

INDIANA FIRE PREVENTION AND BUILDING SAFETY COMMISSION

TO: James Roberts
FROM: Fire Prevention and Building Safety Commission (Commission) Staff
DATE: February 16, 2021
RE: Preliminary Staff Review of the Fire Prevention Ordinance of the City of Westfield

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: <http://www.in.gov/dhs/2375.htm>.
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.

City of Westfield

Chapter 38

Fire Prevention Ordinance

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ARTICLE I – GENERAL REQUIREMENTS

Sec. 38-101 – Title

This Ordinance and all material included herein by reference shall be known as the fire prevention ordinance of Westfield, Indiana.

Sec. 38-102 – Purpose

The purpose of this Ordinance is to protect life, environment, health and general welfare of the citizens of Westfield, Indiana, and shall be construed in such a manner as to effectuate this purpose.

Sec. 38-103 – Authority

The Fire Chief, or the Fire Chief's designee, are hereby authorized and directed to administer and enforce the following:

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

The City of Westfield Fire Protection Ordinance shall be enforced throughout the boundaries of the City of Westfield and Washington Township, Hamilton County by the Fire Chief, the Fire Marshal or their designee.

Sec. 38-104 – Applicability

The provisions of this Ordinance shall be supplemental to the fire safety laws adopted by the Commission which are hereby adopted by the City of Westfield. This Ordinance shall apply to all Class 1 structures. Articles and sections shall only apply to Class 2 structures when specifically noted. When any provision of this Ordinance is found to be in conflict with any rule of the Fire Prevention and Building Safety Commission, the rule of the Commission shall prevail. This Ordinance shall apply to, and be in force and effect within all areas of the City of Westfield in Hamilton County, Indiana that is served by the Westfield Fire Department.

Sec. 38-105 – Severability

If any provision of this Ordinance be 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.

Sec. 38-106 – Minimum standards

All rules of the 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 Commission.

Sec. 38 – 107 - Effect of Adoption on Prior Ordinance

The expressed or implied repeal of 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.

Sec. 38 – 108 - Definitions

As used in this Ordinance, the following terms shall have the meanings ascribed to them in this section.

BUILDING CODE - Indiana Building Code (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 - Indiana Fire Prevention and Building Safety Commission as established by IC-22-12-2.

DIVISION OF FIRE AND BUILDING SAFETY - Division of Fire and Building Safety of the Indiana Department of Homeland Security created pursuant to IC 10-19-7.

FIRE CHIEF - Is the chief officer of the Westfield Fire Department and the City of Westfield Fire and Life Safety Division.

FIRE CODE - Indiana Fire Code (675 IAC 22).

FIRE AND LIFE SAFETY DIVISION - The Fire and Life Safety Division established by this Ordinance for the City of Westfield.

FIRE CHIEF – The chief officer of the Westfield Fire Department and the Fire and Life Safety Division

FIRE MARSHAL - The administrative head of a Fire and Life Safety Division appointed pursuant to Section 38-202 or 38-203 of this Ordinance.

FUEL GAS CODE - Indiana Fuel Gas Code (675 IAC 25).

GAR - General Administrative Rules (675 IAC 12) of the Indiana Fire Prevention and Building Safety Commission.

HAZARDOUS CONDITION - The presence of a structural condition, equipment, utility connection, or materials which constitutes or poses a recognized threat of fire or other injury to persons or property.

IAC - Indiana Administrative Code.

IC - Indiana Code of the Indiana General Assembly.

MECHANICAL CODE – Is the Indiana Mechanical Code (675 IAC 18).

NOTICE OF VIOLATION - A written notice issued by the Westfield Fire Department usually in the form of an inspection report listing violation(s).

OWNER - Has the meaning ascribed thereto in 675 IAC 22.

PERSON - Has the meaning ascribed thereto in IC 22-12-1-18.

QUALIFIED PERSON - 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.

STRUCTURE - Anything constructed, erected, or established that requires location on or in the ground or is attached to something having a location on or in the ground.

Terms not defined: Where terms are not defined in this Ordinance and are defined in the General Administrative Rules, Indiana Building Code, Indiana Fire Code, Indiana Mechanical Code and 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

DIVISION 1 - Organization

Sec. 38-201 – Organization of the Westfield Fire Department Fire and Life Safety Division.

The Fire and Life Safety Division of the Westfield Fire Department shall be under the supervision of the Fire Marshal appointed pursuant to the applicable personnel rules of the Westfield Fire Department under Chapter 38 of the City of Westfield Municipal Code.

Sec. 38-202 - Fire and Life Safety Divisions established; jurisdiction

There is hereby established a local Fire and Life Safety Division within the City of Westfield Fire Department and within Washington Township located within Hamilton County that is not completely within the boundaries of the City of Westfield.

Sec. 38-203 – Enforcement Authority

The Fire Chief, Fire Marshal or their designee, shall possess the authority to enforce the provisions of this Ordinance, the Indiana General Administrative Rules, Indiana Fire Code, Indiana Building Code, Indiana Mechanical Code, Indiana Fuel Gas Code, 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, Fire Marshal or their designee, shall have the authority to initiate legal action in accordance with locally prescribed remedies applicable to violations of the Indiana General Administrative Rules, Indiana Fire Code, Indiana Building Code, Indiana Mechanical Code, Indiana Fuel Gas Code, this Ordinance, or any other rule of the Commission. Violators of this Ordinance may be cited into any court having jurisdiction.

Sec. 38-204 – Authority at fires and emergencies

The Fire Chief or such designated officer of the Westfield Fire Department in charge at the scene of a fire or other emergency involving the protection of life or property, or any part thereof, shall have the authority to direct such operation as necessary to extinguish or control any fire, perform any rescue operation, investigate the existence of suspected or reported fires, gas leaks or other hazardous conditions or situations, or take any other action necessary in the reasonable performance of duty. In the exercise of such power, the Fire Chief is authorized to prohibit any person, vehicle or vessel from approaching the scene, and is authorized to remove, or cause to be removed or kept away from the scene, any person vehicle or vessel which could impede or interfere with the operations of the Westfield Fire Department and, any person not actually and usefully employed in the extinguishing of such fire or in the preservation of property in the vicinity thereof.

Sec. 38-205 – Emergency lines and limits

1. Barricades. The Fire Chief or such designated officer of the Westfield Fire Department in charge at the scene of an emergency is authorized to place ropes, guards, barricades or other obstructions across any street, alley, place

or private property in the vicinity of such emergency so as to prevent accidents or interference with the lawful efforts of the Westfield Fire Department to manage and control the emergency and to handle fire apparatus.

