

ORDINANCE NO. 34-2023

AN ORDINANCE AMENDING ARTICLE III, SECTION 13-111 AND SECTION 13-112 OF THE CODE OF ORDINANCES OF THE CITY OF MONTGOMERY AND ADOPTING THE INTERNATIONAL FIRE CODE, 2021 EDITION, ALONG WITH THEIR REFERENCED PUBLICATIONS, WITH EXCEPTIONS AND ADMENDEMENTS.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF MONTGOMERY, ALABAMA, as follows:

Section I: That Section 13-111 and 13-112 be amended as follows:

Section 13-111: That pursuant to the authority granted to the cities and towns of Alabama by section 11-45-8, Code of Alabama, 1975, as amended, there is hereby adopted and incorporated by the City Council of Montgomery, Alabama, for the purpose of prescribing regulations governing the design, installation, and maintenance of buildings, all of that certain code printed in booklet form known as the International Fire Code, 2021 edition, with all of the referenced books that are published and used in association therewith, hereinafter referred to collectively as "the Code," except such portions as are hereinafter deleted, modified, amended, or supplemented as the official fire of the City of Montgomery, Alabama. New editions of the referenced publications that are issued in the time period between the adoption of this ordinance and adoption of future editions will be considered adopted collectively as "the Code," except such portions that are deleted, modified, amended or supplemented by the Montgomery Fire/Rescue and submitted to the city council of Montgomery, Alabama, for consideration. Not less than three (3) copies of said codes have been and are now filed in the office of City Clerk of the City of Montgomery, Alabama, and the same are hereby adopted and incorporated as if fully said out at length here in, and from the date on which this ordinance shall take effect, the provisions there of shall be controlling within the corporate limits and police jurisdiction of the City of Montgomery, Alabama.

Section 13-112 That the following exceptions and amendments are hereby adopted and made in the Code referred to in section I above

That the following exceptions and amendments are hereby adopted and made in the Code referred to in Section I above:

- A. That Appendix B, C, D, E, F, G, H, I, J, K and M, N of International Fire Code, 2021 edition, be adopted.
- B. Fire Apparatus Turnarounds**
International Fire Code, 2021 edition, shall be amended as follows: Section D107.1 One- or two-family dwelling residential developments. Developments of one- or two-Family dwellings where the number of dwelling units exceed 30 shall be provided with a Fire apparatus turnaround with at least 150 feet diameter and approved fire apparatus access Road in compliance with Montgomery Fire/Rescue.
- C. Open Flame Cooking Devices**
International Fire Code, 2021 Edition, shall be amended as follows: Section 308.1.4 Open Flame Cooking Devices. Charcoal Burners and other open flame devices shall not be Operated or stored on any balconies sprinklered or not sprinklered. Open flame devices shall Not be operated within 10 feet of combustible construction.
- D. Subsection (A) 102.4 Application of the Building Code.** The provision of the International Building Code as adopted by the City Council and enforced by the City of Montgomery Building Department shall apply to matters of the design and construction of new structures, and any alterations, additions, changes in use or changes in the structures required by this code, which are within the scope of the International Building Code, 2018 edition, shall be made in accordance therewith.

E. Amend the International Building Code, 2018 edition, Chapter 9, section 901.3 as follows: **901.3 Modifications.** Persons shall not remove or modify any *fire protection system* installed or maintained under the provisions of this code or the *International Fire Code* without approval by **both the Building Official and the Fire Code Official.**

F. The International Building Code (IBC), 2018 edition, at no time shall supersede the International Fire Code (IFC), 2021 edition, without the approval of the Montgomery Fire/Rescue Fire Chief.

G. Violation Penalties

International Fire Code 2021 Edition shall be amended as follows: Section 112.4

Persons who violate the provisions of this code or shall fail to comply with any of the requirements of the International Fire Code 2021 edition shall be administered a \$75.00 reinspection fee. Once a fire inspection is conducted on a business the business owner has 30 days to be in compliance with the adopted fire code. After 30 days and fire code violations have not been corrected a \$75.00 reinspection fee shall be issued. Once 90 days has past and fire code violations are not corrected the third \$75.00 reinspection fee shall be issued and the business owner shall appear before the next scheduled City Council Meeting to have their business license denied and/or revoked. Once a business license has been denied and/or revoked, they shall not be reinstated until the Montgomery City Council members have approved the reinstatement and all debts with the City of Montgomery have been satisfied through the Fire Marshal's Office.

