

**AN ORDINANCE TO ADOPT A  
FIRE CODE  
FOR THE CITY OF MOBILE, ALABAMA**

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

**SECTION ONE: Code and appendices.** That, pursuant to Alabama Code Section 32-19-2 (1975), the 2009 Edition of the International Fire Code (IFC) and Appendices B, C, D, and I, along with the amendments to the same contained in this Ordinance is hereby adopted immediately as the “Fire Code of the City of Mobile.” A copy of the 2009 International Fire Code and cited appendices shall be on file in the office of the City Clerk of the City of Mobile.

**SECTION TWO: Published Ordinance.** A copy of this Ordinance shall be published pursuant and according to law, after its adoption, but it shall not be necessary for the said 2009 International Fire Code to be published in a newspaper, nor shall the same be fully published in the minutes of this Council, but this Ordinance shall be recorded in said minutes.

**SECTION THREE: Effective Date.** The said 2009 International Fire Code shall be in full force and become effective immediately after its adoption, and all ordinances heretofore adopted by the City of Mobile in conflict are hereby repealed.

**SECTION FOUR: Contractors Criteria and Qualifications.** Criteria and qualifications for fire protection systems contractors shall be set forth herein.

**Fire Protection Systems Contractor Responsibility.** In addition to the requirements as set forth herein, proof of competency is required from all individuals, agents or businesses that choose to design install and/or replace components of a fire protection system. Fire alarm and fire protection sprinkler system contractors are required to furnish a copy of their mandated Alabama State Fire Marshal’s permit. All other contractors are required to furnish copies of applicable permits, licenses, certifications or other such documentation from organizations and/or manufacturer of the system that demonstrates competency to design, install or otherwise work on fire protection systems or components of these systems or equipment.

**SECTION FIVE: Liability Insurance.** In addition to the requirements as set forth herein, it shall be the duty of every contractor applying for a permit to provide a current copy of their certificate of liability insurance by directing their Insurance Agency to fax a copy with every permit application stating coverage in the amount of one million dollars (\$1,000,000.00) and listing the City of Mobile Fire-Rescue Department Bureau of Fire Prevention as the certificate holder.

**SECTION SIX:** Chapter one of the 2009 International Fire Code shall be amended as follows:

**SECTION 101 SCOPE AND GENERAL REQUIREMENTS. Amend as follows:**

**101.1 Title. Amend as follows:**

**101.1 Title.** These regulations shall be known as the *Fire Code* of the City of Mobile, Alabama. Herein referred to as, “This Code.”

**SECTION 102 APPLICABILITY. Amend as follows:**

**102.4.1 Application of the property maintenance code. Add as follows:**

**102.4.1 Application of the property maintenance code.** The 2009 International Property Maintenance Code and adopted ordinances shall apply to all existing structures and premises; equipment and facilities for light, ventilation, space, heating, sanitation, protection from the elements, life safety, safety from fire and other hazards, and for safe and sanitary maintenance; the responsibility of owners, operators and occupants; the occupancy of existing structures and premises, and for administration, enforcement and penalties.

**102.4.2 Application of the electrical code. Add as follows:**

**102.4.2 Application of the electrical code.** The 2008 National Electrical Code and adopted ordinances shall apply to all new construction and existing building undergoing repairs, alteration, and change of occupancy.

**102.4.3 Application of the mechanical code. Add as follows:**

**102.4.3 Application of the mechanical code.** The 2009 International Mechanical Code and adopted ordinances shall apply to new construction, existing building undergoing repairs, alteration, and change of occupancy.

**102.4.4 Application of the plumbing code. Add as follows:**

**102.4.4 Application of the plumbing code.** The 2009 International Plumbing Code and adopted ordinances shall apply to the installation, alteration, repair and replacement of plumbing systems, including equipment, appliances, fixtures, fitting and appurtenances, and where connected to a water or sewage system and all aspects of a medical gas system.

**102.7 Referenced codes and standards. Amend as follows:**

**102.7 Referenced codes and standards.** The codes and standards referenced in this code and any subsequent revisions or amendments to the referenced codes and standards

thereto, shall be those that are listed in Chapter 47 and as such codes and standards shall be considered part of the requirements of this code to the prescribed extent of each such reference. When differences occur between the provisions of this code and the referenced standards, the provisions of this code shall apply.

