

CITY OF FARMINGTON COUNCIL PROCEEDINGS (Summary)

A regular meeting of the Farmington City Council was called to order at 8:00 p.m. by Mayor Yoder in Council Chambers, 3500 Little Street, Farmington, Michigan.
PRESENT: Mayor Yoder, Councilmen Bennett, Hartsock, Tupper, Walker.
OTHERS PRESENT: City Manager Daddman, Director Sellers, City Attorney Kelly, City Clerk Busbey.
Minutes of previous meeting were approved.
Minutes of other Boards were received and/or filed.
Council approved a Parade Permit for Little League Baseball opening day, May 12, 1984.
Council authorized the closing of Hapsal and Shawansee Streets on July 17, 1984 for the Annual Kid's Day Program.

Council issued the following proclamations:

MUSLIM SHRINE HOSPITAL PAPER SALE DAYS . . . June 18 and 19, 1984
MUNICIPAL CLERKS WEEK . . . May 13-19, 1984
SMALL BUSINESS WEEK . . . May 13-19, 1984
NATIONAL CONSUMER WEEK . . . April 23-29, 1984
POPPY DAYS . . . May 17, 18, 19, 1984
KEEP FARMINGTON BEAUTIFUL . . . April 23-29, 1984
ARBOR WEEK/ARBOR DAY (April 24, 1984) . . . April 23-29, 1984
KIDS DAY . . . July 17, 1984

Council tabled his decision on participation in the Caddell Drain.
Council authorized the payment of \$26,093.00 to Dineleo Construction Company of Sterling Heights, Michigan, for work completed on the Combined Sewer Overflow River Cross Connection Project.
Council introduced Ordinance No. C-515-84 which would control parking on Oakland Street.
Council supported the Farmington Hills grant request for the construction of the Tarnahol Roadland Gardens Subdivision storm drain project.
Council received the 1984-85 Recommended Budget for the various city funds and set Study Sessions for 7:00 p.m. on May 18 and 19, 1984.
Council approved May 2, 1984, at 7:00 p.m. for the Joint Budget review meeting with the City of Farmington Hills.
Council received the Building Department Third Quarterly Report.

The following Ordinances were adopted:

ORDINANCE NO. C-513-84

AN ORDINANCE TO AMEND TRAFFIC CONTROL ORDERS

THE CITY OF FARMINGTON ORDAINS:

That the Traffic Control Order issued by the Chief of Police of the City of Farmington, dated February 4, 1973, is hereby amended as follows: Chapter 1, Section 1; Chapter 1, Section 1.15; and Chapter 5, Section 5.41, as provided for in Section 2.53 of the Farmington Traffic Code, Townships and Villages.
CHAPTER 1 "STOP STRIPS" - Section 1.1, Grand River
DELETE the following: Drake Road, Farmington Road, Power
ADD the following: Blanchard, Brookside Court, Chatham Hills Drive, Chatham Hills Lane, Drakeville Lane, Lamb Court, Orchard Court, Riverview Court
- Section 1.15, Drake Road
ADD the following: Drakeville Lane at Drake Road, Heritage Lane at Drake Road, Tall Pines at Drake Road
CHAPTER 5 "PARKING" - Section 5.41, Orchard Court
ADD the following: A. Both east and west sides of the street 115 feet south from Grand River.

This ordinance was introduced at a regular meeting of the Farmington City Council on April 9, 1984, was adopted and enacted at the next regular meeting on April 18, 1984, and will become effective ten days after publication.
AYES: Walker, Yoder, Bennett, Hartsock, Tupper.
NAYS: None.
ABSENT: None.

ORDINANCE NO. C-514-84

AN ORDINANCE TO ADOPT THE 1984 BOCA BASIC FIRE PREVENTION CODE BY REFERENCE AND TO PROVIDE CERTAIN MODIFICATIONS THEREIN FOR ITS APPLICATION TO THE CITY OF FARMINGTON.

THE CITY OF FARMINGTON ORDAINS:

§ 331. Adoption of Fire Prevention Code. There is hereby adopted by the City of Farmington for the purpose of prescribing regulations governing conditions hazardous to life and property from fire the Fire Prevention Code known as the BOCA Basic Fire Prevention Code, as recommended and maintained by the active membership of the Building Officials and Code Administrators International, Inc., being particularly the 1984 Sixth Edition thereof and the whole thereof, except as herein provided otherwise. Which Code not less than three (3) copies have been and are now filed and available during regular business hours for business use and inspection in the Office of the City Clerk of the City of Farmington, and the same is hereby adopted and incorporated as full and as if set out at length herein, and from the date on which this ordinance shall take effect, the provisions thereof shall be controlling within the limits of the City of Farmington.

