

HOWELL TOWNSHIP
ORDINANCE NO. 262

FIRE PREVENTION CODE ORDINANCE

An Ordinance to promote the public health, safety, and general welfare of the Township and its citizens; to adopt by reference the 2012 edition of the International Fire Code, promulgated the International Code Council, Inc. ("Fire Prevention Code") (as well as adopt by reference the documents listed in the Fire Prevention 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 and property in the occupancy of buildings and premises in the Township; to provide for the issuance of permits and collection of fees therefor; to prescribe minimum requirements necessary to establish a reasonable level of fire safety and property protection from the hazards created by fire and explosion; to provide for penalties for violations thereof; and to repeal all other ordinances and parts of ordinances in conflict therewith.

THE TOWNSHIP OF HOWELL ORDAINS:

SECTION 1: Title.

This Ordinance shall be known and cited as the "Howell Township Fire Prevention Code Ordinance."

SECTION 2: Purpose.

The purpose of this Ordinance is to promote the public health, safety, and general welfare of the Township and its citizens; to adopt by reference the 2012 edition of the International Fire Code ("Fire Prevention Code") (as well as adopt by reference the documents listed in the Fire Prevention Code), including Appendix Chapters A, B, C, D, E, F, G, H, I, and J, as published by the International Code Council, 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 and property in the occupancy of buildings and premises in the Township; to provide for the issuance of permits and collection of fees therefor; to prescribe minimum requirements

necessary to establish a reasonable level of fire safety and property protection from the hazards created by fire and explosion; to provide for penalties for violations thereof; and to repeal all other ordinances and parts of ordinances in conflict herewith.

SECTION 3: Adoption of Fire Prevention Code.

- A. Pursuant to the provisions of MCL 41.805, as amended, and for the purpose of prescribing regulations governing conditions hazardous to life and property from fire and explosion and those other purposes listed in this Ordinance, the Township hereby adopts the Fire Protection Code (and documents adopted by reference therein) and incorporates it by reference as if fully set out at length herein (except as modified herein), and as so adopted and modified shall be known as the “Howell Township Fire Prevention Code.”

- B. From the date on which this Ordinance takes effect, the provisions of the Fire Prevention Code and documents adopted by reference therein, except as modified herein, control within the limits of Howell Township. Those provisions and documents adopted by reference herein, except as modified herein, are hereby adopted as the Howell Township Fire Prevention Code for the purpose of prescribing regulations governing conditions hazardous to life and property for fire and explosion and providing for issuance of and collection of fees.

- C. Three copies of the Fire Prevention Code are on file with and kept in the office of the Howell Township Clerk, and are available for and open to inspection by the public in the Office of the Township Clerk of Howell Township.

SECTION 4: Changes to Fire Prevention Code.

The following provisions of the Fire Prevention Code are hereby added, amended, or deleted as hereinafter set forth. Subsequent Chapters, Articles, and Section numbers used in Section 4 of this Ordinance refer to the like numbered Chapters, Articles, Divisions, and Sections of the Fire Prevention Code, unless otherwise specified.

1. *Section 101.1. Title.* Delete and replace with the following: “These regulations are to be known as the Fire Prevention Code of Howell Township, hereinafter referred to as “the Code” or “the Fire Prevention Code.”
2. *Section 102.7. Referenced Codes and Standards.* Delete and replace with the following: “The codes and standards referenced in this code are those that are listed in Chapter 80 and such codes and standards are to be considered part of the requirements of this code to the prescribed extent of each such reference. Where differences occur between the provisions of this code and the referenced standards, the provisions that establish the higher standard for the promotion of the safety and welfare of the public and the protection of the public, or as otherwise determined by the State of Michigan law, must apply.
3. *Section 103.1. General.* Delete and replace with the following: “The Howell Area Fire Authority is responsible for fire prevention, inspection activities, and code enforcement of buildings and occupancies as related to the risk of fire or explosion within the Howell Area Fire Authority jurisdiction. The department of fire prevention is established within the jurisdiction under the direction of the code official. The function of the department is the implementation, administration, and enforcement of the provisions of this code and the codes and standards referenced in Chapter 80 of this code.”
4. *Section 104.11.4.* Insert the following: “Section 104.11.4. Unlawful Boarding or Tampering with Fire Department Emergency Equipment. A person shall not, without proper authorization from the fire official in charge of said fire department emergency equipment, cling to, attach to, climb upon or into, board, or swing upon any fire department emergency vehicle, whether the same is in motion or at rest, operate any emergency warning equipment, or to manipulate or tamper with any levers, valves, switches, starting devices, brakes, pumps, or any equipment or protective clothing on, or a part of, any fire department emergency vehicle.”
5. *Section 104.11.5.* Insert the following: “Section 104.11.5. Damage/Injury to Fire Department Equipment/Personnel. It is unlawful for any person to (a) damage or deface, or attempt or conspire to damage or deface, any fire department emergency