**SECTION 103 DEPARTMENT OF FIRE PREVENTION. Amend as follows:**

**103.1 General. Amend as follows:**

**103.1 General.** The City of Mobile Fire-Rescue Department shall be under the direction of the Fire Chief. The Fire-Rescue Department shall respond to all fire calls and attend all fires within the City of Mobile and its police jurisdiction. The Fire Chief or his or her designee shall serve as the fire code official who shall be responsible for the implementation, administration and enforcement of the provisions of this code.

**103.1.1 Indemnification and liability. Add as follows:**

**103.1.1 Indemnification and liability.** Any person who requests emergency action to which the fire department responds shall indemnify and hold the city, its elected officials and employees, whole and harmless from any and all costs, liabilities, and claims for damages (including reasonable attorneys' fee, losses, expenses or similar matters) (collectively, the "losses") suffered or incurred by the city to the extent that such losses arise out of any claim or action brought by a third party relating to the emergency action.

**103.1.2 Emergency service cost recovery within the police jurisdiction. Add as follows:**

**103.1.2 Emergency service cost recovery within the police jurisdiction. Definitions.** The following definitions apply in this chapter and remain defined terms whether capitalized or not:

1. *City* means the City of Mobile, Alabama.
2. *Department* means the city's fire department.
3. *Emergency action* means any activity undertaken by the department to protect the life, health, and property of any person from fire, trauma, acute illness, and hazardous conditions outside the corporate limits and within the police jurisdiction.
4. *Person* means any natural or corporate person, business association or other business entity including a partnership, sole proprietorship, political subdivision, public or private agency of any kind, or any other legal entity that requests emergency action.
5. *Recoverable expenses* means all costs attributable to an emergency action within the police jurisdiction including, but not limited to:
  - a. Disposable materials and supplies acquired, consumed and expended specifically for the purpose of the emergency action;
  - b. Any compensation payable to employees, consultants and contractors for time and effort devoted to the emergency action;

- c. Replacement costs for city equipment that is damaged beyond reuse or repair; and
- d. Costs for service by engine or truck companies, fireboats, incident commanders, technical rescue units, technical rescue fees and incident management fees, if incurred.

**103.1.3 Recovery of expenses. Add as follows:**

**103.1.3 Recovery of expenses.**

1. Any person requesting emergency action which requires a response within the police jurisdiction shall pay to the city all recoverable expenses within thirty (30) days after receiving an itemized statement from the department.
2. *Appeal.* Any person who disagrees with the itemized statement may appeal to the fire chief by filing written notice of appeal within thirty (30) days after receiving the itemized statement. The fire chief may adjust the itemized statement if s/he finds and determines that the department erred in preparing the statement.

**SECTION 105 PERMITS. Amend as follows:**

**105.3.6 Compliance with code. Amend as follows:**

**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.

**105.4.3 Applicant responsibility. Amend as follows:**

**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. Review and approval of the fire code official does not relieve the applicant of the responsibility of compliance with this code.

**105.6.35 Private Fire Hydrants. Amend as follows:**

**105.6.35 Private Fire Hydrants.** A permit for underground piping is required for the removal from service and installation of private fire hydrants.

**105.6.43 Temporary membrane structures and tents. Amend as follows:**

**105.6.43 Temporary membrane structures and tents.** A permit for a temporary structure shall be obtained from the Building Code Official at the City of Mobile's Urban Development office. An on-site fire and life safety compliance inspection will be required from the Fire Code Official.

**SECTION 106 INSPECTIONS. Amend as follows:**

**106.2. 2 Approval Required. Add as follows:**

**106.2. 2 Approval Required.** Fire protection system contractors are required to perform pre-inspections and tests of the system and complete the National Fire Protection Association (NFPA) Installation Certification form before requesting inspection. The request for inspection shall be at least 24 hours in advance. Upon arrival for a fire protection system acceptance test the Fire Inspector shall be furnished with the original copy of the installation permit and a completed signed NFPA Installation Certification form from the contractor.