§ 332. Modifications to the Adopted Fire Prevention Code. The following Articles, Sections and Sub-sections of the adopted Fire Prevention Code are hereby amended or deleted as set forth and additional Sections and Sub-sections are added as indicated. Subsequent Articles and Section Numbers used in Section 3.303 (this section) shall refer to like numbered Articles, Sections and Sub-sections of the adopted Fire Prevention Code.

ARTICLE I

ADMINISTRATION AND ENFORCEMENT

Section F-100.0. General.
F-100.1. Title. Sub-section amended to read:
F-100.1. Title. These regulations as set forth herein shall be known as the Fire Prevention Code of the City of Farmington and are herein referred to as such or as "this code."
Section F-101.0. Applicability.
F-101.1. Uniformity with Law of State of Michigan. Sub-section added to read:
F-101.1.1. Uniformity with Law of State of Michigan. It is the intention of the City Council that this ordinance and the code adopted thereby shall be in conformity to the laws of the State of Michigan relative to fire prevention. In case of any conflict between the provisions of this ordinance or the code adopted thereby with the laws of the State of Michigan, the latter shall prevail.
Section F-102.0. Enforcement.
F-102.1. Enforcement Officer. Sub-section amended to read:
F-102.1. Enforcement Officer. It shall be the duty and responsibility of the Director of Public Safety or his authorized representative to enforce the provisions of the Fire Prevention Code as herein set forth. The designated enforcement officer of this code is herein referred to as the Fire Official.
F-102.7. Rules and Regulations. Sub-section amended to read:
F-102.7. Rules and Regulations. The Director of Public Safety shall have authority as may be necessary in the interest of public safety, health and general welfare to promulgate rules and regulations, to interpret and implement the provisions of the Fire Prevention Code, to secure the intent thereof and to designate requirements applicable because of climatic or other conditions, and to allow modifications of any of the provisions of the Fire Prevention Code, but no such modifications shall have the effect of waiving any fire safety requirements specifically provided in the Fire Prevention Code, or violating any accepted engineering practice or safety standard as recommended by those organizations which are listed in the Appendix of this code.
The owner, lease or agent for the property requesting such modification may be required to make application for such modification to the Director of Public Safety in writing and as so directed. The particulars of such modification when permitted shall be entered upon the records of the Department of Public Safety and a signed copy shall be furnished to the applicant.
Section F-103.0. Orders to Eliminate Dangerous or Hazardous Conditions.
F-103.1. Failure to Correct Violations. Sub-section amended to read:
F-103.1. Failure to Correct Violations. If the notice of violation is not complied with within the time specified, the Fire Official or his duly authorized representative of the Department of Public Safety is authorized to grant time extensions for correction of violations, beyond the time limits initially specified, when such time extensions are deemed to be reasonable and necessary, and which would not constitute a distinct hazard to life or property.
F-103.1.1. Penalty for Violations. Any person, firm or corporation convicted of a violation of this ordinance or the City may be imprisoned in the County Jail or the City Jail for not more than 90 days or fined not more than \$500.00, or both, together with costs of prosecution. Each day that a violation continues after notice of action as provided for in this ordinance shall be deemed a separate offense.

ARTICLE 2 - DEFINITIONS

Section F-301.0. Applied Meaning of Words and Terms. Section amended by the addition of the following terms and words:

BUILDING - Building means any structure, framework or housing, public or private, and includes tents, pavilions, reserved areas and other structures for the storage and handling of commodities or other materials.
OCCUPANT - Occupant shall mean tenant in possession of or other person occupying or having charge of buildings or premises.
PREMISES - Premises shall mean any lot or parcel of land exclusive of buildings thereon, however used, owned or occupied.

ARTICLE 3

GENERAL PRECAUTIONS AGAINST FIRE

Section F-301.0. Revises and Outlines Building Fires.

