Honorable President

and Members of the City Council,

Submitted herewith is a proposed Ordinance to replace Chapter 46 of the Omaha Municipal Code, commonly known as the fire code. The Ordinance will repeal and replace the present International Fire Code, 2003 Edition, with the International Fire Code, 2012 Edition, which is published by the International Code Council. This International Fire Code has been specifically written to be a companion code to the International Building Code which is used by the Planning Department.

This new code addresses several issues not previously addressed in the International Fire Code. Existing building requirements have been added as well as new requirements for high-rise buildings and responder radio coverage that are a direct result of the events on 9/11. These new requirements will help to ensure improved safety for construction, alteration, and demolition of buildings in our jurisdiction.

This is also one of the last steps in completion of grant requirements previously approved by this Council for the modernization of the Fire Prevention Division of the Omaha Fire Department. This includes the addition of a computer-based inspection program.

Enactment of this Ordinance will bring the City’s fire code into compatibility with the building, mechanical, and electrical codes. This will also provide better fire prevention and safety requirements, and generally modernize our fire regulations.

Your favorable consideration and enactment of this Ordinance is respectfully requested.

Respectfully submitted,

Bernard J. Kanger, Jr.
Fire Chief

Approved as to Funding:

Stephen B. Curtiss
Finance Director
ORDINANCE NO. ________

AN ORDINANCE to amend Chapter 46 entitled Fire Code, by adopting the 2012 Edition of the International Fire Code regulating and governing the safeguarding of life and property from fire and explosion hazards, providing the issuance of permits and the collection of fees and the addition of a technology fee to be collected by the Fire Department for permits or other items, in an amount not to exceed eight percent of the underlying fee up to a maximum of $100.00 per item; repealing Chapter 46 of the Omaha Municipal Code as heretofore existing, and providing for the effective date hereof.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF OMAHA

Section 1. That Chapter 46 of the Omaha Municipal Code is hereby created, which chapter shall read as follows:

ARTICLE I. IN GENERAL

Sec. 46-1. Adoption of the International Fire Code.

The 2012 edition of the International Fire Code, regulating and governing the safeguarding of life and property from fire and explosion hazards arising from the storage, handling and use of hazardous substances, materials and devices, and from conditions hazardous to life or property in the occupancy of buildings and premises in the City of Omaha and within the jurisdictional limits of the city, providing for the issuance of permits and collection of fees therefore is hereby adopted as part of this Code as herein more specifically provided.

Sec. 46-2. Official copies of the code.

That a certain document, three copies of which are on file in the office of the City Clerk of Omaha, being marked and designated as the International Fire Code, 2012 Edition, including appendix chapters B, C, D, E, F, G, H, I, and J, as published by the International Code Council, be and is hereby adopted as the Fire Code of the City of Omaha, in the State of Nebraska regulating and governing the safeguarding of life and property from fire and explosion hazards arising from the storage, handling and use of hazardous substances, materials and devices, and from conditions hazardous to life or property in the occupancy of buildings and premises as herein provided; providing for the issuance of permits and collection of fees therefore; and each and all of the regulations, provisions, penalties, conditions and terms of the said fire code on file in the office of the city clerk are hereby referred to, adopted, and made a part hereof, as if fully
set out in this ordinance, with the additions, insertions, deletions and changes, prescribed in article II of this chapter.

ARTICLE II. AMENDMENTS

Sec. 46-3. Amendments.

That the following sections of the International Fire Code, 2012 edition, are hereby revised as follows:

Chapter 1 is deleted in its entirety and shall be replaced with the following:

Chapter 1 - Scope and Administration

PART 1—GENERAL PROVISIONS

SECTION 101. SCOPE AND GENERAL REQUIREMENTS

101.1 Title.

These regulations shall be known as the Fire Code of the City of Omaha, hereinafter referred to as "this code."

101.2 Scope.

This code establishes 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 fire suppression or alarm systems; and

5. Conditions affecting the safety of fire fighters and emergency responders during emergency operations.

101.2.1 Appendices.

101.3 Intent.

The purpose of this code is to establish the minimum requirements consistent with nationally recognized good practice for providing a reasonable level of life safety and property protection from the hazards of fire, explosion or dangerous conditions in new and existing buildings, structures and premises, and to provide safety to fire fighters and emergency responders during emergency operations.

101.4 Severability.

If a section, subsection, sentence, clause or phrase of this code is, for any reason, held to be unconstitutional, illegal, or unenforceable, such decision shall not affect the validity of the remaining portions of this code.

101.5 Validity.

In the event any part or provision of this code is held to be illegal or void, this shall not have the effect of making void or illegal any of the other parts or provisions hereof, which are determined to be legal; and it shall be presumed that this code would have been adopted without such illegal or invalid parts or provisions.

SECTION 102. APPLICABILITY

102.1 Construction and design provisions.

The construction and design provisions of this code shall apply to:

1. Structures, facilities and conditions arising after the adoption of this code.

2. Existing structures, facilities and conditions not legally in existence at the time of adoption of this code.

3. Existing structures, facilities and conditions when required in Chapter 11 or when identified in specific sections of this code.

4. Existing structures, facilities and conditions which, in the opinion of the fire code official, constitute a distinct hazard to life or property.

102.2 Administrative, operational and maintenance provisions.

The administrative, operational and maintenance provisions of this code shall apply to:

1. Conditions and operations arising after the adoption of this code.
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2. Existing conditions and operations.

102.3 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 International Building Code. Subject to the approval of the fire code official, the use or occupancy of an existing structure shall be allowed to be changed and the structure is allowed to be occupied for purposes in other groups without conforming to all of the requirements of this code and the International Building Code for those groups, provided the new or proposed use is less hazardous, based on life and fire risk, than the existing use.

102.4 Application of building code.

The design and construction of new structures shall comply with the International Building Code, and any alterations, additions, changes in use or changes in structures required by this code, which are within the scope of the International Building Code, shall be made in accordance therewith.

102.5 Application of residential code.

Where structures are designed and constructed in accordance with the International Residential Code, the provisions of this code shall apply as follows:

1. Construction and design provisions: Provisions of this code pertaining to the exterior of the structure shall apply including, but not limited to, premises identification, fire apparatus access and water supplies. Where interior or exterior systems or devices are installed, construction permits required by section 105.7 of this code shall also apply.

2. Administrative, operational and maintenance provisions: All such provisions of this code shall apply.

102.6 Historic buildings.

The provisions of this code relating to the construction, alteration, repair, enlargement, restoration, relocation or moving of buildings or structures shall not be mandatory for existing buildings or structures identified and classified by the state or local jurisdiction as historic buildings when such buildings or structures do not constitute a distinct hazard to life or property shall be in accordance with the provisions of the International Building Code. Fire protection in designated historic buildings and structures shall be provided in accordance with an approved fire protection plan.

102.7 Referenced codes and standards.
102.7.1 Conflicts.

Where conflicts occur between provisions of this code and referenced codes and standards, the provisions of this code shall apply.

102.7.2 Provisions in referenced codes and standards.

Where the extent of the reference to a referenced code or standard includes subject matter that is within the scope of this code, the provisions of this code, as applicable, shall take precedence over the provisions in the referenced code or standard.

102.8 Subjects not regulated by this code.

Where no applicable standards or requirements are set forth in this code, or are contained within other laws, codes, regulations, ordinances or bylaws adopted by the jurisdiction, compliance with applicable standards of the National Fire Protection Association or other nationally recognized fire safety standards, as approved, shall be deemed as prima facie evidence of compliance with the intent of this code. Nothing herein shall derogate from the authority of the fire code official to determine compliance with codes or standards for those activities or installations within the fire code official’s jurisdiction or responsibility.

102.9 Matters not provided for.

Requirements that are essential for the public safety of an existing or proposed activity, building or structure, or for the safety of the occupants thereof, which are not specifically provided for by this code, shall be determined by the fire code official.

102.10 Conflicting provisions.

Where there is a conflict between a general requirement and a specific requirement, the specific requirement shall be applicable. Where, in a specific case, different sections of this code specify different materials, methods of construction or other requirements, the most restrictive shall govern.

102.11 Other laws.

The provisions of this code shall not be deemed to nullify any provisions of local, state or federal law.

102.12 Application of references.
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References to chapter or section numbers, or to provisions not specifically identified by number, shall be construed to refer to such chapter, section or provision of this code.

102.13 Jurisdiction

All provisions of this code shall apply within the City of Omaha and its extraterritorial jurisdictional limits.

PART 2—ADMINISTRATIVE PROVISIONS

SECTION 103. DIVISION OF FIRE PREVENTION

103.1 General.

The division of fire prevention 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.

103.2 Deputies.

In accordance with the prescribed procedures of this jurisdiction and with the concurrence of the appointing authority, the fire code official shall have the authority to appoint a deputy fire code official, other related technical officers, inspectors and other employees.

103.3 Liability.

The fire code official, officer or employee charged with the enforcement of this code, while acting for the jurisdiction, in good faith and without malice in the discharge of the duties required by this code or other pertinent law or ordinance, shall not thereby be rendered liable personally, and is hereby relieved from all personal liability for any damage accruing to persons or property as a result of an act or by reason of an act or omission in the discharge of official duties.

103.4.1 Legal defense.

Any suit instituted against any officer or employee because of an act performed by that officer or employee in the lawful discharge of duties and under the provisions of this code shall be defended by the legal representative of the jurisdiction until the final termination of the proceedings. The fire code official or any subordinate shall not be liable for costs in an action, suit or proceeding that is instituted in pursuance of the provisions of this code; and any officer of the division of fire prevention, acting in good faith and without malice, shall be free from liability for acts performed under any of its provisions or by reason of any act or omission in the performance of official duties in connection therewith, all as provided by and consistent with the Omaha Municipal Code.
SECTION 104. GENERAL AUTHORITY AND RESPONSIBILITIES

104.1 General.

The fire code official is hereby authorized to enforce the provisions of this code and shall have the authority to render interpretations of this code, and to adopt policies, procedures, rules and regulations in order to clarify the application of its provisions. Such interpretations, policies, procedures, rules and regulations shall be in compliance with the intent and purpose of this code and shall not have the effect of waiving requirements specifically provided for in this code.