vehicle or equipment; and (b) injure, or attempt or conspire to injure, fire department personnel while performing departmental duties.”

6. *Section 105.1. General.* Delete and replace with the following: “Permits must be in accordance with Section 105. Where reference is made to this section for permits elsewhere in this code and there are no provisions for issuing such permits by the department of fire prevention, the code official is authorized to waive the particular permit requirement.”
7. *Section 105.6. Required Operational Permits.* Delete and replace with the following: “The code official is authorized to issue operational permits for the operations set forth in 105.6.1 through 105.6.46. Where there are no provisions for issuing such permits, the code official is authorized to waive the particular permit requirement.”
8. *Section 105.6.20. Hazardous Materials.* Delete and replace with the following: “An operational permit is required to store, transport on site, dispense, use or handle hazardous materials in excess of the amounts listed in Table 105.6.20. An operational permit, once issued, remains valid until revoked or until the occupancy for which the permit was issued changes ownership. Upon any change of ownership, a new operational permit for the occupancy is required to store, transport on site, dispense, use or handle hazardous materials in excess of the amounts listed in Table 105.6.20. Notwithstanding the fact that no additional permit needs to issue, nor any further fee charged, for a change in the operation or manner of storage, transportation, dispensing, use, or handling of the permitted hazardous substance, nor for any change in the type of hazardous substance being used, any such change from the conditions of the original permit creates a duty on the permit holder to advise the fire marshal or his designee, in writing, of such changes promptly. Failure to comply with this notification requirement is cause for revocation of an operational permit where the circumstances surrounding such permit have been changed without notice to the fire marshal.”

“Exception:

1. Nothing in this subsection applies to a farm or farm operation as defined in Section 202 of this Code, and the Michigan Right to Farm Act, 1981 PA 93, as amended (now MCL 286.472 et seq.).

2. Nothing in this subsection applies to one- or two-family dwelling occupancies.”
9. *Section 105.6.20.1.* Insert the following: “Section 105.6.20.1. Required Amounts for Reporting. Reportable quantities are considered the maximum amount of hazardous material on site at any given time. This amount is required to be reported to the fire department as indicated in Table 105.6.20.”
10. *Section 105.6.20.2.* Insert the following: “Section 105.6.20.2. Permit Fees. The following fees shall be applied to the maximum quantity of each form of hazardous materials:

Quantity & Form	Fee
0-1,000 lbs.; 0-100 cu. ft.; 0-330 gal.	\$100
1,001-20,000 lbs.; 101-6,000 cu. ft.; 331-990 gal.	\$250
20,001+ lbs.; 6,001+ cu. ft.; 991+ gal.	\$500

11. *Section 105.7.1.1.* Insert the following: “Section 105.7.1.1. Installations. Before any fire suppression system or component is installed, enlarged, extended, or modified, a permit must be obtained from the code official. This permit requirement includes work regarding any device or relay connected to or controlled by the fire suppression system. All work must be performed by a qualified installer who is properly licensed and certified to perform work as determined by the code official. Construction documents must be reviewed by the code official before the permit issues. Upon issuance of the permit, the permit must be posted at the job site in plain view.”
12. *Section 105.7.1.2.* Insert the following: “Section 105.7.1.2. Permit Fees. Permit fees cover initial plan review and two inspections.

