accrued, penalties incurred, or proceedings begun prior to the effective date of this Ordinance. Such rights, liabilities, and other proceedings are continued and penalties shall be imposed and enforced under the repealed or amended ordinance as if this Ordinance had not been adopted.

SECTION 9: DEFINITIONS.

“Building Code” means the Indiana Building Code found within 675 IAC 13.

“Class 1 structure” has the meaning ascribed thereto in IC 22-12-1-4.

“Class 2 structure” has the meaning ascribed thereto in IC 22-12-1-5.

“Commission” refers to the Indiana Fire Prevention Building Safety Commission as established by IC 22-12-2-1.

“Crowd Manager” has the meaning ascribed thereto in 675 IAC 22-2.5.

“Cut Sheet” means specification sheet that provides and describes the technical specifications of a particular product.

“Division of Fire and Building Safety” refers to the Division of Fire and Building Safety of the Indiana Department of Homeland Security established pursuant to IC 10-19-7-1.

“Fire Chief” means the chief officer of the Edinburgh Fire Department.

“Fire Code” refers to the Indiana Fire Code found within 675 IAC 22.

“Fire Department” has the meaning ascribed thereto in IC 36-8-17-2: the Edinburgh Fire Department established in Ordinance 2019-17. The Edinburgh Fire Department is the paid fire department that renders fire prevention or fire protection services to” the Town of Edinburgh.

“Fuel Gas Code” refers to the Indiana Fuel Gas Code found within 675 IAC 25.

“General Administrative Rules” means the General Administrative Rules of the Indiana Fire Prevention and Building and Safety Commission located at 675 IAC 12.

“IAC” means the Indiana Administrative Code.

“IC” means the Indiana Code of the Indiana General Assembly.

“Key Box” has the meaning ascribed thereto in 675 IAC 22: “a secure device with a lock operable only by a fire department master key, and containing building entry keys and other keys that may be required for access in an emergency.”

“Mechanical Code” means Indiana Mechanical Code found within 675 IAC 18.

“Notice of Violation” means a written notice issued by the Fire Department usually in the form of an inspection report listing violations.

“Owner” has the meaning ascribed thereto in 675 IAC 22: “A corporation, firm, partnership, association, organization and any other group acting as a unit, or a person who has legal title to any structure or premises with or without accompanying actual possession thereof, and shall include the duly authorized agent or attorney, a purchase, devisee, fiduciary and any person having a vested or contingent interest in the premises in question.”

“Person” has the meaning ascribed thereto in IC 22-12-1-18: “an individual, corporation, limited liability company, partnership, unincorporated association, or governmental entity.”

“Qualified Person” means a person who either holds current National Institute for Certification in Engineering Technologies (NICET) certification in the fire protection system being installed, serviced, or repaired, or has successfully completed a course of instruction specific to the equipment being installed, serviced, or repaired. Such instruction shall have been approved by the manufacturer of the equipment or their authorized representative.

TERMS NOT DEFINED: Where terms are not defined in this Ordinance and are defined in the General Administrative Rules, the Indiana Building Code, Indiana Fire Code, Indiana Mechanical Code, or Indiana Fuel Gas Code, such terms shall have the meanings ascribed to them as in those codes. Where terms are not defined through the methods authorized, such terms shall have ordinarily accepted meanings such as the context implies.

ARTICLE II. ADMINISTRATION AND ENFORCEMENT

SECTION 1: FIRE SCENE AUTHORITY. The Fire Chief, or his designee, at any fire, explosion, rescue, emergency medical or hazardous materials incident, or any other emergency which poses imminent threat to life, environment, or property, shall have the authority to direct operations as necessary to control, mitigate, or eliminate the emergency. It shall be unlawful for any person to impede the emergency operations of the Edinburgh Fire Department.

SECTION 2: EMERGENCY LINES AND LIMITS. The Fire Chief, or his designee, may establish emergency lines and limits. The Fire Chief, or his designee may barricade or guard from the general public such emergency lines and limits.

The Fire Chief, or his designee, may create an area in which only firefighters, law enforcement personnel, other emergency responders, other people, or agencies having a direct interest in any property threatened by a fire, explosion, hazardous material incident, other emergency, other people, or agencies at the discretion of the Fire Chief, or his designee, shall be admitted. It shall be unlawful for any unauthorized person to cross such emergency lines or limits.