104.1.1 Fire Prevention Division personnel and police.

When requested to do so by the fire code official, the Chief of Police is authorized to assign such available police officers as necessary to assist the fire department in enforcing the provisions of this code.

104.2 Applications and permits.

The fire code official is authorized to receive applications, review construction documents and issue permits for construction regulated by this code, issue permits for operations regulated by this code, inspect the premises for which such permits have been issued and enforce compliance with the provisions of this code.

104.3 Right of entry.

Whenever it is necessary to make an inspection to enforce the provisions of this code, or whenever the fire code official has reasonable cause to believe that there exists in a building or upon any premises any conditions or violations of this code which make the building or premises unsafe, dangerous or hazardous, the fire code official shall have the authority to enter the building or premises at all reasonable times to inspect or to perform the duties imposed upon the fire code official by this code. If such building or premises is occupied, the fire code official shall present credentials to the occupant and request entry. If such building or premises is unoccupied, the fire code official shall first make a reasonable effort to locate the owner or other person having charge or control of the building or premises and request entry. If entry is refused, the fire code official has recourse to every remedy provided by law to secure entry.

104.3.1 Warrant.

When the fire code official has first obtained a proper inspection warrant or other remedy provided by law to secure entry, an owner or occupant or person having charge, care or control of the building or premises shall not fail or neglect, after proper request is made as herein provided, to permit entry therein by the fire code official for the purpose of inspection and examination pursuant to this code.

104.4 Identification.
The fire code official shall carry proper identification when inspecting structures or premises in the performance of duties under this code.

104.5 Notices and orders.

The fire code official is authorized to issue such notices or orders as are required to affect compliance with this code in accordance with sections 109.1, 109.2 and 109.3.

104.6 Official records.

The fire code official shall keep official records as required by sections 104.6.1 through 104.6.4. Such official records shall be retained for not less than five years or for as long as the structure or activity to which such records relate remains in existence, unless otherwise provided by other regulations.

104.6.1 Approvals.

A record of approvals shall be maintained by the fire code official and shall be available for public inspection during business hours in accordance with applicable laws.

104.6.2 Inspections.

The fire code official shall keep a record of each inspection made, including notices and orders issued, showing the findings and disposition of each.

104.6.3 Fire records.

The fire department shall keep a record of fires occurring within its jurisdiction and of facts concerning the same, including statistics as to the extent of such fires and the damage caused thereby, together with other information as required by the fire code official.

104.6.4 Administrative.

Application for modification, alternative methods or materials and the final decision of the fire code official shall be in writing and shall be officially recorded in the permanent records of the fire code official.

104.7 Approved materials and equipment.

All materials, equipment and devices approved by the fire code official shall be constructed and installed in accordance with such approval.

104.7.1 Material and equipment reuse.
Materials, equipment and devices shall not be reused or reinstalled unless such elements have been reconditioned, tested and placed in good and proper working condition and approved.

104.7.2 Technical assistance.

To determine the acceptability of technologies, processes, products, facilities, materials and uses attending the design, operation or use of a building or premises subject to inspection by the fire code official, the fire code official is authorized to require the owner or agent to provide, without charge to the jurisdiction, a technical opinion and report. The opinion and report shall be prepared by a qualified engineer, specialist, laboratory or fire safety specialty organization acceptable to the fire code official and shall analyze the fire safety properties of the design, operation or use of the building or premises and the facilities and appurtenances situated thereon, to recommend necessary changes. The fire code official is authorized to require design submittals to be prepared by, and bear the stamp of, a registered design professional.

104.8 Modifications.

Whenever there are practical difficulties involved in carrying out the provisions of this code, the fire code official shall have the authority to grant modifications for individual cases, provided the fire code official shall first find that special individual reason makes the strict letter of this code impractical and the modification is in compliance with the intent and purpose of this code and that such modification does not lessen health, life and fire safety requirements. The details of action granting modifications shall be recorded and entered in the files of the division of fire prevention.

104.9 Alternative materials and methods.

The provisions of this code are not intended to prevent the installation of any material or to prohibit any method of construction not specifically prescribed by this code, provided that any such alternative has been approved. The fire code official is authorized to approve an alternative material or method of construction where the fire code official finds that the proposed design is satisfactory and complies with the intent of the provisions of this code, and that the material, method or work offered is, for the purpose intended, at least the equivalent of that prescribed in this code in quality, strength, effectiveness, fire resistance, durability and safety.

104.9.1 Research reports.

Supporting data, when necessary to assist in the approval of materials or assemblies not specifically provided for in this code, shall consist of valid research reports from approved sources.

104.9.2 Tests.

Whenever there is insufficient evidence of compliance with the provisions of this code, or evidence that a material or method does not conform to the requirements of this code, or in order
to substantiate claims for alternative materials or methods, the fire code official shall have the authority to require tests as evidence of compliance to be made at no expense to the jurisdiction. Test methods shall be as specified in this code or by other recognized test standards. In the absence of recognized and accepted test methods, the fire code official shall approve the testing procedures. Tests shall be performed by an approved agency. Reports of such tests shall be retained by the fire code official for the period required for retention of public records.

104.10 Fire investigations.

The fire code official, the fire department or other responsible authority shall have the authority to investigate the cause, origin and circumstances of any fire, explosion or other hazardous condition. Information that could be related to trade secrets or processes shall not be made part of the public record, except as directed by a court of law.

104.10.1 Assistance from other agencies.

Police and other enforcement agencies shall have authority to render necessary assistance in the investigation of fires when requested to do so.

104.11 Authority at fires and other emergencies.

The fire chief or officer of the fire department in charge at the scene of a fire or other emergency involving the protection of life or property, or any part thereof, shall have the authority to direct such operation as necessary to extinguish or control any fire, perform any rescue operation, investigate the existence of suspected or reported fires, gas leaks or other hazardous conditions or situations, or take any other action necessary in the reasonable performance of duty. In the exercise of such power, the fire chief is authorized to prohibit any person, vehicle, vessel or thing from approaching the scene, and is authorized to remove, or cause to be removed or kept away from the scene, any vehicle, vessel or thing which could impede or interfere with the operations of the fire department and, in the judgment of the fire chief, any person not actually and usefully employed in the extinguishing of such fire or in the preservation of property in the vicinity thereof.

104.11.1 Barricades.

The fire chief or officer of the fire department in charge at the scene of an emergency is authorized to place ropes, guards, barricades or other obstructions across any street, alley, place or private property in the vicinity of such operation so as to prevent accidents or interference with the lawful efforts of the fire department to manage and control the situation and to handle fire apparatus.

104.11.2 Obstructing operations.

No person shall obstruct the operations of the fire department in connection with extinguishment or control of any fire, or actions relative to other emergencies, or disobey any lawful command.
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of the fire chief or officer of the fire department in charge of the emergency, or any part thereof,
or any lawful order of a police officer assisting the fire department.

104.11.3 Systems and devices.

No person shall render a system or device inoperative during an emergency unless by direction
of the fire chief or fire department official in charge of the incident.

SECTION 105. PERMITS

105.1 General.

Permits shall be in accordance with sections 105.1.1 through 105.7.16.

105.1.1 Permits required.

Any property owner or authorized agent who intends to conduct an operation or business, or
install or modify systems and equipment which is regulated by this code, or to cause any such
work to be done, shall first make application to the fire code official and obtain the required
permit.

105.1.2 Types of permits.

There shall be two types of permits as follows:

1. Operational permit. An operational permit allows the applicant to conduct an operation or a
business for which a permit is required by section 105.6 for either:

   1.1. A prescribed period.
   1.2. Until renewed or revoked.

2. Construction permit. A construction permit allows the applicant to install or modify systems
and equipment for which a permit is required by section 105.7.

105.1.3 Multiple permits for the same location.

When more than one permit is required for the same location, the fire code official is authorized
to consolidate such permits into a single permit provided that each provision is listed in the
permit.

105.2 Application.

Application for a permit required by this code shall be made to the fire code official in such form
and detail as prescribed by the fire code official. Applications for permits shall be accompanied
by such plans as prescribed by the fire code official.
105.2.1 Refusal to issue permit.

If the application for a permit describes a use that does not conform to the requirements of this code and other pertinent laws and ordinances, the fire code official shall not issue a permit, but shall return the application to the applicant with the refusal to issue such permit. Such refusal shall, when requested, be in writing and shall contain the reasons for refusal.

105.2.2 Inspection authorized.

Before a new operational permit is approved, the fire code official is authorized to inspect the receptacles, vehicles, buildings, devices, premises, storage spaces or areas to be used to determine compliance with this code or any operational constraints required.

105.2.3 Time limitation of application.

An application for a permit for any proposed work or operation shall be deemed to have been abandoned 180 days after the date of filing, unless such application has been diligently prosecuted or a permit shall have been issued; except that the fire code official is authorized to grant one or more extensions of time for additional periods not exceeding 90 days each. The extension shall be requested in writing and justifiable cause demonstrated.

105.2.4 Action on application.

The fire code official shall examine or cause to be examined applications for permits and amendments thereto within a reasonable time after filing. If the application or the construction documents do not conform to the requirements of pertinent laws, the fire code official shall reject such application in writing, stating the reasons therefor. If the fire code official is satisfied that the proposed work or operation conforms to the requirements of this code and laws and ordinances applicable thereto, the fire code official shall issue a permit therefor as soon as practicable.

105.3 Conditions of a permit.

A permit shall constitute permission to maintain, store or handle materials; or to conduct processes which produce conditions hazardous to life or property; or to install equipment utilized in connection with such activities; or to install or modify any fire protection system or equipment or any other construction, equipment installation or modification in accordance with the provisions of this code where a permit is required by section 105.6 or 105.7. Such permission shall not be construed as authority to violate, cancel or set aside any of the provisions of this code or other applicable regulations or laws of the jurisdiction.