2. Obstructing operations. No person shall obstruct the operations of the Westfield Fire Department in connection with extinguishment or control of any fire, or actions relative to other emergencies, or disobey any lawful command of the Fire Chief or officer of the Westfield Fire Department in charge of the emergency, or any part thereof, or any lawful order of a police officer assisting the Westfield Fire Department.
3. Systems and devices. No person shall render a system or device inoperative during an emergency unless by direction of the Fire Chief or Westfield Fire Department official in charge of the incident.

Sec. 38-206 – Fire investigations

1. The Fire Chief, or the Fire Chief's designee, shall perform fire investigations pursuant to IC 36-8-17-7. The Fire Chief, or the Fire Chief's designee, is authorized to conduct an origin and cause investigation of all fires and explosions within the Westfield Fire Departments jurisdiction.
2. It shall be unlawful for any person to impede the Fire Chief, or the Fire Chief's designee, from conducting an origin and cause investigation.

Sec. 38-207 – Plan Review

The Westfield Fire Department Fire and Life Safety Division shall perform a review of all pertinent site plans, building plans (construction), fire protection system plans and specifications including sprinkler, fire alarm systems and hood suppression systems of any project within the boundaries of the Westfield Fire Department, in order to determine whether such plans and specifications comply with the applicable rules of the Commission, this Ordinance and any other codes, standards or rules that may apply. Separate review and permits shall be required for fire protection systems based on the Fire Protection Permit standards in this Ordinance.

1. Plans shall be submitted to the Westfield Fire Department Fire and Life Safety Division in a digital format and have available at the City of Westfield Building and Planning Departments traditional 24"x36" paper form.
2. Fire Department Plan Review shall occur at the following phases: Site Plan, Construction Plan and Fire Protection Systems Plan. This review shall run concurrent to the city plan review and any issues or corrections that need to be made to the plans shall be completed by the developer prior to the approval of the City of Westfield Planning and Building Department and the Westfield Fire Department. No City of Westfield or Westfield Fire Department approvals or permits shall be given or issued until review as provided herein and compliance has occurred.

Sec. 38-208 – Fire and Life Safety Inspections

1. The Fire Chief, Fire Marshal or their designee, shall conduct fire and life safety inspections in Class 1 Structures pursuant to IC 36-8-17-8.
2. Class 1 Structures shall be inspected as often as necessary for the purpose of ascertaining and causing to correct any violation of the Indiana General Administrative Rules, Indiana Fire Code, Indiana Building Code, Indiana Fuel Gas Code, this Ordinance or any other rule of the Commission.

Sec. 38-209 - Emergency Entry

1. The Westfield Fire Department shall have the right to enter any building or premise without permission or warrant in the event of any emergency situation constituting a threat to human life, property or public safety for the purpose of eliminating, controlling or abating the dangerous condition or situation.
2. At no time will the City of Westfield, Westfield Fire Department or any of its agents be responsible for any damages as a result of an emergency entry, The Westfield Fire Department or the Hamilton County 911 Center will notify the owner / occupant of the event and it will be the responsibility of the owner /occupant to assure that the building is re-secured.

DIVISION 2 - INSPECTIONS AND INVESTIGATIONS

Sec. 38-221 – Right to Enter Buildings

Authorized personnel of the Westfield Fire Department may, at all reasonable hours, enter any Structure (except private dwellings) within the City of Westfield or Washington Township in Hamilton County for the purpose of conducting inspections or investigations pursuant to this ordinance. The right to enter shall extend to new Structures under construction as well as to existing structures being renovated or remodeled. An inspector or investigator may be required by the owner or occupant to produce satisfactory proof of authority or identity. If an inspector or investigator is denied access, the fire marshal may apply to a court of competent jurisdiction for an order allowing inspection.

Sec. 38-222 - Fire and life safety inspections; fees

1. The Westfield Fire Department shall perform fire and life safety inspections in Class 1 Structures under the administrative supervision of the Fire Chief pursuant to IC 36-8-17.
2. The Westfield Fire Department may, as often as may be reasonably necessary inspect every Structure, building, place and public way, except the interiors of private dwellings, for compliance with fire safety laws adopted by the Commission and this Ordinance.
3. Upon the request of an owner or a primary lessee who resides in a private dwelling, the Westfield Fire Department may inspect the interior of the private dwelling to determine compliance with IC 22-11-18-3.5 and all other applicable law and regulations.
4. The fees for Westfield Fire Department inspections performed under this section shall be the current fee /fine structure set by the City of Westfield.
5. Following the issuance of an inspection report that contains a violation of a fire safety law, pursuant to the enforcement procedures under section 38.203 of this ordinance, the Westfield Fire Department may re-inspect a structure, building or place to ensure the violation has been remedied. If a violation cited in the inspection report is not remedied upon the Westfield Fire Department re-inspection, the owner or, if applicable, primary lessee of the Structure, building or place shall be subject to the fee /fine structure set by the City of Westfield for any subsequent re-inspections of such violation.
6. All code violations will be documented on a fire inspection report form. Each business will be given thirty (30) days to correct code violations. Certain code violations may be given less time to correct due to their severity.

Sec. 38-223 – Determination of Violation

Whenever the Fire Chief, Fire Marshal or their 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 Westfield Fire Department service area, 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.

Sec. 38-224 – 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, Fire Marshal or their 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 Westfield 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 mail to his or her last known address pursuant to IC 4-21.5-3-6.

Sec. 38-225 – Imminent Danger

The Fire Chief, or the Fire Chief’s designee, may stop an operation or require the evacuation with the approval of the State Fire Marshal of any Class 1 Structure or portion thereof 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, authorization, variance, exemption, or other license required under IC 22-14, another Indiana statute or rule of the Commission; or
3. Will conceal a violation of law.

Sec. 38-226 –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.

Sec. 38-227 – Time Limit

Orders shall set forth a time limit for compliance dependent upon the type of hazard created by the violation(s).

Sec. 38-228 - Appeal from Orders

An owner or occupant who remains aggrieved by an order or decision issued pursuant to this Fire Prevention Ordinance and the matter involves a rule of the Commission, may appeal to the Indiana Fire Prevention and Building Safety Commission as set forth by IC 36-8-17.

