AN ORDINANCE

BY THE PUBLIC SAFETY COMMITTEE

04- O -0618

AN ORDINANCE AMENDING SECTION 78-57 OF THE CODE OF ORDINANCES FOR THE CITY OF ATLANTA IN ORDER TO BRING THE FIRE SAFETY CODE OF THE CITY OF ATLANTA INTO COMPLIANCE WITH THE CURRENT RULES AND REGULATIONS OF THE FIRE COMMISSIONER OF THE STATE OF GEORGIA, AND FOR OTHER PURPOSES

WHEREAS, the City of Atlanta uses as the basis for its Fire Safety Code the Rules and Regulations promulgated by the Safety Fire Commissioner for the State of Georgia; and

WHEREAS, the Safety Fire Commissioner has the authority pursuant to O.C.G.A. 25-2-1 to amend existing rules, adopt new rules, or abolish obsolete rules as considered appropriate; and

WHEREAS, the recent amendments to the Rules and Regulations promulgated by the Safety Fire Commissioner have caused the Fire Safety Code for the City of Atlanta to be divergent from the state rules; and

WHEREAS, the City of Atlanta Fire Department desires to continue using the Rules and Regulations of the Safety Fire Commissioner as the basis for the City of Atlanta's Fire Safety Code;

NOW, THEREFORE BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ATLANTA as follows:

SECTION ONE - That Section 78-57 of the Code of Ordinances for the City of Atlanta, presently known as Standard Fire Prevention Code, 1994 edition be amended by striking Section 78-57 in its entirety and substituting in lieu thereof the following:

a) For the purpose of establishing rules and regulations for the safeguarding to a reasonable degree of life and property from hazards of fire and explosion arising from the storage, handling and use of hazardous substances, materials and devices and from conditions hazardous to life or property in the use or occupancy of buildings or premises, there is adopted that certain fire prevention code known as the International Fire Code, 2003 edition, as amended, and the whole thereof, save and except such portions as are altered, amended or repealed in this article, is incorporated in this article by reference as fully as if set forth at length in this article.

(b) The Fire Prevention Code of the City of Atlanta, (being also the International Fire Code, 2003 edition as amended by this section) is amended in the following respects:

The International Fire Prevention Code, 2003 edition is hereby adopted in its entirety, including Chapter 1, as amended by Chapter 120-3-3 of GA Safety Fire Commissioner Rules and Regulations and farther amended on the following pages:

That Section 104.6.3 Fire Records be amended by striking the entire section and substituting by a new section that shall read as follows:

Section 104.6.3 Fire Records

The chief of the fire department shall keep in the office of the fire safety division a record of all fires and all facts concerning the same, including statistics as to the extent of such fires and the damage caused thereby, and whether such losses are covered by insurance, and if so, in what amount. Such records shall be made daily from the reports made by the fire department officers and inspectors. All such records shall be public.

That Section 104.9 be amended by striking the entire section and substituting by a new section to read as follows:

Section 104.9 Alternative materials and methods

The fire chief or his designee (fire marshal) shall have the power to accept use of alternative materials or alternative methods of construction upon application in writing by the owner or lessee or his/her duly authorized agent, when there are practical difficulties in the way of carrying out the strict letter of the Code.

The fire chief shall require that sufficient evidence or proof be submitted to substantiate any claim made regarding the alternate. Approved alternate shall be at least the equivalent of that prescribed in the Code in quality, fire resistance, durability and safety.

The particulars of such alternate when granted shall be entered upon the records of the department and a signed copy shall be furnished to the applicant.

That a new section 104.9.1 New material processes, or occupancies which may require permits, be adopted to read as follows:

The chief of the fire department and the fire marshal shall determine and specify, after giving affected persons an opportunity to be heard, that new materials, processes, or occupancies shall require permits, in addition to those now enumerated in said code. The fire marshal shall post such list in a conspicuous place in his office and distribute copies thereof to interested persons.

That section 105.4. be amended by striking the entire section and substituting by a new section to read as follows:

Section 105.4 Construction Plans Approval

It shall be unlawful to construct, erect, or alter any commercial building without construction documents approval by the fire chief or his designee for fire department accessibility, fire hydrant requirements, Life Safety Code requirements for assembly occupancies and flammable and combustible liquid tank installations.