SECTION 3: FIRE INVESTIGATIONS. The Fire Chief, or his designee, shall perform fire investigations pursuant to IC 36-8-17-7. The Fire Chief, or his designee, is authorized to conduct an origin and cause investigation of all fires and explosions within the service district of the Edinburgh Fire Department. It shall be unlawful for any person to impede the Fire Chief, or his designee, from conducting an origin and cause investigation.

SECTION 4: FIRE AND LIFE SAFETY INSPECTIONS. The Fire Chief, or his designee, may conduct fire and life safety inspections in Class 1 structures pursuant to IC 36-8-17-8. The Fire Chief, or his designee, may inspect Class 1 structures as often as necessary for the purpose of ascertaining and causing to be corrected any violation of the Indiana General Administrative Rules, Indiana Fire Code, Indiana Building Code, Indiana Mechanical Code, Indiana Fuel Gas Code, this Fire Prevention Ordinance, or any other rule of the Commission.

SECTION 5: ENFORCEMENT AUTHORITY. The Fire Chief, or his designee, shall possess the authority to enforce the provisions of this Fire Prevention Ordinance.

The Fire Chief, or his designee, shall have the authority to enforce provisions of the Indiana General Administrative Rules, Indiana Fire Code, Indiana Building Code, Indiana Mechanical Code, Indiana Fuel Gas Code, this Fire Prevention Ordinance, or any other rule of the Commission. Such enforcement shall include, but is not limited to:

1. The prevention of fires.
2. The handling, storage, sale, and use of flammable liquids, explosives, combustible, and hazardous materials.
3. The adequacy of means of egress from all places in which numbers of people live, work, or congregate from time to time for any purpose.
4. The location, installation, and maintenance of smoke alarms, fire alarm systems, and fire suppression systems.
5. The existence of recognized hazardous conditions that present a clear and immediate hazard to life and property.

The Fire Chief, or his designee, shall have the authority to institute legal actions in cases of non-compliance. The Fire Chief, or his designee, shall have the authority to initiate legal action in accordance with locally prescribed avenues covering the violations of the Indiana General Administrative Rules, Indiana Fire Code, Indiana Building Code, Indiana Mechanical Code, Indiana Fuel Gas Code, this Fire Prevention Ordinance, or any other rule of the Commission. Violators of this local ordinance may be cited in the court having jurisdiction.

SECTION 6: DETERMINATION OF VIOLATION. Whenever the Fire Chief, or his designee, determines by inspection that an apparent or actual violation of the Indiana General Administrative Rules, Indiana Fire Code, Indiana Building Code, Indiana Mechanical Code, Indiana Fuel Gas Code, this Fire Prevention Code, any other rule of the Commission or a hazardous condition exists upon any Class 1 structure within the Town of Edinburgh, Indiana, the person making such determination shall issue such Notice of Violation or order as may be necessary for the enforcement of the Indiana General Administrative Rules, Indiana Fire Code, Indiana Building Code, Indiana Mechanical Code, Indiana Fuel Gas Code, this Fire Prevention Code, or any other rule of the Commission.

SECTION 7: TIME LIMIT. Orders shall set forth a time limit for compliance dependent upon the hazard created by the violation(s).

SECTION 8: NOTICE OF VIOLATION. Under IC 36-8-17-9, an order of enforcement of the Indiana General Administrative Rules, Indiana Fire Code, Indiana Building Code, Indiana Mechanical Code, Indiana Fuel Gas Code, this Fire Prevention Ordinance, or any other rule of the Commission, which is within the jurisdiction of the Fire Chief, or his designee, may seek the correction of any violation or the elimination of any hazardous condition by the methods specified in this Ordinance or by any other appropriate remedy or procedure provided by law. The failure of the Fire Department to inspect or to issue a Notice of Violation or order in accordance with this Ordinance shall not constitute approval of any violation or non-compliance.

Any Notice of Violation or order issued pursuant to this section shall be conveyed upon the owner, operator, occupant, or other person responsible for the building or property. Conveyance of such order shall be by one of the following methods: Personal service (by affixing a copy thereof in a conspicuous place at the entrance of said building or premises), by mailing a copy thereof to such responsible person by first-class United States mail to his or her last known address, or electronic mail pursuant to IC 4-21.5-3.

