

ORDINANCE NO. O2023-030

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF YUMA, ARIZONA, AMENDING TITLE 13 OF THE YUMA CITY CODE, CHAPTER 131, ADOPTING BY REFERENCE *INTERNATIONAL FIRE CODE 2018*, INCLUDING APPENDICES B, C, D, E, F, G, H, AND I, AND THE AMENDMENTS RECOMMENDED BY THE BUILDING ADVISORY BOARD DATED DECEMBER 14, 2022, AND PROVIDING A PENALTY FOR VIOLATIONS THEREOF

WHEREAS, the City of Yuma currently utilizes the 2018 Edition of the NFPA 1 (National Fire Protection Association), Fire Code, with amendments; and,

WHEREAS, the current Fire Code for the State of Arizona is the 2018 IFC, that is already used as a minimum set of fire and life safety standards,

WHEREAS, Yuma City Council Resolution No. R2023-003 declared the "International Fire Code 2018" a public record; and,

WHEREAS, the City Council has considered the recommendation of the City of Yuma Building Advisory Board based on their actions taken at a meeting on December 14, 2022 and recommending adoption of International Fire Code 2018, with Appendices B, C, D, E, F, G, H, and I, and the Amendments shown in this ordinance,

NOW THEREFORE, BE IT ORDAINED by the City Council of the City of Yuma as follows:

SECTION 1: Yuma City Code, Title 13, Chapter 131, Section 15, is repealed and replaced with the following:

§ 131-15 Adoption of a model Fire Code, International Fire Code, 2018 Edition.

That certain document, three (3) copies of which are on file as public record in the office of the City Clerk of the City of Yuma, known as the International Fire Code, 2018 Edition, including Appendices B, C, D, E, F, G, H, and I, published by the International Code Council, with certain amendments listed herein, which document was made a public record by Resolution No. R2023-003 of the City, is hereby adopted by reference and made a part of the Yuma City Code as if fully set out in this article.

SECTION 2: Yuma City Code, Title 13, Chapter 131, Section 16, is repealed and replaced with the following:

§ 131-16 Amendments

NOTE: The section numbers that follow are the reference sections found in the International Fire Code 2018.

(A) **Section [A] 101.1 Title.** Amend to read, "These regulations shall be known as the *Fire Code* of the City of Yuma, herein after referred to as 'this code.'"

(B) Amend **Section [A] 102.3 Change of Use or Occupancy** to add the following section, "**Section [A] 102.3.1 Fire Sprinklers**. For the purpose of determining if a change of use or a change of occupancy will be a more hazardous operation requiring the retrofit of a fire sprinkler system, the "Means of Egress Hazard Categories Table" (for life safety) in the edition of the International Existing Building Code currently adopted by the City of Yuma will be referenced."

(C) **Section [A] 102.4 Application of the building code**. Amend to read, "The design and construction of new structures shall comply with the building code currently adopted by the City of Yuma, and any alterations, additions, changes in use or changes in structures required by this code, which are within the scope of the building code currently adopted by the City of Yuma, shall be made in accordance therewith."

(D) **Section [A] 103.1 General**. Amend to read, "The division of Community Risk Reduction, within the Fire Department is established within the jurisdiction under the direction of the *fire code official*. The function of the division shall be the implementation, administration, and enforcement of the provisions of this code."

(E) **Section [A] 105.4.2.1 Fire protection system shop drawings**. Amend to read, "Plan submittal documents shall include either a statement of the design criteria for the fire protection system(s) to also include a current fire flow test within the past 12 months or the complete design, plans, calculations and data for the fire protection system(s). If only the statement of design criteria and fire flow test is initially submitted, the complete design, plans, calculations and data for the fire protection system(s) shall be submitted to indicate conformance to this code and the *construction documents* and shall be *approved* in writing by the Fire Department prior to the start of system installation. In addition, where applicable, shop drawings, calculations and data shall be submitted and shall contain all information as required by the referenced installation standards in Chapter 9."

