

TOWNSHIP OF SCIO

WASHTENAW COUNTY, MICHIGAN

ORDINANCE No. 2025-05

FIRE PREVENTION AND PROTECTION

AN ORDINANCE TO AMEND THE ARTICLE 18-II. OF CHAPTER 18, FIRE
PREVENTION AND PROTECTION, OF THE SCIO TOWNSHIP CODE

NOTE: Unchanged Code text is in plain Times New Roman font. Additions to Codes are in single underline Times New Roman font. Deletions to Codes are in ~~strikethrough Times New Roman font~~.

THE TOWNSHIP OF SCIO, WASHTENAW COUNTY, MICHIGAN, HEREBY ORDAINS:

Section 1:

That Article II of Chapter 18 of the Township of Scio Code of Ordinances is amended to read as follows:

ARTICLE II. FIRE CODE

Sec. 18-19. Fire prevention code adopted.

The International Fire Code, ~~2015~~ 2021 Edition, including its appendices, is hereby adopted by reference with the additions, insertions, deletions, and changes prescribed in section 18-21, copies of which are on file and open to inspection by the public in the office of the township clerk, is hereby adopted and incorporated into this article as fully as if set forth completely herein, and shall be controlling within the limits of the township. The same is hereby adopted as the code of the township for the purpose of prescribing regulations governing conditions hazardous to life and property from fire or explosion and providing for issuance of permits and collection of fees. That if any section, subsection, sentence, clause, or phrase of this Article is, for any reason, held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this ordinance. The Scio Township Board of Trustees hereby declares that it would have passed this law, and each section, subsection, clause, or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses, and phrases be declared unconstitutional.

Sec. 18-20. Penalty for violation.

Any person who shall violate any provision of the code adopted in section 18-19 or fail to comply therewith; or who shall violate or fail to comply with any order made thereunder; or who shall build in violation of any detailed statement of specifications or plans submitted and approved thereunder; or fail to operate in accordance with any certificate or permit issued thereunder; and from which no appeal has been taken; or who shall fail to comply with such an order as affirmed or modified by the board of appeals or by a court of competent jurisdiction, within the time fixed herein, shall severally for each and every such violation and noncompliance, respectively, be guilty of a municipal civil infraction pursuant to section 1-8. The imposition of one penalty for any violation shall not excuse the violation or permit it to continue; and all such persons shall be required to correct or remedy such violations or defects within a reasonable time; and when not otherwise specified the application of the penalty shall not be held to prevent the enforced removal of prohibited conditions.

Sec. 18-21. Additions, insertions, and changes to International Fire Code, ~~2015~~ 2021 Edition.

The fire prevention code adopted in section 18-19 is amended and changed as set forth in this section. Subsequent section numbers used in this section shall refer to the like-numbered sections of the International Fire Code, ~~2015~~ 2021 Edition, however, the text of the section will be that text contained within this amendment.

- (a) *Section 101.1 Title.* These regulations shall be known as the Fire Prevention Code of Scio Township, hereinafter referred to as "the fire code," "this code," or "the code."
- (b) *Section ~~108.1~~ 111.1 Board of appeals established.* In order to hear and decide appeals of orders, decisions or determinations made by the fire code official relative to the application and interpretation of this code, there shall be and is hereby created a board of appeals. The board of appeals shall be comprised of three members appointed by the Township Board and shall hold office at its pleasure. The *fire code official* shall be an ex officio member of said board but shall not have a vote on any matter before the board. The board shall adopt rules of procedure for conducting its business and shall render all decisions and findings in writing to the appellant with a duplicate copy to the fire code official.
- (c) *Section ~~109.4~~ 112.4 Violation penalties.* Persons who shall violate a provision of this code or shall fail to comply with any requirements thereof or who shall erect, install, alter, repair, service, test or do work in violation of the approved construction documents or directive of the fire code official, or of a permit or certificate used under provisions of this code, shall be guilty of a municipal civil infraction pursuant to section 1-8. Each day that a violation continues after due notice has been served shall be deemed a separate violation.
- (d) *Section ~~111.4~~ 113.4 Failure to Comply.* Any person who shall continue any work after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be guilty of a misdemeanor, punishable by a fine of not more than \$500 or imprisonment for a period not to exceed, or both, plus costs of prosecution.