H. (Assemblies) That Assembly Group A-2 of the International Fire Code, 2021 edition, shall be amended to add Rental halls to the Group A-2 occupancy listed in Chapter 9, section 903.2.1.2.

F 1. (Definitions) *Assembly Group A-2.* Group A-2 occupancy includes assembly uses intended for food and/or drink consumption including, but not limited to:

- a) Banquet halls/ Rental halls/ Event Centers
- b) Casinos (gaming areas)
- c) Night clubs
- d) Restaurants, cafeterias and similar dining facilities
(Including associated commercial kitchens)
- e) Taverns and bars

I. Any facility meeting requirements of 2018 IFC Group A-2 occupancy conducting business after the Bureau of Inspections scheduled work hours is considered an after-hours entertainment venue and shall be required to provide documentation showing a Life Safety Inspection was conducted by the Montgomery Fire/Rescue Bureau of Inspections within Ninety (90) days prior to renewing their business license. The Assembly shall provide a copy of said year inspection before the business license is renewed. Failure to comply may result in loss of business licenses and shall appear before the City Council for the reinstatement of license.

J. (Fire Protection Systems) If any occupancy allowing any required life safety fire protection equipment to be disabled, per 2021 International Fire Code, Chapter 9, section 901.5.1, it shall be unlawful to occupy any portion of the building or structure until the required fire detection, alarm, and suppression systems have been tested and approved.

H 1. Any occupancy found with disabled fire protection equipment shall have their occupant load reduced to zero (0), excluding maintenance personnel. If occupancy is found with disabled fire protection equipment, occupant must receive approval of fire protection systems from Montgomery Fire/Rescue Bureau of Inspections at which time the occupant load shall be reinstated.

Sec. 11-145. - Fees and procedures for annual certifications for contractors and businesses; inspections and other services performed by the city fire/rescue department.

ARTICLE IV. - FIRE ALARMS

Sec. 11-145 amended as follows: J-N

- K. (Fire Protection Systems) That Chapter 9, section 905 (Standpipe Systems) of the International Fire Code, 2021 edition, shall be amended to add the following to the end of the existing section: 901.6.1 “Only certified sprinkler contractors recognized and permitted annually by the Montgomery Fire/Rescue Bureau of Inspections office shall perform new installations, modifications, repairs, inspections, maintenance and testing of standpipes.
- L. (Fire Protection Systems) That Chapter 9, section 903 (Automatic Sprinkler System) of the International Fire Code, 2021 edition, shall be amended to add the following to the end of the existing section: 901.6.1 “Only certified sprinkler contractors recognized and permitted annually by the Montgomery Fire/Rescue Bureau of Inspections office, as a NICET III, shall perform new installations and modifications. At least NICET level II contractors (technicians) shall be required to conduct repairs, inspections, maintenance, and testing of fire sprinkler systems.”
- M. (Fire Protection Systems) That Chapter 9, section 907 (Fire Alarm and Detection System) of the International Fire Code, 2021 edition, shall be amended to add the following to the end of the existing section: 901.6.1 “Only certified fire alarm contractors recognized and permitted annually by the Montgomery Fire/Rescue Bureau of Inspections office shall perform new installations, modifications, repairs, inspections, maintenance, and testing of fire alarm systems.”
- N. (Fire Protection Systems) That Chapter 5, section 507.2.1 (Fire Protection Water Supply) of the International Fire Code, 2021 edition, shall be amended to add the following to the

End of the existing section: 901.6.1 only contractors certified by the State of Alabama and permitted annually by the Montgomery Fire/Rescue Bureau of Inspections office, shall perform new installations, modifications, and repairs of private fire service mains.”

M 1. **Private Fire Service Mains:** Plans shall be submitted in compliance with NFPA 24 Standard for the Installation of Private Fire Service Mains and Their Appurtenances, 2016 Edition before the installation of a private fire service main is started. Plans shall be submitted to the Montgomery Fire/Rescue Bureau of Inspections Office.