(F) Amend **Section [A] 105.6 Required operational permits**, to add the following section, "**Section [A] 105.6.51 Permissible Consumer Fireworks**. For the sale, on-site handling, storage, and/or manufacture of permissible consumer fireworks (1.4G)."

(G) Amend **Section [A] 105.6 Required operational permits**, to add the following section, "**Section [A] 105.6.52 Flame Effects**. For the use of flame effects before a proximate audience."

(H) **Section [A] 106.2 Schedule of permit fees**. Amend by adding Fire Activity Permit Fee Table 1-A:

TABLE 1-A: FIRE ACTIVITY PERMIT FEES

Schedule of Fire Activity Permit Fees	
Type	Fee
Carnivals and Fairs	\$75.00
Display Fireworks	\$150.00
Pyrotechnics before a proximate audience	\$150.00
Flame Effects before a proximate audience	\$75.00
Explosives and Blasting	\$150.00
Membrane Structures and Tents (per Chapter 31)	\$125.00
Open Burning	\$150.00

Fire Inspections Mandated by the State for Licensing	\$75.00
Fire Sprinkler Alterations	\$75.00 over the counter permit plus \$75.00 an hour inspection fee
Fire Alarm Alterations	\$75.00 over the counter permit plus \$75.00 an hour inspection fee
Sale or Storage of Permissible Consumer Fireworks	\$75.00
Permissible Consumer Fireworks Sales Tent	\$200.00
Tire Storage (in excess of 500 tires)	\$150.00
Fire inspections needed for other state or local programs	\$75.00
Fuel Tank Removal	\$150.00
Other Inspections and Fees:	
<ol style="list-style-type: none"> 1. Inspections outside of normal business hours, \$75 per hour* (minimum charge – 2 hours) 2. Re-inspection fees of \$75 per hour*, for work not ready for inspection AND/OR another application for the standard hourly fee is for the commercial fire inspection program. There will be no charge for the initial annual commercial fire inspection and one follow-up; however, should the business require more than one follow-up re-inspection that business shall be charged at the standard hourly fee with a one-hour minimum charge for each additional re- inspection. 3. Inspections on Weekends and Holidays, \$150 per hour* (minimum charge – 2 hours) 4. Inspection fees for which no fee is specifically indicated, \$75 per hour* (minimum charge – one-half hour) 5. Additional plan review required by changes, additions or revisions to plans, \$75 per hour* (minimum charge – one-half hour) 6. For use of outside consultant. For plan checking or inspections, Actual Costs** 	
*Or the total hourly cost to the jurisdiction, whichever is the greatest. This shall include supervision, hourly wages and fringe benefits of the employee involved. Staffing may not always be available to accommodate these inspection requests.	
** Actual costs include administrative and overhead costs.	

(I) **Section [A] 109.1 Board of appeals established.** Amend to add the following sentence at the end of the section, “Whenever reference is made to the "Board of Appeals" in the City Fire Code, it shall mean the City of Yuma "Building Advisory Board.””

(J) **Section [A] 110.4 Violation penalties.** Amend to read, “Any person who violates a provision of this code or fails to comply with any of the requirements thereof or who erects, constructs, alters or repairs a building or structure in violation of the *approved construction documents* or directive of the *fire code official*, or of a permit or certificate issued under the provisions of this code, shall be subject to the penalty and fine described in this ordinance.”

(K) **Section [A] 112.4 Failure to comply.** Amend to read, “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 subject to the penalty and fine described in this ordinance.”

(L) **Section 307.4 Location.** Amend to read, “The location for *open burning* shall be at the approval of the Authority Having Jurisdiction, as outlined in the required operational permit from section 105.6.32.”

(M) Amend **Section 311.5 Placards** to add “**Section 311.5.6 Authority to Placard.** The Authority Having Jurisdiction is authorized to placard, post signs, erect barriers or take similar measures as necessary to secure public safety on any vacant, abandoned, or unoccupied building, structure, premises or portions thereof.”

