

METROPOLITAN AIRPORTS COMMISSION

**ORDINANCE NO. 99
MSP FIRE CODE ORDINANCE**

An ordinance to promote and conserve the public safety, health, peace, convenience, and welfare by adopting the Minnesota State Fire Code as the fire code for the Minneapolis-St. Paul International Airport; to provide for the application, administration, and enforcement of that fire code; and to repeal Commission Ordinance No. 52.

The Metropolitan Airports Commission does ordain:

SECTION 1 – DEFINITIONS

- 1.1 Airport. The Minneapolis-St. Paul International Airport.
- 1.2 Board of Appeal. Body appointed by the Executive Director to hear and rule on appeals from orders issued under the fire code.
- 1.3 Code Official. Designated authority charged with the duties of administration and enforcement of the Fire Code.
- 1.4 Commission. The Metropolitan Airports Commission, a public corporation organized and operating pursuant to Chapter 500, Laws of Minnesota 1943 and amendments thereto.
- 1.5 Executive Director. The Commission's chief executive officer or a designated representative.
- 1.6 Fire Chief. The Airport Fire Department's chief officer or a designated representative.
- 1.7 Fire Code. The Minnesota State Fire Code as adopted by this Ordinance.
- 1.8 Minnesota State Fire Code. The International Fire Code 2000 as adopted and amended by the Minnesota Commissioner of Public Safety pursuant to Minnesota Statutes, Section 299F.011.
- 1.9 Person. Every natural person, firm, partnership, association, corporation or other entity.

SECTION 2 – ADOPTION OF STATE FIRE CODE

The Minnesota State Fire Code is hereby adopted as the Fire Code for the Airport. Every provision contained in the Minnesota State Fire Code, as amended by this Ordinance, and

with the addition of rules as adopted by this Ordinance, is hereby adopted and made a part of this Ordinance as if set out in full.

SECTION 3 – APPLICATION, ADMINISTRATION AND ENFORCEMENT

3.1 Code Official

The Fire Chief shall serve as the Code Official as defined by the Minnesota State Fire Code with all authority and responsibilities as granted by the Minnesota State Fire Code.

3.2 Authority

The authority granted to the Code Official includes, but is not limited to, authorization to enforce the provisions of the Fire Code, to render interpretations of the Fire Code, and to adopt policies, procedures, rules and regulations in order to clarify the application of its provisions.

3.3 Limitation on Authority

The authority to enforce and interpret the Fire Code, as well as to adopt policies, procedures, rules and regulations, is subject to the limitations placed on the Code Official's authority as set forth in the Minnesota State Fire Code.

SECTION 4 – PERMITS, INSPECTIONS, AND FEES

4.1 Procedure

Permits shall be issued, inspections conducted, and fees collected as provided for in the Minnesota State Fire Code.

4.2 Permit Fees

Permit fees shall be established as set forth in Exhibit A attached to this Ordinance. The Commission may periodically adopt or revise the permit fees by Commission action at public meetings. Prior notice of the public meetings shall be provided to interested parties that register with the Commission.

SECTION 5 – PENALTIES

5.1 Misdemeanor

Any person violating any of the provisions of this Ordinance or any of the procedures, rules, or regulations developed for the administration and enforcement of this Ordinance shall be guilty of a misdemeanor.

Enforcement of this Ordinance shall be in compliance with the procedures delineated in Minnesota Statutes, Section 299F.011, subdivision 6, or as amended.

5.2 Other Actions Not Precluded

The penalties prescribed under this Ordinance in no way preclude the Commission from taking any other action authorized by law.

SECTION 6 – GENERAL PROVISIONS

6.1 Appeals

Pursuant to Minnesota Statutes, Section 299F.011, subdivision 5a, or as amended, the Executive Director shall appoint a three-member Board of Appeal to hear and rule on appeals from orders issued under the Fire Code.

- a. Any Person receiving an order issued under the Fire Code may request a hearing before the Board of Appeal. Requests must be written and received by the Fire Chief before criminal action for noncompliance has been initiated pursuant to Section 5 of this Ordinance.
- b. If the Person demands a hearing, the Fire Chief shall so advise the Executive Director and the Executive Director shall set a time for such hearing, to be held as soon as practical. The Fire Chief shall notify the Person of the time and place of the hearing not less than five business days before the time set for the hearing.
- c. The hearing shall be conducted by the Board of Appeal, shall be recorded by electrical or mechanical recorder or by a qualified reporter, and shall proceed as follows:
 1. The Fire Chief shall present evidence that supports the facts and grounds for the order issued under the Fire Code.
 2. The Person requesting the hearing may appear in person, may be represented by counsel, may cross-examine the Fire Chief's witnesses who are present, and may present any relevant evidence relating to the facts or grounds for the order issued under the Fire Code. Any witnesses providing testimony may be cross-examined by the other party.
 3. All testimony shall be taken under oath, but both the Fire Chief and Person requesting the hearing may

introduce testimony under oath in the form of sworn statements if witnesses are unavailable or refuse to appear in person.