Sec. 38-229 – Local Ordinance Appeals Process

1. The Fire Chief or Fire Marshal, on the complaint of any person or wherever he or they shall deem it necessary, shall inspect all buildings and premises within their jurisdiction. Whenever any of said officers shall find any building or other Structure which, for want of repairs, lack of or insufficient fire escapes, automatic or other fire alarm apparatus, or fire extinguishing equipment, or by reason of age or dilapidated condition, or from any other cause, is especially liable to fire, and which is so situated as to endanger other property or the occupants thereof, or whenever such officer shall find in any building combustible or explosive matter or flammable conditions dangerous to the safety of such building or the occupants there of, he or they shall order such dangerous conditions or materials removed or remedied, and such order shall be complied with by the owner or occupant of such premises or building. If such order is made by the Fire Marshal or any of the Inspectors, such owner or occupant may, within 24 hours, appeal to the Chief of the Westfield Fire Department who shall, within five days, review such order and file his decision thereon, and, unless by his authority the order is revoked or modified, it shall remain in full force and be complied with at the time fixed in said order or decision of the Chief of the Westfield Fire Department.
2. However, an owner or occupant who remains aggrieved by the decision issued pursuant to this Ordinance and the matter involves a rule of the Commission, may appeal to such Commission as set forth by IC 36-8-17.

Sec. 38-230 – Variances

1. An owner or occupant requesting a variance from the provisions of this Ordinance That are not contained in a rule of the Commission shall apply in writing to the applicable fire prevention chief. The granting of a variance shall be considered only upon the written application of the owner of the property, stating that:
 - A. Practical difficulties have been encountered in the implementation of specific requirements of this Ordinance;
 - B. Compliance with specific requirements of this Ordinance will cause unnecessary hardship to the owner; and
 - C. The owner desires to take advantage of new methods or equipment which is recognized as adequate for the purpose for which they are to be substituted.

2. A variance may be granted only if the Fire Prevention Chief determines in writing that:
 - A. The requested use or modification will conform with fundamental requirements for safety; and
 - B. The granting of the variance does not increase the risk of fire or danger to the public. A copy of any variance granted shall be retained by the Fire and Life Safety Division.
3. A variance shall be enforced in the same manner as an order issued under Section 38-224 of this ordinance.
4. Whenever the Fire and Life Safety Division learns that an owner is in violation of the terms of a variance issued pursuant to this section, the Fire Marshal may order compliance as provided in Section 38-223 with the variance or with this Ordinance.
5. Pursuant to IC 22-13-2-7(c), variances granted by political subdivisions to the fire safety laws and building laws adopted in its ordinances are not effective until it approved by the Commission.

Sec. 38-231 – Orders to correct violations

1. If an owner or occupant fails to comply with an inspection report issued pursuant to Section 38-223 of this Ordinance or a variance issued pursuant to Section 38-230 of this Ordinance, the Fire Marshal may issue an order to compel compliance with the provisions of this Ordinance.
2. The failure of the Fire and Life Safety Division to inspect or to issue an order in accordance with this Ordinance shall not constitute approval of any violation or noncompliance with the provisions of this Ordinance.
3. Any order issued pursuant to this section shall be served upon the owner, operator, occupant or other person responsible for the building or property. Service of such order shall be by personal service, or by affixing a copy thereof in a conspicuous place at the entrance of said building or premises and by mailing a copy thereof to the owner or occupant by first class mail to the owner's or occupants last known address pursuant to IC 4-21.5-3.

Sec. 38-232 – Order forbidding occupancy

1. The Fire Chief or his designee is empowered to issue an order forbidding the occupancy of any structure or part of a structure, in accordance with IC 36-8-17-9.
2. The Fire Chief or his designee is empowered to issue an order forbidding continued construction of a building or structure when the building, structure or property under development is in violation of state or local fire prevention codes and continued work will:
 - A. Conceal a violation of law;
 - B. Be inaccessible to Fire Department apparatus; or
 - C. Provide insufficient water supply as required by this Ordinance.
3. The order forbidding occupancy or continued construction shall be in writing, specifying whether it is applicable to the entire structure, part of the structure, or the property under development. The order shall state the reason for issuance and the conditions under which the structure, part of structure or property may be occupied or construction continued. The order shall be posted on the structure in a conspicuous location and if conveniently possible, shall be given to the owner of the property or his agent and to any other responsible person supervising work on the premises.

Sec. 38-233 – Records and reports

1. The Westfield Fire Department shall maintain files containing reports of all properties that have been inspected, all orders issued, of all complaints and fires investigated, and the location of all buildings containing hazardous occupancies.
2. Companies providing periodic inspections of fire protection systems such as fire sprinklers, fire pumps, fire alarms, kitchen hood suppression or clean agent, upon request, shall submit a copy of their inspection report to the Division of Fire and Life safety of the Westfield Fire Department.

Sec. 38-234 - Remedies

Any person who shall violate any provision of this Ordinance or who shall fail to comply with any order issued under this Ordinance, or who shall fail to comply with or to obtain any permit required hereunder, shall be subject to penalties prescribed in Section 38-231 of this ordinance. Each day a violation continues, it shall constitute an additional violation.

Sec. 38-235 - Certificate of Occupancy

Prior to the occupancy of any newly constructed Class 1 Structure *or* tenant area, an inspection and approval must be given by the City of Westfield Building Commissioner and the Fire Chief or the Fire Marshal and/or their respective designees. After the final inspection occurs, a Certificate of Occupancy shall be signed by the City of Westfield Building Commissioner and the Fire Marshal. This will then allow the occupant to start moving into the building. Occupancy prior to the issuance of Certificate of Occupancy shall result in a fine set forth by the current fee /fine structure set by the City of Westfield.

1. Acceptance Testing- Prior to the issuance of the Certificate of Occupancy for a newly-constructed, renovated, or remodeled Class 1 Structure, the City of Westfield Fire Department is required to witness a successful acceptance or performance test in accordance with the appropriate installation standard or manufacturer's specifications for the following systems (if applicable):
 - A. Fire Alarm System;
 - B. Sprinkler System;
 - C. Special Hazard Fire Suppression System; and
 - D. Type I Hood Exhaust System.
2. Written Verification - Prior to the issuance of the Certificate of Occupancy for a newly-constructed, renovated, or remodeled Class 1 Structure, the City of Westfield Fire Department requires written verification that each Fire Protection and Life-Safety System has been installed in complete agreement with the terms of the listing, manufacturer's instructions, and the applicable installation standards.
3. Installation Documents - Prior to the issuance of the Certificate of Occupancy for a newly-constructed, renovated, or remodeled Class 1 Structure, the City of Westfield Fire Department requires the following documentation (if applicable):
 - A. Record of Completion for Fire Alarm Systems as required by NFPA 72.
 - B. Contractor's Material and Test Certificate for Aboveground Piping for Sprinkler and Standpipe Systems as required by NFPA 13.
 - C. Contractor's Material and Test Certificate for Underground Piping for Private Fire Service Mains, Fire Hydrants, and Piping as required by NFPA 13 and 24.
 - D. Certificate of Completion / Installation for all Special Hazard Fire Suppression Systems.
 - E. Air Balance Test Report (Type I and II Exhaust Hoods).