- O. (Fire Protection Systems) That Chapter 9, section 904.1.1 (Alternative Automatic Fire-Extinguishing System) of the International Fire Code, 2021 edition, shall be amended to add the following to the end of the existing section: 901.6.1 “Only certified fire suppression contractors recognized and permitted annually by the Montgomery Fire/Rescue Bureau of Inspections office shall perform new installations, modifications, repairs, inspections, maintenance, and testing of fire extinguishing systems in the City of Montgomery, Alabama.
- P. (Fire Protection Systems) That Chapter 9, section 901.5 (Installation, Acceptance Testing) of the International Fire Code, 2021 edition, shall be amended to add the following to the end of existing section: 901.5 “All fire protection systems and private fire main contractors shall be certified and permitted annually by the Montgomery Fire/Rescue Bureau of Inspections office”.
- O 1. Anyone working on life safety fire equipment without proper license, certification from the Montgomery Fire/Rescue Bureau of Inspections issued permit shall be given a one hundred dollar (\$100.00) fee each day unpermitted work is conducted. The fee will be due

and satisfied before certification of the life safety fire equipment is approved. No further permits or licenses will be considered/approved until all debts with the City of Montgomery are satisfied.

ARTICLE V. - FIRE ALARMS

Sec. 11-144 (Enforcement of Article Provisions) amended as follows:

Revision to Ordinance No. 21-2001, Section 9, Enforcement, Paragraph (D).

The International Fire Code, 2021 edition, shall be amended to add the following to the end of Chapter 9, section 907.8.1:

Q. The Montgomery Fire/Rescue Bureau of Inspections office will have the responsibility to notify the property owner or manager of said property with a written notice of the fire alarm system having three (3) SYSTEM MALFUCTIONS within a 12 month timespan.

1. A fee of one hundred dollars (\$100.00) will be assessed each time after the third system malfunction of the fire alarm system at the same location within a 12 month timespan, not to exceed five hundred dollars (\$500.00) in total fees.
2. Property owners failing to comply after exhausting five hundred dollars (\$500.00) in administrative fees may be required to appear before the City of Montgomery Council members to defend their actions for possible business license denial and/or revocation.

R. -(Day Care Occupancies) That Chapter 10, section 1004.2 of the International Fire Code, 2012 edition, shall be amended to add the following to the end of the existing section: “Group I-4 shall comply with IFC 2021 edition requirements and shall comply with NFPA 101 Life Safety Code, 2012 edition, Chapter 16, Tabling A. 16.1.1 Staffing (Staff to Client Ratio) shown below.” ** Department of Human Resources (DHR) does not monitor church-exempt day cares**

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Table A.16.1.1 STAFFING

Staff-to-Client Ratio	Age (Months)
1:3	0-24
1:4	25-36
1:7	37-60
1:10	61-96
1:12	≥ -97
1:3	Clients incapable of Self –preservation

S. That the legal occupancy of any existing building on date of this adoption of the International Fire Code, 2021 edition, shall remain in compliance with the existing fire code.

T. Fire protection Systems Chapter 9 Section 907.5 (Occupant Notification Systems) A fire alarm system shall annunciate at the fire alarm control unit and shall initiate notification upon activation, in accordance with occupant notification upon activation, in accordance with Sections 907.5.1. Through 907.5.2.3.3. Where a fire alarm system is required by another section of this code, it shall be activated by:

1. Automatic Fire Detectors.

2. Automatic Fire sprinkler system water flow devices.
3. Manual fire alarm boxes.
4. Automatic fire-extinguishing systems.

(Amend the following to 907.5)

All Fire Alarm Systems shall have one occupant notification device installed unless otherwise deemed necessary by the code official.

- U. Residential Group R-3 (One- and Two-Family Dwellings) shall hereby be excluded from the 2021 International Fire Code requirements of Montgomery Fire/Rescue Bureau of Inspection.

Section V. That where the Code may be contrary to existing ordinances of the City of Montgomery, Alabama, the most restrictive of either the Code or the existing ordinance will prevail.