(e) *Section 202 General Definitions.*

Fire Code Official. The Fire Chief, Fire Marshal, code enforcement officer, or other authority designated by the Township Board with the duties of administration and enforcement of the code. The term "fire code official" may be used interchangeably with "code official" and "fire official" in this code.

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 purposes of identifying and controlling fire hazards, detecting early signs of unwanted fire, raising an alarm of fire and notifying the fire department by method(s) approved or recommended by the fire code official.

Mobile Food Service Vehicle. Shall mean a food establishment that is located upon or within a vehicle, including but not limited to trucks, passenger vehicles, motorcycles, and bicycles, or a cart or other equipment which is pulled by a vehicle, where food or beverage is cooked, prepared, or served for individual portion service. This definition includes, but is not limited to mobile food kitchens, pushcart vendors, bicycle cart vendors, mobile food trucks, canteen trucks, ice cream trucks, and coffee trucks. This definition does not apply to "Meals on Wheels" program vehicles or food delivery services.

Yard Waste. Means leaves grass clippings, vegetable or other garden debris, shrubbery, or brush or tree trimmings, less than 4 feet in length and 2 inches in diameter, that can be converted to compost. Yard waste does not include stumps, agricultural wastes, animal waste, roots, sewage sludge, Christmas trees or wreaths, food waste, or screened finished compost made from yard waste.

(f) The geographic limits referred to in certain sections of the ~~2015~~ 2021 Edition of the International Fire Code are hereby established as follows:

1. Section 5704.2.9.6.1 The storage of Class I and Class II liquids in above-ground tanks outside of buildings shall comply Scio Township's zoning ordinances, Section 5704.2, and Sections 5704.2.9.1 through 5704.2.9.7.9, and the Michigan Above-ground Storage Tank Rules, or their equivalent, and be subject to the approval of the fire code official.
2. Section 5706.2.4.4 The storage of Class I and Class II liquids in above-ground tanks shall comply with Scio Township's zoning ordinances, Section 5704.2, and Sections 5704.2.9.1 through 5704.2.9.7.9, and the Michigan Above-ground Storage Tank Rules, or their equivalent, and be subject to the approval of the fire code official.
3. Section 5806.2 The storage of flammable cryogenic fluids in stationary containers shall comply with Scio Township's zoning ordinances, sections 5806.2 through 5806.4.8.3 and Chapter 55, and be subject to the approval of the fire code official.

4. Section 6104.2 The storage of liquefied petroleum gas shall comply with Scio Township's zoning ordinances, NFPA 58, and be subject to the approval of the fire code official.

(g) *Section 308.1.4 Open-flame cooking devices*

1. Charcoal burners and other open-flame cooking devices shall not be operated on combustible balconies or within 10 feet (3048 mm) of combustible construction.

Exception: Single-family dwellings.

2. Cylinders having water capacities greater than 2½ pounds (1 kg) [nominal 1 lb (0.5 kg)] LP-gas capacity shall not be located on balconies above the first floor that are attached to a multiple-family dwelling of three or more living units located one above the other. Exception: where such balconies are served by outside stairways and where such stairways are used to transport the cylinder

(h) *Section 307.1.1 Prohibited open burning*

- 1) Open burning shall be prohibited when atmospheric conditions or local circumstances make such fires hazardous.
- 2) No permits shall be issued for parcels of land with addresses located east of M-14, nor shall any permits be issued on parcels of land of less than one acre in size.
- 3) Open burning of leaves and grass is prohibited. Open burning of other Yard Waste as defined above is allowed with a permit.

Exception to 1) and 2): Prescribed burning for the purpose of reducing the impact of wildland fire when authorized by the fire code official.

(i) *Section 305.4 Deliberate or negligent burning* is amended by adding the following language: A violation of this section is punishable by a fine of not more than \$500.00 or by imprisonment for a period not to exceed 90 days or by both, plus costs of prosecution.

(j) *Section 316.3 Pitfalls* is amended by adding the following language: A violation of this section is punishable by a fine of not more than \$500.00 or by imprisonment for a period not to exceed 90 days or by both, plus costs of prosecution.

