

CHAPTER 1501
Fire Code Adoption; General Provisions

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1501.01 OHIO FIRE CODE ADOPTION.

(a) Adoption. The 2011 Ohio Fire Code (cited as "OFC") as promulgated by the State Fire Marshal of Ohio Effective November 1, 2011, and as published in Chapters 1301:7-7 of the Ohio Administrative Code (cited as "OAC") is hereby adopted by The City of Springfield, Ohio, as amended by the deletions and modifications described in this Section 1501.01, and is incorporated by reference as if fully rewritten by this Section 1501.01.

(b) References. The term "the jurisdiction" as used on the OFC shall mean The City of Springfield, Ohio. The terms "fire code official" and "local fire code official" as used in the OFC shall mean the Fire Official, as that term is defined in Section 1503.01 of this Fire Prevention Code. The term "Building Code" as used in this Fire Prevention Code shall mean the relevant building code adopted in Part Thirteen of the Codified Ordinances of The City of Springfield, Ohio.

(c) Amendments.

(1) OFC Section 101.1 is amended to read as follows:

Title. The rules set forth in Chapter 1301:7-7 of the Administrative Code shall be known as the "Ohio Fire Code" abbreviated "OFC," and hereinafter may also be referred to as the "state fire code" or "this code" or the "Fire Prevention Code."

(2) OFC Section 101.2 is amended to read as follows:

Scope. This code establishes fire marshal rules for the administration and enforcement of authorities granted to the fire marshal and fire code officials in Chapters 3701, 3731, 3737, 3741, 3781, and 3791 of the Revised Code including but not limited to, regulations affecting or relating to structures, processes, premises and safeguards regarding:

1. The hazard of fire and explosion arising from the storage, handling or use of structures, materials or devices;
2. Conditions hazardous to life, property or public welfare in the occupancy of structures or premises;
3. Fire hazards in the structure or on the premises from occupancy or operation;
4. Matters related to the construction, extension, repair, alteration or removal of protection systems; and

5. Conditions affecting the safety of firefighters and emergency responders during emergency operations.
- (3) OFC Section 101.2.1 is amended to read as follows:
Appendices. The provisions of Appendix D “Fire Apparatus Access Roads” of the OFC is adopted and made part of this code. Except as provided in the preceding sentence, provisions in the appendices, of any “International Fire Code” are not adopted as part of this code.
- (4) OFC Section 101.4 is amended to read as follows:
Severability. It is the intention of the City Commission that each separate provision of this Fire Prevention Code shall be deemed independent of all other provisions herein, and it is further the intention of the City Commission that if any provision of this Code is declared invalid, all other provisions thereof shall remain valid and enforceable.
- (5) OFC Section 102.3.3 is amended to read as follows:
Change of use or occupancy. No change shall be made in the use or occupancy of any structure that would place the structure in a different division of the same group or occupancy or in a different group of occupancies, unless such structure is made to comply with the requirements of this code and the Building Code .
- (6) OFC Section 103.1 is deleted.
- (7) OFC Section 104.1.1 is deleted.
- (8) OFC Section 104.8 is amended to read as follows:
Variances by the Fire Chief. Whenever there are practical difficulties involved in carrying out the provisions of this code, the Fire Chief, in the Fire Chief’s discretion, may modify any provision of this code or any other administrative rule promulgated by the Fire Chief upon written application by an affected party and upon demonstration by that party of both of the following:
 1. That the variance will not threaten the public health, safety or welfare; and
 2. That the party will provide measures to protect the public health, safety and welfare that are substantially equivalent to the measures otherwise required under the state fire code.
 - (a) 104.8.1 A request for a variance submitted pursuant to this rule shall only be considered upon production of any information or documentation requested by the Fire Chief. The particulars of such variance when granted shall be in writing, entered upon the records of the Fire Chief and furnished to the applicant and the authority having jurisdiction, if said authority is other than the Fire Chief.
 - (b) 104.8.2 Unless otherwise stipulated by the Fire Chief upon the granting of a variance, each variance granted pursuant to this paragraph shall automatically terminate one year from the date of its issuance.
 - (c) 104.8.3 There shall be no automatic renewals of any variance granted pursuant to this paragraph. Each variance shall be specifically applied for in writing by the requesting party and independently considered by the Fire Chief.
- (9) OFC Section 105.1.1.1.1 is amended to read as follows:
Explosives. A permit is required for the storage of explosives and

