



MEMORANDUM

April 20, 2010

TO: Board of Mayor and Aldermen

FROM: Eric S. Stuckey, City Administrator
Rocky Garzarek, Fire Chief
Andy King, Fire Marshal

SUBJECT: Ordinance 2010-31, to amend Title 7, Chapter 2 of the Franklin Municipal Code to adopt the International Fire Code , 2009 Edition

Purpose

The purpose of this memorandum is to provide information to the Board of Mayor and Aldermen (BOMA) concerning the proposed amendment to Title 7, Chapter 2 of the Municipal Code to adopt the 2009 edition of the International Fire Code (IFC).

Background

The IFC is a companion code document to the International Building Code. The Fire Code provides basic requirements for new construction of buildings, ongoing fire prevention safety, and regulates operations/processes that could pose hazards to citizens, property, or the environment. The IFC enables the City of Franklin to maintain consistent fire safety standards. As a code document, the Fire Code also provides the basis for fire prevention activities related to safety compliance inspections.

The State of Tennessee has adopted and recognizes the International Fire Code as the valid fire prevention code in Tennessee. Exempt jurisdictions, such as Franklin, must adopt the IFC to remain an exempt jurisdiction.

The 2009 edition of the code provides the community with state-of-the-art building and fire codes containing improved fire prevention concepts based on advances in technology, research and changes in building materials, and lessons learned from significant events affecting the public and their safety.

Recommendation

Adoption of the International Fire Code, 2009 edition, is recommended.

ORDINANCE 2010-31

TO BE ENTITLED: "AN ORDINANCE TO AMEND TITLE 7, CHAPTER 2 OF THE FRANKLIN MUNICIPAL CODE TO ADOPT THE INTERNATIONAL FIRE CODE, 2009 EDITION."

WHEREAS, for the purpose of regulating the safeguarding of life, property and public welfare to a reasonable degree from the hazards of fire, hazardous materials release and explosion arising from the storage, use and handling of dangerous and hazardous materials, substances and devices, conditions hazardous to life or property in the occupancy and use of buildings and premises, the operation, installation, construction, location, safeguarding and maintenance of attendant equipment, the installation and maintenance of adequate means of egress not provided for by the building code, therefore promoting the public safety of the people of Franklin; and

WHEREAS, in its legislative judgment the Board of Mayor and Aldermen has found that building regulations and standards must be dynamic and modified from time to time to reflect changes in model codes, construction materials, recognized construction methods, and safety standards necessary to preserve and promote the private and public interest; and

WHEREAS, the Board of Mayor and Aldermen of the City of Franklin, Tennessee, adopted the 2003 edition of the International Fire Code via Ordinance 2003-43 in October 2003; and

WHEREAS, Tennessee Code Annotated Title 68, Chapter 120, requires that for cities that enforce their own building construction safety standards, the building codes adopted by reference must be current within seven years of the date of the latest editions.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY OF FRANKLIN BOARD OF MAYOR AND ALDERMEN, AS FOLLOWS:

SECTION I. That Title 7, Chapter 2, Section 7-202 of the City of Franklin Municipal Code is hereby amended to delete the following text noted with a ~~strike through~~; to add the following text noted in **bold**; and is approved to read as follows:

7-202. Fire code adopted.

- (1) Pursuant to authority granted by Tennessee Code Annotated, §§ 6-54-501, et seq., and for the purpose of regulating and governing the safe-guarding of life and property from fire or 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, and providing for the issuance of permits in the City of Franklin, the ~~2003~~ **2009** edition of the International Fire Code, including Appendix B ~~and~~ , Appendix C, **Appendix H, and Appendix J** ~~with~~

~~any subsequent amendments or revisions that may be added, or as replaced by any later editions, as prepared by the International Code Council, Inc., is hereby adopted by reference and included herein as part of this code. Pursuant to the requirement of Tennessee Code Annotated, § 6-54-502 one (1) copy of the International Fire Code has been filed with the recorder and is available for public use and inspection. The International Fire Code is adopted and incorporated as fully as if set out at length herein and shall be controlling within the corporate limits. The International Fire Code, Chapter 45, Referenced Standards of the National Fire Protection Association shall be the latest editions published by the National Fire Protection Association.~~

(2) Pursuant to authority granted by Tennessee Code Annotated, § 6-54-502(c), the fire chief or his designee shall adopt administrative regulations to incorporate subsequent amendments to the International Fire Code, 2003 2009 edition, as published by the International Code Council, including its referenced standards in chapter 45, incorporating National Fire Protection Association amendments. These amendments shall be identified by the fire chief as to date and source and shall take effect as provided in Tennessee Code Annotated, § 6-54-502 unless disapproved by resolution of the board of mayor and alderman. Administrative regulations adopting amendments to the International Fire Code, 2003 2009 edition will be placed on file at the city recorder's office when they are published by the fire chief, and at least fifteen (15) days before their effective date.

SECTION III: BE IT FINALLY ORDAINED BY THE BOARD OF MAYOR AND ALDERMEN OF THE CITY OF FRANKLIN, Tennessee, that this ordinance shall be in full force and in effect for any permit application received by the Building and Neighborhood Services Department on or after September 1, 2010, the health, safety and welfare of the citizens of Franklin, Tennessee requiring it.

ATTEST:

CITY OF FRANKLIN, TENNESSEE:

By: _____
Eric S. Stuckey
City Administrator/Recorder

By: _____
John C. Schroer
Mayor of Franklin

PASSED FIRST READING _____

PASSED SECOND READING _____