105.3.1 Expiration.
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An operational permit shall remain in effect until reissued, renewed or revoked, or for such a period of time as specified in the permit. Construction permits shall automatically become invalid unless the work authorized by such permit is commenced within 180 days after its issuance, or if the work authorized by such permit is suspended or abandoned for a period of 180 days after the time the work is commenced. Before such work recommences, a new permit shall be first obtained and the fee to recommence work, if any, shall be one-half the amount required for a new permit for such work, provided no changes have been made or will be made in the original construction documents for such work, and provided further that such suspension or abandonment has not exceeded one year. Permits are not transferable and any change in occupancy, operation, tenancy or ownership shall require that a new permit be issued.

105.3.2 Extensions.

A permittee holding an unexpired permit shall have the right to apply for an extension of the time within which the permittee will commence work under that permit when work is unable to be commenced within the time required by this section for good and satisfactory reasons. The fire code official is authorized to grant, in writing, one or more extensions of the time period of a permit for periods of not more than 180 days each. Such extensions shall be requested by the permit holder in writing and justifiable cause demonstrated.

105.3.3 Occupancy prohibited before approval.

The building or structure shall not be occupied prior to the fire code official issuing a permit and conducting associated inspections indicating the applicable provisions of this code have been met.

105.3.4 Conditional permits.

Where permits are required and upon the request of a permit applicant, the fire code official is authorized to issue a conditional permit to occupy the premises or portion thereof before the entire work or operations on the premises is completed, provided that such portion or portions will be occupied safely prior to full completion or installation of equipment and operations without endangering life or public welfare. The fire code official shall notify the permit applicant in writing of any limitations or restrictions necessary to keep the permit area safe. The holder of a conditional permit shall proceed only to the point for which approval has been given, at the permit holder's own risk and without assurance that approval for the occupancy or the utilization of the entire premises, equipment or operations will be granted.

105.3.5 Posting the permit.

Issued permits shall be kept on the premises designated therein at all times and shall be readily available for inspection by the fire code official.

105.3.6 Compliance with code.
The issuance or granting of a permit shall not be construed to be a permit for, or an approval of, any violation of any of the provisions of this code or of any other ordinance of the jurisdiction. Permits presuming to give authority to violate or cancel the provisions of this code or other ordinances of the jurisdiction shall not be valid. The issuance of a permit based on construction documents and other data shall not prevent the fire code official from requiring the correction of errors in the construction documents and other data. Any addition to or alteration of approved construction documents shall be approved in advance by the fire code official, as evidenced by the issuance of a new or amended permit.

105.3.7 Information on the permit.

The fire code official shall issue all permits required by this code on an approved form furnished for that purpose. The permit shall contain a general description of the operation or occupancy and its location and any other information required by the fire code official. Issued permits shall bear the signature of the fire code official or other approved legal authorization.

105.3.8 Validity of permit.

The issuance or granting of a permit shall not be construed to be a permit for, or an approval of, any violation of any of the provisions of this code or of any other ordinances of the jurisdiction. Permits presuming to give authority to violate or cancel the provisions of this code or other ordinances of the jurisdiction shall not be valid. The issuance of a permit based on construction documents, operational documents and other data shall not prevent the fire code official from requiring correction of errors in the documents or other data.

105.4 Construction documents.

Construction documents shall be in accordance with this section.

105.4.1 Submittals.

Construction documents and supporting data shall be submitted in two or more sets with each application for a permit and in such form and detail as required by the fire code official. The construction documents shall be prepared by a registered design professional where required by the statutes of the jurisdiction in which the project is to be constructed.

Exception: The fire code official is authorized to waive the submission of construction documents and supporting data not required to be prepared by a registered design professional if it is found that the nature of the work applied for is such that review of construction documents is not necessary to obtain compliance with this code.

105.4.1.1 Examination of documents.
The fire code official shall examine or cause to be examined the accompanying construction documents and shall ascertain by such examinations whether the work indicated and described is in accordance with the requirements of this code.

105.4.2 Information on construction documents.

Construction documents shall be drawn to scale upon suitable material. Electronic media documents are allowed to be submitted when approved by the fire code official. Construction documents shall be of sufficient clarity to indicate the location, nature and extent of the work proposed and show in detail that it will conform to the provisions of this code and relevant laws, ordinances, rules and regulations as determined by the fire code official.

105.4.2.1 Fire protection system shop drawings.

Shop drawings for the fire protection system(s) shall be submitted to indicate compliance with this code and the construction documents and shall be approved prior to the start of installation. Shop drawings shall contain all information as required by the referenced installation standards in Chapter 9. All systems that require fire alarms or fire alarm devices shall be submitted to the Omaha Fire Department for review. All suppression systems shall be submitted to the Omaha Mechanical Department for review by both the Omaha Fire Department and Omaha Mechanical Department.

105.4.3 Applicant responsibility.

It shall be the responsibility of the applicant to ensure that the construction documents include all of the fire protection requirements and the shop drawings are complete and in compliance with the applicable codes and standards.

105.4.4 Approved documents.

Construction documents approved by the fire code official are approved with the intent that such construction documents comply in all respects with this code. Review and approval by the fire code official shall not relieve the applicant of the responsibility of compliance with this code.

105.4.4.1 Phased approval.

The fire code official is authorized to issue a permit for the construction of part of a structure, system or operation before the construction documents for the whole structure, system or operation have been submitted, provided that adequate information and detailed statements have been filed complying with pertinent requirements of this code. The holder of such permit for parts of a structure, system or operation shall proceed at the holder’s own risk with the building operation and without assurance that a permit for the entire structure, system or operation will be granted.

105.4.5 Corrected documents.
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Where field conditions necessitate any substantial change from the approved construction
documents, the fire code official shall have the authority to require the corrected construction
documents to be submitted for approval.

105.4.6 Retention of construction documents.

One set of construction documents shall be retained by the fire code official for a period of not
less than 180 days from date of completion of the permitted work, or as required by state or local
laws. One set of approved construction documents shall be returned to the applicant, and said set
shall be kept on the site of the building or work at all times during which the work authorized
thereby is in progress.

105.5 Revocation.

The fire code official is authorized to revoke a permit issued under the provisions of this code
when it is found by inspection or otherwise that there has been a false statement or
misrepresentation as to the material facts in the application or construction documents on which
the permit or approval was based including, but not limited to, any one of the following:

1. The permit is used for a location or establishment other than that for which it was issued.

2. The permit is used for a condition or activity other than that listed in the permit.

3. Conditions and limitations set forth in the permit have been violated.

4. There have been any false statements or misrepresentations as to the material fact in the
application for permit or plans submitted or a condition of the permit.

5. The permit is used by a different person or firm than the name for which it was issued.

6. The permittee failed, refused or neglected to comply with orders or notices duly served in
accordance with the provisions of this code within the time provided therein.

7. The permit was issued in error or in violation of an ordinance, regulation or this code.

105.6 Required operational permits.

The fire code official is authorized to issue operational permits for the operations set forth in
sections 105.6.1 through 105.6.50.

105.6.1 Aerosol products.

An operational permit is required to manufacture, store or handle an aggregate quantity of Level
2 or Level 3 aerosol products in excess of 500 pounds (227 kg) net weight.
105.6.2 Amusement buildings.

An operational permit is required to operate a special amusement building.

105.6.3 Aviation facilities.

An operational permit is required to use a Group H or Group S occupancy for aircraft servicing or repair and aircraft fuel-servicing vehicles. Additional permits required by other sections of this code include, but are not limited to, hot work, hazardous materials and flammable or combustible finishes.

105.6.4 Carnivals and fairs.

An operational permit is required to conduct a carnival or fair.

105.6.5 Cellulose nitrate film.

An operational permit is required to store, handle or use cellulose nitrate film in a Group A occupancy.

105.6.6 Combustible dust-producing operations.

An operational permit is required to operate a grain elevator, flour starch mill, feed mill, or a plant pulverizing aluminum, coal, cocoa, magnesium, spices or sugar, or other operations producing combustible dusts as defined in Chapter 2.

105.6.7 Combustible fibers.

An operational permit is required for the storage and handling of combustible fibers in quantities greater than 100 cubic feet (2.8 m³).

Exception: A permit is not required for agricultural storage.

105.6.8 Compressed gases.

An operational permit is required for the storage, use or handling at normal temperature and pressure (NTP) of compressed gases in excess of the amounts listed in Table 105.6.8.

Exception: Vehicles equipped for and using compressed gas as a fuel for propelling the vehicle.

**TABLE 105.6.8**

PERMIT AMOUNTS FOR COMPRESSED GASES
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<table>
<thead>
<tr>
<th>Type of Gas</th>
<th>Amount (cubic feet at NTP)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Corrosive</td>
<td>200</td>
</tr>
<tr>
<td>Flammable (except cryogenic fluids and liquefied petroleum gases)</td>
<td>200</td>
</tr>
<tr>
<td>Highly toxic</td>
<td>Any Amount</td>
</tr>
<tr>
<td>Inert and simple asphyxiants</td>
<td>6,000</td>
</tr>
<tr>
<td>Oxidizing (including oxygen)</td>
<td>504</td>
</tr>
<tr>
<td>Pyrophoric</td>
<td>Any Amount</td>
</tr>
<tr>
<td>Toxic</td>
<td>Any Amount</td>
</tr>
</tbody>
</table>

For SI: 1 cubic foot = 0.02832 m³.

105.6.9 Covered and open mall buildings.

An operational permit is required for:

1. The placement of retail fixtures and displays, concession equipment, displays of highly combustible goods and similar items in the mall.

2. The display of liquid- or gas-fired equipment in the mall.

3. The use of open-flame or flame-producing equipment in the mall.

105.6.10 Cryogenic fluids.

An operational permit is required to produce, store, transport on site, use, handle or dispense cryogenic fluids in excess of the amounts listed in Table 105.6.10.

Exception: Permits are not required for vehicles equipped for and using cryogenic fluids as a fuel for propelling the vehicle or for refrigerating the lading.

