

  
**ROSEVILLE**  
**REQUEST FOR COUNCIL ACTION**

Date: 11/07/2016  
Item No.: 10.a

Department Approval

City Manager Approval

*Timothy O'Neill*

*Sam J. Truog*

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Item Description: Fire Department City Code Ordinance Changes for Chapter 404 Air Pollution and Chapter 902 Fire Prevention

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1 **BACKGROUND**

2 In July and October 2016 the Fire Department provided Council with presentations of the proposed  
3 changes, and updates to areas of the city code related to the Fire Department.  
4

5 Tonight we will be requesting adoption of the proposed ordinance changes and updates.

6 **POLICY OBJECTIVE**

7 Ordinance change request to update City code to better represent current Fire Department operations,  
8 and bring then compliant with the 2016 State Fire Code.

9 **FINANCIAL IMPACTS**

10 There are no financial impacts at this time.

11 **STAFF RECOMMENDATION**

12 Staff recommends council adopt proposed updates to City code as described in attachment A and C.  
13 Staff also recommends approval of Ordinance Summary documents listed as attachments B and D.

14 **REQUESTED COUNCIL ACTION**

15 Adopt changes to Chapter 404 Air Pollution, and Chapter 902 Fire Prevention as listed in attachments  
16 A and C.

17 Authorize the Fire Department to provide official notice utilizing Ordinance Summary document  
18 attachments B and D.

19 Prepared by: Timothy O'Neill, Fire Chief (651) 792-7305

Attachments: A: Chapter 404 Air Pollution  
B: Chapter 404 Ordinance Summary  
C: Chapter 902 Fire Prevention  
D: Chapter 902 Ordinance Summary  
E: July 18, 2016 City Council Meeting Minutes

F:October 17, 2016 City Council Meeting Minutes

# City of Roseville

ORDINANCE NO. \_\_\_\_\_

## AN ORDINANCE AMENDING SELECTED TEXT OF THE ROSEVILLE CITY CODE, TITLE 4, CHAPTER 404, AIR POLLUTION CONTROL

### THE CITY OF ROSEVILLE ORDAINS:

**SECTION 1. Purpose:** The Roseville City Code is hereby amended to modify/clarify specific requirements of the Roseville City Code, Title 4, Chapter 404, Air Pollution Control

**SECTION 2. Section 404.02 is hereby amended as follows:**

#### **404.02: OPEN BURNING:**

- A. Prohibited: Except as provided in subsection B, all open burning is prohibited in the City.
- B. Exceptions: Recreational campfires, fires for the purpose of bona fide Fire Department training, as approved by the Fire Chief, and open burning of trees resulting from extensive storm damage, at a central collection site, when approved by the Fire Chief. The following requirements shall apply to all recreational fires:
1. Permanent enclosures: The minimum distance to a structure or property line shall be 25 feet.  
~~Permanent Enclosures Include: A pit dug into the ground or made out of stone, steel, or other noncombustible material for keeping a fire.~~
  2. Portable enclosures: The minimum distance to a structure or property line shall be 15 feet.  
~~Portable Outdoor Fireplace Enclosures: A portable, out-door, solid-fuel-burning fireplace that may be constructed of steel, concrete, clay, or other noncombustible material. A portable outdoor fireplace may be open in design, or may be equipped with a small hearth opening and a short chimney or chimney opening in the top.~~
  3. ~~2.~~ The maximum permitted size shall be 3 feet in diameter.
  4. ~~3.~~ The Permitted fuels - charcoal or one 1 inch minimum diameter wood. ~~no trash or garden residue.~~
  5. Non-permitted fuels-trash, debris, grass, tree trimmings, leaves, or similar materials shall not be allowed.
  6. Recreational fires shall be used for cooking, social or recreational purposes.
  7. The maximum duration shall be four hours.
  8. No combustible materials shall be placed within a three-foot radius of fire.
  9. The fire shall be constantly attended by a responsible adult.
  10. A means of extinguishing the fire shall be present (such as a garden hose or a fire extinguisher).
  11. The maximum permitted height of the fire shall be 4 feet from the ground level.
  12. No recreational fire shall be allowed when winds are in excess of ten miles per hour.
  9. ~~Recreational fires shall be used for cooking, social or recreational purposes. Disposing of trash, debris, grass, tree trimmings, or similar materials shall not be~~

