

ORDINANCE NO. 2010- 16

OF THE TOWN OF ZIONSVILLE, INDIANA

WHEREAS, the Fire and Building Safety Commission, pursuant to Indiana Statutes, has adopted the Indiana Fire Code and the Indiana Building Code which contains all fire safety laws and rules that pertain to the design, construction, erection, alteration, modification, repair and demolition of public and private buildings, structures, and facilities and the enforcement of such fire safety laws and rules; and

WHEREAS, the Town of Zionsville is located in Boone County, Indiana; and

WHEREAS, the Town of Zionsville, desires to amend Ordinance # 2010-11 (Town of Zionsville Fire Protection Ordinance) as directed by the Indiana Fire Prevention and Building Safety Commission.

1. The Town of Zionsville Fire Protection Ordinance is hereby amended by deleting the stricken language and inserting the underscored language as noted in Exhibit A attached hereto.
2. Repeal of Conflicting Ordinances. The provisions of all other Town ordinances in conflict with the provisions hereof, if any, are of no further force or effect and are hereby repealed.
3. Severability. If any part of this Ordinance shall be held invalid, such part shall be deemed severable and the invalidity thereof shall not affect the remainder of this Ordinance.
4. Duration and Effective Date. The provisions of this Ordinance shall become effective immediately and remain in full force and effect until repealed by ordinance.

Introduced and filed on the 6th day of December, 2010. A motion to consider on First Reading was sustained by a vote of 7 in favor and 0 opposed, pursuant to Indiana Code §36-5-2-9.8.

DULY PASSED AND ADOPTED this 6th day of DECEMBER, 2010, by the Town Council of the Town of Zionsville, Boone County, Indiana, having been passed by a vote of 7 in favor and 0 opposed.

TOWN OF ZIONSVILLE, INDIANA
BY ITS TOWN COUNCIL

Matthew M. Price

Matthew M. Price, President

✓
For

Opposed

Timothy Haak

Timothy Haak

✓
For

Opposed

Valerie R. Swack

Valerie R. Swack

✓
For

Opposed

Judith Essex

Judith Essex

✓
For

Opposed

Welton W. Harris II

Welton W. Harris II

✓
For

Opposed

Candace Ulmer

Candace Ulmer

ATTEST:

John J. Yeo
John J. Yeo
Zionsville Clerk/Treasurer

✓
For

Opposed

Steven Mundy

Steven Mundy

✓
For

Opposed



Town Of Zionsville

FIRE PROTECTION ORDINANCE



Town of Zionsville

Ordinance 2010-16

Revised version locally adopted 12-06-2010

For all properties located within the Town of Zionsville and those protected under contract by the Zionsville Fire Department.

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ARTICLE I. General Provisions

SECTION 1. Purpose.

This Ordinance is intended to be a local amendment to the Indiana Fire Code and Indiana Building Code which strengthens the requirements of the minimum fire safety code.

SECTION 2. Applicability.

The provisions of this Ordinance shall be supplemental to the Indiana Fire Code and the Indiana Building Code as adopted by the Indiana Fire Prevention and Building Safety Commission which are hereby adopted by the Town of Zionsville, including all appendices. This Ordinance shall apply to all Class 1 structures. Articles and sections shall only apply to residential 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 unless such Ordinance provision is specifically approved by the Commission in writing. This Ordinance shall apply to, and be in force and effect within all areas of the Town of Zionsville in Boone County, Indiana that is served by the Zionsville Fire Department as well as all areas served under contract by the Zionsville Fire Department.

SECTION 3. Authority.

As authorized by IC 36-8-17, a local Fire Prevention Division is hereby established within the Zionsville Fire Department. The Town of Zionsville Fire Protection Ordinance shall be enforced throughout the boundaries of the Town of Zionsville and all areas served under contract by the Zionsville Fire Department by the Fire Chief, the Fire Marshal and/or his designee(s).

SECTION 4. Organization.

The Fire Prevention Division of the Fire Department shall be operated under the executive control of the Fire Chief and the administrative supervision of the Fire Marshal.

SECTION 5. Legal Assistance.

The Zionsville Fire Department may obtain the services of the Town Attorney, Boone County Prosecutor, Indiana Department of Homeland Security including the office of the State Fire Marshal, for legal or enforcement assistance in connection with this Ordinance.

SECTION 6. Law Enforcement Assistance.

Whenever requested to do so by the Fire Chief or Fire Marshal, the Chief of Police shall assign such available police officers as in his discretion may be necessary, to assist the Fire Department in enforcing the provisions of this Ordinance.

SECTION 7. Minimum Standards.

All adopted codes and laws of the Indiana Fire Prevention and Building Safety Commission and Title 675 of the Indiana Administrative Code are hereby incorporated in this Fire Protection Ordinance and shall include later amendments to that article as the same are published in the Indiana Register or the Indiana Administrative Code with effective dates as fixed therein. 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.

Article II. Definitions

BUILDING

A Class 1 structure as defined in IC 22-12-1-4 used for shelter, protection, or enclosure of persons, animals, or property and which is permanently affixed to the land.

BUILDING CODE

Indiana Building Code (675 IAC 13)

BUILDING PERMIT

A certificate issued permitting a person, firm, or corporation to erect, construct, enlarge, alter, repair, move, improve, remove, convert, or demolish any building or structure

BUILDING PLANS

The maps and drawings showing the specific location and design of building and released by the State Fire Marshal's Office.