Sprinkler Systems

<u>Riser(s) & Sprinkler Heads</u>	<u>Fee</u>
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1-20 heads	\$ 80
21-50 heads	\$ 90
51-100 heads	\$100
101-200 heads	\$120
201-300 heads	\$140
301-400 heads	\$160
401-500 heads	\$180
501-1000 heads	\$200
>1000 heads	\$0.50 per head

Standpipes: \$45 per standpipe

Fire pump: \$50

Dry or wet chemical fire suppression systems: \$90 per system.

Each additional system in the same building reviewed at the time is \$45. Alterations, additions, or modifications to each existing system are \$35.

Total flooding agent extinguished systems: \$90 plus appropriate detection system fee.

Plan Reviews: The code official's review might require an outside third party. This review will be charged at the current fire safety consultant's or plan reviewer's rates. These fees must be paid before the permit issues."

13. *Section 105.7.6.1.* Insert the following: "Section 105.7.6.1. Installations. Before any fire alarm or detection system or component is installed, enlarged, extended, or modified, a permit must be obtained from the code official. This permit requirement includes work related to auxiliary devices, such as magnetic locks, electronic locks, or any device or relay connected to or controlled by the fire alarm or detection system. All work must be performed by a qualified installer who is properly licensed and certified to perform such work as determined by the code official. Construction

documents must be reviewed by the code official before the permit issues. Upon issuance of the permit, the permit must be posted at the job site in plain view.”

14. *Section 105.7.6.2.* Insert the following: “Section 105.7.6.2. Permit Fees. Permit fees cover initial plan review and two inspections.

<u>Device</u>	<u>Fee</u>
Control panel	\$ 20
First initiating or auxiliary control devices (smoke detector, heat detector, control switch, etc.)	\$ 10
Each additional initiating or auxiliary control device	\$.50 per device
First audiovisual indicating or communication device (horn, strobe, bell, etc.)	\$ 10
Each additional audiovisual indicating or communications device	\$.50 per device

Plan Review: The code official’s review might require an outside third party. This review will be charged at the current fire safety consultant’s or plan reviewer’s rates. These fees must be paid before the permit issues.”

15. *Section 105.7.17.* Insert the following: “Section 105.7.17. Permit Issuance. A permit granted hereunder is not transferable, and a permit may not be extended beyond the time set forth therein unless approved by the fire official. When work is started without a permit, the permit fee is doubled.”
16. *Section 106.5.* Insert the following: “Section 106.5. Additional Fees. The following fees may be charged for a reinspection and apply to each inspector performing the reinspection. These fees must be paid in full before the reinspection is performed.

1. \$30 per reinspection during normal working hours.
2. \$75 per reinspection during non-working hours.”

17. *Section 106.6.* Insert the following: “Section 106.6. Cancellation Fees. Handling cost of permits cancelled after being issued is 35% of the permit fee or \$10, whichever is greater.”

18. *Section 108.4.* Insert the following: “Section 108.4. Board of Appeals Members. The board of appeals shall consist of the following:

Two (2) members of the Howell Area Fire Authority board.

Three (3) certified fire inspectors from a jurisdiction outside the jurisdiction.

No member of the appeals board shall have a conflict of interest with the issue being addressed.”

19. *Section 109.4. Violation Penalties.* Insert “Misdemeanor punishable by a fine of \$500.00 or 90 days in jail”, such that this subsection now reads as follows: “Persons who shall violate a provision of this code, or fail to comply with any of the requirements thereof, or who erect, install, alter, repair, or do work in violation of the approved construction documents or directive of the code official or of a permit or certificate issued under provisions of this code, are guilty of a misdemeanor punishable by a fine of \$500 or 90 days in jail, or both. Each day that a violation continues after due notice is served is a separate offense.”