SECTION 9: IMMINENT DANGER. The Fire Chief, or his designee, may issue an emergency or temporary order under IC 4-21.5-4 under the provisions of IC 36-8-17-9 when it is determined that conduct or conditions of the property:

1. Present a clear and immediate hazard of death or serious bodily injury to any person other than a trespasser;
2. Is prohibited without a permit, registration, certification, release, authorization, variance, exemption, or other license required under IC 22-14, another Indiana statute administered by the Indiana Department of Homeland Security and the license has not been issued; or
3. Will conceal a violation of law.

An emergency or other temporary order issued under this section must be approved by the State Fire Marshal. The approval may be communicated orally to the Fire Department. The Indiana Department of Homeland Security shall maintain a written record of the approval.

SECTION 10: DUTY TO CORRECT VIOLATIONS. The owner or person in control of any premises or building upon which a violation or hazard exists shall:

1. Cease and correct the violation.
2. Protect persons and property from the hazards of the violation.

SECTION 11: APPEAL FROM ORDERS. An owner or occupant who remains aggrieved by an order or decision issued pursuant to this Fire Prevention Ordinance and IC 36-8-17-9 or 10 may appeal to the Indiana Fire Prevention and Building Safety Commission, as set forth by IC 36-8-17.

SECTION 12: LOCAL ORDINANCE APPEAL PROCESS.

Any owner or lessee with the consent of the owner who is aggrieved by an order, disapproval of an application, or refusal to grant a permit issued by the Fire Chief, or his designee, may appeal the decision by filing a written petition requesting a hearing before the Edinburgh Town Council. The petition must be filed with the Edinburgh Town Clerk-Treasurer at 107 S. Holland Street, Edinburgh, IN 46124, within thirty (30) days from the date of the decision from which the person is seeking appellate review. The petition must contain a brief statement explaining the grounds for the appeal and a copy of the decision being appealed shall be attached to the petition.

Upon receipt of the petition, the Edinburgh Town Council shall set a time and place for such hearing. The petitioner shall be given written notice of the time and place for the hearing at least ten (10) days prior to the hearing.

The petitioner will have an opportunity to be heard at the hearing pertaining to the matters set forth in the petition. The Council shall consider the following criteria:

1. Whether the requested use or modification will conform to fundamental requirements for safety;
2. Whether granting the appeal increases the risk of fire or danger to the public, firefighters, or intended occupants.

After hearing, the Town Council shall sustain, modify, or overrule the decision of the Fire Chief. The Town Council shall issue written findings of fact.

Any person aggrieved by the decision of the Town Council may appeal the decision in any court of competent jurisdiction, as provided by the laws of the State of Indiana.

ARTICLE III: FIRE SERVICE FEATURES

SECTION 1: ADDRESS IDENTIFICATION.

New and existing buildings shall have approved address numbers, building numbers or approved building identification placed in a position that is plainly legible and visible from the street or road frontage fronting the property. These numbers shall contrast with their background.

Address numbers shall be provided in additional approved locations to facilitate emergency response. Exception: secured sites manned with on site, full-time 24-hour response teams wo escort responding fire departments may omit address numbers, building numbers or building identification on individual buildings.

Address numbers shall be Arabic numbers or alphabetical letters. Numbers shall be a minimum of four inches (4" – 101.6 mm) high with a minimum stroke width of one-half inch (0.5" – 12.7 mm). Address numbers shall be maintained.

New and existing Class 1 structures that have three (3) or more separate tenants where such tenants have both a front or main entrance and a rear entrance with an all weather surface for vehicular traffic that is tenant specific, such rear entrance shall have a posted address visible from the all weather surface.

SECTION 2: FIRE LANE MARKINGS. The location of fire lanes shall be established by the Fire Chief, or his designee. The Fire Chief, or his designee, can require signage or striping or any combination. Design of the fire lane markings shall be approved by the Fire Chief, or his designee. The erection of and maintenance of fire lane marking signs and striping shall be the responsibility of the property owner. All markings shall remain in good visible condition as determined by the Fire Chief or his designee.

The parking or standing of any obstruction, including motor vehicles, within established fire lane markings on private or public property shall be prohibited.

