

CHARTER TOWNSHIP OF HAMPTON

ORDINANCE NUMBER 39

SMOKE DETECTOR ORDINANCE

An Ordinance to require installation of smoke detectors in certain township buildings for the health, safety, welfare and property of the citizens of the Township, to prescribe the type of detectors to be installed, to set forth the standards to be followed in installing same, to prescribe penalties for the violation of this ordinance, to provide for conflicts with other ordinances and to provide procedures to be followed by the fire department, building department and other offices of the Township in the application, interpretation and enforcement of the ordinance.

BE IT ORDAINED BY THE CHARTER TOWNSHIP OF HAMPTON:

Section 1: This Ordinance shall be entitled "Smoke Detector Ordinance".

Section 2: DEFINITIONS.

For the purposes of this Section, the following definitions shall apply:

(a) "Approved Smoke Detectors" is a sensing device which detects smoke or visible or invisible particles of combustion which:

(i) shall bear a label or other identification issued by a state approved testing agency having service for inspection of materials and workmanship at the factory during fabrication and assembly; and such device, combination of devices and equipment shall be approved and installed for the purposes for which they are intended; and

(ii) shall in the case of AC powered detectors be equipped with a "power on" visible indicator; and where a battery power supply is employed, the device shall be designed to give an audible trouble signal before the battery is incapable of operating the device for alarm purposes; and

(iii) shall sound an alarm signal easily audible in each sleeping area with a rating of not less than 85 decibels at 10 feet.

(b) "Approved Smoke Detector System" is a connection interrelated combination of "Approved Smoke Detectors", which system shall sound an audible alarm signal throughout the entire system on activation of any one of the said "Approved Smoke Detectors".

(c) "Hotel" and "Motel" are buildings in which rooms are rented on a transient non-transient basis.

(d) Apartment Buildings and Multi-Family Buildings are buildings in which rooms or a combination of rooms are rented on a transient or non-transient basis.

(e) "Sleeping Area" is the area or areas of a building in which the bedrooms or sleeping areas are located. Bedrooms or sleeping areas located adjacent to each other where one approved smoke detector system shall be deemed to be effective by the enforcement officer shall be considered to be one "Sleeping Area". Bedrooms or sleeping areas separated by other areas such as kitchens, living rooms, family rooms, recreation rooms, parlors but not bathroom shall be considered as separate "Sleeping Areas".

(f) "Dead Air" is that space located at the corner of a room where the ceiling and wall meet into which smoke or heat may have difficulty penetrating.

(g) "Sale" shall include the sale, change in occupancy, a change in use, lease, sublease or the occurrence of structural change, repair or improvement shall not include floor covering, draperies and paintings.

(h) Single-family dwelling is a building designed and used for single-family occupancy.

Section 3            REQUIREMENTS

It shall be the responsibility of the owner of each multi-family, hotel or motel dwelling units to install approved smoke detectors as hereinafter provided.

Section 4            HOTEL AND MOTEL REQUIREMENTS

In all hotels and motels, approved smoke detection systems shall be installed in accordance with the applicable sections of the National Fire Protection Association Standards.

Section 5            APARTMENT AND MULTI-FAMILY BUILDINGS

Approved smoke detectors shall be installed in each unit in an area giving access to each sleeping area and also in all public corridors and hallways in buildings which same.

Section 6            SINGLE FAMILY DWELLING REQUIREMENTS

In all single family dwelling, not less than one approved smoke detector shall be installed in an area giving access to each sleeping area.

Section 7            LOCATION

Smoke detectors shall not be placed in "dead air" spaces, and shall be located on the ceiling no nearer than six (6) inches from the wall or on walls no nearer than six (6) inches nor further than twelve (12) inches from the ceiling.

Section 8            WIRING

For electrically powered devices, an AC primary power source shall be utilized on all new construction pursuant to the provisions of the National Electrical Code. In an existing single-family dwellings or multi-family buildings and apartment buildings said detectors may be powered by a battery, or may be powered by a cord-connected, AC power source, provided however, the plug-in outlet is fitted with plug restrainer device and the receptacle is not subject to loss of power by a wall switch.

Section 9            INSTALLATION AND MAINTENANCE

It shall be the responsibility of the owner to supply and install all required detectors. The

owner shall be responsible for testing and maintaining detectors throughout the buildings in question.

Section 10 COMPLIANCE

For all classes of buildings, except single-family dwelling, the compliance date shall be December 31, 1984.

Smoke detectors shall be required for all new single-family dwelling for which a building permit for construction is issued after the effective date of the is ordinance.

In the case of existing single-family dwellings, approved smoke detectors shall be installed whenever improvements are made to said building which require a building permit in excess of the amount of One Thousand (\$1,000.00) Dollars after the effective date of this ordinance.

Section 11 ENFORCEMENT

The Chief of the Fire Department and the Chief Building Inspector or three representatives are authorized to enforce compliance with this ordinance, and shall upon complaint and inspection being made, issue a warning citation and an order to comply. Upon failure of the party or parties to comply with said order within twenty (20) days, the Township may seek a warrant for the prosecution of said person or persons.

Section 12 VIOLATIONS AND PENALTIES

Any person, firm or corporation or any other person acting on behalf of said person, firm or corporation in the Township of Hampton, in violation of this ordinance and failing to correct deficiency within twenty (20) days shall be guilty of a misdemeanor, punishable by up to ninety (90) days in jail and/or a minimum fine of \$100.

Section 13 EFFECTIVE DATE

This ordinance shall become effective thrity (30) days from date of publication.

Section 14 A copy of this ordinance shall be published in a newspaper circulated within the Charter Township Hampton, Bay County, Michigan, within ten (10) days following the adoption thereof.

Section 15 Should any section, clause or provisions of the ordinance be declared by the courts to be invalid, the same shall not affect the validity of this ordinance as a whole or any part thereof other than the part declared to be invalid.

Section 16 All ordinances or parts of ordinances in conflict herewith are hereby repealed.