20. *Section 109.5.* Insert the following: “Section 109.5. Prohibited Parking; Exception; Bus Loading Zone; Violation as Civil Infraction.

1. Except if necessary to avoid conflict with other traffic or in compliance with the law or the directions of a police officer, fire official/personnel, or traffic-control device, one may not park a vehicle in any of the following places:

a. Within 15 feet of a fire hydrant.

- b. Within 20 feet of the driveway entrance to a fire station and within 75 feet of a fire station entrance on opposite side of street if properly marked by an official sign.
- c. Alongside or opposite a street excavation or obstruction, if the stopping, standing, or parking would obstruct traffic.
- d. Within 500 feet of an accident at which police officer and/or fire official/personnel is in attendance.
- e. In a place or in a manner that blocks immediate egress from an emergency exit conspicuously marked as an emergency exit of a building.
- f. In a place or in a manner that blocks or hampers the immediate egress from a fire escape conspicuously marked as a fire escape providing an emergency means of egress from a building.
- g. Within 500 feet of a fire at which fire apparatus is in attendance. However, volunteer fire fighters responding to the fire may park within 500 feet of the fire in a manner not to interfere with fire apparatus at the scene. A vehicle parked legally previous to the fire is exempt from this provision.
- h. In a place or in a manner that blocks access to a space clearly designated as a fire lane.
- i. A person shall not move a vehicle not owned by the person into a prohibited area or away from a curb a distance that makes the parking unlawful.”

21. *Section 109.5.1.* Insert the following: “Section 109.5.1. Fee Schedule. For any violation of the parking requirements listed in Section 109.5 of this code, the fine for

such an offense is as follows: \$25 per violation if paid within 10 days of the violation, and \$50 per violation if paid after 10 days of the violation.”

22. *Section 109.5.2.* Insert the following: “Section 109.5.2. Towing and Storage Costs. In addition to the above violation penalties, a person who violates this section is responsible for all vehicle towing and storage costs incurred if the fire chief (or the chief’s designee) determines that the vehicle parked in violation of Section 109.5 must be towed to insure public safety or access to a building or emergency scene by the fire department.”
23. *Section 109.6.* Insert the following: “Section 109.6. Application and Allocation for Fees, Fines. Payment for any permit fees or violation fees must be paid to the Howell Area Fire Authority.”
24. *Section 109.6.1.* Insert the following: “Section 109.6.1. Issuing of Tickets for Violations. The fire chief (and the chief’s designee, who shall be the deputy fire chief, assistant fire chiefs, fire marshal, and fire inspectors assigned to the fire marshal’s division) is authorized to issue tickets for violation of any provision of this code.”
25. *Section 111.4. Failure to Comply.* Insert “not less than \$500.00 for each day the violation occurs”, such that Section 111.4 now reads: “Any person who continues any work after served with a stop work order (except such work as that person is directed to perform to remove a violation or unsafe condition) is liable to a fine of not less than \$500.00 for each day the violation occurs.”
26. *Section 111.5.* Insert the following: “Section 111.5. Collection of Charges. The Howell Area Fire Authority may proceed in a court of appropriate jurisdiction to collect any monies remaining unpaid for services provided as a mature debt of the Howell Area Fire Authority and shall have any and all other remedies provided by law for the collection of all charges.”
27. *Section 114.1* Insert the following: “Section 114.1. False Alarms; Inspections; Orders to Correct.