**SECTION 108 BOARD OF APPEALS. Amend as follows:**

**Delete articles 108.1 through 108.3.**

**Add new article as follows:**

**108.1 Construction Board of Appeals.** The board of appeals, herein called the Construction Board of Appeals, shall be in accordance with the applicable sections of the International Building Code and the Ordinance Adopting the International Building Code which is adopted by separate ordinance.

**SECTION 109 VIOLATIONS. Amend as follows:**

**109.3 Violation penalties. Amend as follows:**

**109.3 Violation penalties.**

a) Any person who violates a provision of this code or fails to comply with any of the requirements thereof or who erects, constructs, alters, or repairs a building or structure in violation of the approved construction documents or directive of the building official or of the fire official, or of a permit or certificate issued under the provisions of this code, shall be subject to penalties in accordance with Chapter 1 of the Mobile City Code.  
b) Violation of the provisions of the 2009 International Fire Code (IFC) shall be subject to \$250.00 fine unless otherwise listed below:

1. Working without proper license, certifications or permit. \$500.00
2. Interference with a fire code official. \$100.00

**109.3.1 Additional Remedies. Add as follows:**

**109.3.1 Additional Remedies.** The remedies provided in this code are not exclusive or in lieu of any other rights and remedies that the city may have at law or equity.

**SECTION 110 UNSAFE BUILDINGS. Amend as follows:**

**110.3 Summary abatement of unsafe buildings. Amend as follows:**

**110.3 Summary abatement of unsafe buildings.** The provisions of the currently adopted Property Maintenance Code shall apply.

**110.4 Abatement of unsafe buildings. Amend as follows:**

**110.4 Abatement of unsafe buildings.** The provisions of the currently adopted Property Maintenance Code shall apply.

**SECTION 113 FEES. Amend as follows:**

**113.2 Fees Amend as follows:**

**113.2 Fees** A permit fee schedule shall be made public and a copy will be posted in the Bureau of Fire Prevention office and City of Mobile's web site.

**SECTION SEVEN.** Chapter two of the 2009 International Fire Code shall be amended as follows:

**SECTION 202 DEFINITIONS. Amend as follows:**

**202 Child Care Facility.** A child care facility that provides care for more than five but no more than 100 children 2 ½ years or less of age, where the rooms with which the children are cared for are located on a level of exit discharge (first floor) serving such rooms has an exit door directly to the exterior, shall be classified as Group E Occupancy.

1. If all conditions listed above for child care are not met the child care facility shall be classified as Group I-4.

**SECTION EIGHT.** Chapter three of the 2009 International Fire Code shall be amended as follows:

**SECTION 308 OPEN FLAMES. Amend as follows:**

**308.4 Group R-2 occupancies. Amend as follows:**

**308.4 Group R-2 occupancies.** Open flame, fire and burning in Group R occupancies shall comply with the requirements of Sections 308.1 through 308.1.6.3 and 308.4.1. The management of multi-family residential occupancies which have balconies, decks, or

patios shall notify their tenants in writing of the prohibitions of open flame cooking devices on balconies as outlined in 308.1.4 of this code when the tenant or occupant initially occupies the building and periodically thereafter as may be necessary to ensure compliance.

**SECTION NINE.** Chapter five of the 2009 International Fire Code shall be amended as follows:

**SECTION 503 FIRE APPARATUS ACCESS ROADS. Amend as follows:**

**503.2.3 Surface. Amend as follows:**

**503.2.3 Surface.** Fire apparatus access roads shall be designed and maintained in accordance with: Appendix D FIRE APPARATUS ACCESS ROADS Section D102.1 Access and loading. Facilities, buildings or portions of buildings hereafter constructed shall be accessible to fire department apparatus by way of an approved fire apparatus access road with asphalt, concrete or other approved driving surface capable of supporting the imposed load of fire apparatus weighting at least 75,000 pounds.

**SECTION 506 KEY BOXES. Amend as follows:**

**506.1 Where required. Amend as follows:**

**506.1 Where required.** All buildings with fire alarm and fire protection sprinkler systems are required to install an approved key box for rapid fire department entry into the building. All buildings requiring a fire department inspection for Certificate of Occupancy (CO) will require an approved key box. Entry keys/cards to all parts of the building are required to be placed in the key box and shall be maintained in accordance to 506.2.