F-301.1. General. Sub-section amended to read:
F-301.1. General. Buildings, Outside Fires and Incinerators.
(1) No person shall dispose of any leaves, rubbish, trash, garbage, refuse, containers, paper, wood, or any other combustible material whatever in any street, alley, private place, or in any public place by burning within the City of Farmington, except in a proper incinerator.
(2) No incinerator shall be installed or used within any building or on any premises without a permit and approval of the City of Farmington Building Department.
(3) The burning of any material in incinerators, stoves or furnaces which emit, or is likely to emit, noxious or excessive smoke, odors, or other emissions is prohibited.
(4) Within the Central Business District, as defined in Chapter 28 (Zoning) of the Farmington City Code, the following additional regulations shall apply:
(a) Prior to the construction or installation of any incinerator, stove or furnace to be utilized for the burning of any material, the location, design, type, construction and utilization thereof shall have been previously approved by the Building Department and the Fire Official.
(b) No outside incinerator or separate structure to be utilized for the disposal by burning of any material shall be located within a distance of fifteen (15) feet of any other combustible material.
(5) This Chapter is not intended to prohibit fires used for the preparation of food in appliances/devices designed and named/used for such use except as provided herein, the use of indoor fireplaces or outdoor campfires in designated areas in public parks, provided such outdoor campfires in public parks shall not be kindled unless prior written authorization is obtained.
(6) No charcoal cookers, braziers, hibachis, grills, or any gasoline or other flammable liquid or liquefied petroleum gas-fired stove or similar device shall be ignited or used on the balconies above ground level of any apartment building, townhouse, condominium, or similar occupancy. Use on the ground level of such devices shall be prohibited unless such device is at least eight (8) feet from every part of the building, including any portion of any balcony, overhang, or protrusion therefrom.
(7) The management of such occupancies which have balconies and/or in which dwelling units are superimposed level shall notify their tenants of the writing of this Code requirement at the time the tenant initially occupies the premises and at any time thereafter as may be reasonably required by the Fire Marshal, as necessary to insure compliance.
(8) City Council may temporarily permit the burning of leaves. Whenever such permit is granted, it shall be for a specific period of time as set by Council. No person shall burn leaves on any improved road.
F-301.2. Permit Required. Sub-section amended to read:
F-301.2. Permit Required. Any person or persons desiring to have a campfire in a public park must first obtain authorization from the Department of Public Safety, and no such authorization shall be granted unless:
(1) The location is approved by the Department of Public Safety and such location is safely removed from any building, structure, or other material which could ignite because of the proximity to the campfire.
(2) Atmospheric, climatic and other conditions would not make such campfire hazardous.
(3) A competent adult shall remain in attendance until the fire is extinguished and adequate fire extinguishing equipment is on hand.
(4) Such campfire shall not become offensive or objectionable due to smoke or other emissions.
(5) The fuel for such campfire shall consist of dry wood and/or charcoal only, and the allowable quantity of fuel, and size of campfire shall be kept to a minimum; firewood shall be prohibited.
F-301.3. Prohibited Fires. Sub-section amended to read:
F-301.4. Prohibited Fires. The Fire Official or his duly authorized representative shall order the immediate extinguishment, by Department equipment if necessary, of any outdoor fire which is an uncontrolled fire as prohibited by this ordinance, or a previously authorized campfire which creates a fire hazard or is objectionable situation.