That Section 105.6.9 be deleted in its entirety and substituted by a new section to read as

follows:

Section 105.6.9 Compressed gases

A permit shall be required for the storage, handling, or use at normal temperature and pressure of more than 200 cubic feet of flammable compressed gas or 6000 cubic feet of nonflammable compressed gas.

That Section 105.6.26 be deleted in its entirety and substituted by a new section to read as follows:

Section 105.6.26 Lumber yards and woodworking plants

No person shall store in excess of 50,000 board feet of lumber without a permit.

That Section 105.6.28 be deleted in its entirety and substituted by a new section to read as follows:

Section 105.6.28 LP (Liquid Propane) Gas

No person shall install or maintain any LP Gas container without a permit. Where a single container or the aggregate of interconnected containers is over 200 gal water capacity, the installer shall submit plans to the fire official. A permit shall not be required for the installation or maintenance of portable containers of less than 120 gal water capacity.

Exception: A permit shall not be required for individual containers with a 500-gallon water capacity or less serving occupancies in Group R-3, which are located outside the Fire District as outlined in Section 8-2074 of the City of Atlanta Code of Ordinances.

That Section 105.6.31. be deleted in its entirety and substituted by a new section to read as follows:

Section 105.6.31 Open Burning

The burning of construction debris, organic debris from stomps, branches, and other land clearing efforts and any and all other outdoor burning, other than cooking fires, is prohibited within the City limits.

That Section 105.6.40 be deleted in its entirety and substituted by a new section to read as follows:

No person shall use any building, shed or enclosure as a place of business for purpose of repair, maintenance or service of any motor vehicle, marine or fleet motor fuel-dispensing facilities therein, without a permit.

That a new Section 105.6.48 be adopted to read as follows:

Section 105.6.48 Fees.

(a) The fire chief of the Atlanta Fire Department or his designee is authorized to charge fees, on a yearly, one time or location basis for the issuance of permits for certain activities or storing of certain materials that constitute fire hazards for which permits are required by the Fire Prevention Code, and certain activities not requiring a fire permit shall be in accordance with the following schedule of charges. Exception: No fees shall be charged for any construction plan review for work requiring building permits. The minimum fee for inspection

and permit issuance for any activity not listed shall be $36.00.

Permit Classification	Basis of Determining Fee	Minimum Fee	Maximum Fee
Aircraft hanger	$66.00 per hanger (permit is not required for residential aircraft hangers)	$ 66.00	$132.00
Auto tire rebuilding	$22.00 per buffing machine	22.00	180.00
Auto wrecking yard	$66.00	66.00	66.00
Junkyard	$66.00	66.00	66.00
Waste material handling	$132.00	132.00	132.00
Bowling pin refinishing and lane resurfacing	$42.00	42.00	42.00
Combustible fibers	100--500 cubic feet--$22.00; 500+ cubic feet--$13.00 per 1000 cubic fee (Permit is not required for storage of less than 100 cubic feet.)	22.00	180.00
Compressed gases	Flammable: 200--1,000 cubic feet--$22.00; 1,000+ cubic feet--$13.00 per 1000 cubic feet.	22.00	180.00
	Nonflammable: 6,000--10,000 cubic feet--$18.00; 10,000+ cubic feet--$13.00 per 1000 cubic feet. (Permit not required for less than 200 cubic feet of flammable gas or 6,000 cubic feet of nonflammable gas.)	18.00	180.00
Dry cleaning	Type II: $35.00 per machine utilizing class II flammable liquids	35.00	180.00
	Type III: $35.00 per machine utilizing 140 degrees F. liquids	35.00	180.00
	Type IV: $35.00 per machine utilizing nonflammable liquids	35.00	180.00
Explosive dust operations	$114.00	114.00	114.00
Explosives/blasting agents	$90.00	90.00	90.00