(k) *Section 401.8 Interference with fire department operations* is amended by adding the following language: A violation of this section is punishable by a fine of not more than \$500.00 or by imprisonment for a period not to exceed 90 days or by both, plus costs of prosecution.

(l) *Section 603.7.1 Unauthorized operation* is amended by adding the following language: A violation of this section is punishable by a fine of not more than \$500.00 or by imprisonment for a period not to exceed 90 days or by both, plus costs of prosecution.

(m) *Section 901.8 Removal of or tampering with equipment* is amended by adding the following language: A violation of this section is punishable by a fine of not more than \$500.00 or by imprisonment for a period not to exceed 90 days or by both, plus costs of prosecution.

(n) *Section 901.8.1 Removal of or tampering with appurtenances* is amended by adding the following language: A violation of this section is punishable by a fine of not more than \$500.00 or by imprisonment for a period not to exceed 90 days or by both, plus costs of prosecution.

(o) *Modifications.* The Chief of the Fire Department and/or the Fire Marshal shall have the power to modify any of the provisions of this Code upon application, in writing, by the owner or lessee, or his duly authorized agent, when there are practical difficulties in the way of carrying out the strict letter of the Code, provided that the spirit and intent of the Code be observed, public safety secured, and substantial justice done. The particulars of such modification when granted or allowed and the decision of the Chief of the Fire Department and/or the Fire Marshal thereon shall be entered upon the records of the department and a signed copy shall be furnished to the applicant.

(p) Mobile Food Preparation Vehicles. Section 4106 of the 2024 International Fire Code, and its associated references (including NFPA references) is adopted for the purposes of regulating Mobile Food Preparation Vehicles.

Any property owner hosting a mobile food vendor(s) must be issued a transient merchant permit from the Scio Township in accordance with Article 12 of the Scio Township Municipal Code. Food vending permit applications shall include a plot plan, indicating the location of the mobile food vending unit on the premises.

Duration; non-transferability. Mobile Food Preparation Vehicle Safety Inspection permits are valid from April 1st to March 31st. Any permit issued under this chapter is non-transferable from one mobile unit to another.

Reciprocity is granted to any agency outside of Scio Township that inspects Mobile Food Preparation Vehicles to the set standards as adopted by Scio Township

Section 2. Repealer

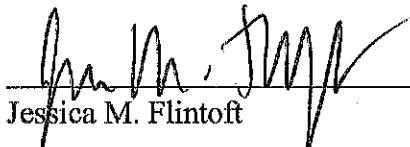
All ordinances or parts thereof which are in conflict with the provisions of this Ordinance are, to the extent of such conflict, hereby repealed, except that terms defined herein for the purpose of interpretation, administration and enforcement of this Ordinance shall not act to modify, repeal or otherwise change the definition of any such term as used in other ordinances or laws.

Section 3. Savings Clause

The provisions of this Ordinance are hereby declared to be severable. If any clause, sentence, paragraph, section or subsection is declared void or inoperable for any reason by any court, it shall not affect any other part or portion hereof other than the part declared void or inoperable.

Section 4. Adoption and Effective Date

This Ordinance shall be published in the manner as required by law. Except as otherwise provided by law, this Ordinance shall be effective 30 days after publication.

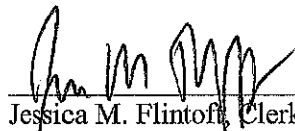


Jessica M. Flintoft
Township of Scio Clerk

Adoption: May 27, 2025
Ordinance Publication: June 4, 2025
Effective Date: July 4, 2025

CERTIFICATE

I, Jessica Flintoft, hereby certify that the foregoing is a true and complete copy of an ordinance adopted by the Township Board of Scio Township, County of Washtenaw, State of Michigan, at a Regular Meeting held on May 27, 2025 and that said meeting was conducted and public notice of said meeting was given pursuant to and in full compliance with the Open Meetings Act, being Act 267, Public Acts of Michigan, 1976, and that the minutes of said meeting were kept and will be or have been made available as required by said Act.



Jessica M. Flintoft, Clerk
Scio Township

DATED: May 27, 2025