1 ~~allowed.~~

- 2 C. Permits Required: It shall be the duty of the Fire Chief and/or Fire Marshal to  
3 investigate requests for and to issue open burning permits for the purposes stated in  
4 subsection B.
- 5 D. ~~Institutional Recreation Burning Permits: The Fire Chief and/or Fire Marshal may issue  
6 institutional recreation burning permits for schools, social clubs and other  
7 organizations, in situations where unique circumstances preclude the ability of the  
8 institution to meet the standards of the Code. Conditions may be attached to the permit.  
9 (Ord. 1152, 9-26-94)~~
- 10 E. Prairie Grass/Vegetative Ground Cover Burning Permits: The Fire Chief and/or  
11 Fire Marshal may issue burning permits to allow the burn-off of prairie grass and  
12 vegetative ground cover on the following terms:
- 13 1. Notice of the issuance of the permit shall be given to property owners within 350  
14 feet of the subject property at least three days prior to the burn.
  - 15 2. Conditions may be imposed by the Fire Chief and/or Fire Marshal, including but not  
16 limited to a condition that the City Fire Department may conduct or supervise a burn  
17 where safety considerations warrant it.
  - 18 3. The permittee shall pay the fee as established by the City's Fee Schedule in Section  
19 314.05.
- 20 F. When open burning, a recreational fire or a portable outdoor fireplace creates or adds to a  
21 hazardous situation, or a required permit has not been obtained, the Fire Marshal, Fire  
22 Inspector, Fire Chief, or his/her designee is authorized to order extinguishment in the fire  
23 codes official's sole discretion.
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25 (Ord. 1352, 8-27-2007)

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**Section 2. Effective Date.** This ordinance amendment to the City Code shall take effect upon the passage and publication of this ordinance.

Passed this 7<sup>h</sup> day of November 2016.

BY:

\_\_\_\_\_  
Daniel J. Roe, Mayor

ATTEST:

\_\_\_\_\_  
Patrick Trudgeon, City Manager

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**City of Roseville**

**Ordinance Summary No.**

**AN ORDINANCE AMENDING SELECTED TEXT OF THE ROSEVILLE CITY  
CODE CHAPTER 404 AIR POLLUTION**

The following is the official summary of Ordinance No. xxx approved by the City Council of Roseville on November 7, 2016:

The Roseville City Code is hereby amended to modify/clarify specific requirements within Roseville City Code, chapter 404 Air Pollution Control.

A printed copy of the ordinance is available for inspection by any person during regular office hours in the office of the City Manager at the Roseville City Hall, 2660 Civic Center Drive, Roseville, Minnesota 55113. A copy of the ordinance and summary shall also be posted at the Reference Desk of the Roseville Branch of the Ramsey County Library, 2180 Hamline Avenue North, and on the Internet web page of the City of Roseville ([www.cityofroseville.com](http://www.cityofroseville.com)).

1 **City of Roseville**

2 **ORDINANCE NO. \_\_\_\_**

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4 **AN ORDINANCE AMENDING SELECTED TEXT OF THE ROSEVILLE**

5 **CITY CODE, TITLE 9, CHAPTER 902, FIRE PREVENTION**

6 **THE CITY OF ROSEVILLE ORDAINS:**

7 **SECTION 1. Purpose:** The Roseville City Code is hereby amended to modify/clarify specific  
8 requirements of the Roseville City Code, Title 9, Chapter 902, Fire Prevention.

