

**CITY OF XENIA  
ORDINANCE NUMBER 10 - 22**

**ORDINANCE AMENDING CHAPTER 1450 FIRE ALARM SYSTEMS AND SMOKE DETECTORS OF TITLE FOUR – MISCELLANEOUS BUILDING REGULATIONS OF THE CODIFIED ORDINANCES OF THE CITY OF XENIA TO REFLECT CHANGES IN THE OHIO BUILDING CODE.**

**WHEREAS**, the Ohio Building Code (formerly the Ohio Basic Building Code) has made changes in the classification of public assembly buildings; and

**WHEREAS**, the Ohio Administrative Code has been amended in regard to smoke detectors; and

**WHEREAS**, staff finds it necessary to amend Chapter 1450 Fire Alarm Systems and Smoke Detectors to reflect these changes.

**NOW, THEREFORE**, the City of Xenia hereby ordains:

**Section 1.** Chapter 1450 Fire Alarm Systems and Smoke Detectors of Title Four – Miscellaneous Building Regulations is hereby amended as follows:

**1450.01 DEFINITIONS.**

As used in this chapter, unless the context clearly indicates or requires a different meaning:

(a) "Alarm" means any audible or visible signal indicating the existence of a fire or an emergency requiring a response and emergency action on the part of the fire-fighting service.

(b) "Apartment building" includes buildings containing three or more living units, with independent cooking and bathroom facilities, whether designated as an apartment house, tenement or garden apartment, or by any other name.

(c) "Approved" means listed and/or approved for its intended use by a nationally recognized testing laboratory listed in Appendix O of the Ohio Basic Building Code, hereinafter referred to as the **OBBC**.

(d) "Automatic detecting device" means an approved device which automatically detects heat, smoke or other products of combustion.

(e) "Automatic fire alarm system" means a manual fire alarm system containing an automatic detecting device(s) which activates a fire alarm signal of such character and so located as to alert all occupants of the building or section thereof endangered by fire.

(f) "Business building" includes all buildings or parts thereof which are used for the transaction of business, the rendering of professional services or other services that involve stocks of goods, wares or merchandise in limited quantities, for uses incidental to office uses or sample purposes, including, among others, offices, banks, civic administration activities, firehouses, outpatient clinics and similar establishments.

(g) "Dwelling unit" means any room or group of rooms located within a building and forming a single-family, habitable unit, with facilities which are used or intended to be used for living, sleeping, cooking, storing food or eating purposes.

(h) "Factory and industrial building" includes all buildings and structures, or parts thereof, in which occupants are engaged in performing work or labor in the fabricating, assembling or

processing of products or materials, and shall include, among others, factories, assembling plants, industrial laboratories and all other industrial manufacturing uses.

(i) "Fire alarm equipment" includes alarms, automatic detecting devices, automatic fire alarm systems, manual fire alarm systems and smoke detectors.

(j) "Fire Official" means the Chief of the Fire Division or an authorized designee.

(k) "Manual fire alarm system" means an interior alarm system, composed of sending stations and signaling devices, in a building, operated on an electric circuit, so arranged that the operation of any one station will initiate an alarm.

(l) "Mercantile building" includes all buildings and structures, or parts thereof, which are used for displays and sales, involving stocks of goods, wares or merchandise incidental to such purposes and accessible to the public, including, among others, retail stores, shops, salesrooms and markets.

(m) "One and two-family dwelling" includes buildings containing not more than two dwelling units in which each living unit is occupied by members of a single family, with no more than three outsiders, if any, accommodated in rented rooms.

(n) "Owner" means an owner or owners of a premises, contract buyer, mortgagee or vendee in possession, receiver, executor, administrator, trustee, lessee or other person in control of a building, or duly authorized agents thereof. Any person representing an owner shall be bound to comply with the provisions of this chapter to the same extent as if such person were the owner.

(o) "Public assembly building" includes buildings which are used or designed for places of assembly, as defined by the ~~OBBC~~ and classified therein as Assembly Use Groups: A-1-A STRUCTURES, ~~A-1-B STRUCTURES~~, A-2 STRUCTURES, A-3 STRUCTURES and A-4 STRUCTURES.