(N) **Section 503.2.3 Surface.** Amend to read, “Fire department access roads shall be designed and maintained to support the imposed loads of fire apparatus and shall be provided with a paved surface, in accordance with the COY engineering standard for a local road, or another method acceptable to the Authority Having Jurisdiction.”

(O) **Section 507.3 Fire flow.** Amend to read, “Fire-flow requirements for buildings or portions of buildings and facilities, and exterior storage of hazardous materials, shall be in accordance with Appendix B.”

(P) Amend **Section 507.3 Fire flow** to add “**Section 507.3.1 Exterior storage of hazardous materials.** Fire-flow requirements for exterior storage of hazardous materials shall be in accordance with Appendix B, Table B105.1(2) for Type V-B based on square footage of the entire storage area.”

(Q) Amend **Section 507.5.1 Where Required** to add **Exception** “3. For detached one and two-family dwellings that are protected with a minimum NFPA 13D automatic sprinkler system, the distance shall not exceed 1,000 feet, as approved by the Authority Having Jurisdiction.”

(R) Amend **Section 507.5 Fire hydrant systems** to add, “**Section 507.5.1.2 Hydrants for exterior storage of hazardous materials.** Facilities with exterior storage of hazardous materials shall provide hydrant spacing in accordance with Appendix C.”

(S) Amend **Section 901.6.3 Records** to add, “**Section 901.6.3.2 Systems and Equipment Service Records.** Systems and Equipment Service Records. All persons who perform inspection, testing, and/or maintenance services on fire and life safety systems and equipment on commercial properties within the City of Yuma shall submit all compliant and non-compliant reports to the Yuma Fire Department via an electronic format and in a method approved by the Authority Having Jurisdiction, as stated in Yuma Fire Department policies. These systems include but are not limited to automatic fire sprinkler systems, fire alarm systems, commercial kitchen hood suppression systems, commercial kitchen hood cleaning, active smoke control systems, private fire hydrant systems, fire pumps, spray booths, special suppression systems, foam systems, and standpipes.”

(T.) Amend **Section 901 General** to add the following sections:

“**Section 901.11 Impaired and Nuisance Alarm Prone Systems.** Impaired fire alarm systems shall include, but shall not be limited to, required systems that are not fully operational, are no longer monitored as required by the Authority Having Jurisdiction, or are under renovation or repair.

Section 901.11.1 Notification. The system owner or designated representative shall immediately notify the Authority Having Jurisdiction in an approved manner when a fire alarm system is impaired.

901.11.2 Standby Fire Personnel. The Authority Having Jurisdiction shall be authorized to require standby fire personnel or an approved fire watch in accordance with 901.7 at premises in which required fire alarm systems are impaired or classified as chronic nuisance alarm prone systems.

901.11.3 Chronic Nuisance Alarm Prone Systems Defined. Fire alarm systems that have produced five or more nuisance alarms in a 365-day period shall be classified as chronic nuisance alarm prone systems.

901.11.4 Service Required. The Authority Having Jurisdiction shall be authorized to require central station service be provided for chronic nuisance alarm prone systems.

901.11.5 Immediate Notification. Fire alarm supervising stations and fire alarm service companies shall immediately notify the Authority Having Jurisdiction when any of the following conditions exists:

- (1) A fire alarm system is impaired.
- (2) Required system monitoring is no longer being provided.
- (3) Required testing, service, and maintenance is no longer being provided.
- (4) A fire alarm system cannot be serviced or repaired to make the system fully operational.
- (5) A fire alarm system cannot be serviced or repaired to eliminate chronic nuisance alarms.

901.11.6 Replacement. The system owner shall replace required fire alarm systems that cannot be serviced or repaired to eliminate system impairments or chronic nuisance alarms.”

901.11.7 Penalties. Penalties for excessive false or nuisance alarms shall be in accordance with Yuma City Code Section 111-02.”

(U) **Section 903.2.1 – 903.2.10 Where Required.** Amend to read,

“A. An automatic sprinkler system shall be installed throughout all levels of all buildings here after constructed, EXCEPT for Group U occupancies and one/two family dwellings.