9 **SECTION 2. Chapter 902 is hereby amended as follows:**

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11 SECTION:

- 12
- 13 902.01: Adoption of Minnesota State Fire Code 902.02:  
14 Establishment and Duties of Fire Marshal
- 15 902.03: Permits Required
- 16 902.04: Fire Prevention Inspections
- 17 ~~902.05: Explosives and Blasting Agents~~
- 18 902.06: Storage of Flammable Liquids
- 19 ~~902.07: Bulk Storage of Liquefied Petroleum Gas~~
- 20 902.08: Open Flame Fire on Apartment Balconies
- 21 902.09: New Materials, Process or Occupancies 902.10:  
22 Evidence of Compliance with Code 902.11:  
23 Revocation of Permits
- 24 902.12: Day Care Facilities Fire Code Inspection
- 25 902.13 Appeal

26 **902.01 : ADOPTION OF MINNESOTA STATE FIRE CODE:**

27 The most recent edition of the Minnesota State Fire Code, as published by ~~the International~~  
28 ~~Fire Code Institute~~ the International Code Council and adopted by the State Fire Marshal, along  
29 with all amendments to that edition adopted by the State Fire Marshal are adopted by reference  
30 and made a part of the City Code. (~~2015~~1995-Code) (Ord. 1289, 8-4-2003, eff 1-1-2004)

31 **902.02 : ESTABLISHMENT AND DUTIES OF FIRE MARSHAL (s) <sup>19</sup>: \_\_\_\_**

- 32 A. The Minnesota State Fire Code shall be enforced by the office of the Fire ~~Chief Marshal~~  
33 of the City.
- 34 B. The Fire Marshal (s) shall be appointed by the Fire Chief. (Ord. 976, 6-24-85)
- 35 C. Whenever the term State Fire Marshal or Fire Chief appear in the Minnesota State  
36 Fire Code, it shall include the Fire Marshal (s) of the City. (Ord. 1060, 5-22-89)  
37 (Ord. 1289, 8-4-2003, eff 1-1-2004)
- 38 D. The Chief of the Fire Department may detail members of the Fire Department as  
39 ~~Fire Inspectors assistant Fire Marshals.~~
- 40 E. ~~A report of the office of the Fire Marshal shall be made annually and shall be transmitted to~~

1 ~~the City Manager. It shall contain all proceedings under this Code with such statistics as the~~  
2 ~~City Manager may require. (Ord. 976, 6-24-85)~~

3 E. Fire Inspectors are responsible for the examination of buildings to detect fire hazards and  
4 ensure that all federal, state, and local fire codes are met, and also may be responsible  
5 for plan review as directed.

6 F. Fire Marshals are responsible for the examination of buildings to detect fire hazards and  
7 ensure that all federal, state, and local fire codes are met. Additional duties include fire  
8 code enforcement, and/or investigation of fire cause and origin. They are also  
9 responsible for approval of work permits, and building plan review to assure that all  
10 new and existing construction meets all federal, state, and local building codes.

11 | 19 See also Chapter 106 of this Code.  
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### 13 **902.03 : PERMITS REQUIRED:**

14 | A permit from the ~~Fire Marshal~~Fire Chief or their-his/her designee is required to conduct  
15 the following:

- 16  
17 A. Install any automatic fire sprinkler system.  
18 B. Install any automatic fire suppression or extinguishing system. (Ord. 1060, 5-22-89)  
19 C. Modify an automatic sprinkler, fire suppression system or fire extinguishing system.  
20 (Ord. 1095, 7-22-91)  
21 D. Install any aboveground or underground liquid fuel storage tank.  
22 E. Install any aboveground or underground ~~liquefied~~ gas storage tank.  
23 F. Install or modify any fire alarm detection, fire suppression system, or signaling system in  
24 all structures except for owner occupied single family Fire Code Group R-3 properties. ~~any~~  
25 ~~structure except for residential properties designated as R1 without residential sprinklers-~~  
26 ~~systems when the value of the installation or modification exceeds one thousand dollars-~~  
27 ~~(\$1,000.00).~~  
28 G. Removal of an underground liquid fuel storage tank. (Ord. 1060, 5-22-89)  
29 H. Clean and degrease commercial hoods and ducts. (1995 Code)  
30 I. Fireworks, display and sale as permitted by State Statute.  
31 J. Open Burning (prescribed burns).  
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33 A fee, as established in Section 901.06 of this Code shall be paid for each permit required by this  
34 Section. A plan check fee as authorized in Section 901.06 of this Code is required. (Ord. 1060,  
35 5- 22-89; amd. 1995 Code) (Ord. 1289, 8-4-2003, eff 1-1-2004)