DIVISION 3 – ENFORCEMENT RESPONSIBILITY

Sec. 38-241 - Enforcement Authority

1. The Westfield Fire Department shall have the responsibility to enforce all provisions of this Ordinance within its jurisdiction.
2. A Westfield Fire Department shall have such other powers and duties as may be conferred from time to time by law or ordinance.

Sec. 38-242 - Legal assistance

The Fire and Life Safety Division may obtain the services of the City of Westfield attorney in connection with the enforcement of this Ordinance.

Sec. 38-243 - Law enforcement assistance

The Chief of the Westfield Police Department or the Hamilton County Sherriff may, upon request of the Fire Chief or the Fire Marshal, assign such available law enforcement officers as may be necessary to assist the Westfield Fire Department or the Fire and Life Safety Division in the enforcement of this Ordinance.

ARTICLE III - General Safety Provisions

Sec. 38-301 – Open Burning and Recreational Fire Provisions

The following types of open burning are permitted subject to the limitations found in section (1, B) below:

- Fires used for celebrating Twelfth Night Ceremonies.
- Fires used for celebrating school pep rallies;
- Fires used for celebrating scouting activities;
- Fires used for recreational and cooking purposes, i.e., camp fires.

1. Open Burning- A person shall not kindle or maintain or authorize to be kindled or maintained any open burning unless conducted and approved in accordance with this ordinance.

A. Burning of leaves shall be strictly prohibited within the corporate boundaries of the City of Westfield

B. Clean Wood Disposal Burning - Burning clean wood products as a means of disposal.

a. Must have a site visit and receive a permit from the Division of Fire and Life Safety

b. Can only be done between sunrise and sunset.

c. Must be monitored the entire time.

d. Must have an appropriate means of extinguishing the fire.

e. Must be at least 100' away from any structure.

f. Must be at least 100' away from a power line.

g. Cannot be done during a strong wind or during humid stagnant conditions where the smoke lingers and does not rise.

h. Is not permitted at all at a construction site as a means of disposal.

C. Exceptions - Burning with prior approval from the Division of Fire and Life Safety may be authorized for the following:

a. Burning of refuse consisting of material resulting from a natural disaster.

b. Burning for purposes of fire training.

c. Prescribed burning of native vegetation in accordance with the requirements of the Indiana Department of Environmental Management (IDEM) and in accordance with 326 IAC 4.

d. Agricultural burning on agricultural properties for maintenance purposes in accordance with 326 IAC 4-1-3.

e. Due to the risks related to the methods of burning defined in Sub-Paragraph (C) above, the Division of Fire and Life Safety may require certain procedures to guarantee public safety including but not limited to:

i. Standby fire personnel.

ii. Standby fire apparatus and equipment.

iii. Increased minimum separation distances and/or specific burning containers.

****The financial costs associated with these additional requirements shall be the responsibility of the petitioner.

2. Campfires or Recreational Fires- fires where dry wood products are being used for recreational purposes.

a. Are not to be larger than 5' x5' x5' in size unless otherwise permitted by the Division of Fire and Life Safety.

b. All fires shall be attended at all times during burning until completely extinguished.

c. All fires shall be extinguished if they create a hazard, nuisance, pollution problem or threat to public health or property.

d. Fires in an approved container, i.e. metal portable pit, clay chiminea, etc. shall be no closer than 15' from any dwellings.

e. Recreational fire on the ground must be at least 15' from a combustible structure.

- f. Recreational fires shall not be ignited more than 2-hours before the recreational activity and shall be extinguished upon conclusion of the activity.
- g. The Division of Fire and Life Safety shall be notified at 317-804-3307 at least 24-hours prior when a recreational fire is more than 125-cubic feet (5'x5'x5') in size for a site visit and receive a permit.

3. Intentional deviation from this ordinance shall be subject to a fine of up to \$500 for each violation

Sec. 38-302 - Required Fire Protection Systems – Out of Service

Where a required fire protection system is out of service, the fire department shall be notified immediately and the building shall either be evacuated or an approved fire watch shall be provided for all occupants left unprotected, until the fire protection system has been returned to service (Reference IFC 901.7).

- 1. In addition to the requirements in section 403.1 of the 2014 Indiana Fire Code, every Fire Watch shall have one qualified approved person for every 250 people of occupant load.

ARTICLE IV - FIRE SERVICE FEATURES

Sec. 38-401 – Address Identification

- 1. This section is to provide requirements to clearly identify and mark proper addresses on buildings. This section applies to existing buildings and new buildings, including buildings under construction.
- 2. Requirements - Approved numbers or addresses on a contrasting background shall be placed above the doorway or in such a position as to be plainly visible and legible from either direction of approach from the street or road fronting the property. The minimum size dimensions of the numbers shall be as specified below. Where a building or buildings are set back from the street or road fronting the property and where addresses may not be clearly identifiable due to distance from the street or roadway or to visual obstructions such as landscaping or architectural features, address or number posting shall be required both at the street or driveway serving such buildings and on the buildings. Multi-tenant buildings such as commercial strip centers will have the address on the rear door of their business as well. Residential Homes (Single Family), Individual condominiums, commercial suites and apartments shall have numbers or letters installed in accordance with the scope of this policy. In addition, minimum 6-inch high numbers, with 7/8-inch stroke, must be used to indicate apartment range numbers. On individual dwellings, a minimum 4-inch high number, with 3/4-inch stroke, must be used.
 - A. Commercial / Industrial 6-12-inch number height 1 ½ inch stroke width
 - B. Multi- Unit Residential 6-12-inch number height 1 ½ inch stroke width
 - C. Single family and Duplex 4 -inch number height ¾ inch stroke width

Sec. 38-402 – Fire Lane Markings

The location of fire lanes shall be established by the Fire Chief, or the Fire Chief’s 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 the Fire Chief’s designee. The erection of and maintenance of fire lane marking signs and striping shall be the responsibility of the owner of private property upon which such lane marking signs and striping is to be installed. All markings shall remain in good visible condition as determined by the Fire Chief or the Fire Chief’s designee. The parking or standing of any obstruction, including motor vehicles, within established fire lane markings on private or public property shall be prohibited.