**Table 105.6.10**

<table>
<thead>
<tr>
<th>Type of Cryogenic Fluid</th>
<th>Inside Building (gallons)</th>
<th>Outside Building (gallons)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Flammable</td>
<td>More than 1</td>
<td>60</td>
</tr>
<tr>
<td>Inert</td>
<td>60</td>
<td>500</td>
</tr>
<tr>
<td>Oxidizing (includes oxygen)</td>
<td>10</td>
<td>50</td>
</tr>
<tr>
<td>Physical or health hazard not indicated above</td>
<td>Any Amount</td>
<td>Any Amount</td>
</tr>
</tbody>
</table>

For SI: 1 gallon = 3.785 L.
105.6.11 Cutting and welding.

An operational permit is required to conduct cutting or welding operations within the jurisdiction.

105.6.12 Dry cleaning.

An operational permit is required to engage in the business of dry cleaning or to change to a more hazardous cleaning solvent used in existing dry cleaning equipment.

105.6.13 Exhibits and trade shows.

An operational permit is required to operate exhibits and trade shows.

105.6.14 Explosives.

An operational permit is required for the manufacture, storage, handling, sale or use of any quantity of explosives, explosive materials, fireworks or pyrotechnic special effects within the scope of Chapter 56.

Exception: Storage in Group R-3 occupancies of smokeless propellant, black powder and small arms primers for personal use, not for resale and in accordance with section 5606.

105.6.15 Fire hydrants and valves.

An operational permit is required to use or operate fire hydrants or valves intended for fire suppression purposes which are installed on water systems and accessible to a fire apparatus access road that is open to or generally used by the public.

Exception: A permit is not required for authorized employees of the water company that supplies the system or the fire department to use or operate fire hydrants or valves.

105.6.16 Flammable and combustible liquids.

An operational permit is required:

1. To use or operate a pipeline for the transportation within facilities of flammable or combustible liquids. This requirement shall not apply to the off-site transportation in pipelines regulated by the Department of Transportation (DOT) nor does it apply to piping systems.

2. To store, handle or use Class I liquids in excess of 5 gallons (19 L) in a building or in excess of 10 gallons (37.9 L) outside of a building, except that a permit is not required for the following:
2.1. The storage or use of Class I liquids in the fuel tank of a motor vehicle, aircraft, 
   motorboat, mobile power plant or mobile heating plant, unless such storage, in the 
   opinion of the fire code official, would cause an unsafe condition.

2.2. The storage or use of paints, oils, varnishes or similar flammable mixtures when such 
   liquids are stored for maintenance, painting or similar purposes for a period of not 
   more than 30 days.

3. To store, handle or use Class II or Class IIIA liquids in excess of 25 gallons (95 L) in a 
   building, or in excess of 60 gallons (227 L) outside a building, except for fuel oil used in 
   connection with oil-burning equipment.

4. To store, handle or use Class IIIB liquids in tanks or portable tanks for fueling motor vehicles 
   at motor fuel-dispensing facilities or where connected to fuel-burning equipment.

   Exception: Fuel oil and used motor oil used for space heating or water heating.

5. To remove Class I or II liquids from an underground storage tank used for fueling motor 
   vehicles by any means other than the approved, stationary on-site pumps normally used for 
   dispensing purposes.

6. To operate tank vehicles, equipment, tanks, plants, terminals, wells, fuel-dispensing stations, 
   refineries, distilleries and similar facilities where flammable and combustible liquids are 
   produced, processed, transported, stored, dispensed or used.

7. To place temporarily out of service (for more than 90 days) an underground, protected 
   above-ground or above-ground flammable or combustible liquid tank.

8. To change the type of contents stored in a flammable or combustible liquid tank to a material 
   that poses a greater hazard than that for which the tank was designed and constructed.

9. To manufacture, process, blend or refine flammable or combustible liquids.

10. To engage in the dispensing of liquid fuels into the fuel tanks of motor vehicles at 
    commercial, industrial, governmental or manufacturing establishments.

11. To utilize a site for the dispensing of liquid fuels from tank vehicles into the fuel tanks of 
    motor vehicles, marine craft and other special equipment at commercial, industrial, 
    governmental or manufacturing establishments.

105.6.17 Floor finishing.

An operational permit is required for floor finishing or surfacing operations exceeding 350 
square feet (33 m²) using Class I or Class II liquids.
105.6.18 Fruit and crop ripening.

An operational permit is required to operate a fruit- or crop-ripening facility or conduct a fruit-ripening process using ethylene gas.

105.6.19 Fumigation and insecticidal fogging.

An operational permit is required to operate a business of fumigation or insecticidal fogging and to maintain a room, vault or chamber in which a toxic or flammable fumigant is used.

105.6.20 Hazardous materials.

An operational permit is required to store, transport on site, dispense, use or handle hazardous materials in excess of the amounts listed in Table 105.6.20.

**TABLE 105.6.20**

**PERMIT AMOUNTS FOR HAZARDOUS MATERIALS**

<table>
<thead>
<tr>
<th>TYPE OF MATERIAL</th>
<th>AMOUNT</th>
</tr>
</thead>
<tbody>
<tr>
<td>Combustible liquids</td>
<td>See Section 105.6.16</td>
</tr>
<tr>
<td>Corrosive materials</td>
<td></td>
</tr>
<tr>
<td>Gases</td>
<td>See Section 105.6.8</td>
</tr>
<tr>
<td>Liquids</td>
<td>55 gallons</td>
</tr>
<tr>
<td>Solids</td>
<td>1000 pounds</td>
</tr>
<tr>
<td>Explosive materials</td>
<td>See Section 105.6.14</td>
</tr>
<tr>
<td>Flammable materials</td>
<td></td>
</tr>
<tr>
<td>Gases</td>
<td>See Section 105.6.8</td>
</tr>
<tr>
<td>Liquids</td>
<td>See Section 105.6.16</td>
</tr>
<tr>
<td>Solids</td>
<td>100 pounds</td>
</tr>
<tr>
<td>Highly toxic materials</td>
<td></td>
</tr>
<tr>
<td>Gases</td>
<td>See Section 105.6.8</td>
</tr>
<tr>
<td>Liquids</td>
<td>Any Amount</td>
</tr>
<tr>
<td>Solids</td>
<td>Any Amount</td>
</tr>
<tr>
<td>Oxidizing materials</td>
<td></td>
</tr>
<tr>
<td>Gases</td>
<td>See Section 105.6.8</td>
</tr>
<tr>
<td>Liquids</td>
<td>Any Amount</td>
</tr>
<tr>
<td>Class 4</td>
<td>Any Amount</td>
</tr>
<tr>
<td>Class 3</td>
<td>1 gallon&lt;sup&gt;a&lt;/sup&gt;</td>
</tr>
<tr>
<td>Class 2</td>
<td>10 gallons</td>
</tr>
<tr>
<td>Class 1</td>
<td>55 gallons</td>
</tr>
<tr>
<td>Solids</td>
<td>Any Amount</td>
</tr>
<tr>
<td>Class 4</td>
<td>10 pounds&lt;sup&gt;b&lt;/sup&gt;</td>
</tr>
<tr>
<td>Class 3</td>
<td>Any Amount</td>
</tr>
<tr>
<td>Class</td>
<td>100 pounds</td>
</tr>
<tr>
<td>-----------</td>
<td>------------</td>
</tr>
<tr>
<td>Organic peroxides</td>
<td></td>
</tr>
<tr>
<td>Liquids</td>
<td></td>
</tr>
<tr>
<td>Class I</td>
<td>Any Amount</td>
</tr>
<tr>
<td>Class II</td>
<td>Any Amount</td>
</tr>
<tr>
<td>Class III</td>
<td>1 gallon</td>
</tr>
<tr>
<td>Class IV</td>
<td>2 gallons</td>
</tr>
<tr>
<td>Class V</td>
<td>No Permit Required</td>
</tr>
<tr>
<td>Solids</td>
<td></td>
</tr>
<tr>
<td>Class I</td>
<td>Any Amount</td>
</tr>
<tr>
<td>Class II</td>
<td>Any Amount</td>
</tr>
<tr>
<td>Class III</td>
<td>10 pounds</td>
</tr>
<tr>
<td>Class IV</td>
<td>20 pounds</td>
</tr>
<tr>
<td>Class V</td>
<td>No Permit Required</td>
</tr>
<tr>
<td>Pyrophoric materials</td>
<td></td>
</tr>
<tr>
<td>Gases</td>
<td>Any Amount</td>
</tr>
<tr>
<td>Liquids</td>
<td>Any Amount</td>
</tr>
<tr>
<td>Solids</td>
<td>Any Amount</td>
</tr>
<tr>
<td>Toxic materials</td>
<td></td>
</tr>
<tr>
<td>Gases</td>
<td>See Section 105.6.8</td>
</tr>
<tr>
<td>Liquids</td>
<td>10 gallons</td>
</tr>
<tr>
<td>Solids</td>
<td>100 pounds</td>
</tr>
<tr>
<td>Unstable (reactive) materials</td>
<td></td>
</tr>
<tr>
<td>Liquids</td>
<td>Any Amount</td>
</tr>
<tr>
<td>Class 4</td>
<td>Any Amount</td>
</tr>
<tr>
<td>Class 3</td>
<td>Any Amount</td>
</tr>
<tr>
<td>Class 2</td>
<td>5 gallons</td>
</tr>
<tr>
<td>Class 1</td>
<td>10 gallons</td>
</tr>
<tr>
<td>Solids</td>
<td>Any Amount</td>
</tr>
<tr>
<td>Class 4</td>
<td>Any Amount</td>
</tr>
<tr>
<td>Class 3</td>
<td>Any Amount</td>
</tr>
<tr>
<td>Class 2</td>
<td>50 pounds</td>
</tr>
<tr>
<td>Class 1</td>
<td>100 pounds</td>
</tr>
<tr>
<td>Water-reactive materials</td>
<td></td>
</tr>
<tr>
<td>Liquids</td>
<td>Any Amount</td>
</tr>
<tr>
<td>Class 3</td>
<td>Any Amount</td>
</tr>
<tr>
<td>Class 2</td>
<td>5 gallons</td>
</tr>
<tr>
<td>Class 1</td>
<td>55 gallons</td>
</tr>
<tr>
<td>Solids</td>
<td>Any Amount</td>
</tr>
<tr>
<td>Class 3</td>
<td>Any Amount</td>
</tr>
<tr>
<td>Class 2</td>
<td>50 pounds</td>
</tr>
<tr>
<td>Class 1</td>
<td>500 pounds</td>
</tr>
</tbody>
</table>
For SI: 1 gallon = 3.785 L, 1 pound = 0.454 kg.

a. 20 gallons when Table 5003.1.1(1) Note k applies and hazard identification signs in accordance with Section 5003.5 are provided for quantities of 20 gallons or less.

b. 200 pounds when Table 5003.1.1(1) Note k applies and hazard identification signs in accordance with Section 5003.5 are provided for quantities of 200 pounds or less.