SECTION 3: GATES OR BARRICADES. The Fire Chief, or his designee, is authorized to approve the installation of approved gates or other barricades across fire apparatus access roads, trails or other access ways, not including public streets, alleys or highways. Approved gates or barricades shall be maintained by the property owner.

SECTION 4: KEY BOXES. Edinburgh hereby institutes a Key Box emergency access system.

- A. A Key Box compatible with the Edinburgh Fire Department's system shall be installed in an accessible location if:
 - (1) The building is protected with an automatic sprinkler system equipped with a local or transmitted water-flow alarm; or
 - (2) The building is provided with any fire alarm system equipped with an outside audible/visual signaling device; or
 - (3) The building is provided with any fire alarm system where the alarm is transmitted to an off-site location, or to the fire alarm center for the Edinburgh Fire Department; or
 - (4) An area on that property is unduly difficult because of secure openings, and where immediate access is necessary for lifesaving or firefighting purposes or property preservation.
- B. An approved lock shall be installed on gates or similar barriers when required by the Fire Chief.
- C. Responsibility for Key Box. Key Boxes are to be provided by the building owner and shall contain such keys necessary to access all protected areas of the building. Multi-tenant buildings may share an owner-provided box, and the building owner shall assume responsibility for insuring that keys are updated as appropriate. Tenant-provided Key Boxes may not be shared with any other tenant, and the tenant assumes responsibility for key updates for the subject tenant space.
- D. Exception: Key Boxes for apartment houses are not required to contain keys to individual apartment dwelling units.
- E. When a design release is issued by the Division of Fire and Building Safety or a permit by local government when a design release is not required for construction, buildings constructed prior to April 30, 1998, shall not be required to provide a Key Box or Key Boxes under this section. Any new tenancy within a space previously occupied by a different tenant shall require that a Key Box be provided in accordance with 675 IAC Sections 506.1 and 506.2.
- F. The Key Box or rapid entry product manufacturer must be approved by the Fire Chief, or his

designee. The Key Box shall be manufactured by the Knox Company and shall be compatible with the system used by the Edinburgh Fire Department.

- G. The Key Box shall house a key for each area protected by automatic sprinkler and/or fire alarm system, key(s) to locked points of ingress whether on the interior or exterior of such buildings, and key(s) to the fire alarm control panel, fire alarm annunciator panel, and manual pull stations (if applicable). All Key Boxes shall contain labeled keys.
- H. When a property is protected by a locked fence or gate and where immediate access to the property of a Class 1 structure or residential neighborhood is necessary for life saving, firefighting purposes, or property preservation, the Fire Chief or his designee shall require a Knox Key Switch, Knox Padlock, or other approved device to be installed at a location approved by the Fire Chief or his designee. The electric key switch or padlock shall be manufactured by the Knox Company and keyed to the Edinburgh Fire Department Knox Box key.
- I. The Fire Department shall store all Key Box access keys securely in a Knox Box Key Secure system installed in the fire apparatus.
- J. It shall be unlawful for a person to make or cause or permit to be made or have in his or her possession any key to access the Key Box except upon the written order of the Fire Chief. Keys to access the Key Box shall not be duplicated.
- K. It shall be unlawful to fail or refuse to surrender possession of any such key used to access the Key Box upon demand of the Fire Chief.
- L. All new construction of structures subject to this Section shall have a Key Box installed and operational prior to the issuance of an occupancy permit.
- M. All structures in existence on the effective date of this Ordinance that are subject to this Section shall have the Key Box installed and operational within thirty (30) days/months of the effective of this Ordinance.
- N. The Key Box shall be installed on the exterior of the building no more than four (4) feet to the right of the main building entrance and approximately four (4) feet above grade. The Fire Chief or his designee may approve alternate locations. The red/reflective Knox Company sticker shall be affixed in the upper corner of the main entrance door on the side leading to the Key Box.
- O. The Key Box shall not be blocked from plain view by any obstructions, such as landscaping.
- P. Noncompliance with this section after written notice from the Fire Chief subjects the owner of the building to a fine as set forth in this Ordinance.
- Q. This section does not apply to Class 2 structures.