Blasting permits	$90.00 (per location) City wide permit-- $156.00	90.00	156.00
Flammable finishes	Dip Tanks--$42.00 per tank. Spray booths--$42.00 per booth not exceeding 25 sq. ft.	42.00 42.00	222.00 222.00
	$66.00 per booth in excess of 25 sq. ft.	66.00	222.00
	Flow coat operations	66.00	66.00
	Electrostatic spraying	66.00	66.00
	Auto undercoating	66.00	66.00
	Power coating	66.00	66.00
	Organic peroxides coating	66.00	66.00
	Duel component coating	66.00	66.00
Flammable and combustible liquids	Plan review-Tank remov. installation A/G and U/G;	66.00	66.00
Flammable and combustible liquids	Tank storage--$.036 per gallon of flammable liquid or combustible liquid	4.50	$132.00
	Drum storage	42.00	42.00
	Storage cans	42.00	42.00
	Other forms of combustible/flammable liquid storage	42.00	42.00
Fruit ripening process	$42.00	42.00	42.00
Fumigation/toxic thermal insecticidal fogging	$42.00 (per location) City wide permit-- $114.00	42.00	114.00
Garage repair	$42.00, plus $22.00 if permit is to include welding operation	42.00	66.00
Hazardous chemicals	Corrosives: 55--110 gallons--$22.00; 110--500 gallons--$42.00; 500+ gallons--$66.00	22.00	66.00
	Oxidizing materials: 500--1,000 pounds--$42.00 1,000+ pounds--$66.00	42.00	66.00
	Organic peroxides: 10--50 pounds--$22.00 50--100 pounds--$42.00 100+ pounds--$66.00	22.00	66.00
	Ammonium nitrate (fertilizer): 1,000+ pounds	66.00	66.00

	Highly toxic material and gases	66.00	66.00
	Radioactive materials--$66.00 for any amount in excess sealed source or more than 1 milli curie radium or other radioactive material in a sealed source, or where license is required.	66.00	66.00
LP gases or LNG	Plan review for installation	66.00	66.00
	Tank storage: $0.036 per gallon of LP or LNG liquid	4.50	132.00
Lumberyards	$66.00	66.00	66.00
Woodworking plants	$66.00	66.00	66.00
Magnesium	Permit required for 10 pounds per day or greater	42.00	42.00
Oil burner	Permit required for fuel oil burners utilizing in excess of 25 gallons inside the building; 60 gallons outside the building.	42.00	42.00
Ovens	Industrial baking $22.00 per oven	22.00	132.00
	Industrial drying $30.00 per oven	30.00	222.00
Places of public assembly	Plan review to include: Trade shows, exhibitions, displays, contests, etc. Note: Fees required for each individual set of plans	43.00	43.00
Places of public assembly	Permit for occupant load--$42.00, plus $0.42 per person	42.00	222.00
Site development	Plan review	43.00	43.00
Combustible material	2,500--5,000 cubic feet--$42.00; 5,000+ cubic feet--$22.00 per 1,000 cubic feet. (Permit not required for less than 2,500 cubic feet of combustible material)	42.00	114.00
Matches	Manufacturing	66.00	66.00

	Storage: 25--100 pounds--$22.00; 100+ pounds--$42.00	22.00	42.00
Mechanical refrigeration	Refrigeration unit or system containing more than 20 pounds of refrigerant excluding air conditioning units or systems	42.00	42.00
Tar kettle	Per location--$42.00 City wide permit--$114.00	42.00	114.00
Tent/carnival	Per location	66.00	66.00
Welding	$42.00	42.00	42.00
High piled combustible stock	1,500-5,000q. ft-$42.00 5,000+ sq. ft.--$22.00 per 1,000 sq. ft. (permit is not required for less than 2,500 sq.ft.)	42.00	114.00
Organic coating	$66.00	66.00	66.00

(b) A re-inspection fee of $36.00 shall be imposed for each re-inspection if a violation stated in the written notice has not been corrected.

(c) A fee of $40.00 shall be imposed for each open records inquiry including: records of fire code violations, hazardous substance releases, installation or removal of above ground or underground storage tanks containing flammable or combustible liquids.

That a new Section 107.7 be adopted to read as follows:

Section 107.7 Maintenance of exit ways in assembly occupancies

107.7.1 Every aisle shall lead to an exit door or to a cross aisle running parallel to the seats and leading directly to an exit and shall not be obstructed by persons, chairs, tables, or any objects.