1. Exception 1: Buildings housing a group A-1, A-2, A-3, A-4, A-5, B, E, F-1, F-2, M, S-1, or S-2 occupancy having square footage less than five hundred (500) square feet. (Note: For the purposes of this article, fire resistive firewalls will not be considered a barrier creating a separate building.)

2. Exception 2: Buildings housing a Group B occupancy, without cooking equipment or hazardous materials, having square footage less than two thousand (2,000) square feet. (Note: For the purposes of this article, fire resistive firewalls will not be considered a barrier creating a separate building.) If this exception is utilized, then any future expansions of the footprint will trigger an automatic fire sprinkler retrofit requirement.

3. Exception 3: Buildings housing a Group S or F occupancy, without high piled storage or hazardous materials, having square footage less than two thousand (2,000) square feet. (Note: For the purposes of this article, fire resistive firewalls will not be considered a barrier creating a separate building.) If this exception is utilized, then any future expansions of the footprint will trigger an automatic fire sprinkler retrofit requirement.

4. Exception 4: Temporary use of modular or factory-built structures shall not be required to provide an automatic fire sprinkler system, provided that the use of the structure and the "Certificate of Occupancy" is limited to one year from the time of set up to removal.

5. Exception 5: Free standing open canopy structure. When automatic fire sprinklers are not required by the current building code adopted by the City of Yuma, and when the structure meets each of the following criteria, fire sprinklers will not be required:

- a. The structure shall not exceed 10,000 square feet.
- b. The entire covered area is open on all sides void of interior walls or partitions.
- c. Setbacks from property lines or other structures are in accordance with the current building code adopted by the City of Yuma.
- d. The building/structure use is not classified as hazardous, or mercantile occupancy.
- e. Portable fire extinguishers are installed in accordance with NFPA 10.
- f. Open flames and devices emitting flames or creating a glow capable of igniting combustible materials shall not be used in or adjacent to the structure.
- g. An approved water supply capable of supplying the required fire flow shall be provided.
- h. No cooking equipment or operations are present

Note: Any changes to the freestanding open canopy structure or its use may result in the loss of this exception and may require a retrofit of an automatic fire sprinkler system.

B. Retrofit of fire sprinklers to existing structures. An existing building that undergoes a "change of occupancy" as outlined in section 102.3, whereby the new occupancy is deemed a greater hazard than the previous occupancy, the building will be treated as a new building and will require the installation of fire sprinklers. The "Means of Egress Hazard Categories Table" (for life safety) in the edition of the International Existing Building Code currently adopted by the City of Yuma shall be referenced to determine occupancy hazard level.

C. Any building except Group U occupancies and one/two family dwellings, which undergoes one or more renovations, that total an excess of 50% of value as assessed by the building code, shall meet the requirements of this section.

D. Any building that increases in size by a total summation of 50% as a result of one or more expansions will require a retrofit of an automatic fire sprinkler."

(V) **Section 904.12.1 Manual system operation.** Amend to read, "A manual actuation device shall be located at or near a means of egress from the cooking area, as approved by the Authority Having Jurisdiction. The manual actuation device shall be installed not more than 48 inches (1200 mm) nor less than 42 inches (1067 mm) above the floor and shall clearly identify the hazard protected. The manual actuation shall require a maximum force of 40 pounds (178 N) and a maximum movement of 14 inches (356 mm) to actuate the fire suppression system.

Exception: *Automatic sprinkler systems* shall not be required to be equipped with manual actuation means."

(W) Amend **Section 904.12 Commercial cooking systems** to add, “**Section 904.12.6 Visual notification.** Automatic fire extinguishing systems for commercial cooking systems shall be equipped with an audible/visual device that activates upon system actuation, as approved by the Authority Having Jurisdiction.”

(X) Amend **Section 912.2 Location** to add “**Section 912.2.3 Remote Location.** The fire department connection shall be remotely located from the building, or in a location approved by the Authority Having Jurisdiction.”