### 36 **902.04 : FIRE PREVENTION INSPECTIONS:**

37 ~~Fire Inspection~~Fire Department personnel as authorized by the Fire Chief of the City are  
38 authorized to conduct fire prevention inspections of any and all Group A, B, E, H, I, F, M, S,  
39 U, and R occupancies as defined in the Minnesota State Building Code, located within the  
40 City. (Ord. 1060, 5-22-89; amd. 1990 Code) (Ord. 1289, 8-4-2003, eff 1-1-2004)

41 The Fire Marshal, Fire Inspector, Fire Chief or his/her designee is authorized to enter and  
42 examine any building, structure, marine vessel, vehicle or premises in accordance with  
43 MSFC Section 104.3 Right of entry, for the purpose of enforcing this code. (MSFC 106.1  
44 Inspection authority)

1 **902.05 : ~~EXPLOSIVES AND BLASTING AGENTS:~~ RESERVED**

- 2 A. ~~Establishment of Limits of Districts in which Storage of Explosives and Blasting Agents~~  
3 ~~are to be Prohibited: Storage of explosives and blasting agents is prohibited in all areas~~  
4 ~~other than those zoned I-1 and I-2 and then only when stored in accordance with NFPA-~~  
5 ~~No. 495.~~
- 6 B. ~~Establishment of Motor Vehicle Routes for Vehicles Transporting Explosives and Blasting~~  
7 ~~Agents~~<sup>20</sup>: ~~Designated routes for vehicles transporting explosives and blasting agents are~~  
8 ~~hereby established as follows: State Trunk Highway 36 from Rice Street west to the west~~  
9 ~~City limits, State Highway 280 from the south City limits to the confluence with STH No.~~  
10 ~~36 and Interstate 35W to the north City limits, Snelling Avenue north of STH No. 36 to~~  
11 ~~County Road "C", County Road "C" from Snelling Avenue west to Long Lake Road,~~  
12 ~~Fairview Avenue from County Road "C" north to the intersection of Terrace Drive, Long~~  
13 ~~Lake Road south from County Road "C" to Terminal Road, Terminal Road west to the~~  
14 ~~Minnesota Transfer Railway tracks, and St. Croix Street south from Terminal Road to~~  
15 ~~STH No. 36. (Ord. 867, 9-22-80)~~

16 **902.06 : STORAGE OF FLAMMABLE LIQUIDS:**

- 17 A. Outside Aboveground Tanks: The limits referred to in the Minnesota State Fire Code in  
18 which storage of flammable liquids in outside aboveground tanks is prohibited are hereby  
19 established as follows: All areas other than that area bounded by Cleveland Avenue the  
20 area of the City west of Long Lake Rd. , STH No. 36, the north City limits and the west  
21 City limits.
- 22 B. New Bulk Plants: The limits referred to in the Minnesota State Fire Code in which new  
23 bulk plants for flammable liquids are prohibited are hereby established as follows: All  
24 areas other than that area bounded by Cleveland Avenue the area of the City west of Long  
25 Lake Rd , STH No. 36, the north City limits and the west City limits. (Ord. 867, 9-22-80;  
26 amd. 1995 Code)
- 27 (Ord. 1289, 8-4-2003, eff 1-1-2004)
- 28 C. Other Nonresidential Areas:
- 29 1. Permit: Notwithstanding the limits for aboveground storage tanks established in  
30 subsections A and B above, such storage tanks in other nonresidential zoned areas may  
31 be allowed by issuance of a permit approved by the City Council. The permit is subject  
32 to review and recommendations of the Fire Marshal and to conditions imposed by the  
33 City Council.
- 34 2. Requirements: Storage tanks permitted by this subsection shall be designed to meet all  
35 applicable State and Federal regulations and setback requirements, shall be located in  
36 rear yards and shall be screened from eye level view from adjacent properties and public  
37 streets by buildings, landscaping or by a screen wall. Screen walls shall be constructed of  
38 similar and compatible materials to that of the principal structure.
- 39 3. ~~Annual Review: Annually, the City Council shall review the site and tank permit~~  
40 ~~for compliance with the original permit.~~
- 41 4. Termination for Noncompliance: The City Council may terminate the permit  
42 for noncompliance or require additional improvements consistent with this  
43 subsection.
- 44 5. Automatic Expiration; Extension of Permit: Such use of the land shall automatically  
45 expire five (5) years after the original date of approval. Thereafter the applicant may  
46 apply for an annual one year one-year extension of the permit. (Ord. 1128, 9-27-93)