**SECTION 507 FIRE PROTECTION WATER SUPPLIES. Amend as follows:**

**507.2.1 Private fire service mains Amend as follows:**

**507.2.1 Private fire service mains.** Shall require a permit and be installed in accordance with NFPA 24 Standard for the Installation of Private Fire Service Mains and Their Appurtenances and corresponding Annexes “A” Explanatory Material; Annex “B” Valve Supervision Issues; Annex “C” Recommended Practice for Fire Flow Testing; and Annex “D” Recommended Practice for Marking of Hydrants.

Additional requirements:

All private fire hydrants shall have a control valve located and clearly marked near the hydrant.

1. All barrels of private fire hydrants shall be light gray and all tops (bonnets) and caps shall be painted per NFPA 24 D.5.1.2 flow capacity-indicating color scheme.
2. A blue reflective hydrant marker shall be placed in the street at a right angle to the hydrant (90 degrees) approximately one foot from the center line and toward the

hydrant. Where the hydrant is on intersecting streets a marker shall be placed on both streets.

**SECTION TEN.** Chapter six of the 2009 International Fire Code shall be amended as follows:

**SECTION 603 FUEL-FIRED APPLIANCES. Amend as follows:**

**603.4.2.1.2 Clearance to buildings. Amend as follows:**

**603.4.2.1.2 Clearance to buildings.** Portable outdoor gas-fired heating appliances shall be located at least 5 feet (1524 mm) from buildings, exits, or other combustibles.

**SECTION ELEVEN.** Chapter nine of the 2009 International Fire Code shall be amended as follows:

**SECTION 901 GENERAL. Amend as follows:**

**901.2.1 Statement of compliance. Amend as follows:**

**901.2.1 Statement of compliance.** Before requesting final approval of the installation, the installing contractor shall furnish a written statement to the Bureau of Fire Prevention that the subject fire protection system has been installed in accordance with approved plans and has been tested in accordance with the manufacturer's specifications and the appropriate installation standard. Any deviations from the design standards shall be noted and copies of the approvals for such deviations shall be attached to the written statement.

**901.2.1.2 Professional certification. Add as follows:**

**901.2.1.2 Professional certification.** Automatic sprinkler system, standpipe systems and fire alarm system contractors shall be certified by the Alabama State Fire Marshal's Office before applying for permission to perform work on these systems within the City's jurisdiction. All other fire protection system contractors shall submit proof of certification from the fire protection system's manufacturer to perform work on those systems. The fire protection system permit requirements does not relieve the permitted of additional qualifications and permits required from other adopted codes and ordinances.

**901.7 Systems out of Service. Amend as follows:**

**901.7 Systems out of Service.** An approved fire watch shall be required where a fire protection system is out of service in an unprotected occupied structure.



**SECTION 904 ALTERNATIVE AUTOMATIC FIRE-EXTINGUISHING SYSTEMS. Amend as follows:**

**904.11 Commercial cooking systems. Amend as follows:**

**904.11 Commercial cooking systems.** The automatic fire-extinguishing system for commercial cooking systems shall be of a type recognized for protection of commercial cooking equipment and exhaust systems of the type and arrangement protected. Pre-engineered automatic dry- and wet-chemical extinguishing systems shall be tested in accordance with UL 300 and listed and labeled for the intended application. Other types of automatic fire-extinguishing systems shall be listed and labeled for specific use as protection for commercial cooking operations. The system shall be installed in accordance with this code, its listing and the manufacturer's installation instructions. Automatic fire-extinguishing systems of the following types shall be installed in accordance with the most recent edition of the referenced standard indicated, as follows:

1. Carbon dioxide extinguishing systems, NFPA 12
2. Automatic sprinkler systems, NFPA 13
3. Foam-water sprinkler system or foam-water spray systems, NFPA 16
4. Wet-chemical extinguishing systems, NFPA 17A.

**SECTION 907 FIRE AND DETECTION SYSTEMS. Amend as follows:**

**907.2 Where required – new buildings and structures. Amend as follows:**

**907.2 Where required – new buildings and structures.** A minimum of one manual fire alarm box shall be provided in an approved location to initiate a fire alarm signal for fire alarm systems employing automatic fire detectors or water-flow detection devices. Where other sections of this code allow elimination of fire alarm boxes due to sprinklers, a single box shall be installed.