CERTIFICATE OF OCCUPANCY

A certificate issued permitting a person, firm, or corporation to occupy a building or space.

CLASS 1 STRUCTURE

Refer to IC 22-12-1-4

CLASS 2 STRUCTURE

Refer to IC 22-12-1-5

CODE

Either Indiana Fire Code or Indiana Building Code

DWELLING

A single unit providing complete, independent living facilities for one or more persons, including permanent provisions for living, sleeping, eating, cooking, and sanitation.

DISTRICT

All properties located within the Town of Zionsville and those protected under contract by the Zionsville Fire Department.

EMERGENCY

Sudden unforeseen crisis (usually involving danger) that requires immediate action.

EMS

Emergency Medical Services

FALSE ALARM

An alarm caused by mechanical failure, malfunction, improper installation, or lack of proper maintenance, or an alarm activated by a cause that cannot be determined.

FIRE APPARATUS

Any vehicle utilized by the fire department in response to an emergency.

FIRE APPLIANCE

Any device which may be utilized to extinguish a fire.

FIRE CODE

Indiana Fire Code (675 IAC 22)

FIRE DOOR

A combination of a fire door, frame, and other accessories that together provide a specific degree of fire protection to an opening.

FIRE ALARM SYSTEM

A system or portion of a combination system consisting of components and circuits arranged to monitor and annunciate the status of fire alarm or supervisory signal-initiating devices and to initiate the appropriate response to those signals.

FIRE DETECTION DEVICE

A device designed to detect the presence of a fire signature and to initiate action.

FIRE LANE

A fire lane is a designated emergency access lane that is for FIRE and EMS vehicle use only. It is marked with the words "No Parking Fire Lane" in white or yellow letters and a stripe of at least four (4) inches in width, in conformance with the Indiana Manual on Uniform Traffic Control Devices

FIRE PROTECTION SYSTEM

Approved devices, equipment and systems or combinations of systems used to detect a fire, activate an alarm, extinguish or control a fire, control or manage smoke and products of a fire or any combination thereof.

FIRE WALL

A separation which provides a specific degree of fire protection between areas as per rules of the FPBSC.

FIRE WATCH

A fire watch is a person or persons who are assigned to monitor an area for watching for fires and other life safety concerns that may endanger the occupants or building. Fire watch personnel shall be provided with at least one approved means for notification of the fire department and their only duty shall be to perform constant patrols of the protected premises and keep watch for fires. This person must be familiar with the building, the evacuation procedure, the use of fire extinguishers and trained in Fire Safety and Prevention. Personnel used for fire watch shall be certified as a State of Indiana Firefighter I/II and shall be approved by the Fire Marshal. All costs, including wages paid directly to the fire watch personnel, shall be the responsibility of the building owner.

IBC

Indiana Building Code (675 IAC 13)

IFC

Indiana Fire Code (675 IAC 22)

INDIANA BUILDING CODE (675 IAC13)

Standards for the construction of buildings, utilities, mechanical equipment, and all forms of structures and permanent installations as adopted by the FPBSC. (675 IAC 13)

INDIANA FIRE CODE (675 IAC 22)

Regulations affecting or relating to structures, processes and premises and safeguards from the hazard of fire and explosion arising from the storage handling or use of structures, materials or devices; from conditions hazardous to life, property or public welfare in the occupancy of structures or premises from fire hazards in the structure or on the premises from occupancy or operation; and, matters related to the construction, extension, repair, alteration or removal of fire suppression and alarm systems as adopted by the FPBSC. (675 IAC 22)

KEY BOX

A key box is a key box provided by the KNOX Company that the building owner utilizes to provide easy access to the fire department in the event of an emergency. This key box will have a master key to the building or keys to all areas needing to be accessed by the fire department.

MEANS OF EGRESS

A continuous and unobstructed path of vertical and horizontal egress travel from any point in a building or structure to a public way. A means of egress consists of three separate and distinct parts: the exit access, the exit and the exit discharge.

NFPA

National Fire Protection Association

OCCUPANCY PERMIT

A certificate issued permitting a person, firm, or corporation to occupy a building or space.

OPTICOM

This is referring to the brand name of the equipment that the fire department uses to control traffic control devices throughout the district.

ORDER

A written document that requires the person being served, to immediately take action to correct the violation. The person being served must follow the requirements of the ORDER and comply within the stated deadline.

PERMIT

A certificate issued by governing authority

PLANS

Building Plans

OCCUPANT

Person who inhabits or engages in commerce within a building

OWNER

Any person with legal interest with property without limitation, the holder of title in fee

RESIDENCE

A dwelling whose occupants may not be permanent.

SERVING FIRE CHIEF

The Fire Chief for the Fire Department that provides the primary fire and emergency services to the property.

SERVING FIRE DEPARTMENT

The fire department that provides the primary fire and emergency services to the property.

SERVING FIRE MARSHAL

The Fire Marshal from the department that provides the primary fire and emergency services to the property.

SMOKE DETECTOR

A listed device that senses visible or invisible particles of combustion.

STANDARD/RULE

Requirement established by governing body

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.

ARTICLE III. Plan Review

SECTION 1. General.