1. A fire sprinkler or water alarm system experiencing more than two (2) false alarms within a thirty (30) day period or four (4) false alarms within the calendar year is deemed defective. Upon written notice to the owner or lessee of the alarm system by the Fire Chief (or the chief's designee), the owner or lessee must have the system inspected by an alarm system contractor who must within fifteen (15) days, file a written report to the Fire Chief (or the chief's designee) of the result of the owner's or lessee's inspection, the probable cause of the false alarms, and the owner's or lessee's recommendation for eliminating false alarms.
 2. Upon receipt of the report, the Fire Chief must forward the same to the owner or lessee, ordering corrections, based upon recommendations contained in the report.
 3. The owner or lessee shall have three (3) working days from the receipt of the order to make such corrections. Thereafter, to defray the cost of responding to false alarms, the owner or lessee of an alarm system shall pay to the fire authority the amount of the response as per the cost recovery fees for each false alarm received and responded to by the fire department during the calendar year in which the order to correct the system was issued. The amount due to the fire authority shall be paid upon demand by the fire department and if not paid, the fire authority and/or designee shall have the right, along with all of the other rights it may have, to impose a lien on the real and personal property of the owner or lessee and such lien shall be enforced in the same manner as delinquent taxes."
28. *Section 114.2.* Insert the following: "Section 114.2. Misrepresented False Alarms. It is unlawful for any person to summon, in any way, the fire department unless a valid reason for response is present. The fire chief or the chief's designee has the authority to issue fines, in accordance with the cost recovery ordinance, to any person causing a false alarm. If the person causing a false alarm is a minor, the fines are the responsibility of the minor's legal supervisor or guardian."

29. *Section 202. General Definitions.* The following definitions are in addition to the definitions contained in the International Fire Code, 2012 edition:

- a. “Code Official: The fire chief, fire marshal, fire inspector, code enforcement officer, or other designated authority charged by the applicable governing body with the duties of administration and enforcement of the code, or duly authorized representative. The term ‘fire official’ may be used interchangeably with ‘code official’ for purposes of this code.”
- b. “False Alarm: The activation of an alarm of an alarm system through mechanical failure, malfunction, improper installation, or the negligence of the owner or lessee of an alarm system or his or her employee or agent. ‘False alarm’ does not include an alarm caused by severe weather or other violent conditions beyond the control of the owner or lessee of an alarm system or his or her employee or agent.”
- c. “Farm: Land, plants, animals, buildings, structures (including ponds for agricultural or aqua-cultural activities), machinery, equipment, and other appurtenances used in the commercial production of farm products. MCL 286.472(a).”
- d. “Farm Operations: The operation and management of a farm or a condition or activity that occurs at any time as necessary on a farm in connection with the commercial production, harvesting, and storage of farm products. MCL 286.472(b).”
- e. “Fire Watch: A temporary measure intended to ensure continuous and systematic surveillance of a building or portion thereof by one or more qualified individuals for the purpose of identifying and controlling fire hazards, detecting early signs of unwanted fire, raising an alarm of fire, and notifying the fire department by methods that the code official approves or recommends.”

- f. “Misrepresented False Alarm: The willful and knowing initiation of the transmission of a signal, message, or other notification of a fire or emergency when no fire, emergency, or danger exists.”
 - g. “Water Capacity: The amount of water, in either pounds or gallons, at 60 degrees Fahrenheit (15.6 degrees Celsius) required to fill a container full of water.”
30. *Section 307.1.1.* Insert the following: “Section 307.1.1. Local Burning Ordinances Preserved. Nothing in this code is to be construed as barring Howell Township (a township served by the Howell Area Fire Authority) from regulating matters of open burning by duly adopted local ordinance, even if the ordinance does not predate the adoption of this code. If a conflict arises between this code and the Township’s ordinance, the local ordinance controls. Notwithstanding any superseding local ordinance, however, the fire chief, fire chief, fire marshal, or fire code official retains authority under Section 307.7 of this code to ban all open burning if conditions warrant.”
31. *Section 307.6.* Insert the following: “Section 307.6. Fire Department Training. Open burning is allowed to train fire fighters, train the public (including workers or employees), or for demonstration by the fire official or other trained fire personnel when such burning is done per accepted practices.”
32. *Section 307.7.* Insert the following: “Section 307.7. Banning Open Burning. The fire chief, fire marshal, or fire code official has authority to issue a ban on all open burning if conditions are deemed too hazardous in the opinion of the fire code official to allow the open burning, open flame, etc.”
33. *Section 312.2.1.* Insert the following: “Section 312.2.1. Maintenance. It is the property owners’ responsibility to provide and maintain this protection.”
34. *Section 507.5. Fire Hydrant Systems.* Delete and replace with the following: “Fire hydrant systems shall comply with Section 507.5.1 through 507.5.6 and shall be in

accordance with Appendix C and the Howell Area Fire Department standards and policies.”