(Y) **Section 1201.2 Electrical wiring and equipment.** Amend to read, “Electrical wiring and equipment used in connection with energy systems shall be installed and maintained in accordance with Chapter 12, NFPA 70, and NFPA 855, *Standard for the Installation of Stationary Energy Storage Systems.*”

(Z) **Section 2301.1 Scope.** Amend to read, “Automotive motor fuel-dispensing facilities, marine motor fuel-dispensing facilities, fleet vehicle motor fuel-dispensing facilities, aircraft motor-vehicle fuel-dispensing facilities and repair garages shall be in accordance with this chapter and the *International Building Code, International Fuel Gas Code, International Mechanical Code, and NFPA 30A, Code for Motor Fuel-dispensing Facilities and Repair Garages.* Such operations shall include both those that are open to the public and private operations.”

(AA) **Section 2806.2 Cold decks.** Amend to read, “Cold decks shall not exceed 125 feet in length, 75 feet in width and 12.5 feet in height. Cold decks shall be separated from adjacent cold decks or other exposures by not less than 100 feet.

Exception: The size of cold decks shall be determined by the fire code official where the decks are protected by special fire protection including, but not limited to, additional fire flow, portable turrets and deluge sets, and hydrant hose houses equipped with *approved* fire-fighting equipment capable of reaching the entire storage area in accordance with Chapter 9.”

(BB) **Section 2807.2 Size of piles.** Amend to read, “Piles shall not exceed 12.5 feet in height, 75 feet in width and 125 feet in length. Piles shall be separated from adjacent piles or other exposures by approved fire apparatus access roads.

Exception: The *fire code official* is authorized to allow the pile size to be increased where additional fire protection is provided in accordance with Chapter 9. The increase shall be based on the capabilities of the system installed.”

(CC) Amend **Section 2807 Storage of Wood Chips and Hogged Material Associated with Timber and Lumber Production Facilities** to add, “**Section 2807.6 Pile separation.** A clear space of not less than 30 ft. (4.6 m) shall be maintained between piles and exposing structures, yard equipment, or stock, depending on the degree of exposure hazard.”

(DD) **Section 2808.3 Size of piles.** Amend to read, “Piles shall not exceed 12.5 feet in height, 75 feet in width and 125 feet in length.

Exception: The *fire code official* is authorized to allow the pile size to be increased where a fire protection plan is provided for approval that includes, but is not limited to, the following:

1. Storage yard areas and materials-handling equipment selection, design and arrangement shall be based on sound fire prevention and protection principles.

2. Factors that lead to spontaneous heating shall be identified in the plan, and control of the various factors shall be identified and implemented, including provisions for monitoring the internal condition of the pile.

3. The plan shall include means for early fire detection and reporting to the public fire department; and facilities needed by the fire department for fire extinguishment including a water supply and fire hydrants.

4. Fire apparatus access roads around the piles and access roads to the top of the piles shall be established, identified and maintained.

5. Regular yard inspections by trained personnel shall be included as part of an effective fire prevention maintenance program.

Additional fire protection called for in the plan shall be provided and shall be installed in accordance with this code. The increase of the pile size shall be based on the capabilities of the installed *fire protection systems* and features.”

(EE.) **Section 2808.4 Pile separation.** Amend to read, “A clear space of not less than 30 ft. shall be maintained between piles and exposing structures, yard equipment, or stock, depending on the degree of exposure hazard.”

(FF) Amend **Section 2810 Outdoor Storage of Pallets at Pallet Manufacturing and Recycling Facilities** to add “**Section 2811 Air Curtain Destructor and Firebox Procedures.**”

2811.1. Outdoor fires in an air curtain destructor/firebox. Prior to conducting an outdoor fire in an air curtain destructor or firebox, the owner or operator of the air curtain destructor shall obtain an applicable permit from ADEQ, and follow all applicable state requirements in addition to this section.