(p) "Residential building" includes all buildings in which sleeping accommodations are provided for normal residential purposes, and includes all buildings designed to provide sleeping accommodations. For the purposes of this chapter, residential buildings include the following: hotels and motels, apartment buildings, dormitories, lodging and rooming houses and one and two-family dwellings.

(q) "Sleeping area" means the area or areas of the family living unit in which the bedrooms (or sleeping rooms) are located. Bedrooms (or sleeping rooms) separated by other use areas, such as kitchens or living rooms (but not bathrooms), shall be considered as separate sleeping areas for purposes of this chapter.

(r) "Smoke detector" means an approved detection device, capable of sensing visible or invisible particles of combustion and emitting an audible and/or visual signal of such detection.

(s) "Sprinkler alarm system" means an alarm activated by water flow from an automatic sprinkler system.

#### **1450.02 APPLICATION OF CHAPTER.**

All new and existing residential, business, assembly, mercantile, factory and industrial buildings shall provide fire alarm equipment capable of signaling the presence of a fire and notifying the occupants in danger of the fire. Such protection equipment shall be in accordance with the provisions of this chapter.

#### **1450.03 RESPONSIBILITY OF BUILDING OWNERS.**

It shall be the responsibility of the owner of each new and existing building to comply with the provisions of this chapter.

**1450.04 AUTOMATIC FIRE ALARM SYSTEMS REQUIRED; EXEMPTIONS.**

(a) An automatic fire alarm system shall be installed and maintained in full operating condition in accordance with National Fire Protection Association Standard 72A in the following buildings:

(1) Buildings having an occupancy of hotel, motel, dormitory or lodging or rooming house.

(2) Buildings having an occupancy or use of business, mercantile, residential, factory or industrial, when they are more than seventy-five feet above the lowest level of Fire Division access.

(3) Buildings having an occupancy or use of public assembly, having a use classification of A-1-A, ~~A-1-B~~, A-2 or A-3 *or* A-4 under the OBBC and having a posted occupancy load greater than 300 persons.

In public assembly buildings having an occupancy load exceeding 1,000 persons, and in all hotels and motels, regardless of occupancy capacity, the automatic fire alarm system required by this chapter shall be electronically monitored by an approved central station or proprietary monitoring system in accordance with National Fire Protection Association standards.

(b) The following are exempt from the provisions of subsection (a) hereof:

(1) Buildings or portions thereof that are protected by an approved and maintained sprinkler system.

(2) Buildings having an occupancy of hotel, motel, dormitory or lodging or rooming house, in which all rooms exit directly to the outside, in which no public corridor is provided and where the building is not more than three stories in height.

**1450.05 MANUAL FIRE ALARM SYSTEMS REQUIRED.**

A manual fire alarm system shall be installed and maintained in full operating condition in:

(a) Buildings having an occupancy of apartment use, when they are four or more stories in height.

(b) Buildings having an occupancy of business, mercantile, factory or industrial use when they are three or more stories in height.

(c) Buildings having an occupancy of public assembly Type A-1, A-2 or A-3 use when they are more than one story in height, regardless of occupant load classification.

**1450.06 POWER SUPPLY; SIGNALS.**

All automatic fire alarm systems and manual fire alarm systems required to be installed under the provisions of this chapter shall be:

(a) Equipped with an independent emergency electrical power supply consisting of approved rechargeable batteries or generators.

(b) Capable of providing a visual and audible signal of a fire condition.

**1450.07 SMOKE DETECTORS REQUIRED.**

(a) Smoke detectors shall be installed and maintained in full operation in all of the following:

(1) Hotels and motels: In each guest room, suite or sleeping area.

(2) Lodging or rooming houses: In each guest room, suite or sleeping area.

(3) Dormitories: In each sleeping area.

(4) Apartments: In each sleeping area, and in or near each stairway leading to an occupied area in such a manner as to assure that rising smoke is not obstructed in

reaching the detector and that rising smoke cannot effectively bypass the detector before it reaches the occupied area.