35. *Section 508.5.4.1.* Insert the following: “Section 508.5.4.1. Removal of Obstructions. If upon the expiration of the time mentioned in a notice of violation, obstructions or encroachments to a fire hydrant or other fire protection equipment are not removed, the code official may remove them. The expense incurred is a debt to the Howell Area Fire Authority from the responsible person and may be collected as any other debt to the Howell Area Fire Authority.”
36. *Section 903.3.5.3.* Insert the following: “Section 903.5.3. Required Pressure Margin. Due to unforeseeable and changing conditions within the water supply, the code official may require a pressure margin of up to 20 lbs. over the minimum design criteria for installed automatic fire sprinkler systems. Where this margin cannot be achieved, approved means shall be taken to provide this margin.”
37. *Section 912.2. Location.* Delete and replace with the following: “With respect to hydrants, driveways, buildings, and landscaping, fire department connections shall be so located that fire apparatus and hose connected to supply the system will not obstruct access to the buildings for other fire apparatus. The location of fire department connections shall be within 100 feet of a hydrant and shall be approved by the code official.”
38. *Section 915.1.* Insert the following: “Section 915.1. General. Precautions shall be taken in all rooms and areas containing fire sprinkler equipment such as piping, valves, and fire pumps, to prevent freezing of said equipment during times of extremely cold temperatures.”
39. *Section 2301.1. Scope.* Delete and replace with the following: “Automotive service stations, marine service stations, fleet vehicle service stations and repair garages shall be in accordance with this chapter and the International Fuel Gas Code, Michigan Building Code, Michigan Mechanical Code, and the Michigan Storage and Handling of Flammable and Combustible Liquids Rules, as amended, or their equivalent. Such operations shall include both public assessable and private operations.”

40. *Section 2306.1. General.* Delete and replace with the following: “Storage of flammable and combustible liquids must be in accordance with Chapter 57 and Section 2306 and the Michigan Storage and Handling of Flammable and Combustible Liquids Rules, as amended, or their equivalent.”

41. *Section 2306.7.8. Gravity and Pressure Dispensing.* Delete and replace with the following: “Flammable and combustible liquids shall not be dispensed by gravity from tanks, drums, barrels, or similar containers. A device operating through pressure within a storage tank, drum or container shall not dispense flammable or combustible liquids. Approved pumps taking suction from the top of the container shall be utilized.

Exception:

1. Tanks, drums, barrels, or similar containers used in farms or farm operations as defined within this code.
2. Tanks, drums, barrels, or similar containers used at one- or two-family residential dwellings.”

42. *Section 5103.2. Identification.* Delete and replace with the following: “Cartons shall be identified on at least one side with the classification level of the aerosol products contained within the carton as follows:

LEVEL _____ AEROSOLS

The side of the carton marked shall be clearly visible when stored in configurations of two or more cartons.”

43. *Section 5601.1.1 Explosive Materials Standards.* In addition to the requirements of this chapter, NFPA 495 shall govern the manufacture, transportation, storage, sale, handling and use of explosive materials, and the Michigan Explosives Law 1970 PA 202, as amended, or its equivalent.”