Section VII. That when the reference is made within the Code to the duties of certain officials named therein, that the official appointed by the City of Montgomery, Alabama, to perform the duties which correspond to those of the named official in the Code shall be deemed to be the responsible official for the purpose of enforcing the provisions of the Code.

Section VIII. This ordinance and the code hereby adopted shall take effect and be in force upon its passage, approval, and publication.

Adopted this the 15th day of August, 2023.

APPROVED: AUG 17 2023



STEVEN L. REED, MAYOR

ATTEST:



BRENDA GALE BLALOCK, CITY CLERK

RESOLUTION NO. 118-2023

A RESOLUTION SETTING PUBLIC HEARING REGARDING THE PROPOSED ADOPTION OF THE INTERNATIONAL FIRE CODE AND 2021 EDITION, ALONG WITH THEIR REFERENCED PUBLICATIONS, WITH EXCEPTIONS AND AMENDMENTS.

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF MONTGOMERY, ALABAMA, as follows:

Section 13.111 That the Council of the City of Montgomery, Alabama proposes to consider the adoption of the International Fire Code, 2021 edition, together with all of the referenced books that are published and used in association therewith, hereinafter referred to collectively as “the Code,” except such portions as are hereinafter deleted, modified, amended, or supplemented as the official fire code of the City of Montgomery, Alabama, pursuant to the provision of the Code of Alabama, 1975 Section 11-45-8, and will hold a public hearing thereon at the meeting of the City Council to be held in the Council Chambers, City Hall, Montgomery, Alabama, on the 18th day of July, 2023, at 5:00 p.m., at which time all interested persons are invited to attend and express themselves upon this subject.

ARTICLE III. - FIRE PREVENTION STANDARDS

Sec. 13-111

Section II: That Ordinance No. -2021 and all subsequent amendments there to be and is hereby repealed.

That the following exceptions and amendments are hereby adopted and made in the Code referred to in section 13.111 above:

- A. That Appendix B, C, D, E, F, G, H, I, K and M, N of International Fire Code, 2021 edition, be adopted.
- B. **Fire Apparatus Turnarounds**
International Fire Code, 2021 edition, shall be amended as follows: Section D107.1 One- or two-family dwelling residential developments. Developments of one- or two-Family dwellings where the number of dwelling units exceed 30 shall be provided with a Fire apparatus turnaround with at least 150 feet diameter and approved fire apparatus access Road in compliance with Montgomery Fire/Rescue.
- C. **Open Flame Cooking Devices**
International Fire Code, 2021 Edition, shall be amended as follows: Section 308.1.4 Open Flame Cooking Devices. Charcoal Burners and other open flame devices shall not be operated or stored on any balconies sprinklered or not sprinklered. Open flame devices shall not be operated within 10 feet of combustible construction.
- D. **Subsection (A) 102.4 Application of the Building Code.** The provision of the International Building Code as adopted by the City Council and enforced by the City of Montgomery Building Department shall apply to matters of the design and construction of new structures, and any alterations, additions, changes in use or changes in the structures required by this code, which are within the scope of the International Building Code, 2018 edition, shall be made in accordance therewith.
- E. Amend the International Building Code, 2018 edition, Chapter 9, section 901.3 as follows: **901.3 Modifications.** Persons shall not remove or modify any *fire protection system* installed or maintained under the provisions of this code or the *International Fire Code* without approval by **both the Building Official and the Fire Code Official.**
- F. The International Building Code (IBC), 2018 edition, at no time shall supersede the International Fire Code (IFC), 2021 edition, without the approval of the Montgomery Fire/Rescue Fire Chief.

G. Violation Penalties

International Fire Code 2021 Edition shall be amended as follows: Section 112.4

Persons who violate the provisions of this code or shall fail to comply with any of the requirements of the International Fire Code 2021 edition shall be administered a \$75.00 reinspection fee. Once a fire inspection is conducted on a business the business owner has 30 days to be in compliance with the adopted fire code. After 30 days and fire code violations have not been corrected a \$75.00 reinspection fee shall be issued. Once 90 days has past and fire code violations are not corrected the third \$75.00 reinspection fee shall be issued and the business owner shall appear before the next scheduled City Council Meeting to have their business license denied and/or revoked. Once a business license has been denied and/or revoked, they shall not be reinstated until the Montgomery City Council members have approved the reinstatement and all debts with the City of Montgomery have been satisfied through the Fire Marshal's Office.