SECTION 5: WATER SUPPLY. A water supply capable of supplying the required fire flow, for firefighting purposes, as determined by Section 6 of this Article, must be provided to all premises or property upon which a Class 1 structure, a portion of a Class 1 structure or a Class 2 structure is hereafter constructed. The water supply shall be provided as follows:

1. When a municipal water supply is available and contingent to the premises or property, fire hydrants and mains shall be installed and capable of providing the required fire flow as determined by Section 6 of this Article.
2. When a municipal water supply is not available, an alternative water supply may be approved. The alternative water supply shall consist of a pond, stream, river, canal, lake, reservoir, quarry, pressure tank, elevated tank or other fixed system capable of providing the required fire flow as determined by Section 6 of this Article. The means of acquiring the water from an alternative water supply shall be accessible and the connection(s) shall be approved by the Fire Chief, or his designee. The owner shall verify the fire flow requirements with the Fire Chief, or his designee, prior to final design and construction.

SECTION 6: FIRE FLOW REQUIREMENTS. In determining the requirements for fire flow, the Fire Chief, or his designee, shall utilize 675 IAC 22 Appendix B – “Fire Flow Requirements for Buildings” and 675 IAC 22 Appendix C – “Fire Hydrant Locations and Distribution” as a guide. The requirements in Appendix B & C may not be made more stringent by the Fire Chief, or his designee.

ARTICLE IV: EMERGENCY AND STANDBY POWER

SECTION 1: EMERGENCY LIGHTING ACTIVATION TEST. An activation test of the emergency lighting equipment shall be completed monthly. The activation test shall ensure the emergency lighting activates automatically upon normal electrical disconnect and stays sufficiently illuminated for a minimum of 30 seconds.

SECTION 2: EMERGENCY LIGHTING ACTIVATION TEST RECORD. Records for the activation test shall be maintained on the premises for a minimum of three (3) years and submitted to the Fire Chief, or his designee, upon request. The record must include the location of the emergency lighting tested, whether the unit passed or failed, the date of the test, and the person completing the test.

SECTION 3: EMERGENCY LIGHTING POWER TEST RECORD. The ninety (90) minute power test shall be maintained on the premises for a minimum of 3 years and submitted to the Fire Chief, or his designee, upon request. The record shall include the location of the emergency lighting tested, whether the unit passed or failed, the date of the test, and the person completing the test.

ARTICLE V: FIRE PROTECTION SYSTEMS

SECTION 1: CONSTRUCTION DOCUMENTS. Plans for Fire Alarms Systems, Water-Based Fire Protection Systems, Fire Pumps, Special Hazard Fire Suppression Systems, High-piled Storage Arrangements and Firestop Systems shall be submitted for review. Each applicable submittal must contain the following information:

- a. Sprinkler / Standpipe Systems:
 - (1) One (1) Full Set of Sprinkler / Standpipe Plans.
 - (2) One (1) Full Set of Sprinkler / Standpipe Calculations.
 - (3) One (1) Copy of the Sprinkler Construction Design Release (CDR).
 - (4) One (1) Set of Manufacturer’s *Cut-Sheets* for all sprinkler heads in the design.

- b. Fire Alarm Systems:
 - (1) One (1) Full Set of Fire Alarm Plans.
 - (2) One (1) Set of Battery Calculations.
 - (3) One (1) Copy of the Fire Alarm Construction Design Release (CDR).
 - (4) One (1) Set of Manufacturer's *Cut-Sheets* for the Fire Alarm Control Panel (FACP) and Fire Alarm Components.
 - (5) One (1) Fire Alarm Sequence of Operation Matrix.

- c. Special Hazard Fire Protection Systems:
 - (1) One (1) Set of Plans (if applicable).
 - (2) One (1) Set of Engineering Data (if applicable).
 - (3) One (1) Copy of the Construction Design Release (if applicable).
 - (4) One (1) Set of Manufacturer's *Cut-Sheets* for System Components.

- d. Fire Pumps:
 - (1) One (1) Copy of the Manufacturer's Fire Pump Specifications.
 - (2) One (1) Copy of the Manufacturer's Certified Pump Test Characteristic Curve

- e. Firestop Systems:
 - (1) Through-Penetration Firestop Systems.
 - (2) Membrane-Penetration Firestop Systems.
 - (3) Fire-Resistant Joint Systems.
 - (4) Perimeter Fire Barrier Systems.
 - (5) Fire-Rated Duct and Air-Transfer Openings.