That a new Section 107.8 be adopted to read as follows:

107.8 Public Assembly Occupant Load Accountability

107.8.1 Any place of public assembly with any number of persons beyond that previously approved by the fire chief, or his designee, in the occupancy permit that is issued prior to opening, shall be deemed to be an overcrowded condition. The owner shall not permit an overcrowded condition to exist, nor shall he/she allow the admittance of any person beyond that number of persons previously approved by the fire chief, or his designee.

107.8.2 Signs stating the maximum occupant content shall be conspicuously posted by the owner of the building in each assembly room, auditorium or room used for a similar purpose. It shall be unlawful to remove or deface such notice. This number shall be determined by the

fire chief or his designee and shall be based on the capacity of the exits provided and area of the space under consideration.

107.8.3 Where standing room is permitted, the capacity of the standing area should be determined on the basis of 7 square feet per person.

107.8.4 Owners and operators of public assembly facilities where alcoholic beverages are consumed shall be able to provide an immediate accountability of the number of occupants in said facility at any given time.

107.8.5 The use of numeric counting devices, such as but not limited to numeric clickers or means of accountability acceptable to the fire official, shall be utilized to meet the requirement of Section 107.8.4.

107.8.6 Individual(s) responsible for occupant load accountability shall be stationed at each entrance of the facility and shall be equipped with a minimum of two numeric counting devices. One numeric counting device shall be designated to account for the number of patrons entering the facility and the other numeric counting device shall be designated to account for the number of patrons exiting the facility.

That section 108 be amended by striking the entire section and substituting by a new section 108 to read as follows:

Section 108 APPEALS

Whenever the fire marshal disapproves an application or refuses to grant a permit applied for, or when it is claimed that the provisions of the code do not apply, or that the true intent and meaning of the code has been misconstrued or wrongly interpreted, the applicant may appeal the decision of the fire marshal to the fire chief or his designee within five (5) days of the fire marshal's decision. The fire chief shall respond in writing within ten (10) days.

That section 109.3 be deleted in its entirety and the new section 109.3 be adopted to read as follows:

109.3 PENALTIES

Any person who shall violate any provisions of the Code, or fail to comply with this or any other provisions made there under, or who shall build in violation of any detailed statement of specifications or plans submitted or approved there under, or any certificate or permit issued there under, and from which no appeal has been taken, or who shall fail to comply with such an order as affirmed by a court of competent Jurisdiction, within the time fixed herein, shall severely, for each and every violation and noncompliance respectively, being guilty of an offense, punishable by a fine of not less than $500.00 for the first offense, not less than $1,000.00 for the second offense, and not less than $1,500.00 for the third offense. The maximum fine shall be $5,000.00. All fines may carry imprisonment of not more than six (6) months, or work on the public streets or public works of the city for not more than six (6) months, or by any one (1) or more of these punishments. The imposition of one penalty for any violation shall not excuse a violation or permit it to continue; and all such persons shall be required to remedy such violations or defects within a reasonable time; and when not otherwise specified, each ten (10) days that prohibited conditions are maintained shall constitute a separate offense.

That section 202 be amended to include the following definitions:

Fire Code Official- Whenever the words Fire Code Official are used in the International Fire Code, they shall be held to mean the Fire Marshal or a duly authorized representative(s)

Asphalt/Tar Kettle –Asphalt / Tar kettle or roofing kettle shall mean any portable equipment either with or without wheels, or any portable fueled heating devices such as, but not limited to MAPP, Butane, and LP- Gas fueled torches, used for heating tar, pitch, asphalt, or other similar substance for application or the repair of roofs, floors, pipes, or other objects.

That Section 303 is deleted and a new section 303 is adopted to read as follows

303 ASPHALT / Tar KETTLES

(A) Permit Required

(1) No roofing kettle, tar kettle or any other heating devices used in the application or repair process of applying roofing materials shall be operated without a permit from the fire chief or his designee

(2) An annual roofing kettle or tar kettle permit shall be displayed at the job site. If more than one job is performed at one time, a copy shall be made so that each job site has a copy.

(B) It shall be the responsibility of each company to notify the fire safety division (by telephone) as to the location and type of work being performed before the job is started.

(C) Location:

(1) No roofing or tar kettle shall be operated on or inside any building without written permission from the fire chief or his designee

(2) No roofing kettle or tar kettle shall be operated within 25 feet of any combustible material or substance.