- H.** (Assemblies) That Assembly Group A-2 of the International Fire Code, 2021 edition, shall be amended to add Rental halls to the Group A-2 occupancy listed in Chapter 9, section 903.2.1.2.

F 1. (Definitions) *Assembly Group A-2.* Group A-2 occupancy includes assembly uses intended for food and/or drink consumption including, but not limited to:

- a) Banquet halls/ Rental halls/ Event Centers
- b) Casinos (gaming areas)
- c) Night clubs
- d) Restaurants, cafeterias and similar dining facilities
(Including associated commercial kitchens)
- e) Taverns and bars

- I.** Any facility meeting requirements of 2021 IFC Group A-2 occupancy conducting business after the Bureau of Inspections scheduled work hours is considered an after-hours entertainment venue and shall be required to provide documentation showing a Life Safety Inspection was conducted by the Montgomery Fire/Rescue Bureau of Inspections within Ninety (90) days prior to renewing their business license. The Assembly shall provide a copy of said year inspection before the business license is renewed. Failure to comply may result in loss of business licenses and shall appear before the City Council for the reinstatement of license.

- J.** (Fire Protection Systems) If any occupancy allowing any required life safety fire protection equipment to be disabled, per 2021 International Fire Code, Chapter 9, section 901.5.1, it shall be unlawful to occupy any portion of the building or structure until the required fire detection, alarm, and suppression systems have been tested and approved.

H 1. Any occupancy found with disabled fire protection equipment shall have their occupant load reduced to zero (0), excluding maintenance personnel. If occupancy is found with disabled fire protection equipment, occupant must receive approval of fire protection systems from Montgomery Fire/Rescue Bureau of Inspections at which time the occupant load shall be reinstated.

That Ordinance No. 167-2018 and all subsequent amendments there to be and is hereby repealed.

Sec. 11-145. - Fees and procedures for annual certifications for contractors and businesses; inspections and other services performed by the city fire/rescue department.

- K.** Amendment to Ordinance 7-2006 section 6.4

(Approved Occupant Load) The International Fire Code, 2021 edition, Chapter 1, section **109.6** states that 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 that constitutes a life safety hazard shall be authorized to cause the event to be stopped until such condition or obstruction is corrected.

Due process

- I 1. The owner/occupant of any building that exceeds the approved occupant load allowed by Montgomery Fire/Rescue Bureau of Inspections shall be assessed an administrative fee based on the number of people found over the occupant load. This administrative fee will be determined by the percentage over the established occupant load which will define the rate charged per person over the occupant load (see Table A). The City of Montgomery **ordinance #7-2006 section 6-4. - Overcrowding of business establishments** requires the owner to close for 16 hours. After the 16 hours, the business may reopen for their normal business hours. The administrative fee shall be paid to Montgomery Fire/Rescue at 19 Madison Avenue. The business license shall not be approved for the annual renewal until all debts with the City of Montgomery are satisfied through the Fire Marshal's Office.

Table A.

Percentage Over Occupant Load	Dollar Amount Per Person
1% to 25 %	\$ 25
26 % to 50 %	\$ 50
51% to 75 %	\$ 75
76% to 100 %	\$ 100

The owner/occupant shall attend the next scheduled council meeting following the date of violating the International Fire Code, 2021 edition, Chapter 1, section 109.6 to defend their action before the City of Montgomery Council members and to determine if the business license should be denied and/or revoked due to failure to provide a safe environment for the citizens of Montgomery, AL.

Failure of the business owner in violation of this ordinance to appear before the next scheduled City of Montgomery Council Meeting shall lose the right to operate a business inside the City of Montgomery. The business license shall be revoked until the business owner has appeared before the Council members at the next scheduled City of Montgomery Council Meeting.

Once a business license has been denied and/or revoked, they shall not be reinstated until the Montgomery Council members have approved the reinstatement and all debts with the City of Montgomery have been satisfied.

- I 2. The Fire Marshal may require the property owner to attend Municipal Court to defend Their actions.