1 **902.07 : BULK STORAGE OF LIQUEFIED PETROLEUM GAS: RESERVED**

2 ~~A. Establishment of Limits in Which Bulk Storage of Liquefied Petroleum Gas Is to Be~~  
3 ~~Restricted: The limits referred to in the Minnesota State Fire Code in which bulk storage of~~  
4 ~~liquefied petroleum gas is restricted are hereby established as follows: All areas except~~  
5 ~~those areas zoned I 1 and I 2. Such storage is permissible in B 1, B 1B, B 2 and B 3~~  
6 ~~Districts by conditional use permit issued by the City Council. (Ord. 867, 9 22 80; amd.~~  
7 ~~1995 Code) (Ord. 1289, 8 4 2003, eff 1 1 2004)~~

8 ~~B. Protection Systems: All bulk storage facilities for liquefied petroleum gas containing two~~  
9 ~~thousand (2,000) gallons water capacity or more shall be stored in tanks protected from~~  
10 ~~fire by one of the following protection systems:~~

- 11 ~~1. Preaction Water Spray System: A preaction water spray system designed in~~  
12 ~~accordance with National Fire Protection Association Standard No. 15 which is hereby~~  
13 ~~adopted by reference.~~
- 14 ~~2. Fire Proof Insulation: Tanks coated with a water based, thermally activated, subliming,~~  
15 ~~intumescent fireproofing insulation capable of passing a minimum fire resistance test of~~  
16 ~~one hour when tested on steel pressure vessels using standard industry tests; the surface~~  
17 ~~coating shall be impermeable and hard shelled to resist weathering.~~
- 18 ~~3. Mounded above Grade: Upon the submission of detailed plans and specifications~~  
19 ~~and upon the written approval of the Fire Chief and the Fire Marshal, tanks may be~~  
20 ~~mounded above grade. (Ord. 867, 9 22 80)~~
- 21 ~~4. Shutoff Valve: Tanks shall be equipped with a valve at the outlet of the tank. The~~  
22 ~~valve shall be designed to automatically shut off the flow of fuel in the event of the~~  
23 ~~following conditions:~~
  - 24 ~~a. Excess flow of fuel.~~
  - 25 ~~b. Automatic detection of fire conditions.~~

26 ~~The valve shall also be capable of manual operation. The valve shall be interconnected with~~  
27 ~~all related electrical equipment. (Ord. 1060, 5 22 89)that are installed, and protected in~~  
28 ~~accordance with all applicable NFPA, Federal, State, and Local requirements.~~

