

## CHAPTER 156

### FIRE PREVENTION CODE

156.01 Adoption of International Fire Code  
156.02 Establishment of Limits

156.03 Recreational Fires

**156.01 ADOPTION OF INTERNATIONAL FIRE CODE.** The *International Fire Code*, 2009 Edition, including Appendix Chapters B, C, D, E, F, G, H, & I, as published by the International Code Council, is hereby adopted with the following amendments:

1. Delete Section 108, Board of Appeals.
2. Delete definitions for ‘Awning’, ‘Basement’, ‘Boarding House’, ‘Building’, ‘Building Official’, ‘Canopy’, ‘Dwelling’, ‘Dwelling Unit’, ‘Lot’, ‘Story’, ‘Townhouse’, and ‘Yard’ from Section 202, Definitions.

#### **156.02 ESTABLISHMENT OF LIMITS.**

1. Storage of Explosives and Blasting Agents. The limits referred to in the *International Fire Code*, in which storage of explosives and blasting agents is prohibited, are hereby established as follows: “within the City limits.”
2. Manufacture and Storage of Fireworks. The limits referred to in the *International Fire Code*, in which manufacture and storage of fireworks is prohibited, are hereby established as follows: “within the City limits.”
3. Storage of Flammable and Combustible Liquids and Anhydrous Ammonia in Outside Aboveground Tanks and Bulk Plants.
  - A. The limits referred to in the *International Fire Code* in which storage of flammable or combustible liquids and anhydrous ammonia in outside aboveground tanks is prohibited, are hereby established as follows: “within the City limits, with exception of the I-3 Heavy Industrial District near Business Highway 75 and Industrial Road in the southwest part of the City, provided that such storage is permitted under the Zoning Ordinance.” (In the case of combustible liquids, such as gasoline, all existing installations in violation of the Code shall be permitted to continue for a period of not more than two (2) years or upon discontinuance of use, whichever comes first. This clause shall be taken as an exception to the general provisions of the *International Fire Code*.)
  - B. The limits referred to in the *International Fire Code* in which new bulk plants for flammable or combustible liquids are prohibited, are hereby established as follows: “within the City limits, with the exception of the I-3, Heavy Industrial District near Business Highway 75 and Industrial Road in the southwest part of the City, provided that such storage is permitted under the Zoning Ordinance.”
  - C. The limits referred to in the *International Fire Code* with regard to establishment of the aboveground storage of flammable or combustible

liquids (Class I and Class II liquids) are hereby established as follows: “for locations and use for its business only.” Commercial resale and dispensing shall be prohibited and all existing shall be permitted to continue until tanks need to be replaced. The size of dispensing aboveground tanks shall be 1,100 gallons or less and approved by the Fire Chief. Within the City limits, aboveground tanks are prohibited in the residential and other areas that may constitute a distinct hazard to life or property in the opinion of the Fire Chief. There shall be no more than a total of 1,100 gallons of aboveground storage capacity on any one permitted site. Any installation dispensing motor vehicle fuel shall comply with any applicable provisions of rules of the State Fire Marshal adopted pursuant to Chapter 101 of the *Code of Iowa* and with *National Fire Protection Association Standard 30*, 2008 edition, and *National Fire Protection Association Standard 30A*, 2008 edition.

4. Liquefied Petroleum Gases. The limits referred to in the *International Fire Code* in which storage of liquefied petroleum gas is restricted are hereby established as follows:

A. There is to be a maximum limit of 125 gallon tank for aboveground storage of liquefied petroleum gases within the City limits. These tanks shall meet Table 3804.3 of the *2009 International Fire Code*. The minimum distance for aboveground containers shall be measured from the pressure relief device and the filling or liquid level gauge vent connection at the container.

B. All underground tanks shall meet the requirements limits referred to in the *International Fire Code*.

C. The rules under this section shall make reasonable provisions for facilities which were in service prior to the effective date of these regulations and not in strict conformity therein. Such facilities may continue in service unless the nonconformity is such as to constitute a distinct hazard to life or adjoining property. Should this nonconformity be considered as distinctly hazardous in the sold discretion of the City Fire Chief, then such facilities and tanks shall be eliminated and compliance under these rules mandated.

D. All properties currently using LP gas tanks may continue to do so until such time as the City of Le Mars approved natural gas franchise utility becomes reasonably available to the property owner. Upon determination of the reasonable availability the property owner at the owner’s expense shall connect to the City of Le Mars national gas franchise utility within two years of that availability.

E. The Fire Chief for the City of Le Mars may approve upon application and issuance of a City permit the use of temporary liquid petroleum gas tanks for construction projects or certain occasions. In particular installation the Le Mars City Fire Chief may in his sole discretion consider amendments to this section after consideration of special features such as topographical conditions, nature of occupancy, and proximity to buildings, capacity of proposed liquid petroleum gas containers, degree of the fire protection to be provided and capabilities of the local fire department.

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F. Any bulk storage of liquefied petroleum gases shall comply with any applicable provisions of the rules adopted by the State Fire Marshal pursuant to Chapter 101 of the Code of Iowa and the *International Fire Code* as adopted by the City Code of Ordinances.

*(Subsection 4 – Ord. 888 – Aug. 11 Supp.)*

*(Chapter 156 – Ord. 884 – Aug. 11 Supp.)*

**156.03 RECREATIONAL FIRES.** Recreational fires are allowed in the City of Le Mars without the issuance of a permit. Restrictions pertaining to recreational fires are as follows:

1. Shall be located at least ten (10) feet from the nearest structure or combustible materials.
2. Shall be fueled by clean, seasoned firewood, natural gas or other clean burning fuel with emissions equal to or less than that created by seasoned firewood. No yard waste, refuse, or materials containing rubber, grease, asphalt or similar smoke producing materials, or carcasses of dead animals may be disposed of in a recreational fire.
3. Total fuel area can be no longer than three (3) feet in diameter and no higher than two (2) feet. A spark screen and top shall be used at all times during burning.
4. Shall be constantly attended by an individual eighteen (18) years of age or older until fire is extinguished.
5. A means of controlling the fire, such as a fire extinguisher, hose or bucket of water, shall be available at all times during the duration of the fire.
6. No recreational fires will be allowed when winds are twenty (20) miles per hour or more.

Police Officers, Fire Officers or the Code Enforcement Officer are authorized to require that a recreational fire be immediately discontinued if it violates this section, is deemed to be hazardous or if smoke emissions are offensive to occupants of surrounding properties.