ARTICLE IV. - FIRE ALARMS

Sec. 11-145 amended as follows: J-N

- L. (Fire Protection Systems) That Chapter 9, section 905 (Standpipe Systems) of the International Fire Code, 2021 edition, shall be amended to add the following to the end of the existing section: 901.6.1 “Only certified sprinkler contractors recognized and permitted annually by the Montgomery Fire/Rescue Bureau of Inspections office shall perform new installations, modifications, repairs, inspections, maintenance and testing of standpipes.

- M. (Fire Protection Systems) That Chapter 9, section 903 (Automatic Sprinkler System) of the International Fire Code, 2021 edition, shall be amended to add the following to the end of the existing section: 901.6.1 “Only certified sprinkler contractors recognized and permitted annually by the Montgomery Fire/Rescue Bureau of Inspections office, as a NICET III, shall perform new installations and modifications. At least NICET level II contractors (technicians) shall be required to conduct repairs, inspections, maintenance, and testing of fire sprinkler systems.”
- N. (Fire Protection Systems) That Chapter 9, section 907 (Fire Alarm and Detection System) of the International Fire Code, 2021 edition, shall be amended to add the following to the end of the existing section: 901.6.1 “Only certified fire alarm contractors recognized and permitted annually by the Montgomery Fire/Rescue Bureau of Inspections office shall perform new installations, modifications, repairs, inspections, maintenance, and testing of fire alarm systems.”
- O. (Fire Protection Systems) That Chapter 5, section 507.2.1 (Fire Protection Water Supply) of the International Fire Code, 2021 edition, shall be amended to add the following to the

End of the existing section: 901.6.1 only contractors certified by the State of Alabama and permitted annually by the Montgomery Fire/Rescue Bureau of Inspections office, shall perform new installations, modifications, and repairs of private fire service mains.”

M 1. **Private Fire Service Mains:** Plans shall be submitted in compliance with NFPA 24 Standard for the Installation of Private Fire Service Mains and Their Appurtenances, 2019 Edition before the installation of a private fire service main is started. Plans shall be submitted to the Montgomery Fire/Rescue Bureau of Inspections Office.

- P. (Fire Protection Systems) That Chapter 9, section 904.1.1 (Alternative Automatic Fire-Extinguishing System) of the International Fire Code, 2021 edition, shall be amended to add the following to the end of the existing section: 901.6.1 “Only certified fire suppression contractors recognized and permitted annually by the Montgomery Fire/Rescue Bureau of Inspections office shall perform new installations, modifications, repairs, inspections, maintenance, and testing of fire extinguishing systems in the City of Montgomery, Alabama.
- Q. (Fire Protection Systems) That Chapter 9, section 901.5 (Installation, Acceptance Testing) of the International Fire Code, 2021 edition, shall be amended to add the following to the end of existing section: 901.5 “All fire protection systems and private fire main contractors shall be certified and permitted annually by the Montgomery Fire/Rescue Bureau of Inspections office”.

O 1. Anyone working on life safety fire equipment without proper license, certification from the Montgomery Fire/Rescue Bureau of Inspections issued permit shall be given a one-hundred-dollar (\$100.00) fee each day unpermitted work is conducted. The fee will be due and satisfied before certification of the life safety fire equipment is approved. No further permits or licenses will be considered/approved until all debts with the City of Montgomery are satisfied.

ARTICLE V. - FIRE ALARMS

Sec. 11-144 (Enforcement of Article Provisions) amended as follows:

Revision to Ordinance No. 21-2021, Section 9, Enforcement, Paragraph (D).

The International Fire Code, 2021 edition, shall be amended to add the following to the end of Chapter 9, section 907.8.1:

- R. The Montgomery Fire/Rescue Bureau of Inspections office will have the responsibility to notify the property owner or manager of said property with a written notice of the fire alarm system having three (3) SYSTEM MALFUNCTIONS within a 12-month timespan.
1. A fee of one hundred dollars (\$100.00) will be assessed each time after the third system malfunction of the fire alarm system at the same location within a 12-month timespan, not to exceed five hundred dollars (\$500.00) in total fees.
 2. Property owners failing to comply after exhausting five hundred dollars (\$500.00) in administrative fees may be required to appear before the City of Montgomery Council members to defend their actions for possible business license denial and/or revocation.
- S. -(Day Care Occupancies) That Chapter 10, section 1004.2 of the International Fire Code, 2012 edition, shall be amended to add the following to the end of the existing section: “Group I-4 shall comply with IFC 2021 edition requirements and shall comply with NFPA 101 Life Safety Code, 2012 edition, Chapter 16, Tabling A. 16.1.1 Staffing (Staff to Client Ratio) shown below.” ** Department of Human Resources (DHR) does not monitor church-exempt day cares**

Table A.16.1.1 STAFFING

Staff-to-Client Ratio	Age (Months)
1:3	0-24
1:4	25-36
1:7	37-60
1:10	61-96
1:12	≥ -97
1:3	Clients incapable of Self-preservation

- T. That the legal occupancy of any existing building on date of this adoption of the International Fire Code, 2021 edition, shall remain in compliance with the existing fire code.
- U. **Fire protection Systems Chapter 9 Section 907.5 (Occupant Notification Systems)** A fire alarm system shall annunciate at the fire alarm control unit and shall initiate notification upon activation, in accordance with occupant notification upon activation, in accordance with Sections 907.5.1. Through 907.5.2.3.3. Where a fire alarm system is required by another section of this code, it shall be activated by:
1. Automatic Fire Detectors.
 2. Automatic Fire sprinkler system water flow devices.
 3. Manual fire alarm boxes.
 4. Automatic fire-extinguishing systems.
- (Amend the following to 907.5)
All Fire Alarm Systems shall have one occupant notification device installed unless otherwise deemed necessary by the code official.
- V. Residential Group R-3 (One- and Two-Family Dwellings) shall hereby be excluded from the 2021 International Fire Code requirements of Montgomery Fire/Rescue Bureau of Inspections

W. Sec. 13-8 – Fireworks

a) It shall be unlawful for any person to possess, store, offer for sale, sell at retail, or use or explode any fireworks. Any fireworks shall include any fireworks as defined by the International Fire Code, as adopted pursuant to Chapter 13, Article III of the City of Montgomery Code of Ordinances and any fireworks as contemplated and more specifically identified in 8-17-226 Code of Alabama.

(b) Notwithstanding the provisions of subsection (a) of this section, any public or private fireworks display review shall be to determine:

(1) All provisions of NFPA 1123 2018 edition and the 2021 International Fire Code are met; and

(2) Proof is shown to the fire official that the display being conducted is done by a competent operator who has been approved by the fire official and that the display is of such character and so located, discharged or fired so as not to be hazardous to property or endanger any person.

(c) A fee shall be assessed at the time of application for the fireworks display review as set forth in the schedule of fees for the Montgomery Fire/Rescue. A copy of the fee schedule is available from the office of the city clerk or on the website for the city at the Montgomery Fire/Rescue Department Bureau of Inspections page.

Section IV. Three (3) copies of said proposed Fire Code, 2021 edition, shall be filed in the office of the City Clerk on or before the June 20, 2023.


Section V. That the City Clerk of the City of Montgomery be and is hereby authorized, empowered, and directed to cause fifteen-day notice be given of the time, place, and purpose of the public hearing provided for in Section I above, by publication of this resolution once a week for two successive weeks in the Montgomery Advertiser, a newspaper of general circulation in the City of Montgomery, the first of which publications shall be made on or before the 26th day of June, 2023. The City Clerk is further directed to cause her certificate to be attached to the record of this resolution, stating the time and manner in which publication of this resolution was affected.

STATE OF ALABAMA)
COUNTY OF MONTGOMERY)
CITY OF MONTGOMERY)

I, **Brenda Gale Blalock**, City Clerk of the City of Montgomery, Alabama, DO HEREBY CERTIFY that the foregoing is a true and correct copy of a resolution which was duly adopted by the Council of the City of Montgomery, Alabama, at its regular meeting held the 20th day of June, 2023.

GIVEN under my hand and the official seal of the City of Montgomery, Alabama, this the 21st day of June, 2023.


BREND GALE BLALOCK
CITY CLERK

APPROVED: JUN 22 2023

STEVEN L. REED, MAYOR