ARTICLE 4

FIRE PROTECTION SYSTEMS

Section F-401.0. Manual Fire Extinguishing Equipment.
F-401.1. Required. Sub-section amended to read:
F-401.2. Required. Auxiliary Fire Appliances. All buildings and structures, existing and new, except one- and two-family dwellings, shall be equipped with sufficient portable fire extinguishing equipment in accordance with the recommendations of Standard 19.18 of the National Fire Protection Association, and the determinations of the Fire Official or his duly authorized representative.
Section F-411.0. F-411.0. Sub-section amended to read:
F-411.0. Residential Smoke Detector. Sub-section amended to read:
F-411.0. Smoke Detector.
F-411.1. Requirement. It shall be the responsibility of the owner of each existing occupied dwelling unit to install smoke detectors in each dwelling unit as hereinafter provided. Said smoke detectors shall be capable of sensing visible or invisible particles of combustion and providing a suitable audible alarm thereof. Further, they shall be installed in all multiple dwellings (three (3) family or more) within six (6) months of the effective date of this amendment. All single dwellings shall comply with this section on or before the date of the amendment, or addition or re-occupancy, whichever occurs first, in the manner hereinafter provided (unless any other provision of County, State or Federal law shall require installation before that date). Failure to install smoke detectors as and where required by said date shall subject the property owner to the penalties set forth in Section F-105.1 of the Fire Prevention Code of the City of Farmington.
F-411.2. Location. At least one (1) smoke detector shall be installed in each sleeping area. A sleeping area is defined as the area or areas of the family living unit where the bedrooms or sleeping rooms are located. Where bedrooms or rooms are used for sleeping are separated by other use areas (such as kitchens or living rooms, but not bathrooms or closets), they shall be considered as separate sleeping areas for the purpose of this section. At least one (1) smoke detector shall be installed to protect each stairway leading up to an occupied area in such a manner as to ensure that rising smoke is not obstructed in reaching the detector and the detector interconnects firing smoke before it reaches the sleeping area.
F-411.3. Equipment. All devices, combinations of devices and equipment herein are to be installed in conformance with the City of Farmington Building Code and this section. All detectors shall be Underwriters Laboratories approved.
F-411.4. Installation. In multiple family and single family dwellings hereafter constructed, smoke detectors shall be wired directly (hard wired) to the building's power supply. If more than one (1) detector is required in a single family dwelling, all detectors shall be inter-connected. For the purpose of installation and maintenance only, the applicable sections of National Fire Protection Association No. 74, "Standard for the Installation, Maintenance and Use of Residential Fire Warning System," shall be considered accepted engineering practices. Installation of said fire detection system shall have prior approval of the City of Farmington Building Department.
F-411.5. Maintenance. It shall be the responsibility of the owner of each multiple family building to certify in writing to the City of Farmington Fire Marshal on or before July 1st of each year (effective July 1, 1979) that the manufacturer's prescribed maintenance has been performed on all smoke detectors.
F-411.6. Inspection. The Director of Public Safety, or his authorized representative, shall conduct periodic spot inspections of multiple family buildings to assure proper maintenance and operation of smoke detectors.
F-411.7. Permit and Fees. No smoke detector shall be directly connected (permanently wired) to the electrical system of the structure unless an electrical permit shall have been first obtained from the City of Farmington Building Department.
F-411.8. Certification at Change in Occupancy. At every change of occupancy of every dwelling unit occupied by or included in a sale, lease or sub-lease of a unit, it shall be the duty of the grantor thereof (i.e. the seller, lessor or sub-lessor as the case may be) to certify before occupancy to the new occupant that all smoke detectors as required by this section (or other applicable laws) are installed and in proper working condition. Upon the receipt of any single family or multiple family dwelling the City of Farmington Building Department shall also receive certification that all smoke detectors are installed and are in proper working condition. Failure to comply with this sub-section shall be deemed as not in force.
Section F-411.9. Added to read as follows:
F-411.9. Automatic Sprinklers. A system of automatic sprinklers controlled by thermostatic operating devices for the detection of heat or approved fire extinguishing chemicals or gases shall be installed and maintained in accordance with the following:
(1) In every dwelling, except in one- and two-family dwellings, in any building or space for the storage of buildings, goods, effects or properties of the last-mentioned occupants of the dwelling or agent for the detection of heat or fire.

and similar materials, if provided or made available, such space shall be equipped with an adequate sprinkler system, with sprinkler heads so arranged as to provide not less than one head for each 100 sq. ft. or fraction thereof, of area, and in any case if the space is divided into separate smaller compartments by any material other than open construction, there shall be not less than one head over each compartment.
(2) In all buildings, except one- and two-family dwellings, where automatic sprinklers are provided to protect buildings, an approved automatic sprinkler system, or water supply if practicable, shall be provided from the incinerator area.
(3) All boiler rooms, storage rooms, spray booths and all hazardous locations that can be protected with sprinkler heads supplied from the existing water supply shall be so protected.
(4) In all fully conditioned basement storage buildings, woodworking plants and auxiliary structures, an approved automatic sprinkler system shall be provided.
(5) Approved Automatic Sprinkler Systems shall be installed in all buildings of institutional occupancy, including buildings used for housing people suffering from physical limitations because of health or age, hospitals, sanitariums, infirmaries, orphanages, homes for the aged or infirm and housing for the elderly.
(6) Approved Automatic Sprinkler Systems shall be installed in all buildings exceeding three (3) stories in height.

ARTICLE 15 - PLACES OF ASSEMBLY

Section F-1500.0. General.

F-1500.1.1. Overcrowding. Sub-section amended to read:
F-1500.1.1. Overcrowding. A person shall permit overcrowding or admittance of any person beyond the approved number of occupants of any place of assembly. The Fire Official or his duly authorized representative, upon finding overcrowding conditions or obstruction in aisles, passageways or other means of egress, or upon finding any condition which constitutes a hazard to life and safety shall cause the performance, presentation, spectacle or entertainment to be stopped until such condition or obstruction is corrected.

ARTICLE 26

EXPLOSIVES, AMMUNITION AND BLASTING AGENTS

Section F-2600.0. General.