44. *Section 5601.1.3. Fireworks.* Delete and replace with the following: “The possession, manufacture, storage, sale, handling, and use of fireworks are prohibited unless in compliance with the Michigan Firework Safety Act, being Act 256 of 2011, as amended by Act 65 of 2013, and as hereinafter, as amended, or its equivalent.”
45. *Section 5601.1.4. Rocketry.* Delete and replace with the following: “The storage, handling and use of model and high-power rockets shall comply with the requirements of NFPA 1122, NFPA 1125, and NFPA 1127, and the Michigan Model Rocket Law 1965 PA 333, as amended (now MCL 259.781 et seq.), or its equivalent.”
46. *Section 5608.1. General.* Delete and replace with the following: “The display of fireworks, including proximate audience displays and pyrotechnic special effects in motion picture, television, theatrical, and group entertainment productions, shall comply with this chapter and NFPA 1123 or NFPA 1126. Approved public displays shall be handled by an approved competent operator, and the fireworks shall be arranged, located, discharged and fired in a manner that will not be a hazard to property or endanger any person.”
47. *Section 5701.3. Referenced Documents.* Delete and replace with the following: “The applicable requirements of Chapter 50, other chapters of this code, the Michigan Building Code, and the Michigan Mechanical Code pertaining to flammable liquids, and the Michigan Storage and Handling of Flammable and Combustible Liquids Rules, as amended, or their equivalent shall apply.”
48. *Section 5701.4. Permits.* Delete and replace with the following: “Permits shall be required as set forth in Section 105.6 and 105.7, and the Michigan Fire Prevention Code 1941 PA 207, as amended (now MCL 29.1 et seq.), or its equivalent.”
49. *Section 5704.2.9. Aboveground Tanks.* Delete and replace with the following: “Aboveground storage of flammable and combustible liquids in tanks shall comply with Section 5704.2 and Section 5704.2.9.1 through 5704.2.9.7.10 and the Michigan Aboveground Storage Tanks Rules, or their equivalent.

Exception:

1. Aboveground storage tanks used in farms or farm operations as defined within this code.
 2. Aboveground storage tanks used at one or two family residential dwellings where the water capacity of said tank is less than 1,100 gallons.”
50. *Section 5704.2.11. Underground Tanks.* Delete and replace with the following: “Underground storage of flammable and combustible liquids in tanks shall comply with Section 5704.2 and Sections 5704.2.11.1 through 5704.2.11.5.2, and the Michigan Underground Storage Tank Rules, or their equivalent.”
51. *Section 6101.2. Permits.* Delete and replace with the following: “Permits shall be required as set forth in Sections 105.6 and 105.7, and the Michigan Fire Prevention Code, 1941 PA 207, as amended (now MCL 29.1 et seq.) or its equivalent.”

Distributors shall not fill an LP-gas container for which a permit is required unless a permit for installation has been issued for that location by the fire code official.

70. Chapter 80 – Referenced Standards

This chapter is revised to also include the following State of Michigan Laws, Rules, or Requirements, including but not necessarily limited to, the following with amendments:

- Michigan Fire Prevention Code, 1941 PA 207
- Michigan Explosives Law, 1970 PA 202
- Michigan Model Rocket Law, 1965 PA 333
- Michigan Storage and Handling of Flammable and Combustible Liquids Rules
- Michigan Underground Storage Tank Rules 1999
- Michigan Fireworks Safety Act 256 of 2011, as amended by Act 65 of 2013

SECTION 5: Severability Clause.

The provisions of this Ordinance are hereby declared to be severable, such that if any section, subsection, sentence, clause, or phrase of this Ordinance is declared unconstitutional, illegal, or of no force and effect for any reason by a court of competent jurisdiction, that declaration will not affect the validity of the remaining portions of this Ordinance.

SECTION 6: Notice of Adoption.

The Township Clerk is ordered and directed to cause a notice to be published as required by law that this ordinance has been adopted and that 3 copies of the same are available to the public for inspection during regular business hours at the Howell Area Fire Authority's main fire station, 1211 W. Grand River, Howell, MI 48843, and a copy at the Howell Township Hall, 3525 Byron Road, Howell, MI 48843.

SECTION 7: Repeal.

All ordinances or parts of ordinances that are in conflict with this Ordinance, including the Township's Fire Ordinance (Ordinance No. 14, effective Marcy 13, 1987) are hereby repealed.

SECTION 8: Effective Date.

This Ordinance will become effective thirty (30) days after publication in a newspaper of general circulation within Howell Township.

(Replacing Ordinance #233 5/21/2015)