- (5) One and two-family dwellings: In each sleeping area, and in or near each stairway leading to an occupied area in such a manner as to assure that rising smoke is not obstructed in reaching the detector and that rising smoke cannot effectively bypass the detector before it reaches the occupied area.
- (6) Assembly, business, mercantile, factory and industrial buildings: Where, due to the physical arrangement of a building, the Fire Chief determines that, in consideration of the life safety of the occupants, at least one detector shall be provided at each level to a stairway leading to an occupied area, in such a manner as to assure that rising smoke is not obstructed in reaching the detector and that rising smoke cannot effectively bypass the detector before it reaches the occupied area.

(b) All smoke detectors required by this section shall be installed in conformity with the National Fire Protection Association Standard 72E and/or Standard 74, as amended.

#### **1450.08 SMOKE DETECTOR SPECIFICATIONS.**

(a) All smoke detectors installed in compliance with this chapter shall be listed by a nationally recognized testing laboratory, as recognized in ~~Section FM 117.2 of the Ohio Fire Code.~~ *NFPA 72 as listed in rule 1301:7-7-45 of the Ohio Administrative Code*

(b) All smoke detectors installed in compliance with this chapter shall be powered by the 110 Volt AC building electrical system, provided, however, that smoke detectors installed in one and two-family dwellings that were constructed prior to the effective date of this chapter may be approved battery-operated detectors.

Where battery-operated smoke detectors are permitted by this section, it shall be the responsibility of the owner of the property to install the required detectors, and it shall be the responsibility of the occupant of the property to maintain the battery and clean the detector per the manufacturer's guidelines so that the detector will be operative at all times.

(c) In buildings that are constructed after the effective date of this chapter, where, because of the physical arrangement of an apartment or a one or two-family dwelling, the provisions of this chapter require the installation of more than one smoke detector per dwelling unit, the required detectors shall be interconnected with each other so that activation of any one detector in the dwelling unit shall cause all required detectors to emit a signal.

(d) In buildings that are constructed after the effective date of this chapter, when the facility is to be used primarily for the housing of elderly persons, or persons with physical hearing limitations or mental disorders, all required smoke detectors shall be capable of providing a visual and audible signal of a fire condition and shall be in accordance with National Fire Protection Association Standard 72G.

(e) Prior to the sale or transfer of title to property subject to the requirements of this chapter, the seller or transferor shall comply with the provisions hereof and shall obtain a certificate of compliance from an authorized inspector.

#### **~~1450.09 COMPLIANCE DATES.~~**

~~This chapter shall become effective when passed and shall be enforced as follows:~~

- ~~(a) Beginning on the date this chapter becomes effective, all construction of new buildings that require the issuance of a structural building permit pursuant to the OBBC shall be in compliance with the provisions of this chapter.~~

~~(b) Except for the provisions in division (a) of this section, which become effective thirty days after passage of this chapter, full compliance with all of the provisions of this chapter, as they apply to all other buildings and dwelling units, shall not be enforced until July 1, 1988.~~

**1450.10 1450.09 ENFORCEMENT.**

(a) The Zoning Enforcement Officer shall enforce the applicable sections of this chapter to existing buildings used wholly or in part for residential purposes, where the Zoning Enforcement Officer inspects such buildings in the ordinary course of his or her duties.

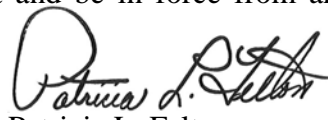
(b) The Chief of the Fire Division or an authorized designee shall enforce all sections of this chapter.

**1450.99 PENALTY.**

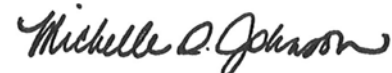
Whoever violates or fails to comply with any of the provisions of this chapter is guilty of a misdemeanor and shall be fined not less than one hundred dollars (\$100.00) nor more than two hundred fifty dollars (\$250.00) or imprisoned not more than thirty days, or both, for each offense. A separate offense shall be deemed committed each day during or on which a violation or noncompliance occurs or continues. In addition, the violator shall pay all costs and expenses involved in the case.

**Section 2.** This ordinance shall take effect and be in force from and after the earliest period allowed by law.

Passed: June 10, 2010  
Effective: July 10, 2010

  
Patricia L. Felton  
President, Xenia City Council

Attest:

  
Michelle D. Johnson  
Clerk, Xenia City Council