- A. The Zionsville Fire Department Fire Prevention 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 Zionsville Fire Department, in order to determine whether such plans and specifications comply with the applicable rules of the Fire Prevention and Building Safety Commission (FPBSC), 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.
- B. Plans shall be submitted in traditional 24"x36" paper form.
- C. If available, in addition to paper form, plans shall be submitted in digital format compatible with current Fire Department software in order to assist the Department in the pre-fire planning of that structure. These shall include Site and Construction Plans submitted in Auto CAD format.
- D. 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 town 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 Town of Zionsville Planning and Building Department and the Zionsville Fire Department. No Town of Zionsville or Zionsville Fire Department approvals or permits shall be given or issued until review as provided herein and compliance has occurred.

SECTION 2. Existing Building Modifications.

- A. Plans shall be submitted to the Fire Marshal prior to any alteration, remodel, addition or demolition of any part of a building that is equipped with an Automatic Fire Suppression System and / or Automatic Fire Detection and / or Fire Alarm System.

ARTICLE IV. Fire Protection Permit

SECTION 1. General.

- A. Plans and specifications for Class 1 structures containing fire protection systems shall be submitted to the Fire Marshal prior to the system installation for review in accordance with the rules of the FPBSC and this Ordinance. No person shall install a Fire Protection System without first obtaining a Fire Protection Permit from the Fire Marshal. A Fire Protection Permit shall also be required anytime a Town of Zionsville building permit is issued, and the structure listed is equipped with a fire protection system; including a fire sprinkler system, fire alarm system or a kitchen hood suppression system.

- B. An application for a Fire Protection Permit shall be submitted on the fire department's prescribed forms and include all documentation required by the applicable NFPA standard adopted by the FPBSC, but shall not be less than the following:
 - 1. Requirements for Fire Sprinkler System Submissions:
 - (a) Accurate shop drawings of the system
 - (b) Hydraulic calculations
 - (c) Product specification sheets
 - (d) State of Indiana Construction Design Release (where required by the FPBSC)

 - 2. Requirements for Fire Alarm System Submissions:
 - (a) Accurate shop drawings of the system
 - (b) Battery calculations
 - (c) Product specifications
 - (d) State of Indiana Construction Design Release (where required by the FPBSC)

 - 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 (where required by the FPBSC)

SECTION 2. Fees.

- A. The fee for each Fire Protection Permit issued pursuant to this Article III shall be as approved by the Town Council.

SECTION 3. Permit Process.

- A. The Fire Marshal or his designee shall review the system plans and process the application within 15-20 days of receiving a completed permit application and all applicable fees.
- B. A Fire Protection Permit issued pursuant to this Article shall not be transferable, and any change in use or occupancy prior to the acceptance test shall require a new permit.
- C. A Fire Protection Permit may be issued for individual portions of a structure based on need and items submitted to the Fire Marshal. Examples:
 - 1. New construction on a structure requiring a sprinkler system, fire alarm system and a kitchen hood suppression system.
 - 2. Items for construction may not be submitted at the same time. Fire Protection Permits may be granted for the sprinkler systems without the attachment of the fire alarm system and a kitchen hood suppression system.
 - 3. Applicable fees would apply but work may only be done on the area with the issued permit.

SECTION 4. Acceptance Testing.

- A. An acceptance test according to NFPA standards of the system shall be conducted prior to occupancy of the building or use of the protected area by the Fire Chief, the Fire Marshal and/or his designee(s). All systems must completely pass to obtain occupancy of the building or protected area.
- B. If during the initial acceptance test, deficiencies are discovered that require the system be tested at a later date to ensure code compliance, a re-inspection fee as determined by the Town Council shall be paid prior to each re-inspection.
- C. The installer shall contact the Fire Prevention Division at least 48 hours prior to schedule an acceptance test.
- D. Once acceptance tests are satisfactorily completed, a Certificate of Completion shall be given to the Zionsville Fire Department.

SECTION 5. Appeals Process.

- A. When the Fire Chief, the Fire Marshal and/or his designee(s) denies to grant a permit required by this Article, or when it is claimed that provisions of this Article or articles of the Fire Protection Ordinance do not apply, the person may appeal from the decision according to Article XIX of this Ordinance.

SECTION 6. Validity.

- A. Each permit granted under the provisions of this Article shall be valid for 1 (one) year as long as the installed system remains as designed. If the system is modified, the new design must be re-approved by the Fire Marshal or his designee, and new items submitted as required by this Article.
- B. A permit issued pursuant to this Article shall at all times be posted in a conspicuous place on the premises as designated in the permit and shall at all times be subject to inspection by the Fire Chief, the Fire Marshal and/or his designee(s).

SECTION 7. Installer Information.

- A. All installers must be qualified individuals.
- B. Installers must notify the Fire Prevention Division at least forty-eight (48) hours in advance of the system being completed for system testing.
- C. Any items and / or personnel needed for acceptance testing shall be provided by the installing company.

ARTICLE V. Permitting

SECTION 1. Building Permit.

- A. No permit for a Class 1 structure shall be issued for construction, addition, alteration, demolition of any structure, or work being done on a fire alarm or sprinkler system located within the jurisdiction limits of the Zionsville Fire Department without prior plan review and approval of the Fire Chief, the Fire Marshal and/or his designee(s).
- B. No permit for Class 1 or Class 2 combustible construction shall be issued prior to the required and / or approved water source and the required fire department access roads being in-service and verified by the Fire Chief, Fire Marshal and / or his designee.