2811.2 Air Curtain Destructor Requirements. The following must be complied with prior to use of an air curtain destructor:

- (1) The length of the firebox must not exceed the length of the plenum.
- (2) The firebox shall be lined with refractory materials.
- (3) The depth of the firebox shall be of such a distance to allow all burning material to be below the curtain of air created by the air curtain destructor.
- (4) The width of the firebox shall not extend beyond the length of the nozzle action.
- (5) The firebox must have four stable, vertical sides.
- (6) When air curtain destructor locations are established or changed, an inspection of the newly located air curtain destructor must be made and approved by the Yuma Fire Department prior to use; and if the new location deviates from a previously approved location, another inspection and approval by the Yuma Fire Department must be made.
- (7) Air curtain destructors must be operated in accordance with their manufacturer's specifications.

2811.3 Equipment Set-Up.

- (1) An owner or operator of an air curtain destructor shall use a firebox and not a pit or trench to conduct outdoor burning.
- (2) The equipment must be positioned so as to allow the blower's airflow to strike at a downward angle no less than 24 inches below the opposite rim of the firebox.
- (3) There shall be at least 1,000 feet between any two-air curtain destructors, or per manufacturer's guidelines, whichever is greater.

- (4) An air curtain destructor shall be located at least 500 feet from any residence or building structure, or per manufacturer's guidelines, whichever is greater.
- (5) An air curtain destructor shall be located at least 500 feet from any pipeline or fuel storage area, or per manufacturer's guidelines, whichever is greater.
- (6) An air curtain destructor shall be located at least 250 feet from any power lines, or per manufacturer's guidelines, whichever is greater.
- (7) Material that is not being worked or is being stockpiled to be burned at a later date by using an air curtain destructor shall be kept at least 75 feet from the air curtain destructor while the burn is taking place, or per manufacturer's guidelines, whichever is greater.

2811.4 Operation of Blower.

- (1) The proper blower speed must be maintained according to manufacturer's specifications.
- (2) The blower must be operating when and as long as any material in the firebox is burning.

2811.5 Loading of the Firebox.

- (1) When loading (feeding) the firebox, the material must not extend above the air curtain (blower airflow).
- (2) The loading of materials into the firebox must be discontinued at a minimum of 2 hours prior to the end of the designated burning hours. The blower must continue to operate until the end of the burning hours or until combustion is completed.
- (3) Adequate measures must be taken to assure that no emissions emanate from materials left in the firebox (i.e., when combustion is completed). All materials left in the firebox must be extinguished with water or covered over with a minimum of 1 foot of mineral soil.

2811.6 Firebox Clean-Out. All materials removed from the firebox must be completely extinguished and all reasonable precautions taken to control emissions and fires

2811.7 Burning Hours for Air Curtain Destructors. Burning hours must be consistent with ADEQ rules and regulations and be conducted during the following periods, unless otherwise waived or directed by the ADEQ Director on a specific day basis.

- (1) Year-round: ignite fire no earlier than one hour after sunrise; and
- (2) Year-round: extinguish fire no later than two hours before sunset;
- (3) While complying with the above schedule, the owner/operator/occupant must also ensure it is a burn day locally for each day of burning. Burning using an air curtain destructor is not authorized on weekends or on holidays. Prohibited materials shall never be burned in an air curtain destructor.

2811.8 Definitions.

AIR CURTAIN DESTRUCTOR-A device designed to form a curtain of air over a firebox in which burning occurs that aids in more complete combustion through increases in turbulence and combustion time. Above ground air curtain destructors are the only type of air curtain destructor allowed in the City of Yuma.

DANGEROUS MATERIAL-Any substance or combination of substances that is capable of causing bodily harm or property loss unless neutralized, consumed, or otherwise disposed of in a controlled and safe manner.

FIREBOX - The chamber or compartment inside of an air curtain destructor where materials are burned.