4. The Board of Appeal shall hear the evidence, make findings concerning the facts, and shall issue a ruling. Findings of fact and rulings shall be issued pursuant to a consensus of a simple majority of Board of Appeal members.
5. The Board of Appeal shall issue a report in writing, stating the findings and ruling as soon as practical following the hearing, but not to exceed 30 days.
6. An appeal from the Board of Appeal may be made to the Commission pursuant to Minnesota Statutes, Section 299F.011, subdivision 5a, or as amended.

6.1 Notice

Unless otherwise specified, notice as required by this Ordinance is sufficient if delivered in person, sent by U.S. mail to the last address on file with the Commission, or transmitted by facsimile. Time of “issuance” means when the notice is hand delivered, placed in the mailed, or faxed.

6.2 Provisions Severable

If any part or parts of this Ordinance is declared unconstitutional or invalid, this does not affect the validity of the remaining parts of this Ordinance. The Commission declares it would have passed the remaining parts of this Ordinance without the unenforceable provisions.

6.3 Repealer

As of the effective date of this Ordinance, Ordinance No. 52 is revoked.

6.4 Effective Date

This Ordinance is effective December 1, 2003.

**PERMIT FEES:
Comparison of Public Hearing Draft and New Revisions for M & O Draft**

<u>PERMIT</u>	<u>Public Hearing Permit Fee</u>	<u>Revised Permit Fee</u>	<u>Projected Permits 2004</u>
Fire Alarm Systems	\$50.00	\$75.00	3
Fire Sprinkler Systems	\$50.00	\$75.00	4
Above ground fuel storage tank 200-1000 gallons (Annual)	\$25.00	\$30.00	10
Above ground fuel storage tank 1001 -5000 gallons (Annual)	\$50.00	\$55.00	8
Above ground fuel storage tank 5000 gallons and above (Annual)	\$100.00	\$105.00	6
Below ground fuel storage (Annual)	\$100.00	\$105.00	15
Mobile hydrant vehicle aircraft fueling (Annual per vehicle)	\$10.00	\$15.00	25
Mobile hydrant cart aircraft fueling (Annual per cart)	\$10.00	\$15.00	100
Mobile tanker aircraft fueling (Annual per vehicle)	\$10.00	\$15.00	15
Special use BBQ permit	\$10.00	\$15.00	5
Building Demolition (Fire Protection Only)	\$25.00	\$30.00	2
Hood & Duct Cleaning	\$25.00	\$30.00	30
Fire Hydrant Use (90 day Max)	\$25.00	\$30.00	25
Special Hazard	\$50.00	\$100.00	10
Hot work permit (30 day)	\$10.00	\$15.00	50
Totals	\$7,000.00	\$9,105.00	

PERMIT DETAILS 2000 IFC Metropolitan Airports Commission

Fire Alarm Systems: This permit would only be required when 10 or more devices are installed.

Fire Sprinkler Systems: This permit would only be required when 5 or more sprinkler heads are installed new or as replacements.

Above ground fuel storage tank permits: All above ground fuel storage tanks permits include the inspection of the tank, all fuel pipes, dikes, vehicle protection, fire protection, electrical service, fire dept access and fueling and or pipeline equipment associated with the tanks.

Below Ground fuel storage tanks: All below ground fuel storage tank permits include the inspection of all above ground piping, fire protection, electrical service and all fueling equipment associated with the tank.

Mobile hydrant vehicle, cart and tanker permits: These inspections are conducted quarterly as required by the FAA. The permit fee is collected only during the first quarter inspection and is good for the full year.

Special use BBQ permit: This permit would allow the use of a BBQ for a special event if the Fire Department determines it would be safe to do so and special precautions have been taken. Each permit is only good for a maximum of 6 hours.

Building Demolition: This permit would insure proper fire safety measures have been taken to protect nearby property and limit the possibility of fire during the demolition process.

Hood & Duct Cleaning: This permit would require the Fire Department to inspect the hood & duct system as soon as the cleaning contractor has completed the work and is still at the work site so if the fire department finds any additional work that needs to be done can be completed immediately.

Fire Hydrant Use Permit: This permit would be required for any person, group or contractor who wants to use a Fire hydrant for a maximum of 90 days. When a permit is issued proper care and maintenance procedures must be followed.

Special Hazard Permit: This permit would be required whenever a special process or activity not normally conducted in the building, hangar or facility is approved by the Fire Department and special precautions have been taken. The special hazard permit is for temporary operations and is only good for a maximum of 15 days.

Hot Work Permit: This permit is requires whenever cutting, welding or other operations causing sparks, flames or hot material to be near or in-contact with combustible materials or whenever these operations are conducted in areas not designed for this type of work such as a metal or welding shop.