Sec.38-403 – Gates and Barricades

- 1. The Fire Chief, or the Fire Chief’s 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. Electric gate operators, where provided, shall be listed in accordance with UL 325. Gates intended for automatic operation shall be designed, constructed and installed to comply with the requirements of ASTM F 2200 (IFC 503.5).
- 2. Approved gates or barricades shall be maintained by the property owner.

3. When a property is accessed through a gate or cross arm by means of a key or swipe card, it shall be equipped with a Key switch manufactured by the Knox Company. The switch will be keyed to the Westfield Fire Department Knox key. The location to be installed will be determined by the Fire Chief or the Fire Chief's designee. This section shall apply to Class 1 Structures as well.

Sec. 38-404 – Fire Department Connections, locations, access and signage

The location of the Fire Department Connections shall be approved by the Fire Chief, Fire Marshal or their 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.

1. Fire Department Connections shall be free standing and remote from the building.
2. The connection shall be a 5" Stortz type connection.
3. The Fire Department Connection shall be located to the curb cut of the main entrance of the project site or building it serves. The connection shall be arranged to face the street, driveway, or fire access route. This location shall be placed in an area that will not interfere with access to the building when hoses are laid from the closest fire hydrant to the Fire Department Connection.
4. The Fire Department Connection shall be located not more than one hundred (100) feet from the nearest fire hydrant.
5. The Stortz connection shall be arranged so that the connection is between thirty (30) and thirty-six (36) inches above the finished grade, sidewalk, or pit box top or lid at the location of the connection.
6. Where the Fire Department Connection is subject to vehicular damage, the connection shall be protected as follows:
 - A. Protective post(s) shall be four (4) in diameter schedule 40 or better steel post set in thirty-six inches (36) of concrete. The inside of the post shall also be filled with concrete.
 - B. Post(s) shall be located no less than thirty-six (36) inches from the Fire Department Connection and shall not interfere with the operation of the Stortz connection.
 - C. Post(s) shall extend above ground to a height at least equal to the top of the Fire Department Connection and not less than 3 feet above the ground.
7. The exposed exterior piping for the Fire Department Connection shall be painted red if it supplies a sprinkler system only, yellow if it supplies a combination sprinkler/standpipe system and green if it supplies a standpipe system only. The address for the building shall be on the riser of the Fire Department Connection. The Stortz connection shall not be painted.
8. The Fire Department Connection shall not be more than 25 feet from the curb.
9. Security Caps - When a building is protected by an automatic sprinkler and/or standpipe system and the Fire Department Connection is exposed to undue vandalism the Fire Chief or the Fire Marshal may require that a Knox Security Cap be installed. All new buildings equipped with an automatic sprinkler and/or a standpipe system shall install a Knox Locking cap on the Fire Department Connection

Sec. 38-405 - Marking of fire protection equipment, fire hydrants and apparatus access roads

1. Fire-protection equipment and fire hydrants shall be clearly identified in a manner approved by the Westfield Fire Department to prevent obstruction by parking and other obstructions.
2. Fire apparatus access roads shall be constructed in accordance with the requirements in 675 IAC 22 and shall be identified as fire access roads and the provisions set forth in Section 38-502 of the ordinance shall apply.

Sec. 38-406 – Fire Department access roads

1. Except for buildings protected throughout with an approved automatic sprinkler system installed in accordance with the rules of the Fire Prevention and Building Safety Commission, fire department access roads shall be provided and maintained for every facility, building or portion of a building hereafter constructed or moved into I within the jurisdiction. The fire department access roads shall comply with the requirements of this section and shall extend to within one hundred fifty (150) feet of all portions of the structure or any portion of the exterior wall of the first story of the building as measured by an approved route around the exterior of the structure.

2. Fire department access roads shall have an unobstructed width of not less than 20 feet, except for approved security gates in accordance with this article which shall not have less than an unobstructed width of 10 feet; and an unobstructed vertical clearance of not less than thirteen (13) feet six (6) inches.
3. Westfield Fire Department or emergency access roads shall be constructed to the City of Westfield standards and specifications, IFC section 503 and shall be subject to approval by the Fire Chief or the Fire Chief's designee.
4. During construction fire apparatus access roads shall be constructed to the City of Westfield standards and specifications and shall be provided with a minimum surface of compacted stone or if the building is being constructed of combustible materials it shall have a minimum of asphalt binder.
5. As authorized in section 503.1.2 of the 2014 Indiana Fire Code a minimum of two means of access shall be provided for:
 - A. Any subdivision with 50 or more single or two-family residential lots;
 - B. Any development having one or more commercial, multi family, or industrial Structures, three stories or greater in height; or
 - C. Any development having three or more commercial, multi family, or industrial Structures of any height.

Sec. 38-407 – Key Boxes

The Fire Chief or the Fire Marshal shall require a Knox box be installed in an approved location(s) on any new Class 1 Structure that is protected by an automatic sprinkler system equipped with a local or transmitted waterflow alarm, or the building is provided with any fire alarm system equipped with an outside audible/visual signaling device, or 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 servicing fire department, or an area on that property is unduly difficult because of secure openings and where immediate access is necessary for lifesaving or firefighting purposes for property preservation.

All Key boxes shall be purchased from Knox Box Corporation and keyed to the Westfield Fire Department.

1. The key box shall contain:
 - A. Keys to locked points of ingress whether on the interior or exterior of such buildings.
 - B. Keys to locked mechanical equipment rooms;
 - C. Keys to locked electrical rooms;
 - D. Keys to elevator controls
 - E. Keys to other areas as directed by the fire official
 - F. Keys to Post Indicator Valves controlling the water supply for Fire Sprinkler Systems.
 - G. Fire Alarm Control Panels
2. The emergency key box shall be installed on the building no more than three (3) feet to the side of the main building entrance and approximately five (5) feet above grade. Alternate locations shall be approved by the Fire Chief or Fire Marshal. The red reflective, Knox Co. sticker shall be affixed in the upper corner of the main entrance door on the side leading to the key box.