- explosive materials.
- (10) OFC Section 105.1.1.1.3 is amended to read as follows:
LP-gas system. A permit is required for the stationary installation or modification to a stationary LP-gas system.
 - (11) OFC Section 105.1.1.1.4 is amended to read as follows:
Standpipe system. A permit is required for the removal of a standpipe system or appurtenances.
 - (12) OFC Section 105.1.1.1.5 is amended to read as follows:
Temporary membrane structures, tents and canopies. A permit is required for the construction of an air-supported temporary membrane structure or a tent having an area in excess of 400 square feet (19m²) or a canopy in excess of 200 square feet (37m²).
 - (13) OFC Section 108.1 is amended to read as follows:
Appeals of orders. Appeals of orders made by the Fire Official relative to the application of this code shall be in accordance with the provisions of Chapter 1503 of the Fire Prevention Code.
 - (14) OFC Section 109.1.1 is amended to read as follows:
Fire code enforcement. If upon inspection or investigation, the Fire Official, or a certified fire safety inspector believes that this code has been violated, the Fire Official, or certified fire safety inspector shall issue a citation to the responsible person in accordance with this Fire Prevention Code.
 - (15) OFC Section 109.1.1.1 is amended to read as follows:
If a violation of this code has no direct or immediate relationship to safety or health, the Fire Official or the certified fire safety inspector may issue a notice in lieu of a citation with respect to such de minimus violation in accordance with paragraph (I)(2)(109.2) of this rule.
 - (16) OFC Section 109.1.2 is amended to read as follows:
Enforcement to remedy dangerous conditions. If the Fire Official or certified fire safety inspector, upon examination or inspection, finds a building or other structure especially liable to fire or endangers life or other buildings or property, or finds a building or any premises with combustible, explosive or flammable materials which are dangerous to the safety of persons finds any structure, tank, container or vehicle used for the storage, handling or transportation of flammable or combustible materials to be dangerous to the safety of persons, the Fire Official or certified safety inspector shall issue a citation in accordance with this Fire Prevention Code.
 - (17) OFC Section 109.3 and all of its subdivisions are deleted.
 - (18) OFC Section 112 is captioned "**Fire Official permit fees.**"
 - (19) OFC Section 112.1 is amended to read as follows:
Permit fees. The fee for all permits issued by the fire official shall be seventy-five dollars unless specifically indicated otherwise in this code.
 - (a) **112.1.1 Fees for multiple permits.** When multiple permits are applied for to the fire code official for a specific event or approved construction at the same location, such permit application may be consolidated into a single permit application. The total fees otherwise required for such multiple permits may be consolidated into a single fee, which may be reduced at the discretion of the fire code official in an amount proportionate to the corresponding inspection activity.

Exceptions:

1. If a manufacturer or wholesaler of fireworks has paid an original or a renewal licensure application fee in accordance with paragraph (Q)(1)(3317.1) of rule 1301:7-7-33 of the Ohio Administrative Code, then the manufacturer or wholesaler of fireworks is not required to pay a fee for the Class I magazine storage permit required by paragraph (c)(9) of this Section.
 2. A permit fee is not required for the construction of a temporary membrane structure or tent erected on state property.
- (20) OFC Sections 112.2 and 112.3 are deleted.
 - (21) OFC Sections 113 through 116 and all of their subdivisions are deleted.
 - (22) OFC Sections 118 through 122 and all of their subdivisions are deleted.
 - (23) OFC Section 123 is deleted.
 - (24) All references to the *International Building Code* in this code are deleted and replaced with a reference to the Ohio Building Code as adopted in Section 1301.01 of the Codified Ordinances.
 - (25) All references to the *ICC Electrical Code* in this code are deleted and replaced with a reference to the National Electrical Code as adopted in Section 1301.02 of the Codified Ordinances.
 - (26) All references to the *International Mechanical Code* in this code are deleted and replaced with a reference to the Ohio Mechanical Code as adopted in Section 1301.03 of the Codified Ordinances.
 - (27) All references to the *International Residential Code* in this code are deleted and replaced with a reference to the Residential Code for One-, Two-, and Three-Family Dwellings as adopted in Section 1301.04 of the Codified Ordinances.
 - (28) All references to the *International Property Maintenance Code* in this code are deleted and replaced with a reference to the Property Maintenance Code as adopted in Section 1305.01 of the Codified Ordinances.
 - (29) All references to the *International Plumbing Code* in this code are deleted and replaced with a reference to the Plumbing Code as adopted in Section 1361.01 of the Codified Ordinances.
 - (30) All references to the *International Fuel Gas Code* in this code are deleted and replaced with a reference to the Fuel Gas Code for The City of Springfield, Ohio as adopted in Section 1301.05 of the Codified Ordinances.
 - (31) All references to the *International Energy Conservation Code* in this code are deleted and replaced with a reference to the Ohio Building Code as adopted in Section 1301.01 of the Codified Ordinances.
 - (32) OFC Section 307, **OPEN BURNING AND RECREATIONAL FIRES**, is amended to read as follows:
 - (1) **307.1 General.** A person shall not kindle or maintain or authorize to be kindled or maintained any open burning unless conducted and approved in accordance with this Section.
 - (a) **307.1.1 Prohibited open burning.** Open burning that is offensive or objectionable because of smoke or odor emissions or when atmospheric conditions or local circumstances make such fires hazardous shall be prohibited.