29 ~~C. Permit Required:~~

- 30 ~~1. Notwithstanding the limits for aboveground storage tanks established in subsections~~  
31 ~~A and B above, such storage tanks in other nonresidential zoned areas may be allowed~~  
32 ~~by issuance of a permit approved by the City Council. The permit is subject to review~~  
33 ~~and recommendations of the Fire Marshal and to conditions imposed by the City~~  
34 ~~Council.~~  
35 ~~Annually, the Council shall review the site and tank permit for compliance with the~~  
36 ~~original permit. The Council may terminate the permit for noncompliance or require~~  
37 ~~additional improvements consistent with this subsection.~~
- 38 ~~2. Storage tanks permitted by this subsection shall be designed to meet all applicable State~~  
39 ~~and Federal regulations and setback requirements, shall be located in rear yards and shall~~  
40 ~~be screened from eye level view from adjacent properties and public streets by buildings,~~  
41 ~~landscaping or by a screen wall. Screen walls shall be constructed of similar and~~  
42 ~~compatible materials to that of the principal structure.~~
- 43 ~~3. Such use of the land shall automatically expire five (5) years after the original date of~~  
44 ~~approval. Thereafter, the applicant may apply for an annual one yearone year extension~~  
45 ~~of the permit. (Ord. 1128, 9 27 93)~~

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47 **902.08 : OPEN FLAME FIRE ON APARTMENT BALCONIES:**

48 ~~A. Except where the balconies and the building are of all masonry or steel construction, in any~~

multiple-family dwelling classified as R-1 and R-2 occupancy by the Minnesota State Building/Uniform Fire Code, no person shall kindle, maintain or cause any fire or open flame on any balcony above ground level or on any ground floor patio within fifteen (15) feet of the structure. (Ord. 1289, 8-4-2003, eff 1-1-2004)

- ~~B. No person shall store or use any fuel, barbecue, torch or other similar heating or lighting chemical or device in the locations designated in subsection A. above.~~
- ~~C. Exception: Occupants may apply to the Fire Chief or Fire Marshal for a permit to allow barbecue grills which are affixed to the balcony and which utilize direct connection to the building's electric or natural gas system. (Ord. 1151, 9-12-94)~~

**OPEN FLAME AND FUEL STORAGE PROHIBITED – Fire Code Group R-2 properties**

- A. Open flame prohibited. In any structure containing three or more dwelling units, no person shall kindle, maintain, or cause any fire or open flame on any balcony above ground level, or on any ground floor patio within 15 feet (4572 mm) of the structure.
- B. Fuel storage prohibited. No person shall store or use any fuel, barbecue, torch, or other similar heating or lighting chemical or device in the locations designated in Section 1.1 of the Minnesota State Fire Code.

Exception: Listed electric or gas-fired barbecue grills that are permanently mounted and wired or plumbed to the building's gas supply or electrical system and that maintain a minimum clearance of 18 inches (457 mm) on all sides, unless listed for lesser clearances, may be installed on balconies and patios when approved by the fire chief.

**902.09 : NEW MATERIALS, PROCESS OR OCCUPANCIES:**

The City Manager, the Chief of the Fire Department and the Fire Marshal shall act as a committee to determine and specify, after giving affected persons an opportunity to be heard, any new materials, processes or occupancies, which shall require permits in addition to those now enumerated in this Code. The Fire ~~Marshal~~ Chief or ~~the~~his/her designee shall post such list ~~in a conspicuous place in the Fire Marshal's office on the Fire Departments website~~ and distribute copies to interested persons upon request. (Ord. 867, 9-22-80)

**~~902.10 : EVIDENCE OF COMPLIANCE WITH CODE:~~**

~~The City Manager or the Fire Marshal if so designated by the Manager, may accept written reports from qualified persons that any particular establishment is complying with all the regulations of the Minnesota State Fire Code. The City Manager in determining who is qualified to make such reports may consider licenses held by such individuals in other municipalities. (Ord. 867, 9-22-80) (Ord. 1289, 8-4-2003, eff 1-1-2004)~~

**902.11 : REVOCATION OF PERMITS:**

The office of the Fire Chief or Fire Marshals may revoke a permit or approval issued if any violation of the Minnesota State Fire Code is found upon inspection or where there has been any false statement or misrepresentation as to a material fact in the application or plans on which the permit or approval was based. (Ord. 867, 9-22-80) (Ord. 1289, 8-4-2003, eff 1-1-2004)

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2 **902.12 : DAY CARE FACILITIES FIRE CODE INSPECTION:**