SECTION 2. Occupancy Permit.

- A. Prior to the occupancy of any newly constructed structure and / or tenant area, an inspection and approval must be given by the Zionsville building inspector and the Fire Chief, or the Fire Marshal and / or his designee. After the final inspection occurs, a Certificate of Occupancy shall be signed by the Zionsville building official and the Fire Marshal. This will then allow the occupant to start moving into that building. Occupancy prior to the Final inspection of the Fire Chief, the Fire Marshal and/or his designee(s) and the issuance of Certificate of Occupancy shall result in a fee as set forth in this Ordinance.

ARTICLE VI. Stop Work Order

SECTION 1. General.

- A. Whenever the Fire Chief, the Fire Marshal and/or his designee(s), finds any violation of this Ordinance, the rules of the Fire Protection and Building Safety Commission (FPBSC), or work that is being performed in a manner contrary to the provisions of the rules of the FPBSC, this Ordinance, or in a dangerous or unsafe manner, those listed in this section are authorized to issue a Stop Work ORDER.
- B. The Stop Work ORDER shall be in writing and shall be given to the owner of the property involved, or the owner's agent, or to the person doing the work. Upon issuance of a Stop Work ORDER, the cited work shall immediately cease. The Stop Work ORDER shall state the reason for the ORDER, and the conditions under which the cited work will be permitted to resume. That ORDER shall require persons to leave the area that is affected by a violation and prohibit persons from entering the area, or working on the cited violation (unless to correct), until the violation is corrected.
- C. Each person who continues 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 subject to a violation of ORDER fine and other penalties as prescribed by law. An order issued under sections of this Article may be appealed to the FPBSC.

ARTICLE VII. Fire Department Connection Requirements

SECTION 1. General.

- A. There are special requirements in the Town of Zionsville with regards to fire department connections that are specific to the response area. These requirements are designed to standardize the location of all fire department connections in an effect to make it safer for firefighting crews when confronted with a structure fire.
- B. As permitted by the Indiana Fire Code 675 IAC 22, the Fire Department shall be consulted prior to placing the fire department connection at a specific location. This should also be noted on the site and sprinkler plans submitted to the Fire Marshal.
- C. Fire department connections shall be installed where required by and in accordance with the rules of the FPBSC at the time of installation. In addition, fire department connection specifications shall comply with this Ordinance.
- D. The fire department shall be notified prior to installing any fire department connection. Plans indicating proposed fire department connection locations shall be submitted to the Fire Prevention Division for review and approval during the Fire Protection Permit process.

SECTION 2. Location and Installation.

- A. The servicing fire department shall be consulted before placing the fire department hose connections at any location.

ARTICLE VIII. Fire Alarm Requirements

SECTION 1. General.

- A. This article shall cover installation and maintenance of all manual and automatic fire alarm systems in new and existing structures.

SECTION 2. Monitoring.

- A. Fire alarm systems required by 675 IAC 13, 675 IAC 22 or this Article installed after the effective date of this Ordinance shall be monitored as set forth in accordance with the rules of the FPBSC.
- B. The fire department's emergency communications center shall immediately be notified upon activation of any fire alarm by telephone, except in the case of a supervised fire drill or periodic testing of the system, installed after the effective date of this Ordinance.

SECTION 3. Faulty / False Alarms.

- A. Whenever the fire department responds to an automatic fire alarm at a premise or building more than three (3) times in a calendar year due to improper alarm installation, lack of maintenance, servicing, improper construction or maintenance work, or failure to notify the fire department of a drill or test, a fee / fine as approved by the Town Council shall be imposed.

SECTION 4. Remote Fire Alarm Annunciator Panels.

- A. When a fire alarm is required by the Indiana Fire Code to be installed, a zoning panel and associated controls shall be provided at the entrance the fire department will use as their main entrance point to the building.

ARTICLE IX. Required Water Supply For Fire Protection

SECTION 1. General.

- A. All Class 1 structures or portions of Class 1 structures hereafter constructed shall be provided with a water supply capable of providing the required fire flow for fire-fighting purposes for a minimum of two (2) hours. The water supply shall be from a source accepted by the rules of the FPBSC.
- B. In setting the requirements for fire flow, the Fire Chief, the Fire Marshal and/or his designee(s) shall use Appendix B *Fire-Flow Requirements for Buildings* of the current FPBSC adopted fire code.

SECTION 2. Water Main Sizes.

- A. Water Main sizes shall be large enough to maintain the required fire-flow as set forth in this Ordinance and as required by the rules of the FPBSC.
 - 1. Six inch (6") dead-end water mains that supply one (1) fire hydrant shall not exceed one hundred fifty feet (150').
 - 2. An eight inch (8") dead-end water main that supplies one (1) fire hydrant shall not exceed five hundred feet (500').
 - 3. A dead-end water main that supplies a fire sprinkler system (and/or a standpipe system) and two (2) or three (3) fire hydrants shall have a minimum inner diameter of eight inches (8").
 - 4. A fire service water main that supplies three (3) or more fire hydrants shall be tapped off a distribution supply main in two (2) separate areas (looped).

ARTICLE X. Fire Hydrants

SECTION 1. General.