(D) Street protection. All improved streets shall be protected from burning by use of sand or noncombustible materials under roofing kettles or tar kettles. The street shall be cleaned of excess tar and other debris upon completion of the work

(E) There shall be a portable fire extinguisher complying with section 906 and with a minimum 2A: 40B:C rating within 25 feet (7620mm) of each asphalt (tar) kettle during the period such kettle is being utilized, and one additional portable fire extinguisher with a minimum 2A: 40B:C rating on the roof being covered

(F) Precautions against fires

(1) No more than 600 pounds of combustible material or substance to be heated shall be stored within 25 feet of any kettle while same is in operation.

(2) No kettle using flammable liquid for fuel shall be refueled while in operation and any flammable liquid placed within 25 feet of a kettle shall be stored in an approved safety container where it shall be kept sealed or closed at all times while the kettle is in operation.

(3) No mop or other applicator which has been used or submerged in tar, pitch, asphalt or other similar substance in the process of black roofing, waterproofing, or insulating shall be left overnight in or within 25 feet of any building structure or combustible material or substance

(4) A kettle operator, experienced with the equipment involved and familiar with the fire hazards, the precautions to be observed, and the use of the fire extinguisher facility, shall be required to be in attendance at the kettle at all times the kettle is being fired or heated and so remain until the temperature of the kettle and the contents does not exceed 350 degrees Fahrenheit, as may be determined by a thermometer that shall be provided and maintained at or near the kettle at all times.

(G) Roofing or tar kettles in transit

(1) Open flame in a roofing or tar kettle while in transit is prohibited.

(2) Kettle doors or lids shall be closed and secured while in transit.

(3) Kettle not equipped with wheels shall not be fired or used when mounted on a truck, except if the truck body is of all metal construction and the kettle is securely attached to the truck.

(4) Firing of a small patch kettle while located in the bed of a truck is prohibited.

(H) Hi-boys

Hi-boys shall be constructed of noncombustible materials. Hi–boys shall be limited to a capacity of 55 gallons (208L). Fuel sources or heating elements shall not be allowed as part of a hi-boy.

(I) Fuel containers under air pressure

Fuel containers that operate under air pressure shall not exceed 20 gallons (76L) in capacity and shall be approved.

(J) Location of fuel containers

Fuel containers shall be located at least 10 feet (3048mm) from the burner

EXCEPTION:

Containers properly insulated from heat or flames are allowed to be within 2 feet (610mm) of the burner.

That Section 403.1 is amended by striking the entire section and substituting a new section to read as follows:

Section 403.1 Fire watch

Whenever in the opinion of the Fire Chief or his designee it is essential for public safety in any place of public assembly or any other place where people congregate, due to the number of persons, or the nature of the performance, exhibition, display, contest, or activity, the owner, agent, or lessee shall, at his expense, employ one or more experienced firefighters employed by Atlanta Fire Department as required and approved by the Chief to be on duty at such place. Said firefighters shall be subject to the Chief's orders at all times when so employed, and shall be in uniform and remain on duty during the time such places are open to the public, or when such activity is being conducted. Before each such activity, said firefighter shall inspect the fire appliances provided to see that they are in proper place and in proper working order and shall keep diligent watch for fires, obstructions to means of egress and other hazards during the time such place is open to the public or such activity is being conducted and take prompt measures for extinguishment of fires that may occur and assist in the evacuation of the public from structures. The firefighters shall not be required or permitted while on duty to perform any other duties than those herein specified.

That Section 901.4.3 be amended by adopting a new section to read as follows:

Section 901.4.3.1 Medical First Aid Equipment - Automated External Defibrillator (AED)

(A) Cabinets containing Automated External Defibrillators shall not be blocked from use or obstructed from view of the public.

(B) Cabinets Identification. - Cabinets shall be identified in an approved manner by a permanently attached sign

(C) Tampering with AEDs. It shall be unlawful for any person to remove or tamper with an AED or other Life Safety device, except for the purpose of training, recharging or making necessary repair, or when approved by the Fire Code Official.

(D) The owner of the AEDs shall be responsible for the maintenance, inspection and testing of the AEDs per manufacturers requirements. Written records of the maintenance, inspection and testing of all AEDs shall be kept on file for review by the Fire Code Official.

(E) AEDs shall be operational at all times.