3 ~~All day care fire/life safety inspections will be conducted in accordance with procedures and fees~~  
4 ~~as determined by the State Fire Marshal's Office, Department of Human Services, and Ramsey~~  
5 ~~County. fees shall be as established in the City Fee Schedule in Section 314.05. Department of~~  
6 ~~Human Services (DHS) Licensed Facilities Fire Safety Inspection: All Department of Human~~  
7 ~~Services (DHS) Fire Safety Inspections will be conducted in accordance with procedures and~~  
8 ~~fees as determined by the State Fire Marshal's Office, Department of Human Services (DHS)~~  
9 ~~and Ramsey County.~~

10 -(Ord. 1289, 8-4-2003, eff 1-1-2004)

11 **902.13 : APPEAL:**

12 (Ord. 1289, 8-4-2003, eff 1-1-2004)

13 An appeal of the following actions can be made to the City Council by the affected party within  
14 thirty (30) days of the affected party being notified of the actions:

- 15  
16 A. Issuance of fire prevention orders.  
17 B. Extension of time limits for compliance with a fire prevention order issued by the Fire  
18 Marshal.  
19 C. Refusal of the Fire Chief or Fire Marshal to issue permits authorized in this Code.  
20 D. Revocation of a permit pursuant to this Code.  
21 E. Affected party claims that the Code does not apply or that the intent of the Code has been  
22 misconstrued or wrongly interpreted. (Ord. 1060, 5-22-89; amd. 1995 Code)  
23

**Section 2. Effective Date.** This ordinance amendment to the City Code shall take effect upon the passage and publication of this ordinance.

Passed this 7<sup>th</sup> day of November 2016.

BY:

\_\_\_\_\_  
Daniel J. Roe, Mayor

ATTEST:

\_\_\_\_\_  
Patrick Trudgeon, City Manager



City Council July 18<sup>th</sup>, 2016 Meeting Minutesd. **Fire Department City Code Update Presentation**

As detailed in the RCA, Chief O'Neill noted the need to update all facets of the Department's Prevention and Inspection program and city code as it applied to the area of fire inspections and enforcement. Chief O'Neill noted this would provide for consistency and compliance with State Fire Code.

Chapter 404 - Air Pollution Control

Chief O'Neill noted Item D related to Institutional Recreational Burning Permits; and with typically only one permit issued annually at Halloween time for the B-Dale Club, recommended discontinuing issuing these permits and limiting them to portable or permanent burning structures as noted.

As an asthma sufferer, Councilmember McGehee noted all burning made a great difference in her ability to be outside or have the windows open, and recognizing others in the community shared that difficulty, spoke in support of eliminating this option.

Recognizing that on any given weekend in the fall, Chief O'Neill noted there may be hundreds of burns going on, and clarified the intent wasn't to look to change code to prohibit those, only large burns.

Councilmember Etten suggested that staff check with residents around the B-Dale Club who may be disappointed if this is discontinued, as it served as a wonderful community event.

At the request of Mayor Roe, Chief O'Neill confirmed there was no permit fee for this type of burn, and therefore no staffing or equipment availability on site by Fire Department staff.

At the request of Councilmember Laliberte, and with clarification by Chief O'Neill as to specifications for an enclosed ring versus other options depending on size of the burn and location, Mayor Roe asked staff to further clarify language in Section 404.02 (Open Burning) for items 1 and 2 related to permanent and portable enclosures. Mayor Roe agreed with Councilmember Laliberte that for institutional permits, it might make sense to bring that removed language as proposed remain pending public input.

Chapter 902 - Fire Prevention

At the request of Mayor Roe, Chief O'Neill defined the difference in the Fire Marshal position (appointed by the Fire Chief) and Fire Inspector position now assigned to each shift. Chief O'Neill advised that the Marshall addressed enforcement and Inspectors performed inspections (e.g. multi-family units, permits, daycares, etc.).

While this was addressed within the current staffing section, Mayor Roe asked that staff address this distinction in code language or elsewhere to make it more understandable for a layperson and for the benefit of future City Councils.