105.6.21 HPM facilities.

An operational permit is required to store, handle or use hazardous production materials.

105.6.22 High-piled storage.

An operational permit is required to use a building or portion thereof as a high-piled storage area exceeding 500 square feet (46 m²).

105.6.23 Hot work operations.

An operational permit is required for hot work including, but not limited to:

1. Public exhibitions and demonstrations where hot work is conducted.

2. Use of portable hot work equipment inside a structure.

   Exception: Work that is conducted under a construction permit.

3. Fixed-site hot work equipment, such as welding booths.

4. Hot work conducted within a wildfire risk area.

5. Application of roof coverings with the use of an open-flame device.

6. When approved, the fire code official shall issue a permit to carry out a hot work program. This program allows approved personnel to regulate their facility’s hot work operations. The approved personnel shall be trained in the fire safety aspects denoted in this chapter and shall be responsible for issuing permits requiring compliance with the requirements found in Chapter 35. These permits shall be issued only to their employees or hot work operations under their supervision.

105.6.24 Industrial ovens.

An operational permit is required for operation of industrial ovens regulated by Chapter 30.
105.6.25 Lumber yards and woodworking plants.

An operational permit is required for the storage or processing of lumber exceeding 100,000 board feet (8,333 ft³) (236 m³).

105.6.26 Liquid- or gas-fueled vehicles or equipment in assembly buildings.

An operational permit is required to display, operate or demonstrate liquid- or gas-fueled vehicles or equipment in assembly buildings.

105.6.27 LP-gas.

An operational permit is required for:

1. Storage and use of LP-gas.

   Exception: A permit is not required for individual containers with a 500-gallon (1893 L) water capacity or less or multiple container systems having an aggregate quantity not exceeding 500 gallons (1893 L), serving occupancies in Group R-3.

2. Operation of cargo tankers that transport LP-gas.

105.6.28 Magnesium.

An operational permit is required to melt, cast, heat treat or grind more than 10 pounds (4.54 kg) of magnesium.

105.6.29 Miscellaneous combustible storage.

An operational permit is required to store in any building or upon any premises in excess of 2,500 cubic feet (71 m³) gross volume of combustible empty packing cases, boxes, barrels or similar containers, rubber tires, rubber, cork or similar combustible material.

105.6.30 Open burning.

An operational permit is required for the kindling or maintaining of an open fire or a fire on any public street, alley, road, or other public or private ground. Instructions and stipulations of the permit shall be adhered to.

Exception: Recreational fires.

105.6.31 Open flames and torches.

An operational permit is required to remove paint with a torch; or to use a torch or open-flame device in a wildfire risk area.
105.6.32 Open flames and candles.

An operational permit is required to use open flames or candles in connection with assembly areas as a necessary part of a performance.

105.6.33 Organic coatings.

An operational permit is required for any organic-coating manufacturing operation producing more than 1 gallon (4 L) of an organic coating in one day.

105.6.34 Places of assembly.

An operational permit is required to operate a place of assembly and an annual inspection shall be required.

105.6.35 Private fire hydrants.

An operational permit is required for the removal from service, use or operation of private fire hydrants.

Exception: A permit is not required for private industry with trained maintenance personnel, private fire brigade or fire departments to maintain, test and use private hydrants.

105.6.36 Pyrotechnic special effects material.

An operational permit is required for use and handling of pyrotechnic special effects material.

105.6.37 Pyroxylin plastics.

An operational permit is required for storage or handling of more than 25 pounds (11 kg) of cellulose nitrate (pyroxylin) plastics, and for the assembly or manufacture of articles involving pyroxylin plastics.

105.6.38 Refrigeration equipment.

An operational permit is required to operate a mechanical refrigeration unit or system regulated by Chapter 6.

105.6.39 Repair garages and motor fuel-dispensing facilities.

An operational permit is required for operation of repair garages, and automotive, marine and fleet motor fuel-dispensing facilities.

105.6.40 Rooftop heliports.
An operational permit is required for the operation of a rooftop heliport.

105.6.41 Spraying or dipping.

An operational permit is required to conduct a spraying or dipping operation utilizing flammable or combustible liquids, or the application of combustible powders regulated by Chapter 24.

105.6.42 Storage of scrap tires and tire byproducts.

An operational permit is required to establish, conduct or maintain storage of scrap tires and tire byproducts that exceed 2,500 cubic feet (71 m³) of total volume of scrap tires and for indoor storage of tires and tire byproducts.

105.6.43 Temporary membrane structures and tents.

An operational permit is required to operate an air-supported temporary membrane structure or a tent having an area in excess of 400 square feet (37 m²).

Exceptions:

1. Tents used exclusively for recreational camping purposes.

2. Tents open on all sides, which comply with all of the following:

   2.1. Individual tents having a maximum size of 700 square feet (65 m²).

   2.2. The aggregate area of multiple tents placed side by side without a fire break clearance of not less than 12 feet (3658 mm) shall not exceed 700 square feet (65 m²) total.

   2.3. A minimum clearance of 12 feet (3658 mm) to structures and other tents shall be provided.

3. A permit is not required for tents and membrane structures that meet all building and zoning rules and requirements.

105.6.44 Tire-rebuilding plants.

An operational permit is required for the operation and maintenance of a tire-rebuilding plant.

105.6.45 Waste handling.

An operational permit is required for the operation of wrecking yards, junk yards and waste material-handling facilities.
105.6.46 Wood products.

An operational permit is required to store chips, hogged material, lumber or plywood in excess of 200 cubic feet (6 m³).

105.6.47 Battery systems.

An operational permit is required to operate a stationary lead-acid battery system having a liquid capacity of more than 50 gallons (189 Liters).

105.6.48 Flameproofing.

An operational permit is required to conduct flameproofing.

105.6.49 Mobile home parks.

An operational permit is required to operate a mobile home park.

105.6.50 Portable fire extinguisher and range hood systems – servicing and recharging.

An operational permit is required to conduct portable fire extinguisher and range hood servicing and recharging.

105.7 Required construction permits.

The fire code official is authorized to issue construction permits for work as set forth in sections 105.7.1 through 105.7.16.

105.7.1 Automatic fire-extinguishing systems.

A construction permit is required for installation of or modification to an automatic fire-extinguishing system. Maintenance performed in accordance with this code is not considered a modification and does not require a permit.

105.7.2 Battery systems.

A permit is required to install stationary storage battery systems having a liquid capacity of more than 50 gallons (189 L).

105.7.3 Compressed gases.

When the compressed gases in use or storage exceed the amounts listed in Table 105.6.8, a construction permit is required to install, repair damage to, abandon, remove, place temporarily out of service, or close or substantially modify a compressed gas system.
Exceptions:
1. Routine maintenance.

2. For emergency repair work performed on an emergency basis, application for permit shall be made within two working days of commencement of work.

105.7.4 Cryogenic fluids.

A construction permit is required for installation of or alteration to outdoor stationary cryogenic fluid storage systems where the system capacity exceeds the amounts listed in Table 105.6.10. Maintenance performed in accordance with this code is not considered an alteration and does not require a construction permit.

105.7.5 Emergency responder radio coverage system.

A construction permit is required for installation of or modification to emergency responder radio coverage systems and related equipment. Maintenance performed in accordance with this code is not considered a modification and does not require a permit.

105.7.6 Fire alarm and detection systems and related equipment.

A construction permit is required for installation of or modification to fire alarm and detection systems and related equipment. Maintenance performed in accordance with this code is not considered a modification and does not require a permit.

105.7.7 Fire pumps and related equipment.

A construction permit is required for installation of or modification to fire pumps and related fuel tanks, jockey pumps, controllers and generators. Maintenance performed in accordance with this code is not considered a modification and does not require a permit.

105.7.8 Flammable and combustible liquids.

A construction permit is required:

1. To install, repair or modify a pipeline for the transportation of flammable or combustible liquids.

2. To install, construct or alter tank vehicles, equipment, tanks, plants, terminals, wells, fuel-dispensing stations, refineries, distilleries and similar facilities where flammable and combustible liquids are produced, processed, transported, stored, dispensed or used.

3. To install, alter, remove, abandon or otherwise dispose of a flammable or combustible liquid tank.
105.7.9 Hazardous materials.

A construction permit is required to install, repair damage to, abandon, remove, place temporarily out of service, or close or substantially modify a storage facility or other area regulated by Chapter 50 when the hazardous materials in use or storage exceed the amounts listed in Table 105.6.20.

Exceptions:

1. Routine maintenance.

2. For emergency repair work performed on an emergency basis, application for permit shall be made within two working days of commencement of work.

105.7.10 Industrial ovens.

A construction permit is required for installation of industrial ovens covered by Chapter 30.

Exceptions:

1. Routine maintenance.

2. For repair work performed on an emergency basis, application for permit shall be made within two working days of commencement of work.

105.7.11 LP-gas.

A construction permit is required for installation of or modification to an LP-gas system.

105.7.12 Private fire hydrants.

A construction permit is required for the installation or modification of private fire hydrants.

105.7.13 Solar photovoltaic power systems.

A construction permit is required to install or modify solar photovoltaic power systems.