**SECTION 912 FIRE CONNECTIONS. Amend as follows:**

**912.3.1 Locking Fire Department Connection Caps. Amend as follows:**

**912.3.1 Locking Fire Department Connection Caps.** Locking caps are required on fire department connections for water-based fire protection systems unless the fire department connection is located inside a security guard-maintained, fenced facility and the Bureau of Fire Prevention has approved the site.

**913 FIRE PUMPS. Amend as follows:**

**913.2 Protection against interruption of service. Amend as follows:**

**913.2 Protection against interruption of service.** The fire pump, driver, and controller shall be protected in accordance with NFPA 20 and the electrical code against possible interruption of service through damage caused by explosion, fire, flood, earthquake,

rodents, insects, windstorm, freezing, vandalism and other diverse conditions. All electric fire pumps shall require an emergency generator for an alternate source of power.

**SECTION TWELVE.** Chapter fourteen of the 2009 International Fire Code shall be amended as follows:

**SECTION 1404 PRECAUTIONS AGAINST FIRE. Amend as follows:**

**1404.5 Fire Watch. Amend as follows:**

**1404.5 Fire Watch.** For building demolition that is hazardous in nature, qualified personnel shall be provided to serve as an on-site fire watch. Fire watch personnel shall be provided with at least one approved means for notification to the fire department and their sole duty shall be to perform constant patrols and watch for the occurrence of fire.

**SECTION 1405 FLAMMABLE AND COMBUSTIBLE LIQUIDS. Amend as follows:**

**1405.6 Leakage and spills. Amend as follows:**

**1405.6 Leakage and spills.** Leaking vessels shall be immediately repaired or taken out of service and spills shall be cleaned up and disposed of properly. Spills in excess of 25 gallons shall be reported to the Mobile Fire-Rescue Department Communication Division.

**SECTION THIRTEEN.** Chapter sixteen of the 2009 International Fire Code shall be amended as follows:

**SECTION 1607 WARNING SIGNS. Amend as follows:**

**1607.1 When required. Amend as follows:**

**1607.1 When required.** Warning signs indicating the danger involved and necessary precautions shall be posted on all doors and entrances to the premises.

**SECTION FOURTEEN.** Chapter seventeen of the 2009 International Fire Code shall be amended as follows:

**SECTION 1703 FIRE SAFETY REQUIREMENTS. Amend as follows:**

**1703.3 Notification. Amend as follows:**

**1703.3 Notification.** The fire chief shall be notified by telephone at least 24 hours before the structure is to be closed in connection with the utilization of any toxic or flammable fumigant. Notification shall give the location of the enclosed space to be fumigated or fogged, the occupancy, the fumigants or insecticides to be utilized, the person or persons

responsible for the operation, and the date and time at which the operation will begin. Notice of any fumigation or thermal insecticidal fogging shall be served with sufficient advance notice to the occupants of the enclosed space involved to enable the occupants to evacuate the premises.

**SECTION FIFTEEN.** Chapter thirty-three of the 2009 International Fire Code shall be amended as follows:

**SECTION 3301 GENERAL. Amend as follows:**

**3301.2.4 Financial responsibility.** Amend as follows:

**3301.2.4 Financial responsibility.** Before a permit is issued, as required by Section 3301.2, the applicant shall furnish proof of approval from the Alabama State Fire Marshal and a certificate of liability insurance in the amount of one million dollars listing the City of Mobile as an additional insured.

**3301.2.4.2 Fireworks display. Amend as follows:**

**3301.2.4.2 Fireworks display.** The permit holder shall furnish proof of approval from the Alabama State Fire Marshal and a certificate of liability insurance in the amount of one million dollars listing the City of Mobile as additional insured.

**SECTION SIXTEEN. SEPARATION CLAUSE.**

If any section, sub-section, sentence, clause or phrase of this Code is for any reason held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this Code. The City Council of the City of Mobile hereby declares that it would have passed this Code and each section, subsection, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences or phrases be declared unconstitutional.

Adopted:

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City Clerk