

THE INTERNATIONAL FIRE CODE
ORDINANCE NO. 1873

An ordinance of the City of Russell adopting the 2012 edition of the *International Fire Code*, regulating and governing 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 City of Russell; providing for the issuance of permits and collection of fees therefor; and amending Sections 7-201 and 7-202 of the Code of the City of Russell.

BE IT ORDAINED BY The Governing Body of the City of Russell, Kansas:

SECTION 1. Section 7-201 of the Code of the City of Russell is hereby amended to read as follows:

7-201. International Fire Code, 2012 edition, adopted. That a certain document, three (3) copies of which are on file in the office of the City Clerk of the City of Russell, being marked and designated as the *International Fire Code*, 2012 edition, including Appendix Chapters B,C,D,E,F,G,H,I,J (see *International Fire Code* Section 101.2.1, 2012 edition), as published by the International Code Council, be and is hereby adopted as the Fire Code of the City of Russell, in the State of Kansas; and each and all of the regulations, provisions, penalties, conditions and terms of said Fire Code on file in the office of the City of Russell are hereby referred to, adopted, and made a part hereof, as if fully set out in this legislation, with the additions, insertions, deletions and changes, if any, prescribed in Section 2 of this ordinance. The filed copies of the code shall be marked or stamped "Official Copy as adopted by Ordinance No. 1873." All sections or portions of the filed copies of the code shall be clearly marked to show deletions, amendments and revisions of the code. No fewer than three (3) copies of the code incorporated by reference in this article shall be kept on file in the office of the City Clerk and kept available for inspection by the public at all reasonable business hours.

SECTION 2. Same; Revisions. Section 7-202 of the Code is amended to read as follows: Revisions to the International Fire Code, 2012 edition, incorporated by Section 7-201 are as follows:

- a. Section 101.1 Insert: City of Russell, Kansas, for name of Jurisdiction.
- b. Section 109.4. Is amended to read: Violation penalties are set forth in the Code for the City of Russell at Chapter VII, Article 2 at 7-208.
- c. Section 111.4. Insert: Not less than \$50 dollars nor more than \$500 dollars.
- d. Section 108. Board of Appeals is amended to read in full as follows:

The City governing body shall be the board of appeals. Any reference in the International Fire Code shall be construed to refer to the governing body. The governing body shall hear and decide appeals of orders, decisions or determinations made by the fire code official relative to the application and interpretation of this code. An application for appeal shall be based on a claim that the true intent of the code or the rules legally adopted thereunder have been incorrectly interpreted, the provision of the code do not fully apply or an equivalent method of protection or safety is proposed. The governing body shall have no authority to waive requirements of the code.

- e. Appendix A is deleted.

SECTION 3. Fire Code Official

The fire code official shall be the fire chief who may appoint deputies. The fire chief shall have the authority of a police officer as needed to carry out the duties and requirements of the fire code, and may delegate this authority as needed. The police chief is authorized to assist the fire chief as necessary in enforcing the provisions of the fire code.

SECTION 4. The geographic limits referred to in certain sections of the 2012 *International Fire Code* are hereby established as follows:

- a. Section 5704.2.9.6.1 is amended to read as follows: Storage of Class I and Class II liquids in above-ground tanks outside of buildings is allowed only within areas designated under city zoning laws as a P, I-1, or I-2 district and the Russell County Hospital. Such storage is prohibited in all other districts in the city.
- b. Section 5706.2.4.4 is amended to read as follows: Locations where above-ground tanks are allowed. The storage of Class I and Class II liquids in above-ground tanks is allowed only within areas designated under city zoning laws as a P, I-1, or I-2 district and the Russell County Hospital. Such storage is prohibited in all other districts in the city.
- c. Section 5806.2 is amended to read as follows: Limitations. Storage of flammable cryogenic fluids in stationary containers outside of buildings is allowed only within areas designated under city zoning laws as a I-1 or I-2 district and the Russell County Hospital. Such storage is prohibited in all other districts in the city.
- d. Section 6104.2 is amended to read as follows: Maximum capacity within established limits. Within the limits established by law 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 capacity of 2,000 gallons – I-1 and I-2 districts.

SECTION 5. That Sections 7-201 and 7-202 of the Code of the City of Russell are repealed and replaced as stated herein above.

SECTION 6. If any section, subsection, sentence, clause or phrase of this legislation is, for any reason, held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this ordinance. The Governing Body hereby declares that it would have passed this law, and each section, subsection, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses and phrases be declared unconstitutional.

SECTION 7. Nothing in this legislation or in the Fire Code hereby adopted shall be construed to affect any suit or proceeding pending in any court, or any rights acquired, or liability incurred, or any cause or causes of action acquired or existing, under any act or ordinance hereby repealed as cited in Section 5 of this law; nor shall any just or legal right or remedy of any character be lost, impaired or affected by this legislation.

SECTION 8. The City Clerk is hereby ordered and directed to cause this ordinance to be published in the official city newspaper.

SECTION 9. This law and the rules, regulations, provisions, requirements, orders and matters established and adopted hereby shall take effect and be in full force and effect from and after the date of its publication in the official city newspaper.

PASSED this 20th day of October, 2015 by the City of Russell, Kansas Governing Body.

APPROVED this 20th day of October, 2015 by the Mayor of the City of Russell, Kansas.



Raymond C. Mader, Mayor

ATTEST: 

Katrina Woelk, City Clerk