105.7.14 Spraying or dipping.

A construction permit is required to install or modify a spray room, dip tank or booth.

105.7.15 Standpipe systems.

A construction permit is required for the installation, modification or removal from service of a standpipe system. Maintenance performed in accordance with this code is not considered a
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modification and does not require a permit.

105.7.16 Temporary membrane structures and tents.

A construction permit is required to erect an air-supported temporary membrane structure or a

tent having an area in excess of 400 square feet (37 m²).

Exceptions:

1. Tents used exclusively for recreational camping purposes.

2. Funeral tents and curtains, or extensions attached thereto, when used for funeral services.

3. Tents and awnings open on all sides, which comply with all of the following:

   3.1. Individual tents shall have a maximum size of 700 square feet (65 m²).

   3.2. The aggregate area of multiple tents placed side by side without a fire break clearance
        of not less than 12 feet (3658 mm) shall not exceed 700 square feet (65 m²) total.

   3.3 A minimum clearance of 12 feet (3658 mm) to structures and other tents shall be
        maintained.

4. A permit is not required for tents and membrane structures that meet all building and zoning

    rules and requirements.

SECTION 106. INSPECTIONS

106.1 Inspection authority.

The fire code official is authorized to enter and examine any building, structure, marine vessel,

vehicle or premises in accordance with Section 104.3 for the purpose of enforcing this code.

106.2 Inspections.

The fire code official is authorized to conduct such inspections as are deemed necessary to

determine the extent of compliance with the provisions of this code and to approve reports of

inspection by approved agencies or individuals. All reports of such inspections shall be prepared

and submitted in writing for review and approval. Inspection reports shall be certified by a

responsible officer of such approved agency or by the responsible individual. The fire code

official is authorized to engage such expert opinion as deemed necessary to report upon unusual,

detailed or complex technical issues subject to the approval of the governing body.

106.2.1 Inspection requests.
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It shall be the duty of the holder of the permit or their duly authorized agent to notify the fire
code official when work is ready for inspection. It shall be the duty of the permit holder to
provide access to and means for inspections of such work that are required by this code.

106.2.2 Approval required.

Work shall not be done beyond the point indicated in each successive inspection without first
obtaining the approval of the fire code official. The fire code official, upon notification, shall
make the requested inspections and shall either indicate the portion of the construction that is
satisfactory as completed, or notify the permit holder or his or her agent wherein the same fails to
comply with this code. Any portions that do not comply shall be corrected, and such portion shall
not be covered or concealed until authorized by the fire code official.

106.3 Concealed work.

It shall be the duty of the permit applicant to cause the work to remain accessible and exposed
for inspection purposes. Whenever any installation subject to inspection prior to use is covered
or concealed without having first been inspected, the fire code official shall have the authority to
require that such work be exposed for inspection. Neither the fire code official nor the
jurisdiction shall be liable for expense entailed in the removal or replacement of any material
required to allow inspection.

106.4 Approvals.

Approval as the result of an inspection shall not be construed to be an approval of a violation of
the provisions of this code or of other ordinances of the jurisdiction. Inspections presuming to
give authority to violate or cancel provisions of this code or of other ordinances of the
jurisdiction shall not be valid.

SECTION 107. MAINTENANCE

107.1 Maintenance of safeguards.

Whenever or wherever any device, equipment, system, condition, arrangement, level of
protection, or any other feature is required for compliance with the provisions of this code, or
otherwise installed, such device, equipment, system, condition, arrangement, level of protection,
or other feature shall thereafter be continuously maintained in accordance with this code and
applicable referenced standards.

107.2 Testing and operation.

Equipment requiring periodic testing or operation to ensure maintenance shall be tested or
operated as specified in this code.

107.2.1 Test and inspection records.
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Required test and inspection records shall be available to the fire code official at all times or such records as the fire code official designates shall be filed with the fire code official.

107.2.2 Reinspection and testing.

Where any work or installation does not pass an initial test or inspection, the necessary corrections shall be made so as to achieve compliance with this code. The work or installation shall then be resubmitted to the fire code official for inspection and testing.

107.3 Supervision.

Maintenance and testing shall be under the supervision of a responsible person who shall ensure that such maintenance and testing are conducted at specified intervals in accordance with this code.

107.4 Rendering equipment inoperable.

Portable or fixed fire-extinguishing systems or devices and fire-warning systems shall not be rendered inoperative or inaccessible except as necessary during emergencies, maintenance, repairs, alterations, drills or prescribed testing.

107.5 Overcrowding.

Overcrowding or admittance of any person beyond the approved capacity of a building or a portion thereof shall not be allowed. The fire code official, upon finding any overcrowding conditions or obstructions in aisles, passageways or other means of egress, or upon finding any condition which constitutes a life safety hazard, shall be authorized to cause the event to be stopped until such condition or obstruction is corrected.

SECTION 108. BOARD OF APPEALS

108.1 Board of appeals established.

In order to hear and decide appeals of orders, decisions or determinations made by the fire code official relative to the application and interpretation of this code, there shall be a Building Board of Review, as provided for elsewhere by the Omaha Municipal Code. The board shall hear all such appeals and shall render all decisions and findings in writing to the appellant with a duplicate copy to the fire code official.

108.2 Limitations on authority.

An application for appeal shall be based on a claim that the intent of this code or the rules legally adopted hereunder have been incorrectly interpreted, the provisions of this code do not fully apply, or an equivalent method of protection or safety is proposed. The board shall have no
authority to waive requirements of this code.

108.3 Qualifications.

The board composition and qualifications shall be in accordance with the Omaha Municipal Code Chapter 43.

SECTION 109. VIOLATIONS

109.1 Unlawful acts.

It shall be unlawful for a person, firm or corporation to erect, construct, alter, repair, remove, demolish or utilize a building, occupancy, premises or system regulated by this code, or cause same to be done, in conflict with or in violation of any of the provisions of this code.

109.2 Owner/occupant responsibility.

Correction and abatement of violations of this code shall be the responsibility of the owner. If an occupant creates, or allows to be created, hazardous conditions in violation of this code, the occupant shall be held responsible for the abatement of such hazardous conditions.

109.3 Notice of violation.

When the fire code official finds a building, premises, vehicle, storage facility or outdoor area that is in violation of this code, the fire code official is authorized to prepare a written notice of violation describing the conditions deemed unsafe and, when compliance is not immediate, specifying a time for reinspection.

109.3.1 Service.

A notice of violation issued pursuant to this code shall be served upon the owner, operator, occupant or other person responsible for the condition or violation, either by personal service, mail, facsimile, electronic mail, or by delivering the same to, and leaving it with, some person of responsibility upon the premises. For unattended or abandoned locations, a copy of such notice of violation shall be posted on the premises in a conspicuous place at or near the entrance to such premises and the notice of violation shall be mailed by certified mail with return receipt requested or a certificate of mailing, to the last known address of the owner, occupant or both.

109.3.2 Compliance with orders and notices.

A notice of violation issued or served as provided by this code shall be complied with by the owner, operator, occupant or other person responsible for the condition or violation to which the notice of violation pertains.

109.3.3 Prosecution of violations.
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1 If the notice of violation is not complied with promptly, the fire code official is authorized to
2 request the legal counsel of the jurisdiction to institute the appropriate legal proceedings at law
3 or in equity to restrain, correct or abate such violation or to require removal or termination of the
4 unlawful occupancy of the structure in violation of the provisions of this code or of the order or
5 direction made pursuant hereto.

6 109.3.4 Unauthorized tampering.

7 Signs, tags or seals posted or affixed by the fire code official shall not be mutilated, destroyed or
8 tampered with, or removed, without authorization from the fire code official.

9 109.4 Violation penalties.

10 Persons who shall violate a provision of this code or shall fail to comply with any of the
11 requirements thereof or who shall erect, install, alter, repair or do work in violation of the
12 approved construction documents or directive of the fire code official, or of a permit or
13 certificate used under provisions of this code, shall be guilty of a misdemeanor, punishable by a
14 fine or by imprisonment, or both, as provided for in section 1-10 in the Omaha Municipal Code.
15 Each day that a violation continues after due notice has been served shall be deemed a separate
16 offense.

17 109.4.1 Abatement of violation.

18 In addition to the imposition of the penalties herein described, the fire code official is authorized
19 to institute appropriate action to prevent unlawful construction or to restrain, correct or abate a
20 violation; or to prevent illegal occupancy of a structure or premises; or to stop an illegal act,
21 conduct of business or occupancy of a structure on or about any premises.

22 SECTION 110. UNSAFE BUILDINGS

23 110.1 General.

24 If during the inspection of a premises, a building or structure, or any building system, in whole or
25 in part, constitutes a clear and iminical threat to human life, safety or health, the fire code official
26 shall issue such notice or orders to remove or remedy the conditions as shall be deemed
27 necessary in accordance with this section and shall refer the building to the planning department
28 for any repairs, alterations, remodeling, removing or demolition required.

29 110.1.1 Unsafe conditions.

30 Structures or existing equipment that are or hereafter become unsafe or deficient because of
31 inadequate means of egress or which constitute a fire hazard, or are otherwise dangerous to
32 human life or the public welfare, or which involve illegal or improper occupancy or inadequate
33 maintenance, shall be deemed an unsafe condition. A vacant structure which is not secured
34 against unauthorized entry as required by section 311 shall be deemed unsafe.
110.1.2 Structural hazards.

When an apparent structural hazard is caused by the faulty installation, operation or malfunction of any of the items or devices governed by this code, the fire code official shall immediately notify the building code official in accordance with section 110.1.

110.2 Evacuation.

The fire code official or the fire department official in charge of an incident shall be authorized to order the immediate evacuation of any occupied building deemed unsafe when such building has hazardous conditions that present imminent danger to building occupants. Persons so notified shall immediately leave the structure or premises and shall not enter or re-enter until authorized to do so by the fire code official or the fire department official in charge of the incident.

110.3 Summary abatement.

Where conditions exist that are deemed hazardous to life and property, the fire code official or fire department official in charge of the incident is authorized to abate summarily such hazardous conditions that are in violation of this code.