That a new Section 1106.5.6 is adopted to read as follows:

Section 1106.5.6 Leaving Fueling Vehicles Unattended

The driver, operator or attendant of a fueling apparatus shall not leave the fueling apparatus unattended, while it is connected to the aircraft, ground support equipment or the hydrant fueling system. The connection of a fueling apparatus to either an aircraft, ground support equipment or the hydrant fueling system shall be considered as fueling process.

That Section 1416.1 be amended by the addition of a new paragraph to read as follows:

5. Bonding and grounding precautions shall be utilized during all fueling operations of motorized equipment.

That Section 2601.2 is amended by striking the entire section and substituting by a new section to read as follows:

Section 2601.2 Permits.

(a) A permit shall be required of each company, corporation, partnership or owner operator performing welding or cutting operations except as provided in paragraph (b) of this section. This permit shall not be required for each welding or cutting job location. The company, corporation, partnership, or owner operator shall notify the fire safety division in advance where such work is taking place, except when such work is done in response to an emergency call that does not allow for the fire safety division to be notified in advance of the work.

(b) A permit shall not be required of any company, corporation, partnership, or owner-operator:

(1) Where the welding or cutting is performed in areas approved for the purpose, or

(2) Where an approved permit system is established for control of the hazards involved.

(c) Application for a permit required by this article shall be made by the company, corporation, partnership, or owner-operator performing the welding or cutting operations or by his duly authorized agent.

(d) A permit for welding or cutting operations shall not be issued unless the individuals performing such operations are capable of doing such work in a safe manner. Demonstration of a working knowledge of the provisions of this article shall constitute acceptable evidence of compliance with this requirement.

(e) Companies, corporations, partnerships, and owner-operators required to have a permit shall maintain a record of all locations where welding or cutting operations are performed and have it available for inspection by the fire safety division.

That section 2609 is amended by adding a new section 2609.8 read as follows:

2609.8 Hose and hose connections

An approved listed flame arrester check valve shall be installed in every fuel gas hose not more than 6 inches(152mm) downstream from the point of connection to a cylinder or other fuel supply, preferably at the regulator. Any such flame arrester shall be approved for the specific gas used.

That Chapter 33 be adopted as amended by the state of Georgia and further amended by adopting a new section 3304.1.1 to read as follows:

The storage of explosive and blasting agents is prohibited within the fire limits as established by section 8-2074 of the City of Atlanta Code of Ordinances except for temporary storage for use in connection with approved blasting operations; provided, however, this prohibition shall not apply to

wholesale and retail stocks of small arms ammunition, explosive bolts, explosive rivets or cartridges or explosive-actuated power tools in quantities involving less than 500 pounds of explosive material.

That Chapter 34 be adopted in its entirety and father amended as follows:

That Section 3404. 2.9.4 be amended by striking the entire section and substituting by a new section to read as follows:

Section 3404.2.9.4 Aboveground tanks inside of buildings

(1). Tanks storing Class II and III liquids inside buildings shall be equipped with a device or other means to prevent overflow into the building including, but not limited to: a float valve, a preset meter on the fill line; a valve actuated by weight of the tank content ; a low head pump which is incapable of producing overflow ; or a liquid- tight overflow pipe at least one size larger than the fill pipe and discharging by gravity back to the outside source of liquid or to an approved location.

(2). Flammable or combustible liquids storage tanks designed for buildings life safety systems emergency back-up shall be installed in accordance with NFPA standards adopted in GA Safety Fire Commissioner Rules and Regulations.

(3). Flammable and combustible liquids storage and day tanks not designed for buildings life safety systems emergency back-up shall be installed inside buildings located within the fire limits as established by the City of Atlanta Code of Ordinances, Section 8-2074 in accordance with the following regulations:

(a) Tanks installed inside of a building shall be a secondary containment type tank, as defined in NFPA 30.

(b) All storage or day tanks in a building shall be located in the lowest story, cellar or basement.

(c) Installation of flammable or combustible liquid storage or day tanks on a roof of a building is prohibited.

(d) The aggregate capacity of all flammable or combustible liquid storage or day tanks in a building shall not exceed 15,000 gallons.