Sec. 38-408 – Water Supply

A water supply capable of supplying the required fire flow, for firefighting purposes, as determined by Section 38-509 of this ordinance and must be provided to all premises or property upon which a Class 1 Structure, a portion of a Class 1 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 38-509 of this Article.
2. When a public water supply is not available to a premises, the water supply shall consist of a pond, stream, river, canal, lake, reservoir, quarry, pressure tank, elevated tank, swimming pool, other fixed systems, or fire department delivered portable system capable of providing the required fire flow. The on-site water supply

shall be accessible to the Westfield Fire Department and be located within one hundred fifty (150) feet of the Class 1 building or Structure being protected with an automatic fire extinguishing system. If the on-site water supply is not within one hundred fifty (150) feet of the Structure being protected, the water supply shall be connected to onsite fire hydrants and mains capable of supplying the required fire flow. The owner shall verify the water supply requirements with the Westfield Fire Department prior to final design and construction. For buildings under construction. A water source approved by the Fire Chief or the Fire Marshal that is capable of supplying the required fire flow shall be made available prior to allowing combustible material to accumulate at the job site. Fire Hydrants shall be located within 400' of the Structure under construction. Fire hydrants shall be maintained clear and accessible for fire protection during all phases of construction. Water for construction purposes taken from hydrants shall in no way impede the Westfield Fire Department's use of the hydrants in emergencies.

Sec. 38-409 – Fire Flow Requirements

In determining the requirements for fire flow the Fire Chief, or the Fire Marshal, 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 the Fire Marshal.

Sec. 38-410 – Fire Hydrants

1. When determining the number and location of fire hydrants necessary to provide the required fire flow, Fire Chief, the Fire Marshal and/or his designee(s) shall use Appendix C, Fire Hydrant Locations and Distribution of the current Fire Protection and Building Safety Commission adopted fire code.
2. Fire hydrants shall only be used for fire protection, or as so directed by the water utility having jurisdiction.
3. Fire hydrants shall be kept clear and accessible at all times with a minimum of 3 feet of clearance around the hydrant.
4. Where the codes adopted by the Fire Prevention and Building Safety Commission or this Ordinance requires three (3) or more hydrants for proper fire-flow, those hydrants shall be placed in a 'loop' series in regards to the servicing water mains.
5. Public fire hydrants shall have a standard spacing as specified by the servicing water company as well as the approval of the Westfield Fire Department Division of Fire and Life Safety
6. All public fire hydrants shall remain the standard (consistent) color as provided by the servicing water company.

Private Hydrants

1. All private fire hydrants and water mains shall be installed and maintained as set forth in the adopted Fire Prevention and Building Safety Commission fire code.
2. The proposed location of private fire hydrants to supply the required fire flow shall be approved by the Fire Chief, the Fire Marshal and/or his designee(s) prior to construction of any Class 1 structure.
3. All private fire hydrants shall be painted yellow in color.

Testing of Private Hydrants

Testing of Private Hydrants Private hydrants shall be inspected and tested on an annual basis by a testing company to verify the flow and proper operation. The owner will maintain a copy of the test certification on the premises and send copies to the Westfield Fire Department. All hydrants shall be maintained in proper working order. Maintenance to be performed by the testing company should consist of greasing outlets, greasing the stem, and flow testing the hydrant. All test records shall be submitted to the Westfield Fire Department.

Installation Standards

1. Whenever the provisions of the article require the installation of a fire hydrant, whether on public or private property, such hydrant shall meet the following specifications:

- A. It shall be equipped with a five-and-one-quarter-inch main valve opening
 - B. It shall be constructed with two (2) two-and-one-half-inch hose nozzles, with seven-and-one-half (7&1/2) national standard threads per inch
 - C. It shall be equipped with one (1) four-and-one-half-inch steamer nozzle equipped with a five (5) inch Storz connection
 - D. It shall be constructed to be opened by turning clockwise a national standard pentagon operating nut
 - E. The source of the water supply shall be buried a minimum of five (5) feet below the ground level at the hydrant
 - E. The hydrant shall be constructed with a break-off feature to prevent the hydrant from leaking when damaged by collision
2. All fire hydrants, public or private shall be located not more than eight (8) feet from the edge of a paved area accessible by a fire department pumping apparatus, unless in a construction area.

Out-of-Service Hydrants

1. Fire hydrants that are out of service should be covered with a bag indicating "Out of Service".
2. Nonfunctional hydrants shall be made functional or removed.

Sec. 38-411 – Required water supply for fire protection

In setting the requirements for fire-flow, the fire prevention chief shall use the provisions set forth in 675 IAC 22, as a guide. Notwithstanding the provisions of this subsection, a reduction in required fire-flow, of up to seventy-five (75) percent, is allowed when the building is provided with an approved automatic sprinkler system. The resulting fire-flow shall not be less than one thousand (1,000) gallons per minute at twenty (20) psi residual utilizing one (1) test hydrant and one (1) flow hydrant.

Sec. 38-412 – Emergency Radio Responder Coverage (ERRC)

The City of Westfield requires that certain newly constructed buildings have approved levels of emergency radio signal strength (relative to existing levels of public radio coverage available at the exterior). Where the design of the building reduces the level of coverage inside of the building below minimum performance levels, a distributed antenna system, signal booster, or other method approved by Westfield Fire Department (WFD) and Hamilton County Public Safety Communications Center (HCPSCC) shall be provided.

The following building types shall require Emergency Radio Coverage testing prior to Certificate-of-Occupancy:

- Any building with one or more basements or below grade building levels
 - Any underground building
 - Any building more than five stories in height
 - Any building 50,000 square feet or larger
1. Testing: Documentation of testing by a person in possession of a current FCC license, or a current technician certification issued by the Associated Public Safety Communications Officials International (APCO) shall be provided to WFD prior to issuance of Certificate-of-Occupancy.
 - A. Testing shall take place after installation of all roofing systems; exterior walls, glazing and siding/cladding; and all permanent interiors walls, partitions, ceilings, and glazing.
 - B. If the building fails the test, a distributed antenna system with FCC certified signal booster or other approved system shall be installed to achieve the required level of radio coverage. Plans and specifications for ERRC systems must be approved by WFD and HCPSCC prior to installation.
 2. Hamilton County Public Safety Communications Center (HCPSCC) Approval: FCC rules require anyone who has installed or will be installing a device that amplifies and rebroadcasts a public safety frequency must have an agreement with the public safety radio system owner. HCPSCC is the owner of the emergency radio frequency used by WFD and therefore must approve any amplification of these

frequencies. HCPSCC has specific criteria that the system must be met and a legal agreement that parties must sign. Contact the Technical Services Manager at Hamilton County Public Safety Communications Center (HCPSCC), 317-776-4401 for forms and information.

3. **Technical Criteria:** Please contact the Technical Services Manager at Hamilton County Public Safety Communications Center (HCPSCC), 317-776-4401 for information related to frequencies used, radio sites, etc. necessary for modeling or designing radio coverage or amplification.
4. **Plan Submittal, Inspection and Acceptance Testing (when a system is required):** A set of plans for installation of a radio signal enhancement system shall be submitted to Westfield Fire Department Division of Fire and Life safety and the Westfield Building Department. A final acceptance test report shall be provided to the Division of Fire and Life Safety prior to issuance of Certificate-of-Occupancy. Final approval from HCPSCC is required prior to placing any system into service.
5. **Coordination with Building Department:** WFD determines when an ERRC system is required and has final authority for all requirements and testing. An ERRC system may only be waived if a determination is made by the Division of Fire and Life Safety. It is important that applicants installing a system coordinate with the City of Westfield Building Department in addition to WFD.