**City Council October 17<sup>th</sup>, 2016 Meeting Minutes****15. Business Items - Presentations/Discussions****a. Fire Department City Code Update Presentation**

Fire Chief Timothy O'Neill and Deputy Chief David Brosnahan were present to update the council on revisions made to fire related city code since the last draft presentation based on those discussions and direction from the City Council as the Fire Department began reorganizing its Fire Prevention/Inspections Program.

Chief O'Neill advised he would highlight only those items since the last iteration for each chapter, and as per Attachments B and C.

Chapter 902 - Fire Prevention (Attachment C)Section 902.03

Mr. O'Neill advised that many of the sections referenced in state fire code identified single-family homes as "R-3" and advised that this was similar to City Code designations for LDR-1 and LDR-2 districts (Attachment D).

Mayor Roe suggested it would be helpful in the language to clarify that reference as "Fire Code Group R-3" in accordance with how it was called out in the definition section.

The request was duly noted by Chief O'Neill.

Section 902.07

In line 131, Councilmember Willmus stated he found identification of the B-1, B-1B, B-2, and B-3 Districts confusing, and suggested bringing those into alignment with existing city zoning code designations.

Mayor Roe concurred, but suggested general categories (e.g. commercial) may cover more things versus a reference to specific zoning. Chief O'Neill stated he would consult with the City Planning Department and make appropriate revisions for clarification accordingly.

Section 902.08

Mayor Roe referenced Item B and locations designated in "Section 1.1," seeking clarification if that was referring to State Fire Code or a Roseville City Code.

Chief O'Neill advised that referred to State Fire Code, and at the request of Mayor Roe, stated that would be clarified on the next draft.

Specific to open flame fires on apartment balconies, Councilmember Willmus suggested "multi-family" balconies be used in the language versus "apartments."

Chief O'Neill advised that State Fire Code would be Group R-2, but agreed it could be changed to R-2 and duly noted that request.

On the heading, Councilmember Laliberte asked if the heading (line 233) "Open Flame and Fuel Storage Prohibited" would also be changed as well.

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Mayor Roe suggested that may be a cut and paste error from the Fire Code; with Chief O'Neill agreeing to check and reconcile the two.

Councilmember McGehee asked if someone had something burning on their balcony, what the difference was whether or not it was UL listed or if that meant it could be hooked up directly to the gas line, even though it still resulted in an open flame on a balcony. Councilmember McGehee asked what the goal was, how something was fueled or addressing any open flame.

Chief O'Neill responded that the intent was to prevent charcoal or propane type burning as frequently seen with grills on a balcony.

Councilmember McGehee asked if there was a significant difference in the type of fire with a gas or propane grill versus something tied to a gas line coming from an apartment as it related to causing a fire on a balcony.

Chief O'Neill responded that obviously there was no difference in the fire, but the difference was in how they were used. Chief O'Neill noted that a propane storage vessel would sit on the apartment balcony and/or be transported back and forth through the apartment, prohibited by Fire Code. With this prohibition, Chief O'Neill advised that would remove the possibility of that transport through the building, and avoid storage of the source of flammable liquids between uses.

At the request of Councilmember McGehee, Chief O'Neill advised that the "listed" meant that electric barbeques or smokers could be plugged in and were accepted if UL listed.

Section 901.12

Councilmember Laliberte asked why day care facilities were called out in this language while assisted living or nursing home facilities were not.

Chief O'Neill responded that those facilities were inspected by the State of Minnesota, while day care facilities were inspected by local fire departments by trained personnel to do those inspections.

Section 902.07 (lines 161-163)

Councilmember McGehee asked why tank farms were no longer inspected, or if some other state or federal agency inspected them.

Chief O'Neill clarified that they were still inspected by the fire department, with staff retaining a good relationship with those entities. Chief O'Neill advised that annual suppression inspections of racks at those facilities were done. However, Chief O'Neill clarified that the intent of this reading isn't that those inspections are no longer done, only that the City Council doesn't have to annually review those permits.

Staff was directed to refine the document again before presentation to the City Council for their review and approval.