PROHIBITED MATERIALS - Non-paper garbage from the processing, storage, service or consumption of food; books, magazines, fiberboard, packaging, rags, fabrics, office records, chemically treated or soaked wood; lead-painted wood; linoleum flooring, and composite counter tops; tires; animal wastes and carcasses, coal, liquid or gelatinous hydrocarbons tar, explosives or ammunition; oleanders, leaves, grass clippings, refuse; asphalt shingles or asphalt; tar paper; plastic and rubber products, including bottles for household chemicals; plastic grocery and retail bags; waste petroleum products, such as waste crankcase oil, transmission oil, and oil filters; transformer oils; asbestos; batteries; anti-freeze; aerosol spray cans; electrical wire insulation; thermal insulation; polyester products; hazardous waste products such as paints, pesticides, cleaners and solvents, stains and varnishes, and other flammable liquids; plastic pesticide bags and containers; and hazardous material containers including those that contained lead, cadmium, mercury and arsenic compounds.”

(GG) Amend Section **3405 Outdoor Storage** to add “**Section 3405.8 Outdoor Storage of Altered Tire Material.** Outdoor storage of altered tire material in the form of chunks, chips, or crumbs shall be protected in accordance with 3405.8.1 through 3405.8.5.

3405.8.1 A 10 ft (3 m) fence shall be maintained around the altered tire material storage area.

3405.8.2 Altered tire material piles shall be kept 50 ft (15 m) from perimeter fencing.

3405.8.3 Potential ignition sources such as welding, smoking, or other open flame uses shall not be allowed within 20 ft (6 m) of the altered tire pile.

3405.8.4 Individual altered tire material piles shall not be located on site in excess of 90 days.

3405.8.5 Individual altered tire material piles shall be kept sheltered from precipitation.”

(HH) **Section 5001.1 Scope.** Amend to read, “Prevention, control and mitigation of dangerous conditions related to storage, dispensing, use and handling of hazardous materials shall be in accordance with this chapter, and NFPA 400, *Hazardous Materials Code*.

This chapter shall apply to all hazardous materials, including those materials regulated elsewhere in this code, except that where specific requirements are provided in other chapters, those specific requirements shall apply in accordance with the applicable chapter. Where a material has multiple hazards, all hazards shall be addressed.

Exceptions:

1. In retail or wholesale sales occupancies, the quantities of medicines, foodstuff or consumer products and cosmetics containing not more than 50 percent by volume of water-miscible liquids and with the remainder of the solutions not being flammable shall not be limited, provided that such materials are packaged in individual containers not exceeding 1.3 gallons (5 L).

2. Quantities of alcoholic beverages in retail or wholesale sales occupancies shall not be limited providing the liquids are packaged in individual containers not exceeding 1.3 gallons (5 L).

3. Application and release of pesticide and agricultural products and materials intended for use in weed abatement, erosion control, soil amendment or similar applications where applied in accordance with the manufacturers’ instructions and label directions.

4. The off-site transportation of hazardous materials where in accordance with Department of Transportation (DOT) regulations.
5. Building materials not otherwise regulated by this code.
6. Refrigeration systems (see Section 605).
7. Stationary storage battery systems regulated by Section 1206.2.
8. The display, storage, sale or use of fireworks and explosives in accordance with Chapter 56.
9. Corrosives utilized in personal and household products in the manufacturers' original consumer packaging in Group M occupancies.
10. The storage of distilled spirits and wines in wooden barrels and casks.
11. The use of wall-mounted dispensers containing alcohol-based hand rubs classified as Class I or II liquids where in accordance with Section 5705.5."

(II) **CHAPTER 80 REFERENCED STANDARDS.** Amend to add the following referenced standards:

- NFPA 30A-18: Code for Motor Fuel-dispensing Facilities and Repair Garages, Section 2301.1
- NFPA 855-23: Standard for the Installation of Stationary Energy Storage Systems, Section 1201.2
- NFPA 400-16: Hazardous Materials Code, Section 5001.1

(JJ) **APPENDIX A BOARD OF APPEALS.** Not adopted.

(KK) **APPENDIX B FIRE FLOW REQUIREMENTS FOR BUILDINGS.** Adopted

(LL) **APPENDIX C FIRE HYDRANT LOCATIONS AND DISTRIBUTION.** Adopted.

(MM) **APPENDIX D FIRE APPARATUS ACCESS ROADS.** Adopted.