ARTICLE V - FIRE PROTECTION SYSTEMS

Sec. 38-501 – Construction Documents

Plans for fire sprinkler system, fire alarm system, a kitchen hood suppression system and high-piled Storage Arrangements shall be submitted for review to the City of Westfield Building and Planning Departments for review by the Westfield Fire Department Fire and Life Safety Division. Each applicable submittal must contain the following information:

1. **Sprinkler / Standpipe Systems:**
 - A. Accurate shop drawings of the system.
 - B. Hydraulic calculations.
 - C. Product specification sheets.
 - D. State of Indiana Construction Design Release if required by 675 IAC 12-6.
2. **Fire Alarm Systems:**
 - A. Accurate shop drawings of the system.
 - B. Battery calculations.
 - C. Product specifications.
 - D. State of Indiana Construction Design Release if required by 675 IAC 12-6.
3. **Requirements for Kitchen Hood Fire Suppression System Submissions:**
 - A. Hood listing and installation documentation.
 - B. Schematic of the fire suppression system installation and protected equipment.
 - C. Product specification sheets of the nozzles, tanks, piping, agent and other related items.
 - D. State of Indiana Construction Design Release if required by 675 IAC 12-6.

SMOKE DETECTORS AND SMOKE ALARMS

Sec. 38-502– Dwellings - smoke detector and smoke alarm requirements

1. Smoke detectors or smoke alarms required by 675 IAC 14 shall have a power supply as specified by the respective code. All other residential smoke detectors or smoke alarms may be powered by an AC power source or a battery. If the smoke detector or smoke alarm is solely AC powered and the manufacturer does not supply installation specifications, it shall be directly attached to a junction box with power supplied either from a dedicated branch circuit or the unswitched portion of a branch circuit also used for power and lighting, such installation shall be in accordance with 675 IAC 17. If the smoke detector or smoke alarm is solely powered by a battery, such battery shall be a non-removable, non-replaceable battery capable of powering the smoke detector or smoke alarm for a minimum of ten (10) years. For any dwelling unit requiring a non-removable, non-replaceable battery capable of powering the smoke detector or smoke alarm for a minimum of ten (10)

years as provided in this subsection, it shall satisfy the requirements of this subsection that any non-compliant smoke detector or smoke alarm installed in such dwelling unit prior to August 1, 2014, be replaced with a compliant smoke detector or smoke alarm at such time such non-compliant smoke detector or smoke alarm is replaced for any reason. Smoke detectors and fire alarm devices that are connected to a panel as part of a monitored Fire Alarm System, or other devices that use a low-power radio frequency wireless communication signal are exempt from the battery requirements of this section.

2. It shall be unlawful for any person to tamper with or remove any smoke detector or smoke alarm, except when it is necessary for maintenance or inspection purposes. Any smoke detector or smoke alarm removed for repair, replacement or local remodeling shall be reinstalled or replaced so that it is in place and operable.
 - A. Rental dwelling units. Each owner or manager or rental agent of the owner is responsible for the installation of required smoke detectors or smoke alarms and the repair or replacement of a required smoke detector or smoke alarm within two (2) business days after the owner, manager or rental agent is given written notification of the need to repair or replace the smoke detector or smoke alarm. Residents shall inspect and test the smoke detector or smoke alarm in accordance with manufacturer's instructions at least monthly.
 - B. Owner dwelling units. Each owner is responsible for the installation of required smoke detectors or smoke alarms and the repair or replacement of a required smoke detector or smoke alarm within two (2) business days of finding it inoperable. An owner shall inspect and test the smoke detector or smoke alarm for power in accordance with manufacturer's instructions at least monthly.
3. A person, company, or corporation violating IC 22-11-18-3, IC 22-11-18-3.5 and provisions of this article shall be subject to penalties as specified in IC 22-11-18-5 and Section 103-3 of this Ordinance.

Sec. 38-503 – Dwellings - Carbon monoxide detector and alarm requirements (IRC section 315)

1. A carbon monoxide detector / carbon monoxide alarm shall be defined for the purpose of this section as a device, which detects the presence of carbon monoxide (CO) gas which is a colorless, odorless and tasteless compound produced by incomplete combustion.
2. Each carbon monoxide detector / carbon monoxide alarm shall detect abnormal quantities of carbon monoxide that can occur in a dwelling, shall operate in the normal environmental conditions of a household, and shall be in compliance with UL 2034-standard for single and multiple station carbon monoxide alarms or UL 1075-standard for gas and vapor detectors and sensors which are annunciated at a system control panel.
3. All new residential dwelling units which contain fuel-fired appliances and/or attached garages shall be equipped with a minimum of one (1) functional, properly located, labeled and listed carbon monoxide detector or carbon monoxide alarm installed outside each sleeping area in the immediate vicinity of the bedrooms.
4. All equipment shall be installed and maintained in accordance with the current edition of NFPA 720 and the manufacturer's installation and maintenance instructions.

MEANS OF EGRESS

Sec. 38-504– Means of egress illumination and exit signs

1. Equipment providing emergency power for the means of egress illumination and exit signs shall be maintained in an operable condition.
2. An activation test of emergency lighting equipment shall be completed monthly. The activation test shall ensure the emergency light activates automatically upon normal electrical disconnect and stays sufficiently illuminated for a minimum of thirty (30) seconds.
3. For battery-powered emergency lighting, a power test of the emergency lighting equipment shall be completed annually. The power test shall operate the emergency lighting for a minimum of ninety (90) minutes and shall remain sufficiently illuminated for the duration of the test.

Sec. 38-505 – Means of egress continuity

Any member of the police or fire department who shall discover any fire escape or means of egress encumbered or obstructed in any manner shall report such condition to the Fire and Life Safety Division and such the Fire Marshal shall immediately notify the owner or occupant to remove such encumbrance or obstacle.

Sec. 38-506 – Exit Stairwell Identification

Each required stairwell in a building shall be identified with a letter and number. The letter shall start with A and the number will be the floor level. Example Stairwell A1 would be Stairwell A on the first floor; Stairwell A2 would be Stairwell A on the second floor. Each stairwell will have signage on the interior and exterior of each stairwell door indicating the stairwell letter/number designation. The stairwell with the roof access shall be labeled as well on each floor.