110.4 Abatement.

The owner, operator, or occupant of a building or premises deemed unsafe by the fire code official shall abate or cause to be abated or corrected such unsafe conditions either by repair, rehabilitation, demolition or other approved corrective action.

SECTION 111. STOP WORK ORDER

111.1 Order.

Whenever the fire code official finds any work regulated by this code being performed in a manner contrary to the provisions of this code or in a dangerous or unsafe manner, the fire code official is authorized to issue a stop work order.

111.2 Issuance.

A stop work order shall be in writing and shall be given to the owner of the property, or to the owner's agent, or to the person doing the work. Upon issuance of a stop work order, the cited work shall immediately cease. The stop work order shall state the reason for the order, and the conditions under which the cited work is authorized to resume.

111.3 Emergencies.

Where an emergency exists, the fire code official shall not be required to give a written notice
prior to stopping the work.

111.4 Failure to comply.

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 liable to a fine as provided for in section 1-10 of the Omaha Municipal Code.

SECTION 112. SERVICE UTILITIES

112.1 Authority to disconnect service utilities.

The fire code official shall have the authority to authorize disconnection of utility service to the building, structure or system in order to safely execute emergency operations or to eliminate an immediate hazard. The fire code official shall notify the serving utility and, whenever possible, the owner and occupant of the building, structure or service system of the decision to disconnect prior to taking such action if not notified prior to disconnection. The owner or occupant of the building, structure or service system shall be notified in writing as soon as practical thereafter.

SECTION 113. FEES

113.1 Fees.

A permit shall not be issued until the fees have been paid, nor shall an amendment to a permit be released until the additional fee, if any, has been paid.

113.2 Schedule of permit fees.

Fee schedule shall be as follows:

Operational Permit fees

- 105.6.2 Amusement buildings. $150.00
- 105.6.6 Combustible dust-producing operations $150.00
- 105.6.7 Combustible fibers $100.00
- 105.6.8 Compressed gases $100.00
- 105.6.9 Covered and open mall buildings $100.00
- 105.6.10 Cryogenic fluids $100.00
• 105.6.11 Cutting and welding $100.00
• 105.6.12 Dry cleaning $100.00
• 105.6.14 Explosives $150.00
• Fireworks display and storage $150.00
• 105.6.16 Flammable and combustible liquids. $100.00
• 105.6.17 Floor finishing $100.00
• 105.6.19 Fumigation and insecticidal fogging $100.00
• 105.6.20 Hazardous materials $150.00
• 105.6.21 HPM facilities $150.00
• 105.6.22 High-piled storage $100.00
• 105.6.23 Hot work operations $100.00
• 105.6.25 Lumber yards and woodworking plants $100.00
• 105.6.26 Liquid-or gas-fueled vehicles or equipment in assembly buildings $100.00
• 105.6.27 LP-gas $150.00
• 105.6.28 Magnesium $100.00
• 105.6.29 Miscellaneous combustible storage $100.00
• 105.6.30 Open burning $45.00
• 105.6.31 Open flames and torches $100.00
• 105.6.33 Organic coatings $100.00
• 105.6.34 Places of assembly
  • 0-100 persons $100.00 annually collected by the Finance Department
  • 101+ persons $150.00 annually collected by the Finance Department
• 105.6.36 Pyrotechnic special effects material $150.00
• 105.6.39 Repair garages and motor fuel-dispensing facilities $100.00
• 105.6.41 Spraying or dipping $100.00
• 105.6.42 Storage of scrap tires and tire byproducts $150.00
• 105.6.44 Tire-rebuilding plants $150.00
• 105.6.45 Waste handling $150.00
• 105.6.47 Battery systems $100.00
• 105.6.48 Flameproofing $100.00
• 105.6.49 Mobile home parks $100.00
• 105.6.50 Portable fire extinguisher and range hood systems – servicing and recharging $100.00

Construction Permit Fees

• 105.7.6 Fire alarm and detection systems and related equipment
  $75.00 fee applies to cost of material $1.00-$1499.00 (This is a new line item)
  $100.00 for $1500.00-$4999.00
  $125.00 for $5000.00-$9999.00
  $150.00 for $10000.00-$14999.00
  $200.00 for $15000.00-$19999.00
  $250.00 for $20000.00-$24999.00
  $350 for $25000.00+
  Witness testing fee of $75.00 per hour

• 105.7.8 Flammable and combustible liquids
  a) Abandonment or removal of underground tanks $ 100.00 per tank
  b) Installation of underground tanks $ 100.00 per tank
  (1) Piping only $ 100.00
c) Installation of aboveground tanks $100.00 per tank

(1) Class I and II piping only $100.00

- 105.7.15 Standpipe systems
  $150.00 per standpipe tested

- 105.7.17 General Construction Plans Review
  Fee based on percentage if the project value
  $1.00 per $1000 in valuation up to $1,000,000 in valuation
  $.50 per $1000 in valuation for amount above $1,000,000 in valuation
  $40.00 minimum amount
  No maximum amount

- 105.7.18 Day care and Child care facilities inspection fee. (Includes Adult Day Services)
  1. 1-8 client $70.00
  2. 9-12 clients $80.00
  3. 13 or more clients $90.00
  4. Any reinspection $100.00

- 105.7.19 Foster care homes $50.00
  i. Reinspection $100.00

- 105.7.20 Healthcare inspection fee.
  Residential Board and Care, Assisted Living, Developmentally Disabled, Mental Health,
  Substance Abuse Treatment Center, and Health Clinic, or any other facility not listed as
  described in the Healthcare Facilities Licensure Act
  1. Initial inspection $100.00 for up to 50 beds
  2. $125.00 for 51 to 100 beds
  3. $200.00 for 101 or more beds
  4. Each reinspection $100.00

- 105.7.21 Hospital inspection fee
  1. Initial inspection $100.00 for up to 50 beds
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2. $125.00 for 51 to 100 beds
3. $200.00 for 101 or more beds
4. Each reinspection $100.00

- 105.7.22 Liquor License Permit.
Fees are scaled on the class of license being issued:

1. Off-premises consumption only $100.00
2. All other $150.00
3. Reinspection of either $100.00

- 105.7.23 Fire Prevention Compliance Notification follow-up.
All parties who receive a Fire Prevention Compliance Notification shall be subject to the
following fees for inspection to insure the violation has been corrected:

For the Initial inspection after notice- No Charge (If Problem Has Been Corrected)

For the 1st, 2nd, and 3rd re-inspection after initial inspection if problem has not been
corrected:

$100.00 per reinspection for violations or permit requirements

- 105.7.24 Real Estate title search request.
Requests to provide a report as to whether property at a particular address has been
subject to a compliance notification, has had permits issued, or has had underground
tanks shall be subject to a fee to offset the cost incurred in performing the search.
Real Estate Research Report $50.00 per address minimum
$25.00 per hour of time to gather information after first hour.

Other Fees:

- Knox box Locking and securing keys
  $25.00 per Knox Box to verify key(s) for the building and secure them in the Knox Box.

113.3 Work commencing before permit issuance.

Any person who commences any work, activity or operation regulated by this code before
obtaining the necessary permits shall be subject to an additional fee established by the applicable
governing authority, which shall be in addition to the required permit fees.
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1 113.4 Related fees.
2
3 The payment of the fee for the construction, alteration, removal or demolition of work done in
4 connection to or concurrently with the work or activity authorized by a permit shall not relieve
5 the applicant or holder of the permit from the payment of other fees that are prescribed by law.
6
7 113.5 Refunds.
8
9 The fire official may authorize refunding of any fee paid for a permit issued by the fire
10 department, which was erroneously paid or collected.
11
12 The fire official shall not authorize refunding of any fee paid except upon written application
13 filed by the original permittee not later than 180 days after the date of fee payment.
14
15 The fire official may authorize refunding of not more than 75 percent of the permit fee when
16 work authorized by said permit has not been commenced.
17
18 The plan review fee is not refundable.
19
20 Exception: If no plan review has been performed at the time an application for refund is
21 received, the fire official may authorize refunding of not more than 80 percent of the plan review
22 fee.
23
24 The refund of fees under this section shall be subject to the further requirement that the city shall
25 retain a minimum of $20.00 from each permit fee to be refunded.
26
27 Sec. 46-4. Specific amendments.
28
29 The following amendments are made to the following portions of The International Fire
30 Code, 2012 edition:
31
32 Section 301.2 – delete “306” and “and 315.”
33
34 Section 307.2 – Add to end of first sentence “or a recreational fire.”
35
36 Section 501.3 Construction Documents – add “private” before fire hydrant and “when
37 required by the fire code official,” to the end of the sentence.
38
39 Section 503.1.1 Buildings and facilities Exception (1) delete “903.1.2 or 903.1.3.”
40
41 Section 503.2.1 Dimensions – Change “20 feet (6096 mm)” to “24 feet (7315.2 mm).”
42
43 Section 503.2.7 Grade – Delete and insert “The grade of the fire apparatus access road
44 shall be a maximum of 19% unless approved by the fire code official.”
NEW SECTION 503.2.9 Appendix D may be used as an alternative option.

Section 503.3 Marking – Delete and insert “Where required by the code official, signs shall be posted at each fire apparatus access road to identify such roads and prohibit the obstruction thereof. Signs shall read: “Fire Lane – No Parking Anytime – Omaha Municipal Code”. All signs shall have a white reflective background with red letters, and shall be maintained in a clean and legible condition at all times. If there is a curb along the fire lane, the curb shall be painted red or yellow.”

Section 506.1 Where required – Delete and insert “Approved Knox-Box brand key lock boxes shall be installed on all structures or areas that include but are not limited to:

1) Buildings with fire alarm users or sprinkler systems.

2) Buildings with elevators.

3) Buildings or areas that are restricted by way of a security gate or door or have a similar restricted entry.

4) Buildings secured or restricted where gaining immediate access by Omaha Fire Department is imperative.

Section 506.1.1 Locks – Insert “Knox-Box brand” after approved.