- (2) **307.2 Permit required.** A permit shall be obtained from the fire code official in accordance with the Fire Prevention Code prior to kindling a fire for all open burning, including, recognized silvicultural or range or wildlife management practices, prevention or control of disease or pests, a bonfire or a recreational fire. Application for such approval shall only be presented by and permits issued to the owner of the land upon which the fire is to be kindled.
- (a) **307.2.1 Authorization.** Where required by state or local law or regulations, open burning shall only be permitted with prior approval from the state or local air and water quality management authority, provided that all conditions specified in the authorization are followed.
- (3) **307.3 Extinguishment authority.** The fire code official is authorized to order the extinguishment by the permit holder, another person responsible or the fire department of open burning that creates or adds to a hazardous or objectionable situation.
- (4) **307.4 Location.** The location for open burning shall not be less than 50 feet (15 240 mm) front any structure, and provisions shall be made to prevent the fire from spreading to within 50 feet (15 240 mm) of any structure.

Exceptions:

1. Fires in approved containers (i.e. containers approved by the fire official as safe for open burning) that are not less than 15 feet (4572 mm) from a structure.
 2. The minimum required distance from a structure shall be 25 feet (7620 mm) where the pile size is 3 feet (914 mm) or less in diameter and 2 feet (610 mm) or less in height.
- (a) **307.4.1 Bonfires.** A bonfire shall not be conducted within 50 feet (15 240 mm) of a structure or combustible material unless the fire is contained in a barbecue pit. Conditions which could cause a fire to spread within 50 feet (15 240 mm) of a structure shall be eliminated prior to ignition.
- (b) **307.4.2 Recreational fires.** Recreational fires shall not be conducted within 25 feet (7620 mm) of a structure or combustible material. Conditions which could cause a fire to spread within 25 feet (7620 mm) of a structure shall be eliminated prior to ignition.
- (c) **307.4.3 Portable outdoor fireplaces.** Portable outdoor fireplaces shall be used in accordance with the manufacturer's instructions and shall not be operated within 15 feet (3048 mm) of a structure or combustible material.
- Exception:** Portable outdoor fireplaces used at one- and two-family dwellings.
- (4) **307.5 Attendance.** All open burning fires shall be constantly attended until the fire is extinguished. A minimum of one portable fire extinguisher complying with *paragraph (F)(906) of*

rule 1301:7-7-09 of the Administrative Code with a minimum 4-A rating or other approved on-site fire-extinguishing equipment, such as dirt, sand, water barrel, garden hose or water truck, shall be available for immediate utilization.
(Ord. 13-15. Passed 1-22-13.)

1501.02 OWNER'S RESPONSIBILITY.

The owner of any building, structure or premise shall be responsible for the safe and proper maintenance of same. In all new and existing buildings and structures the fire protection equipment, means of egress, fire protective signaling systems, automatic fire detection systems and safeguards required by this Fire Prevention Code and other applicable City ordinances shall be maintained in a safe and proper operating condition.
(Ord. 06-303. Passed 8-8-06.)

1501.03 OCCUPANT'S RESPONSIBILITY.

Whenever an occupant of a building creates or permits a condition in violation of this Fire Prevention Code, by virtue of storage, handling, use or misuse of substances, materials, devices or appliances, he shall be responsible for the abatement of such condition, however, such occupants failure to do so shall not relieve the owner of such building of his responsibilities under Section 1501.02.
(Ord. 06-303. Passed 8-8-06.)

1501.04 MILITARY TRANSPORTS.

The provisions contained in this Fire Prevention Code shall not be construed as applying to the transportation of any article or substance shipped under the jurisdiction of and in compliance with the regulations prescribed by the military forces of the United States.
(Ord. 06-303. Passed 8-8-06.)

1501.05 INTERPRETATION UPON CONFLICT.

Nothing in this Fire Prevention Code shall be construed, interpreted or applied to abrogate, nullify or abolish any ordinance or code adopted by the City of Springfield governing the construction, alteration, addition, repair, removal, demolition, use, location, occupancy and maintenance of buildings and structures specifically provided herein. When any provision of this Code is found to be in conflict with any building, zoning, safety, health or other applicable ordinance or code of the City of Springfield, existing on the effective date of this Fire Prevention Code or hereafter adopted, the provision which establishes the higher standard for the promotion and protection of the safety and welfare of the public shall prevail.
(Ord. 06-303. Passed 8-8-06.)