- A. 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 FPBSC adopted fire code.
- B. Fire hydrants shall only be used for fire protection, or as so directed by the water utility having jurisdiction.
- C. Fire hydrants shall be kept clear and accessible at all times.
- D. Where the codes adopted by the FPBSC 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.

SECTION 2. Private Hydrants.

- A. All private fire hydrants and water mains shall be installed and maintained as set forth in the current NFPA standards and the adopted FPBSC fire code.
- B. 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.
- C. All private fire hydrants shall be painted red in color.
- D. All public fire hydrants shall remain the standard (consistent) color as provided by the servicing water company.

SECTION 3. Installation Standards.

- A. 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:
 - 1. It shall be equipped with a five-and-one-quarter-inch main valve opening
 - 2. It shall be constructed with two (2) two-and-one-half-inch hose nozzles, with seven-and-one-half (7 $\frac{1}{2}$) national standard threads per inch
 - 3. It shall be equipped with one (1) four-and-one-half-inch steamer nozzle equipped with a five (5) inch Storz connection
 - 4. It shall be constructed to be opened by turning clockwise a national standard pentagon operating nut
 - 5. The source of the water supply shall be buried a minimum of five (5) feet below the ground level at the hydrant

6. The hydrant shall be constructed with a break-off feature to prevent the hydrant from leaking when damaged by collision
- B. 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 (see Section 5).

SECTION 4. Out-of-Service Hydrants.

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

ARTICLE XI. Dry Hydrants

SECTION 1. General.

- A. Dry hydrants may be required to be installed when an available static water supply is available in the development. This should be used as an additional water supply for fire protection. Dry hydrants shall not be substituted when standard fire hydrants are required by the FPBSC adopted code and this Ordinance.
- B. Dry hydrants shall be placed within eight feet of the roadway and thirty (30) to thirty-six (36) inches above finished grade.
- C. All dry hydrants shall be painted red in color.
- D. The connection is to be a six (6) inch female connection National Standard Thread with cap. All installations shall be in accordance with NFPA and the FPBSC adopted codes.
- E. All dry hydrants shall be identified with a sign stating 'Fire Department Dry Hydrant - Do Not Block' which shall be affixed to the connection.

ARTICLE XII. Fire Department Access Roads

SECTION 1. General.

- A. 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 / 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.

SECTION 2. Gates.

- A. The Fire Marshal and / or his designee is authorized to require the installation and maintenance of gates or other approved barricades across fire department access roads, trails or other access-ways, not including public streets, alleys or highways.
- B. When a gated entrance is proposed on any project, commercial or residential, the access drive and radiuses shall be reviewed and shall meet the requirements of this Ordinance.
- C. When a traffic control device such as, but not limited to; gates, islands or curbing, is proposed to be installed in a new or existing development, the Fire Chief, the Fire Marshal and/or his designee(s) shall review the plans to assure that fire apparatus access will not be obstructed.

SECTION 3. Dimensions.

- A. 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.

SECTION 4. Increase Clearance and Width.

- A. Vertical clearances or widths required by this section shall be increased when vertical clearances or widths do not provide fire department access for the largest vehicle available to the servicing fire department.

SECTION 5. Surface.

- A. Facilities, structures or portions of structures hereafter constructed shall be accessible to fire department apparatus by way of an approved fire department access road with an all-weather driving surface capable of supporting the imposed load of the heaviest piece of fire apparatus available to the servicing fire department.

SECTION 6. Turning Radius.

- A. The turning radius of a fire department access road shall be determined after consultation of the Zionsville Fire Department and shall be at least equal to the minimum required radius for fire apparatus. Such roads shall be designed and constructed to permit turning of the longest piece of fire apparatus available to the servicing fire department.

SECTION 7. Dead-ends.

- A. Dead-end fire department access roads in excess of one hundred fifty (150) feet in length shall be provided with an approved area for turning around fire apparatus. This shall be approved by the Fire Chief, the Fire Marshal and/or his designee(s). The turn-around shall be based on those adopted by the FPBSC and this Ordinance.

SECTION 8. Grade.

- A. The gradient for all fire department access roads shall not exceed the maximum that the apparatus available to the servicing fire department can accommodate.

SECTION 9. Marking.

- A. Fire department access roads, not including public streets, alleys or highways, shall be identified by signs or notices which shall be maintained in a clean and legible condition at all times, and be replaced or repaired when necessary to provide adequate visibility.

SECTION 10. Access Roads and Fire Lane Signs.

- A. Fire department access roads and Fire Lanes shall be marked with permanent NO PARKING – FIRE LANE signs complying with the adopted FPBSC code and this Ordinance.

SECTION 11. Dimension and Rating Requirements

- A. Current dimension and rating requirements may be obtained through the Fire Marshal.

SECTION 12. Fire Department Access for Bridges to Residential Structures

- A. All bridges to residential structures that are on the primary fire department access road / drive shall be capable of supporting the largest fire department apparatus.

ARTICLE XIII. Fire Department Emergency Access

SECTION 1. General.