Section 507.5.1 – Change “400 feet (122 m)” to “600 feet (183 m)” and delete both exceptions.

Section 507.5.3 (1) – Delete all after types: insert “shall be served by a minimum of a 6 inch main, and shall be approved by the Omaha Planning Department as well as certified by the Metropolitan Utilities District.”

Section 507.5.6 – Insert “private” between where and fire.

Section 610.1 – Insert “and NFPA 96” after 57.

Section 903.2.12 Change “Section 3313” to “Section 3314.”

Section 912.3.1 Locking Fire Department Connection Caps – delete and insert “The fire code official authorizes the use of Knox locking caps for fire department connections for water based fire protection systems. Existing systems shall be updated when the five year internal inspection is done on the system. Backflushing of the system shall be performed immediately prior to the installation of the locking caps. All new water based fire protection systems shall have locking caps on installation of the system.”
Section 2001.3 Permits – Delete “to operate aircraft refueling vehicles,” insert “for” before application.

Section 3405.1 Individual Piles – Add new first sentence – “These regulations shall apply to outdoor storage of tires where 50 or more tires are stored.” Change “5000 square feet (464.5 M2)” to “2500 square feet (232.3 M2),” and change “50,000 cubic feet (1416 M3)” to “25,000 cubic feet (707.92 M3).” Add – “A maximum of two tire piles may be established on a single site.”

Section 3405.6 – Delete.

NEW SECTION 3405.8 – Add a new section that reads as follows ”Bond. As a condition of the issuance or continuation of any permit authorizing the outdoor storage of tires, the applicant or permittee shall file with the city clerk a bond in favor of the city, with good and sufficient surety, in the amount of $20,000. This bond shall be conditioned that the applicant or permittee, as principal, shall faithfully perform all of the requirements imposed upon the outdoor tire storage operation by federal, state, and local law; and shall perform such cleanup, moving, or removal of tires as is required by federal, state, or local law. This section shall apply immediately to all applications or renewal requests submitted after the effective date of this section. Holders of permits as of the effective date of this section shall file the required bond within 90 days of the effective date of this section.

Once every two years after the effective date of this section, the city shall inspect all sites licensed under this section. If such an inspection finds that the fair and reasonable cost to lawfully remove and dispose of all tires stored on the site exceeds $20,000, then the amount of the required bond for that site shall be immediately increased to equal that cost. In such case, the license holder shall be so notified, and shall provide the required bond within 30 days. Nothing in this section shall be construed to permit the storage of a volume of tires in excess of that which is otherwise allowed by law.”

Section 3407.1 – Delete and insert “Where required. A firmly anchored fence or other approved method of security that controls unauthorized access to the storage yard shall surround the storage yard.”

Section 3407.2 Construction – Change “6 feet (1829 mm)” to “10 feet (2048 mm).”

Section 3504.2.1 When required – Change “30 minutes” to “2 hours” and change “extend” to “modify.”

Section 5001.1 Scope – Add “and NFPA 400” after chapter.

Section 5601.1.3 Fireworks – Add exception 5 “The possession, storage, sale, handling and use of “consumer fireworks,” as such term is defined by NEB. REV. STAT. section 28-1241, as amended.”
Appendix C

Section C106 – Private Hydrants

C106.1 Private hydrants must meet Metropolitan Utilities District specifications.

C106.2 Private hydrants shall be maintained by licensed plumbers or Metropolitan Utilities District employees.

C106.3 Private hydrants shall be painted to Metropolitan Utilities District specifications.

C106.4 Private hydrants supplied by wells or not certified by Metropolitan Utilities District shall be painted red.

C106.5 All new or replaced private hydrants shall have a final inspection and be tested by the Omaha Fire Department and Omaha Planning Department.

C106.6 Private hydrants not certified and maintained by Metropolitan Utilities District shall be inspected annually by a certified plumber and inspection records kept on the premises.

Sec. 46-5 Referenced standards.

The reference standards for this Fire Code are revised as follows:

Chapter 80 Referenced Standards

In the ICC Standards:


Change “IMC – 12 International Mechanical Code” to “Mechanical Code: The mechanical code for this jurisdiction shall be Chapter 40 of the Omaha Municipal Code.”


In the NFPA standards:

Change 12 – 11 to 12 – 15
Change 12A – 09 to 12A – 15
Change 13 -10 to 13 – 13
Change 13D – 10 to 13D – 13
Change 13R – 10 to 13R – 13
Change 14 – 10 to 14 – 13
Change 16 – 11 to 16 – 15
Change 17 – 09 to 17 – 13
Change 17A -09 to 17A – 13
Change 20 – 10 to 20 – 13
Change 22 – 08 to 22 – 13
Change 24 – 10 to 24 – 13
Change 25 – 11 to 25 – 14
Change 30 – 12 to 30 – 15
Change 30A – 12 to 30A – 15
Change 30B – 11 to 30B – 15
Change 30 – 11 to 31 – 15
Change 34 – 11 to 34 – 15
Change 52 – 10 to 52 – 13
Change 55 – 10 to 55 – 12
Change 58 – 11 to 58 – 14
Change 59A – 09 to 59A – 15
Change 70 – 11 to 70 – 14
Change 72 – 10 to 72 – 13
Change 85 – 11 to 85 – 15
Change 86 – 11 to 86 – 15
Change 99 – 10 to 99 – 15
Change 110 – 10 to 110 – 13
Change 204 – 07 to 204 – 15
Change 211 – 10 to 211 – 13
Add 400 – 13 Hazardous Materials Code
Change 409 – 10 to 409 – 11
Change 720 – 05 to 720 – 15
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Change 750 – 10 to 750 – 15
Change 2001 – 11 to 2001 – 15

Sec. 46-6. Geographical limits.

The geographical limits referred to in certain sections of the 2012 International Fire Code are hereby established for this Fire Code as follows:

Section 5704.2.9.6.1 - Geographic limits in which the storage of Class I, Class II, and Class III liquids in above-ground tanks outside of buildings is prohibited:

1. There shall be no storage of Class I liquids in vessels defined as tanks (60 gallons or more), or Class II liquids in amounts of 600 gallons or more, or Class III liquids in amounts of 1,000 gallons or more, unless a flammable or combustible liquid fire district is established, which requires filing an application with the chief of the fire prevention bureau (fire marshal) and receiving approval from the fire chief, the chief of the fire prevention division, the planning department, and the city council. Proximity to heavily populated and congested commercial areas will be considered with each application for a district.

2. There shall be no storage of flammable or combustible liquids in above-ground tanks without an adequate water supply as required in section 508.

3. There shall be no storage of flammable or combustible liquids in above-ground tanks without proper fire department access as required in section 503.

4. There shall be no storage of Class I, II, or IIIA combustible liquids in above-ground tanks exceeding 2,000 gallons unless the tanks are protected.

Section 5706.2.4.4 Delete.

Section 5806.2 Geographic limits in which the storage of flammable cryogenic fluids in above-ground tanks outside of buildings is prohibited:

1. There shall be no storage of Class I liquids in vessels defined as tanks (60 gallons or more), or Class II liquids in amounts of 600 gallons or more, or Class III liquids in amounts of 1,000 gallons or more, unless a flammable or combustible liquid fire district is established, which requires filing an application with the chief of the fire prevention division (fire marshal) and receiving approval from the fire chief, the chief of the fire prevention division, the planning department, and
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the city council. Proximity to heavily populated and congested commercial areas will be considered with each application for a district.

(2) There shall be no storage of flammable or combustible liquids in above-ground tanks without an adequate water supply as required in section 508.

(3) There shall be no storage of flammable or combustible liquids in above-ground tanks without proper fire department access as required in section 503.

Section 6104.2 – Geographic limits in which the storage of liquefied petroleum gas is restricted for the protection of heavily populated or congested areas: No storage of liquefied petroleum gases shall be allowed unless criteria set forth in NFPA 58 and Omaha Municipal Code chapter 40 are satisfied. Proximity to heavily populated or congested commercial areas will be considered with each application for a district.

Sec. 46-7. Severability.

That if any section, subsection, sentence, clause or phrase of this article is, for any reason, held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this article. The city council hereby declares that it would have passed this ordinance and each section, subsection, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses and phrases be declared unconstitutional.

Sec. 46-8. Time effects.

That nothing in this article or in the fire code hereby adopted shall be construed to affect any suit or proceeding impending in any court, or any rights acquired, or liability incurred, or any cause or causes of action acquired or existing, under any act or ordinance hereby repealed as cited in section 2 of this ordinance; nor shall any just or legal right or remedy of any character be lost, impaired or affected by this article.

ARTICLE III. TECHNOLOGY FEE

Sec. 46-9. Purpose.

The purpose of this article is to promote efficiency in the fire department by enhancing the technological capabilities, resources of the department and industry partners. Toward that end, the technology fee established and collected under this article shall be intended to defray the costs of enhancing the technological resources of the fire department, to better serve the community.

Sec. 46-10. Technology fee.
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There is hereby established a technology fee. The said fee shall be a surcharge to be
added to any fee paid to the fire department for any permit, inspection, or other item sought from
or performed by the fire department. The amount of the additional technology fee shall not
exceed eight percent of the underlying fee charged and shall not in any event exceed $100.00 per
item.

Underlying fees charged for permit, etc.: Maximum technology and training fee charged:
$0.00—$624.99 8% of underlying fees
$625.00—$2499.99 $50.00
$2500.00 and over $100.00

Section 2. That Chapter 46 of the Omaha Municipal Code as heretofore existing is
hereby repealed.

Section 3. That this Ordinance shall be in full force and take effect fifteen days from and
after the date of its passage.

INTRODUCED BY COUNCILMEMBER

________________________  APPROVED BY:

________________________  MAYOR OF THE CITY OF OMAHA  DATE

PASSED __________________

ATTEST:

________________________  CITY CLERK OF THE CITY OF OMAHA  DATE

APPROVED AS TO FORM:

________________________  DEPUTY CITY ATTORNEY  DATE

PLAW - CITY COUNCIL DOCUMENTS/2015/30126dlmamnd