

EXHIBIT I

THE TOWNSHIP OF PENINSULA

ORDINANCE NO. 32

**FIRE PREVENTION ORDINANCE
INTERNATIONAL FIRE CODE**

An Ordinance of the Township of Peninsula adopting the International Fire Code 2003 Edition, regulating the safeguarding of life and property from fire and explosion hazards arising from the storage, handling and use of hazardous substances, materials and devices and from conditions hazardous to life or property in the occupancy of buildings and premises in the Township of Peninsula; and providing for the issuance of permits and the collection of fees.

**THE TOWNSHIP OF PENINSULA, GRAND TRAVERSE COUNTY, MICHIGAN
ORDAINS:**

SECTION 1. Adoption of International Fire Code 2003 Edition. The International Fire Code 2003 Edition, including Appendix Chapters A through G, as published by the International Code Council, two (2) copies of which are on file at the office of the Township of Peninsula, is adopted as the Township of Peninsula Fire Prevention Ordinance for regulating the safeguarding of life and property from the fire and explosion hazards arising from the storage, handling and use of hazardous substances, materials and devices, and from conditions hazardous to life or property in the occupancy of buildings or premises in the Township and providing for the issuance of permits and the collection of fees. All of the regulations, provisions, penalties, conditions and terms of the International Fire Code 2003 Edition, and any future amendments to that Code, published by the International Fire Code Council, on file in the office of the Township of Peninsula Clerk are adopted and made a part of this Ordinance as if fully set forth in this Ordinance, with the additions, insertions, deletions and changes, if any, prescribed in Section 2 of this Ordinance.

SECTION 2. International Fire Code 2003 Edition Changes. The following sections of the International Fire Code 2003 edition, adopted in Section 1, are added, deleted, or changed as follows:

101. Title. These regulations shall be known as the Township Fire Prevention Ordinance of the Township of Peninsula, referred to below as “this Code”.

103 General. The Department of Fire Prevention is established within the jurisdiction under the direction of the Peninsula Township Board. The Peninsula Township Fire Chief (and/or his or her designate(s)) shall be named the Fire Code Official. The function of the Fire Code Official shall be the implementation, administration and enforcement of the provisions of this Code. The Fire Code Official shall not be removed from office except for cause and after full opportunity to be heard on specific and relevant charges by and before the appointing authority.

105.7.13 New Construction. Any owner or authorized agent who intends to construct, enlarge,

alter, repair, move, demolish, or change the occupancy of a building or structure, or to erect, install, enlarge, alter, repair, remove, convert or replace any fire alarm and detection system and related equipment, fire suppression system and related equipment including fire pump, standpipe systems and water supply piping and hydrants, the installation of which is regulated by this code, or to cause any such work to be done, shall first make application to the fire code official and obtain the required permit.

Exceptions:

1. One and two family residential (Residential Group R-3).
2. Utility and Miscellaneous Group U structures.

109.3 Penalties.

A. A person who violates any provision of this code is responsible for a civil infraction, punishable by a maximum fine of \$500.00 plus court costs. Each day that a violation continues after due notice has been served in accordance with this ordinance shall be deemed a separate offense.

B. A person who knowingly or willfully violates any provision of this code, or a person who shall erect, install, alter, repair or do work in violation of the approved construction documents or directive of the fire code official, or of a permit or certificate used under provisions of this code, or who refuses to correct a violation of the code after receiving due notice, interferes with the code official's enforcement of the code, or retaliates against another who has made complaint of a violation of this code, is guilty of a misdemeanor, punishable by imprisonment not exceeding 90 days and/or a fine of not more than \$500.00 plus court costs. Each day that a violation continues after due notice has been served in accordance with this code shall be deemed a separate offense.

111.4 Failure to Comply. Any person who shall continue any work after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be liable to a fine of not less than \$500.00. Each day that a violation of the stop work order continues after due notice has been served shall be deemed a separate offense.

307 Open Burning: This Section has been intentionally deleted in its entirety.

503.6 Security gates. The installation of security gates across a fire apparatus access road shall be approved by the Fire Chief. Where security gates are installed, they shall have an approved means of emergency operation. The security gates and the emergency operation shall be maintained operational at all times. Automatic security gates shall comply with the applicable provisions set forth in Appendix H of this code. Manual security gates shall comply with the applicable provisions set forth in Appendix I of this code.

506.1 Where required. Where access to or within a structure or an area is restricted because of secured openings or where immediate access is necessary for life-saving or fire-fighting purposes, the Fire Code Official is authorized to require a key box to be installed in an approved

location. Such lock boxes shall be installed on all structures of Use Group A-1, A-2, A-3, A-4, B, E, F-1, F-2, H-1, H-2, H-3, H-4, I-1, I-2, I-3, I-4, M, R-1, R-2, R-4, S-1, S-2, or any Mixed Use Group, where the structure is equipped with a fire protection system. Approved lock box containers shall be installed in the location that is designated by the Fire Department. The key box shall be of an approved type and shall contain keys to gain access as required.

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

SECTION 3 International Fire Code Additional Changes. The limits or restrictions referred to in certain sections of the International Fire Code are hereby established as follows:

Section 3204.3.1.1 Locations (Outdoor Storage) Storage of flammable cryogenic fluids in stationary containers outside of buildings is prohibited within the limits established by the Zoning Ordinance of the local governmental unit wherein the storage occurs or is proposed.