(e) A flammable or combustible liquid storage tank - 12,000-gallon maximum capacity - shall be located in a vault constructed in accordance with Section 3404.2.8 or inside a tank room constructed in accordance with the following regulations:

1. Tank room shall be constructed of walls, floor and top having a fire-resistive rating of not less than four hours with the walls bonded to the floor.

2. Tank room shall contain 100 percent of the total capacity of all tanks, and provided with a liquid-tight noncombustible sill raised not less than six inches above the floor.

3. There shall be three feet clearance around the tank and between the top of the tank and ceiling of the tank room for movement of fire-fighting personnel and fire protection equipment.

4. Tank room shall be provided with ventilation system per NFPA 30.

5. Tank room shall be provided with a leak- detection system providing audible and visual alarm.

6. Tank room containing tanks with an aggregate capacity of more than 500 gallons of flammable or combustible liquids shall be protected with an automatic suppression system designed in accordance with one of the following standards:

   (a) NFPA 11, Standard for Low Expansion Foam;
   (b) NFPA 12, Standard for Carbon Dioxide Extinguisher System;
   (c) Automatic Suppression System approved by the Fire Marshal

7. The individual capacity of any tank in a tank building shall not exceed 12,000.gallons.

8. Warning placard shall be conspicuously posted on the door entering the tank room. The sign shall read "Flammable Liquids, No Smoking or Open Flame".

That Section 3404.2.9.5.1 be amended by striking the entire section and substituting by a new section to read as follows:

Section 3404.2.9.5.1 Special requirements for aboveground tanks located outside of buildings

The storage of flammable and combustible liquids in aboveground tanks located outside of buildings within the Fire Limits as established by Section 8-2074 of the City of Atlanta Code of Ordinances, shall be in accordance with the following regulations:

a) Flammable or combustible liquid storage tanks shall be located at the level of Fire Department vehicle access.

b) A storage or a day tank shall be a secondary containment type tanks as defined in NFPA 30.

c) A flammable or combustible liquid storage tank, 12,000 gallon maximum capacity, shall be located inside a vault constructed in accordance with Section 3404.2.8 or inside a tank building constructed in accordance with the following regulations:

   1. Tank building shall be constructed of walls, floor and top having a fire-resistive rating of not less than 4 hours with the walls bonded to the floor.

   2. Tank building shall contain 100 percent of the total capacity of all tanks, and provided with a liquid-tight noncombustible sill raised not less than six inches above the floor.

   3. There shall be three feet clearance around the tank and between the top of the tank and ceiling of the tank room for movement of fire-fighting personnel and fire protection equipment.

4. Tank building shall be provided with a ventilation system per NFPA 30.

5. Tank building shall be provided with a leak-detection system providing audible and visual alarm.

6. Tank building containing tanks with an aggregate capacity of more than 500 gallons of flammable or combustible liquids shall be protected with an automatic suppression system designed in accordance with one of the following standards:

   a) NFPA 11, Standard for Low Expansion Foam;

   b) NFPA 12, Standard for Carbon Dioxide Extinguisher System;

   c) Automatic Suppression System approved by the Fire Marshal.

7. The individual capacity of any tank in a tank building shall not exceed 12,000 gallons.

8. Warning placard shall be conspicuously posted on the door into the tank room. The sign shall read "Flammable Liquids, No Smoking or Open Flame".

That Section 3406.6 be amended by striking the entire section and substituting by a new section to read as follows:

Section 3406.6 Bulk plants or terminals

(1) Portions of properties where flammable or combustible liquids are received by tank vessels, pipelines, tank cars, or tank vehicles and which are stored or blended in bulk for the purpose of distributing such liquids by tank vessels, pipelines, tank cars, tank vehicles or containers shall be in accordance with Sections 3406.4.1 through 3406.4.10.4

(2) No new bulk plant shall be constructed within 300 feet of any school, church amusement, instruction, religious worship or other meetings. Separation limits for other occupancy types shall be set by the authority having jurisdiction. No new bulk plant shall be constructed within the fire limits established by section 8-2074 of the City of Atlanta Code of Ordinances.