- A. In accordance with the rules of the Indiana FPBSC, buildings protected with an automatic sprinkler system equipped with a local or transmitted water-flow alarm, or buildings provided with any fire alarm system equipped with an outside audible / visual signaling device, or a building provided with a fire alarm system where the alarm is transmitted to an off-site location shall participate in the fire department's emergency key box (Knox Co.) program.
- B. The building owner / occupant shall provide at least one key capable of opening all protected areas of the building. The owner shall be responsible for insuring that updated keys are provided to the fire department as necessary.
- C. All automatic gates or similar barriers across a fire department access road or trail shall be provided with an approved Knox key box with the proper codes and / or keys, a Knox key override system for access, and shall be equipped with a siren activation device for access. This section shall apply to Class 2 structures as well using automatic gates. All manual gates shall be provided with an approved Knox padlock keyed to the Zionsville Fire Department. This subsection shall apply to Class 2 structures as well.
- D. All emergency key boxes, padlocks and emergency key vaults shall be from the Knox Company, and shall be keyed to the Zionsville Fire Department, Boone County, Indiana.
- E. It shall be unlawful for a person to make, cause or permit to be made or have in his / her possession any key for any emergency key box, except upon written order of the Fire Chief or his designee, or to fail or refuse to surrender possession of any such key upon demand of the Fire Chief or his designee.

SECTION 2. Installation.

- A. The emergency key box shall be installed on the building no more than four (4) feet to the right of the main building entrance and approximately four (4) feet above grade.
Alternate locations shall be approved by the Fire Chief, Fire Marshal and / or his designee. 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.

SECTION 3. Compliance.

- A. This Article is intended to apply prospectively to any new commercial construction within the Zionsville Fire Department District and those areas protected under contract. All existing buildings at the time of this Ordinance are requested to voluntarily comply with this Article. Notwithstanding this provision, any existing building which is remodeled, structurally altered or alters the fire protection systems in any way hereafter, shall comply with the terms and provisions of this Article.

SECTION 4. Limitation.

- A. This Article, other than Section 1(C), shall not apply to Class 2 structures. However, if a Class 2 structure chooses to participate in this Article, all sections shall apply.

ARTICLE XIV. Emergency Entry

SECTION 1. General.

- A. The Zionsville Fire Department shall have the right to enter any building or premises without permission or warrant in the event of any emergency situation constituting a threat to human life, property or the public safety for the purpose of eliminating, controlling or abating the dangerous condition or situation.

SECTION 2. Liability.

- A. At no time will the Town of Zionsville, Zionsville Fire Department or any of its agents be responsible for any damages as a result of an emergency entry. The Zionsville Fire Department or the fire department dispatch 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.

ARTICLE XV. Fire Protection in Recreational Vehicle, Mobile Home and Manufactured Housing Parks, Sale and Storage Lots

SECTION 1. General.

- A. Recreational vehicle, mobile home and manufactured housing parks, sales lots and storage lots, hereafter constructed or added to, shall provide and maintain fire hydrants and fire department access roads in accordance to the FPBSC adopted codes and this Ordinance.

Article XVI. False or Faulty Alarms

SECTION 1. General.

- A. It shall be unlawful for any person to knowingly give, or cause be given, any false alarm or fire, or to tamper with or set off any fire alarm or signal box with like intent; or tamper, meddle or interfere with any such box, wiring or supports thereof connected with the fire alarm or sprinkler system.
- B. The premises owner or the occupant of the premises shall not conduct a fire drill or test a monitored fire alarm system without first notifying the fire department and the fire department Dispatch Center. A false alarm fee shall be imposed after the third (3) false alarm is received in a calendar year. That fee is set forth in this Ordinance and has been approved by the Town Council. However, additional fees may be assessed to the suspect and the owner if the activation is determined to be a malicious act.
- C. A person who gives a false alarm of fire to the fire department of a governmental entity, knowing the alarm to be false commits false informing, a Class B misdemeanor. However, the offense is a Class A misdemeanor if it substantially hinders any law enforcement or fire department process, or if it results in harm to an innocent person.
- D. All sections of this Article shall apply to Class 1 and Class 2 Structures.

Article XVII. Required Fire Protection Systems - Out of Service

SECTION 1. General.

- A. 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.

SECTION 2. Fire Watches.

- A. Where utilized, fire watches shall be provided with at least one approved means for notification of the fire department and their only duty shall be to perform constant patrols or the unprotected premises and keep watch for fires.
- B. The person who is on fire watch shall be a State of Indiana certified Firefighter I/II and be able to present current certification documentation (copies) when requested, and approved by the Fire Chief and / or his designee. The fire watch shall have direct ability to communicate with the fire department dispatch center.

ARTICLE XVIII. Certificate of Occupancy Requirements

Section 1. Acceptance Test.

A. Prior to the issuance of the Certificate of Occupancy for a newly-constructed, renovated, or remodeled Class 1 structure, the Town of Zionsville 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):

1. Fire Alarm System
2. Sprinkler System
3. Special Hazard Fire Suppression System
4. Type I Hood Exhaust System

Section 2. Written Verification.

A. Prior to the issuance of the Certificate of Occupancy for a newly-constructed, renovated, or remodeled Class 1 structure, the Town of Zionsville 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 standard.

Section 3. Installation Documentation.

A. Prior to the issuance of the Certificate of Occupancy for a newly-constructed, renovated, or remodeled Class 1 structure, the Town of Zionsville Fire Department requires the following documentation (if applicable):

1. Record of Completion for Fire Alarm Systems as required by NFPA 72.
2. Contractor's Material and Test Certificate for Aboveground Piping for Sprinkler and Standpipe Systems as required by NFPA.
3. 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.
4. Certificate of Completion / Installation for all Special Hazard Fire Suppression Systems
5. Air Balance Test Report (Type I and II Exhaust Hoods).