3308.2.2.1 Proximate Audience Displays - Where Allowed. Proximate audience displays are allowed only in Group A-1 occupancies that are equipped with a theatrical legitimate stage. Such occupancy shall be equipped throughout with an automatic fire sprinkler system designed and installed in accordance with Section 903.3.1.1 of this Code.

3404.2.9.5.1 Locations where above-ground tanks are prohibited. Storage of Class I and II liquids in above-ground tanks outside of buildings is prohibited within the limits established by Zoning Ordinance of the local governmental unit wherein the storage occurs or is proposed.

3406.2.4.4 Locations where above-ground tanks are prohibited. The storage of Class I and II liquids in above-ground tanks is prohibited within the limits established by the Zoning Ordinance of the local governmental unit wherein the storage occurs or is proposed.

3804.2 Maximum capacity within established limits. Within the limits established by Zoning Ordinance of the local governmental unit wherein the storage occurs or is proposed restricting the storage of liquefied petroleum gas for the protection of heavily populated or congested areas, the aggregate capacity of any one installation shall not exceed a water capacity of 2,000 gallons (7570 L).

SECTION 4. Deletion and Substitution, Appeal Board: Appendix A regarding the Appeal Board is deleted and the following shall be substituted: The Board of Appeals for this International Fire Code shall be the state authorized Construction Code Board of Appeals for the County of Grand Traverse created under the State Construction Code or its successors and one additional person appointed by the Board of Trustees in the same manner as other members of the Construction Code Board of Appeals and who has experience in design, installation and

operation of fire suppression systems.

SECTION 5. Deletion and Substitution, Electrical Code: That any reference to the International Electrical Code appearing in the International Fire Code is deleted and such references therein shall be substituted with the State of Michigan Electrical Code.

SECTION 6. Fee Schedule: The Peninsula Township Board shall, at each new code cycle, review, establish and approve a fee schedule for the implementation and enforcement of this Ordinance. The fee schedule to implement this Ordinance shall be published at the time of publication of this Ordinance.

SECTION 7. Code update: This Ordinance shall remain in effect and be in full force until repealed by the Township Board of the Township of Peninsula. The adopted edition of the International Fire Code shall automatically be updated to be the same edition as the State of Michigan Building Code. This update shall occur at the time the State of Michigan updates and places the State Building Code in force.

SECTION 8. Prior Ordinances: All other ordinances or parts of ordinances in conflict with or superseded by this Ordinance are repealed except to the extent that any project, condition, violation or prosecution that was subject to the prior Ordinance shall continue.

SECTION 9. Severability: If any section, subsection, sentence, clause or phrase of this Ordinance is, for any reason, held to be unconstitutional, unlawful or unenforceable by a court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this ordinance.

SECTION 10. Publication: The Clerk of the Township of Peninsula shall publish this Ordinance once (1) in a newspaper of general circulation in the Township of Peninsula, which publication shall be after the adoption by the Township Board.

SECTION 11. Effective Date: This Ordinance and any rules, regulations, provisions, requirements, orders and matters established and adopted hereby shall take effect and be in full force and effect 30 days after the date of publication of this Ordinance as provided in Section 10 and signing by the Supervisor and Clerk of the Township Board of the Township of Peninsula.

**PENINSULA TOWNSHIP FIRE PREVENTION ORDINANCE PERMIT/PLAN
REVIEW FEE SCHEDULE**

1. Construction Plan Review Fees:

Review/Permit

0-2000 ft ²	\$ 95.00
2001ft ² - 5000ft ²	\$115.00
5001ft ² - 10000ft ²	\$135.00
Over 10000ft ²	\$155.00

2. Fire Suppression System Plan

Fees:

A. Sprinkler system fees:

1-100 heads:.....	\$225.00
101-200 heads.....	\$250.00
201-300 heads.....	\$275.00
301-400 heads.....	\$300.00
401-500 heads.....	\$350.00
501-750 heads.....	\$375.00
Over 750 heads.....	\$375.00 plus \$0.20 per sprinkler over 750.

For hydraulically designed systems,
multiply the fee by two (2).

B. Alternative Agents (dry chemical, wet chemical, clean-agent, etc.) Fees.

Pre-engineered systems	\$125.00
Engineered and Total Flooding systems.....	\$250.00

C. Fire Alarm/Smoke Detection fees. Same as construction plan review/permit fees stated above.

Fees include plan review, permit and two (2) inspections. Additional inspections will be charged at \$95.00 per hour- Minimum one (1) hour charge.

ROBERT K. MANIGOLD, Supervisor
MONICA A. HOFFMAN, CLERK
Peninsula Township Board
Passed by the Town Board on:
April 10, 2007
Prepared in the offices of:
Running, Wise & Ford, P.L.C.
By: Richard W. Ford
Township Attorneys
326 E. State Street, P.O. Box 686
Traverse City, MI 49685-0686

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TO THE RECORD EAGLE:

Please publish on: April 19, 2007

Please send affidavit to: Richard W. Ford

Please send bill to: Monica A. Hoffman, Clerk
Peninsula Township
13235 Center Road
Traverse City, MI 49684

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E-MAILED TO THE RECORD EAGLE ON APRIL 11, 2007