

**FRIENDSHIP TOWNSHIP
FIRE PROTECTION ORDINANCE
Ordinance No. 2010-01
Effective April 9, 2010**

An ordinance to secure the public health, safety and welfare of the residents and property owners of the Township by providing standards for fire prevention and fire protection, and by providing financial assistance to the Township in the operation of the Fire Department from those receiving direct benefits from the fire protection service.

Section 1. Definitions.

- a. "Fire Chief" means the Chief of the Fire Department.
- b. "Fire Department" means the Readmond Friendship Cross Village Fire Fighters Association.
- c. "Fire Official" means a person designated by the Fire Chief to be his or her official representative in some capacity. There may be more than one Fire Official.

Section 2. Adoption of Standards.

- a. The Township adopts as part of this ordinance the National Fire Protection Association's Standard on Water Supplies for Suburban and Rural Fire Fighting (NFPA 1142, 2001 Edition).
- b. The Township also adopts as part of this ordinance the International Fire Code 2003 Edition.
- c. The fire code official is the Fire Chief or his or her designee.

Section 3. Copies of The Code And Standard.

Two copies of the code and standard are on file at the Office of the Township Clerk and available for public review.

Section 4. Scope and Application.

- a. This ordinance shall apply to all land uses in the Township except for agricultural uses.
- b. Section 5 of this ordinance shall apply to all residential development projects, including, without limitation, site condominiums and platted and non-platted land divisions, that result in five or more residential units or zoning lots within a ten-year period of time.
- c. Section 5 of this ordinance shall also apply to all commercial, industrial or institutional uses with a single or combined building size of at least 3,000 square feet.
- d. The provisions of this ordinance that require the construction of improvements shall not apply retroactively. The other provisions of this ordinance shall apply to existing land uses as well as those that are yet to be developed or constructed. This ordinance shall not be interpreted to abrogate an existing grant of easement or contract between the Township and a private landowner.

Section 5. Water Supply Systems.

- a. Any water supply system required by this ordinance must be approved by the Township Board of Trustees, and must be in place and operational, prior to the earlier of (i) the sale of any lot or residential unit or (ii) the occupancy of any building, unless an exception providing agreement as to a different deadline is granted by the Township Board of Trustees in its sole discretion and for good cause shown.
- b. The Township Board of Trustees shall seek recommendations from the Fire Department and the Township Planning Commission (if applicable) prior to making a decision about whether to approve a water supply system or a decision about whether to waive the requirement under Section 5.g.
- c. The owner of a use for which a water supply system is required shall provide the Township with a Grant of Easement, in a form approved by the Township Board of Trustees, for access to the water supply system.
- d. The owner of a use for which a water supply system is required and his or her assigns shall be responsible for all costs of replacement, repair, and maintenance of a water supply system required by this ordinance.
- e. Any water supply system required by this ordinance may be used to fight fires on and off the property on which the system is located.
- f. If any water supply system installed or constructed to meet the water supply requirements of this ordinance fails, the owner of the

property and his or her assigns shall be responsible for installing a replacement system subject to the approval of the Township Board of Trustees under this ordinance.

- g. The Township Board of Trustees may waive the requirement for a water supply system if, in its judgment, a system of sufficient capacity and functionality exists within close enough proximity to the property under review that a new water supply system is unnecessary.

Section 6. Emergency Access.

- a. It shall be unlawful to interfere with, conspire to interfere with, obstruct or restrict the mobility of, or block the path of travel of any Fire Department emergency vehicle in any way, or to interfere with, attempt to interfere with, conspire to interfere with, obstruct, or hamper any Fire Department operation. It shall also be unlawful to willfully fail or refuse to comply with any lawful order or direction of a Fire Official or interfere with the compliance attempts of another individual duly authorized by the fire official.
- b. The Fire Chief or his or her duly authorized representatives (together, "Fire Officials") are empowered to direct such operations as may be necessary to extinguish or control any suspected or reported fires, gas leaks or other hazardous conditions or situations or to take any other action necessary in the reasonable performance of their duty. A Fire Official may prohibit any person, vehicle, or object from approaching the scene of an emergency situation and may remove or cause to be removed from the scene any person, vehicle, or object that may impede or interfere with the operations of the Fire Department. A Fire Official may remove or cause to be removed any person, vehicle, or object from hazardous areas. All persons ordered to leave a hazardous area shall do so immediately and shall not re-enter the area until authorized to do so by a Fire Official.
- c. The owner of any multi-family residential, commercial, industrial or institutional building constructed after the date of this ordinance must provide a floor plan to the Fire Department.
- d. The installation of security gates across a fire equipment access road shall be approved by the Fire Chief. Where security gates are installed, they shall have an approved means of emergency operation. The security gates and the means of emergency operation shall be maintained in good working order at all times.
- e. Where access to or within a structure or an area is restricted because of secured openings or where immediate access is necessary for life-saving or fire-fighting purposes, the Fire Chief may require a key box to be installed in an approved location.

Section 7. Enforcement.

- a. A person who violates any provision of this ordinance is responsible for a civil infraction, punishable by a maximum fine of \$500.00 plus court costs. Each day that a violation continues after the person has been notified shall be considered a separate offense.
- b. A violation of this ordinance is declared to be a public nuisance. The Township may enforce this ordinance through injunctive relief, in addition to the penalties stated above.

Section 8. Severability.

The provisions of this ordinance are severable. If any section, clause or provision of this ordinance is ever determined to be unconstitutional, void, illegal or ineffective by any court of competent jurisdiction, that provision will be considered to be severed from this ordinance, and the remainder of this ordinance will remain in full force and effect.

This ordinance was adopted at a regular meeting of the Township Board of Trustees on November 4., 2008 and re-adopted on March 3, 2010. A copy of this ordinance was published in the Harbor Light newspaper on March 10, 2010 and this ordinance became effective 30 days later, on April 9, 2010.

Friendship Township

Fred Troup, Supervisor

Janell Van Divner, Clerk