Article XIX. Appeals Process

SECTION 1. General.

- A. Any person aggrieved by an order issued under this Fire Prevention Ordinance shall have the right to petition for review of any order of the Fire Chief, the Fire Marshal and/or his designee(s). Such a person may file a petition using either, or all, of the following procedures:
- B. A property owner or lessee with consent of the owner requesting a variance from the rules of the FPBSC shall apply for such to the FPBSC.
- C. A property owner or lessee with consent of the owner requesting a variance from the provisions of this Ordinance that are not part of rules of the FPBSC shall apply in writing to the Town of Zionsville Safety Board. The granting of a variance shall be considered only upon the written application of the owner of the property, stating that:
 - 1. Practical difficulties have been encountered in the implementation of specific requirements of this Ordinance;
 - 2. Compliance with specific requirements of this Ordinance will cause unnecessary hardship to the owner; and
 - 3. The owner desires to take advantage of new methods or equipment, which are recognized as adequate for the purpose for which they are to be substituted; but shall be approved by the Fire Chief and Fire Marshal.
- D. A variance may be granted only if the Town of Zionsville Safety Board determines in writing that: (1) the requested use or modification will conform to fundamental requirements for safety; and (2) the granting of the variance does not increase the risk of fire or danger to the public, firefighters or intended occupants. A copy of any variance granted shall be retained by the division.
- E. Until a formal variance is granted by the Town of Zionsville Safety Board, the original violation cited, that is under appeal, shall remain in effect.
- F. Whenever the Town of Zionsville learns that a property owner or lessee is in violation of the terms of a variance issued pursuant to this Ordinance, the Town of Zionsville may employ legal action as set forth in this Ordinance.
- G. The Town of Zionsville Safety Board shall retain the ability to table the variance request for one (1) 30 day period to research the request if needed.

Article XX. Inspection Process

SECTION 1. General.

- A. The Fire Marshal or his designee shall conduct the following inspections on all new and existing class 1 structures located within the Town of Zionsville and areas protected under contract by the Zionsville Fire Department.

SECTION 2. New Construction.

- A. Required inspections completed by the Fire Marshal and / or his designee shall include, but not be limited to:
 - 1. Site
 - 2. Pre-Drywall (Rough-In)
 - 3. Above Ceiling
 - 4. Pre-Final
 - 5. Final Certificate of Occupancy
 - 6. Sprinkler System Rough-In
 - 7. Sprinkler System Final
 - 8. Fire Alarm Rough-In
 - 9. Fire Alarm Final
- B. These required inspections may run concurrent.

SECTION 3. Existing Class 1 Structures.

- A. The inspection is completed by an Indiana certified Fire Inspector. At the time the inspection occurs, the inspector will evaluate the premises for violations of the applicable rules of FPBSC, this Ordinance and other documents as adopted by the FPBSC. At the completion of the inspection, the inspector will review the results with the occupant and leave a copy of the Inspection Report with the occupant. At the end of the correction period, a re-inspection will occur in approximately 30-45 days to determine if the violations have been corrected. If the previously cited violations are found to be corrected, no other action shall be needed. If violations are found to still exist after this first re-inspection, then a copy of the inspection form will be left with the occupant and the results reviewed with the occupant, the occupant shall then forward to the owner. A second re-inspection will occur in approximately 15 days and a fee as per this ordinance, shall be assessed. If the previous cited violations are corrected at this re-inspection, then

no further action shall be required. If previously cited violations are found, a fee shall be assessed and a third re-inspection will occur in approximately 5 days. If those violations are not corrected, a fee shall be assessed for each re-inspection and those re-inspections will occur every 5 days until the violations are corrected. If at anytime an Inspector completes an inspection and finds an immediate fire or life safety hazard, the violation shall be corrected immediately. In the event the violation can not be corrected immediately, a FIRE / LIFE SAFETY ORDER will be issued and the violation must be corrected by the date on the ORDER. Failure to correct the violation by the date on the ORDER will result in a fee and may cause further legal action to be taken against the violator. Please note that the fees/fines of this ordinance are in addition to those fines/fees that may be levied by the State of Indiana or Town of Zionsville.

SECTION 4. Limits.

- A. The inspection or permitting of any building, system or plan by the Fire Department, under the requirements of this Ordinance and the applicable rules of the FPBSC, shall not be construed as a warranty of the physical condition of such building, system or plan or the adequacy thereof, nor as an approval thereof. Neither the Town of Zionsville, Zionsville Fire Department nor any of its agents, shall be liable in tort for damages for any defect or hazardous or illegal condition or inadequacy in such building, system or plan, nor for any failure of any component of such, which may occur subsequent to such inspection or permitting.

ARTICLE XXI. Other Requirements

SECTION 1. Traffic Signals.

- A. 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 on that new signal. Product identification and signaling information is available through the Fire Marshal's Office.

SECTION 2. Emergency Communications.

- A. Any time a commercial building is being built in the District, the owner of the building shall contact the serving Fire Marshal for information on emergency communications equipment that may be required to be installed into the building. This equipment is a radio repeater system that is used to assist police and fire agencies inside the building. It will allow the Boone County Emergency Communications radio system to function properly inside their new building.

SECTION 3. Raised Pavement Marker.