F-2600.1.1. Permit Required for Blasting. Sub-section DELETED.
Section F-2601.0. General Requirements.
F-2601.1. Storage. Sub-section amended to read:
F-2601.2. Storage. The storage of explosives and blasting agents is prohibited, however, this prohibition shall not apply to small arms ammunition, explosive bolts, explosive rivets or cartridges for explosive-actuated power tools, in quantities involving less than five hundred (500) pounds of explosive materials.
F-2601.3. Storage of Explosives. Section DELETED.
F-2601.4. Storage of Blasting Agents and Supplies. Section DELETED.
F-2601.5. Handling of Explosives. Section DELETED.
F-2601.6. Blasting. Section amended by DELETING Sub-sections F-2601.6.1 through F-2601.6.7 inclusive and ADDING Sub-section F-2601.6.1 to read:
F-2601.6.1. Blasting Prohibited. Blasting operations of any kind shall be prohibited.

ARTICLE 27 - FIREWORKS

Section F-2700.0. General.

F-2700.2. Permit Required. Sub-section amended to read:
F-2700.3. Permit Required. A permit shall be obtained from the Fire Official for the display or discharge of fireworks.
F-2700.2.1. Permit Application. Sub-section amended to read:
F-2700.2.1. Permit Application. Application for permits shall be made in writing at least fifteen (15) days in advance of the date of the display or discharge of fireworks. The possession and use of fireworks for the purpose of display or discharge shall be under the terms and conditions approved with the permit and for that purpose only. A permit granted hereunder shall not be transferable, nor shall any such permit be extended beyond the dates set out therein.
Section F-2701.0. Sale and Discharge.
F-2701.1. Exceptions. Sub-section DELETED.

ARTICLE 28

FLAMMABLE AND COMBUSTIBLE LIQUIDS

Section F-2801.0. Fire Safety Requirements.

F-2801.10. General Provisions. Sub-section amended to read:
F-2801.10. General Provisions. All flammable liquids shall be manufactured, processed, kept or stored, transported or otherwise handled or disposed of in such manner and by such method as not to constitute a fire hazard or a menace to the public peace, health or safety, or so as to endanger or cause loss, injury or damage to person or property.
F-2801.11. Private Property. Sub-section added to read:
F-2801.11. Private Property. No person shall place or cause to be placed any flammable liquid in or on any private property without the express consent of the owner, tenant or person having charge of such property, nor shall any person kindle or start any fire in any receptacle or otherwise upon the private property of another person without express consent of the owner, tenant or person in charge of such property.

ARTICLE 30 - LIQUEFIED PETROLEUM GASES

Section F-3004.0. Fire Safety Requirements.

F-3004.4. Terminals, Piping, Refilleries and Tank Farms. Sub-section amended to read:
F-3004.4. Terminals, Piping, Refilleries and Tank Farms. Installations and facilities maintained for the handling or processing of the refining, distribution or storage of liquefied petroleum gas is prohibited.

APPENDIX "B" OF THE BOCA FIRE PREVENTION CODE, AS AMENDED BY DELETING SECTION 10 AND 29, AND BY THE INSERTION OF WORDS AND PHRASES IN THE SPACES PROVIDED, IN THE FOLLOWING SECTIONS, AS LISTED HEREUNDER:

Section 1: ADD the phrase "City of Farmington."
Section 2: ADD the word "Michigan."
Section 3.3.1. False Alarm. No person shall willfully turn in, sound or otherwise communicate or cause to be communicated to the Department of Public Safety a false alarm of fire or explosion, nor shall any person cause a false alarm or fire to be communicated within or to any place of public assembly, educational, religious, institutional, or multiple dwelling occupancy, or any other place where persons are congregated.
Section 3.3.2. Legal or Official or Governmental. No person shall willfully turn in, sound or otherwise communicate or cause to be communicated to the Department of Public Safety a false alarm of fire or explosion, nor shall any person cause a false alarm or fire to be communicated within or to any place of public assembly, educational, religious, institutional, or multiple dwelling occupancy, or any other place where persons are congregated.
Section 3.3.3. Validity. The City Council hereby declares that should any section, sub-section, paragraph, sentence or word of the ordinance of this ordinance, or of the Code adopted, be declared to be invalid for any reason, it is the intent of the City Council that it would have no effect on any other portion of this ordinance, independent of the elimination of any such portion as may be declared invalid.
Section 3.3.4. Date of Effect. This ordinance shall take effect and be in force from and after its approval as required by the Charter of the City of Farmington.

This Ordinance was introduced at a regular meeting of the Farmington City Council on April 9, 1984, was adopted and enacted at the next regular meeting of the City Council on April 18, 1984, and will become effective ten (10) days after publication.
AYES: Walker, Yoder, Bennett, Hartsock, Tupper, Walker.
NAYS: None.
ABSENT: None.

Meeting called to order by Mayor Yoder.

Meeting adjourned at 8:57 p.m.

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