(NN) **APPENDIX E HAZARD CATEGORIES.** Adopted.

(OO) **APPENDIX F HAZARD RANKING.** Adopted.

(PP) **APPENDIX G CRYOGENIC FLUIDS – WEIGHT AND VOLUME EQUIVALENTS.** Adopted.

(QQ) **APPENDIX H HAZARDOUS MATERIALS MANAGEMENT PLAN (HMIP) AND HAZARDOUS MATERIALS INVENTORY STATEMENT (HMIS) INSTRUCTIONS.** Adopted.

(RR) **APPENDIX I FIRE PROTECTION SYSTEMS – NONCOMPLIANT CONDITIONS.** Adopted.

(SS) **APPENDIX J BUILDING INFORMATION SIGN.** Not adopted.

(TT) **APPENDIX K CONSTRUCTION REQUIREMENTS FOR EXISTING AMBULATORY CARE FACILITIES.** Not adopted.

(UU) **APPENDIX L REQUIREMENTS FOR FIRE FIGHTER AIR REPLENISHMENT SYSTEMS.** Not adopted.

(VV) **APPENDIX M HIGH-RISE BUILDINGS – RETROACTIVE AUTOMATIC SPRINKLER REQUIREMENT.** Not adopted.

(WW) **APPENDIX N INDOOR TRADE SHOWS AND EXHIBITIONS.** Not adopted.

SECTION 3: Amend Yuma City Code, Title 13, Chapter 131, Section 20, Definitions, to read as follows where strike through represents deletion and underline represents additions:

- (A) Whenever the word “city,” “municipality,” or “jurisdiction” is used in the Fire Code, ~~NFPA-1,~~ adopted by the provisions of this article, it shall be construed to mean the City of Yuma, Arizona.
- (B) Whenever the term “corporate counsel” or “city attorney” is used in ~~NFPA-1,~~ the Fire Code adopted by the provisions of this article, it shall be construed to mean the attorney of this city.
- (C) Whenever the words “Authority Having Jurisdiction,” or the initials “AHJ,” are used in ~~NFPA-1,~~ the Fire Code adopted by the provisions of this article, it shall be held to mean the Chief of the Fire Department or his authorized representative.

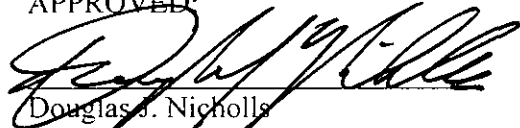
SECTION 4: Amend Yuma City Code, Title 13, Chapter 131, Section 21, Conflicts, to read as follows where strike through represents deletion and underline represents additions:

In the event of any conflict between the requirements of ~~NFPA-1~~ the Fire Code, this article, state laws, city ordinances, regulation, or other applicable codes, the most stringent requirement shall be applicable.

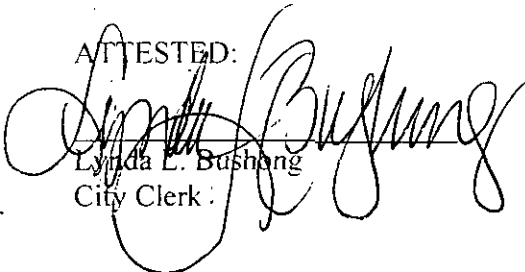
SECTION 5: Any person, firm, corporation, or entity violating any of the provisions or requirements of this Ordinance shall be guilty of a class 1 misdemeanor and shall be punished as provided in §10-99 of this code by a fine not to exceed \$1,000 or by imprisonment for not more than ten days or by both such fine and imprisonment. Each separate day or part thereof during which any violation of said sections occurs or continues shall be deemed to constitute a separate offense.

Adopted this 6th day of September, 2023.

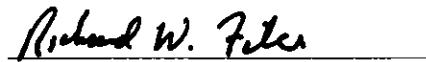
APPROVED:


Douglas J. Nicholls
Mayor

ATTESTED:


Lynda L. Bushong
City Clerk

APPROVED AS TO FORM:


Richard W. Files
City Attorney