- A. After hydrants have been installed, there shall be a raised pavement marker installed along the center line of the street, offset to the side of the hydrant and perpendicular to each hydrant. The raised pavement marker shall be a blue reflector and as specified in the current INDOTSS. Specifications are also available upon request from the Fire Marshal.

SECTION 4. Premises Identification

- A. New and Existing buildings shall have approved address numbers, building numbers or approved building identification placed in an approved position that is plainly legible and visible from the street or road fronting the property as well as the rear access or exit doors. These numbers or letters shall contrast with their background. Address numbers shall be Arabic numerals or alphabet letters. Numbers and letters shall be a minimum of four (4) inches high with a minimum stroke width of 0.5 inch.

SECTION 5. Unlawful to Hinder District.

- A. It shall be unlawful for any person to prevent, interfere with or in any manner hinder the District or any of its agents while engaged in the discharge of duties. A person who knowingly or intentionally obstructs or interferes with a firefighter performing or attempting to perform the firefighter's emergency functions or duties as a firefighter commits obstructing a firefighter, a Class A misdemeanor.

ARTICLE XXII. Investigation of Fires

SECTION 1. General.

A. The serving Fire Department shall investigate the origin, cause, and circumstances of all fires as pursuant to IC 36-8-17-7, under the supervision of the Fire Chief and/or his designee(s) all fires occurring in its district that meet any of the following criteria shall be investigated:

1. Any fire of a suspicious nature
2. Any fire involving loss of life or injury to persons
3. When notified by any fire department
4. When circumstances warrant
5. When otherwise deemed necessary

Such investigation will commence immediately upon the occurrence of such a fire and, if it appears that such fire is of suspicious origin, the Fire Chief and/or his designee(s) shall immediately be notified and coordinate investigation activities with the fire department having jurisdiction. Any information obtained pursuant to any such investigation shall be confidential as authorized and required by law. The local law enforcement agency, upon request of the Fire Chief and/or his designee(s), may render such assistance as necessary in the investigation of any fire. If a fire involves the loss of life to any person(s), the Indiana State Fire Marshals office shall be immediately notified. The Fire Chief and / or his designee(s) may utilize all available resources including, but not limited to:

1. Indiana State Fire Marshals Office
2. Bureau of Alcohol, Tobacco and Firearms (ATF)
3. Boone County Sheriffs Department
4. Zionsville Police Department
5. Other Fire Investigators as deemed necessary

Article XXIII. Disclaimers

SECTION 1. Severability.

- A. If any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision and such holding shall not affect the validity of the remaining portion hereto.

SECTION 2. Codification.

- A. It is the intention of the Town of Zionsville and the Zionsville Fire Department, that the provisions of this Ordinance shall be made a part of the Town of Zionsville Urban and Rural Ordinances; and that sections of this Ordinance may be renumbered or re-lettered and the word "ordinance" may be changed to "chapter", "section", "article", or such other appropriate word or phrase in order to accomplish such intentions; and regardless of whether such inclusion in the Code is accomplished, sections of this Ordinance may be renumbered or re-lettered and the correction of typographical errors which do not affect the intent may be authorized by the Town Council, without the need of a public hearing, by filing a corrected or re-codified copy of same with the Town Clerk.

SECTION 3. Local Ordinances.

- A. Nothing contained in these regulations shall be considered as abrogating the provisions of any ordinance, rule or regulation of any state or local jurisdiction providing such ordinance, rule, regulation, code or general plan element is equal to or more stringent than these minimum standards.

Article XXIV. Fees / Fines

Inspection Fees - Existing Structures	
Annual Inspection	\$0.00
First Re-Inspection (Approximately 30 days)	\$0.00
Second Re-Inspection (Approximately 15 days)	\$75.00
Third & All subsequent (Approximately 5 days)	\$150.00

*Exceptions may be given by the Fire Chief or Fire Marshal depending on the violation cited

Inspection / Permit Fees - New Construction	
All Site / Construction Inspections	\$0.00
Fire Alarm / Sprinkler System - Initial Acceptance Test	\$0.00
Hood Suppression System - Initial Acceptance Test	\$0.00
All Subsequent Acceptance Tests (all types)	\$50.00
Fire Department Occupancy Permit	\$5.00
Plan Review Fees	
Construction / Building Plan Review	\$0.03 per sq. ft. / \$20.00 Minimum
Fire Protection Permit Fees	
Automatic Sprinkler System	Number of Risers x \$100.00
Fire Alarm System	Number of Fire Alarm Zones x \$100.00
Special Hazard System (i.e. Hood Suppression System)	Number of Systems x \$50.00
Modification to an Existing System	Item being modified (i.e. Riser) x \$50.00
General Fees / Fines	
Construction or Installation without a Fire Protection Permit	Stop Work Order plus \$50.00
Failure to implement a Required Fire Watch	\$350.00 per day / per person - IDHS notified
Occupancy without Occupancy Permit	\$250.00 per day
False / Faulty Alarms (alarms 4-6 in a calendar year)	\$50.00 each occurrence
False / Faulty Alarms (alarms 7-10 in a calendar year)	\$150.00 each occurrence
False / Faulty Alarms (alarms 11 and beyond in a calendar year)	\$250.00 each occurrence
Tampering with a Life Safety System	\$500.00 each occurrence - IDHS & ZPD notified