SECTION 1: FIRE DEPARTMENT CONNECTIONS. The location of the fire department connections shall be approved by the Fire Chief, or his designee, with respect to fire hydrants, fire department access roads, fire apparatus water supply lines, buildings, utilities and landscaping. Immediate access to fire department connections shall be maintained at all times and not hindered by obstructions including fences, bushes, trees, walls or other fixed or removable objects.

SECTION 2: FIRE EXTINGUISHERS. Portable fire extinguishers shall be installed and maintained in Class 1 structures as set forth in the referenced edition of NFPA 10 as published by the National Fire Protection Association.

SECTION 3: QUALIFIED CONTRACTORS. Prior to performing installation, service, repair, inspection or maintenance of fire protection systems, the qualified person conducting such function(s) shall submit documentation to the fire chief, or his designee, verifying certification, for the company or individual, for each type of fire protection system being installed, serviced, repaired, inspected or maintained. Certification shall conform to the requirements as outlined in each applicable NFPA standard or from the manufacturer of such equipment.

ARTICLE VI. PENALTIES AND FEES

Any person who violates this Ordinance shall be guilty of an ordinance violation, punishable by a fine of not more than:

- A. First offense: up to Fifty Dollars (\$50.00).
- B. Second offense within two (2) years of any other offense under this Ordinance: up to Fifty Dollars (\$50.00).
- C. Third offense within two (2) years of any other offense under this Ordinance: up to Fifty Dollars (\$50.00).
- D. Fourth and subsequent offenses within two (2) years of any offense under this Ordinance: up to Fifty Dollars (\$50.00).

ARTICLE VII. REPEAL OF SECTIONS OF ORDINANCE 2019-18

SECTION 1: On the 21st day of November 2019, the Edinburgh Town Council enacted Ordinance No. 2019-18, An Ordinance Establishing Fire Safety Provisions. The Town of Edinburgh hereby amends Ordinance No. 2019-18 by deleting the following provisions that are superseded by the provisions in this Ordinance:

- A. Section 37.09(i)(2): *“The parking, stopping or standing of any personal property, specifically including vehicles, by any person, or any other means of obstructing fire lanes on private and public property shall be prohibited at all times.”*
- B. Section 37.09(ii): *“The Fire Chief or the highest officer in charge in any fire area, or the Town of Edinburgh Police Department, shall be empowered to create an area where only firefighters, police officers and those having an interest in any property may be admitted, and may rope and guard such area and the streets therein from the general public. It shall be a violation of this Section for anyone to cross such fire lines or limits unless permitted to do so by the Fire or Police Department.”*
- C. Section 37.09(vi) Key Box.

“1. When access to or within a structure or an area is unduly difficult because of secured openings or where immediate access may be necessary for life-saving or fire-fighting purposes, the fire chief may require a key box to be installed in an accessible location. The key box shall be of a type approved by the fire chief and shall contain keys to gain necessary access as required by the fire chief. It shall be the responsibility of the fire chief to maintain a list of all structures with a key box and all persons possessing keys to those key boxes. The key to said key boxes shall be a non-reproducible key registered to the fire department.”

D. Section 37.09(vii) Fire Equipment Keys “1. *It shall be unlawful to make or cause or permit to be made or possess any key or keys for buildings designated for use by the fire department except upon the written order of the fire chief. It shall also be unlawful for any person to fail or refuse to surrender possession of any such keys upon demand of the fire chief.*”

SECTION 2: Except as set forth in Section 1, subsections A through D, this Ordinance does not affect any other provision of Ordinance 2019-18, and all other provisions of Ordinance 2019-18 shall remain the same.

ARTICLE VIII. EFFECTIVE DATE

This ordinance shall be in full force and effect from and after its passage, approval and publication according to law.

Pursuant to IC 22-13-2-5(b), this Ordinance must be submitted to the Commission for review within thirty (30) days after adoption by the Town of Edinburgh. This Ordinance will be effective when approved by the Commission pursuant to IC 22-13-2-5(b).

ADOPTED this _____ day of _____, 2021.

EDINBURGH TOWN COUNCIL

Jeffrey A. Simpson, Council President

Dawn Graham, Vice President

Debbie Buck, Member

Miriam Rooks, Member

Ryan Piercefield, Member

ATTEST:

Scott Finley, Clerk-Treasurer