Sec. 38-507 – Portable fire extinguishers

1. Portable fire extinguishers shall be installed in accordance with and where required by the Indiana Fire Code and shall also be installed where required by this section.
2. Except for private dwellings, portable fire extinguishers shall be installed and maintained in all occupancies.

Sec. 38-508 – Requirements for commercial kitchen exhaust equipment and fire protection equipment

1. Any new installation or alteration of existing kitchen fire suppression equipment shall be inspected by the Fire and Life Safety Division prior to the kitchen cooking equipment being placed in-service. The installing company shall:
 - A. Notify the Fire and Life Safety Division at least forty-eight (48) hours in advance of the system being completed for system testing; and
 - B. Provide written documentation to the Fire and Life Safety Division that states the system has been inspected, signed by both the fire prevention inspector and the installation company's representative. This form is to be kept on file with the Fire and Life Safety Division.

Sec. 38-509 – Unlawful interference with fire protection equipment, barricades, devices, signs and seals

It shall be unlawful for a person to do or permit to be done any of the following acts:

1. Key box access and fire equipment keys - To make or cause or permit to be made or have in his or her possession any key for any key box emergency access system, Westfield Fire Department equipment, house or building used by the Westfield Fire Department, except upon the written order of the Fire Chief, or to fail or refuse to surrender possession of any such key upon demand of the Fire Chief;
2. Tampering with fire protection systems or equipment - To tamper, molest, remove or in any manner interfere with, damage or disturb any part of a fire protection system, apparatus, fire equipment, secured gates, barricades, devices, signs and seals in use in the City of Westfield
3. Injuring fire hose - To drive any motor vehicle over any fire hose laid in any street or Westfield Fire Department access road in the vicinity of any fire or while in use for any other purpose, or in any other way interfere with the use of such hose; or
4. Opening fire hydrants - To use or operate any public or private hydrants or valves connected to a water system intended for fire suppression purposes without written permission from the water utility or the Westfield Fire Department. Notwithstanding the provisions of this subsection, employees of the water utility who are authorized, members of the Westfield Fire Department, owners of private hydrants, and members of a duly recognized facility fire brigade may operate hydrants and valves as part of their assigned duties.

FIRE ALARM / DETECTION SYSTEMS

Sec. 38-510 – Scope of article

This article is applicable to the installation and maintenance of all manual and automatic Fire Alarm Systems in new and existing Structures. Also, faulty and/or false alarms, and delayed notification of manual or automatic Fire Alarm Systems.

Sec. 38-511 – Notification upon Fire Alarm activation

1. The Westfield Fire Department shall be notified immediately upon the activation of any fire alarm, except in the case of a supervised fire drill, periodic testing or maintenance of a system.
2. Notwithstanding subsection (a) of this section, such notice shall be required if the alarm is directly transmitted by private line

3. The monitoring company shall notify Hamilton County 911 Center when the alarm is received at all times except as stated in subsection (1) of this section.
4. Upon the receipt of a supervisory signal from a fire alarm or fire suppression system, the central station shall perform the requirements of "Disposition of Signals" as set forth in 675 IAC 28-1-28.
5. Upon the receipt of a trouble signal from a fire alarm or fire suppression system, the central station shall perform the requirements of "Disposition of Signals" as set forth in 675 IAC 28-1-28.

Sec. 38-512 – Faulty alarms

1. FALSE ALARMS - The willful and knowing initiation or transmission of a signal, message or other notification of an event of fire when no such danger exists.
2. EXCESSIVE FALSE ALARMS - It shall be unlawful for any person or entity who owns or controls property in the city on which an Alarm System is installed to issue, cause to be issued, or permit the issuance of more than three false alarms in a twelve-month period. A person or entity who owns or controls property on which the Alarm System is installed shall receive a warning from the city for each false alarm. There shall be no distinction between fire and security false alarms.
3. PENALTY - The person or entity in violation of this chapter shall pay as a penalty, this sum shall be subject to the fee /fine structure set by the City of Westfield

ARTICLE VI - MISC. PROVISIONS

Sec. 38-601 – Consumer Fireworks

1. Pursuant to I.C. § 22-11-14-6(d), I.C. § 22-11-14-10.5, and this Ordinance, consumer fireworks may only be used in the Westfield and Washington Township, Hamilton County, Indiana, during the days and times listed below:
 - A. Between the hours of 5:00 p.m. and two hours after sunset on June 29 through July 3 and July 5 through July 9; however, regardless of what time sunset occurs, no later than 11 PM;
 - B. Between the hours of 10:00 a.m. and 12:00 midnight on July 4 and December 31;
 - C. Use of fireworks is restricted to property owned or authorized for use by the user;
 - D. Fireworks use is not permitted on city owned property, parks, roads, easements or other publicly owned property without specific approval by the Westfield Fire Chief or his designee;
 - E. Nothing in this section shall prevent the fire chief, or his designee, from preventing the use of fireworks due to weather conditions or any other safety concern.
2. Any violations of this section shall be punished by a fine which shall be the current fee /fine structure set by the City of Westfield Code of Ordinances.

Sec. 38-602 – Vacant or abandoned buildings; placarding

The Fire and Life Safety Division may implement a program for identifying and placarding vacant or abandoned Class 1 Structures that pose an unreasonable risk hazard to firefighters who forcibly enter a building or Structure for controlling or extinguishing a fire. Unreasonable risk hazards shall include but not be limited to Structure deficiencies such as open roof(s), missing steps or stair(s), holes in floor(s), open wall(s) or shaft(s) or the illegal removal of Structure components of a building or Structure that may cause an entanglement or premature collapse hazard for firefighters.

Sec. 38-603 - Underground storage tanks; notification

Any person who supervises, manages, or directs the installation, retrofitting, removal or closure of underground storage tanks shall notify the Fire and Life Safety Division fourteen (14) days prior to commencement of work; however, this requirement shall not apply in emergency repair work where fourteen (14) day notification is not possible.

Sec. 38-604 - Use of Grills

1. Charcoal burners and other open-flame cooking devices shall not be operated on combustible balconies or within 10 feet of combustible construction.
2. LP-gas burners having a LP-gas container with a water capacity greater than 2.5 pounds shall not be located on combustible balconies or within 10 feet of combustible construction.

Sec. 38-605 – Traffic Signals

Any time a new development is required to install a traffic control signal device, or upgrade an existing signal, the developer shall be responsible for installing the current emergency vehicle preemption signaling equipment used by the Westfield Fire Department on that new signal.