That Chapter 38 be adopted in its entirety and further amended by striking Section 3804.2 in its entirety and adopting a new Section to read as follows:

Section 3804.2 Maximum capacity within established limits

Within the fire limits as established by section 8-2074 of Code of Ordinances, the aggregate capacity of any one installation for storage of liquefied petroleum gas shall not exceed 200 gallons water capacity; except that in particular installations this capacity may be altered at the discretion of the fire official, after considerations of special features such as topographical conditions, nature of occupancy and proximity to buildings, capacity of proposed tanks, and degree of private fire protection to be provided.

SECTION TWO - That all ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION THREE – If any sub-section, sentence, clause or phrase of the ordinance is for any reason held invalid, such decision shall not affect the remaining portions of this ordinance.

A true copy,
Rhonda Dauphin Johnson
Municipal Clerk, CMC

ADOPTED by the Council May 3, 2004
APPROVED by the Mayor May 11, 2004

TRANSMITTAL FORM FOR LEGISLATION

To Mayor's Office Greg Pridgeon, Chief of Staff
(for review & distribution to Executive Management)

Commissioner Signature Dennis L. Rubin Director Signature

From: Originating Dept. Fire Contact (name) Deputy Chief Kenneth Allen

Committee(s) of Purview: Public Safety Committee Deadline:

Committee Meeting Date(s) March 30, 2004 City Council Meeting Date: April 5, 2004

CAPTION:

An ordinance amending section 78-57 of the code of ordinances for the City of Atlanta in order to bring the Fire Safety Code of the City of Atlanta into compliance with the current rules and regulations of the Fire Commissioner of the State of Georgia, and for other purposes.

BACKGROUND/PURPOSE/DISCUSSION:

An ordinance to adopt 2003 edition of International Fire Code to establish minimum requirements for providing a reasonable level of life safety and property protection from the hazards of fire explosion and other dangerous conditions and to adopt local amendments.

FINANCIAL IMPACT (if any):

Expected revenue enhancement due to increased penalties for violations.

Mayor's Staff Only

Received by Mayor's Office: 3.22.04 (date) Reviewed: (Initials) (date)

Submitted to Council: (date)

Action by Committee: Approved Adversed Held Amended
Substitute Referred Other

SECTION THREE – If any sub-section, sentence, clause or phrase of the ordinance is for any reason held invalid, such decision shall not affect the remaining portions of this ordinance.

04-O-0612
(Do Not Write Above This Line)

AN ORDINANCE BY PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE AMENDING SECTION 78-57 OF THE CODE OF ORDINANCES FOR THE CITY OF ATLANTA IN ORDER TO BRING THE FIRE SAFETY CODE OF THE CITY OF ATLANTA INTO COMPLIANCE WITH THE CURRENT RULES AND REGULATIONS OF THE FIRE COMMISSIONER OF THE STATE OF GEORGIA; AND FOR OTHER PURPOSES.

ADOPTED BY

MAY 3 2004

COUNCIL

- [x] CONSENT REFER
- [ ] REGULAR REPORT REFER
- [ ] ADVERTISE & REFER
- [ ] 1st ADOPT 2nd READ & REFER
- [ ] PERSONAL PAPER REFER

Date Referred 4/19/2004
Referred To: Public Safety & Legal Administration
Date Referred
Refferred To:
Date Referred
Referred To:

First Reading
Committee Public Safety
Date March 30, 2004
Chair
Referred To PSLA

Committee	Committee
PSLA	
Date April 27, 2004	Date
Chair	Chair
Action: Fav, Adv, Hold (see rev. side) Other	Action: Fav, Adv, Hold (see rev. side) Other
Members: Mary Norwood, Carla Smith, Howard Shook, Cleta Winslow	Members
Refer To	Refer To

Committee	Committee
Date	Date
Chair	Chair
Action: Fav, Adv, Hold (see rev. side) Other	Action: Fav, Adv, Hold (see rev. side) Other
Members	Members
Refer To	Refer To

FINAL COUNCIL ACTION

- [x] 2nd
- [ ] 1st & 2nd Readings
- [ ] 3rd
- [x] Consent
- [ ] V Vote
- [x] RC Vote

CERTIFIED

CERTIFIED
MAY 3 2004
COUNCIL PRESIDENT PROTEM

CERTIFIED
MAY 3 2004
Rhonda Dandridge Johnson
MUNICIPAL CLERK

MAYOR'S ACTION

APPROVED
MAY 11 2004
Shirley Franklin
MAYOR