

Subd. 5. Heaters. Electric, oil burning or gas fired heaters and heating equipment shall be underwriter's laboratory (UL) approved and must be installed pursuant to the manufacturer's installation instructions.

Subd. 6. Water Supply. Water supplies serving swimming pools shall be of a safe, sanitary quality. The installation of the pool water, supply piping and connection to the source of the supply shall be under the supervision of a licensed plumber. Disposal of water from swimming pools shall take place in accordance with applicable law.

Subd. 7. Chemical Treatment. Gaseous chlorination systems may not be used as a disinfection method of pool water. Residential swimming pools shall meet the following standards:

- A. Free chlorine. A free chlorine content shall be maintained between five-tenths and one parts per million. (High-free residual chlorine may be used.)
- B. Alkalinity. A pH level of between seven and one-tenth and seven and eight-tenths shall be maintained. (A higher pH is permitted if high-free residual chlorination is used.)
- C. Bacteriological quality. A sample of swimming pool water shall be considered satisfactory when the total bacteria count at 35 degrees centigrade does not exceed 200 colonies per milliliter and no organism of the E. coli group are present in a 10 milliliter portion or 100 milliliter portion as determined by the membrane filter method. If more than one such sample out of seven collected on different dates is unsatisfactory, the bacterial quality of the pool water will be considered unsatisfactory. Procedures and interpretations relating to bacteriological quality shall be done in accordance with the Standard Methods for the Examination of Water, Sewage and Industrial Waste, 11th Edition (1960).

Subd. 8. Operation. The pumps, filter, disinfectant and chemical feeders and related appurtenances shall be kept in operation at all times the swimming pool is in use and for such additional periods as needed to keep the pool water clear and of satisfactory bacterial quality.

Subd. 9. Inspection. The Building Official and a representative of the Water, Light and Power Commission are authorized to conduct inspections of swimming pools as they deem necessary to insure compliance with all provisions of this Section.

Subd. 10. Public Swimming Pools. All public swimming pools within the City shall comply with the Minnesota Pool Code pursuant to Minnesota Rules, Parts 4717.0150 to 4717.3975.

SECTION 415.01. FIRE CODE AND OTHER FIRE REGULATIONS.

Subd. 1. Adoption. The Minnesota State Fire Code, hereinafter "MSFC," as adopted pursuant to Minnesota Statutes Chapter 299F.011, including all amendments, rules and regulations established, adopted and published from time to time by the Minnesota Commissioner of Public Safety, through the Fire Marshall Division, is hereby adopted by

reference. When used in this Section, words and phrases shall have the same meaning as defined in the Minnesota State Fire Code unless it is apparent from the context that a different meaning is intended.

Subd. 2. Enforcement.

- A. The MSFC and any State statutes pertaining to fire and fire safety shall be enforced by the Fire Department of the City which shall be operated under the supervision of the City Fire Chief, the Council, and the Building Official under the supervision of the Council.
- B. The City may employ inspectors in order to provide additional enforcement support.

Subd. 3. Storage of Flammable or Combustible Liquids in Outside, Above Ground Tanks.

- A. Pursuant to the MSFC, storage of flammable or combustible liquids in outside, above ground tanks is prohibited in all districts except where allowed as permitted by the Chapter 34, Flammable and Combustible Liquids, of the MSFC.
- B. Temporary installations of flammable or combustible liquid tanks, used for construction purposes, may be allowed with a permit obtained from the City Fire Chief or the Building Official.

Subd. 4. Storage of Explosives and Blasting Agents. Pursuant to the MSFC, storage of explosives and blasting agents is prohibited in all districts except where permitted by Chapter 33, Explosives and Fireworks, of the MSFC.

Subd. 5. Liquified Petroleum Gases. No liquified petroleum gases shall be stored except as follows:

- A. Where a single container or the aggregate of interconnected containers is 500 or more gallons of water capacity, the installer shall obtain a permit and plan approval from the City Fire Chief or Building Official.
- B. A single container installation with a total water storage capacity of 2,000 gallons water capacity or greater, or where the aggregate of interconnected containers is greater than 2,000 gallons, shall be protected by one or more of the following methods:
 1. Buried in an approved manner.
 2. Mounded in an approved manner.
 3. Protected by an approved system for application of water.
 4. Protected by other approved means.
- C. In accordance with Chapter 38, Liquified Petroleum Gases, of the MSFC.

Subd. 6. Appeals. Whenever the City Fire Chief shall disapprove an application or refuse to grant a permit applied for, or when it is claimed that the provisions of the MSFC do not apply or that the true intent and meaning of the MSFC have been misconstrued or wrongly interpreted, the applicant may appeal from the decision to the Council within 30 days from the date of the decision.

Subd. 7. Modifications. The City Fire Chief, upon approval obtained from the Council, shall have the authority to modify any of the provisions of the MSFC upon application in writing by the owner or licensee or a duly authorized agent, where difficulties exist in carrying out a strict interpretation of the MSFC, provided that the spirit of the MSFC shall be observed, public safety secured, and substantial compliance achieved. The reasons for each such modification when granted or allowed, and the decision of the City thereon shall be entered upon the records of the City and a copy thereof furnished to each such applicant.

Subd. 8. Central Fire Alarm System. Every school building, dormitory, hospital, nursing or rest home, hotel, motel, or boarding home, and such other premises similarly used, which are designated in writing by the City Fire Chief upon notice to the owners thereof, shall install and maintain a fire alarm system which is connected directly to a central alarm station. Any such structure erected or established hereafter shall be connected to the above described system before the commencement of any such use, or uses, therein.

Subd. 9. False Alarm.

A. **Definitions.** The following terms as used in this Subdivision shall have the meanings stated:

1. “Alarm user” means the person, firm, partnership, association, corporation, company or organization of any kind which is in control of any alarm system.
2. “Fire communications center” is the facility used to receive emergency requests for service and general information from the public to be dispatched to respective emergency response units.
3. “Alarm System” means and includes any alarm installation designed to be used for the prevention or detection of burglary, robbery or fire on the premises which contain the alarm installation. Automobile alarm devices shall not be considered an alarm system under the terms of this ordinance.
4. “False alarm” means an audio, visual, computer-generated, or electronically transmitted alarm signal eliciting a response by fire, rescue or other emergency response personnel when a situation requiring a response does not, in fact, exist, and which is caused by the activation of the alarm system through mechanical failure, alarm malfunction, improper installation or the actions of the owner or lessee of an alarm system or of his or her employees, agents, or invitees, or the actions of any person on the premises where the alarm system is located. False

alarms do not include alarms caused by climatic conditions such as tornadoes, thunderstorms, or violent conditions of nature.

B. False Alarm Fees.

1. An alarm system which reports to the fire communications center more than two false alarms within any consecutive 12 month period will cause the alarm user to be charged a user fee for each false alarm in excess of 2 per consecutive 12 month period. The user fee shall be \$250.00 per false alarm and shall be charged for the third false alarm and for each subsequent false alarm within a consecutive 12 month period.
2. Any alarm user which is required by the City to pay a user fee as the result of a false alarm may make a written appeal of the false alarm charge to the City Clerk through the Fire Chief within 10 days of notice by the City of the false alarm charge. The City Clerk will have authority to make a final determination as to whether the appellant is to be charged.

C. Payment of fees.

Payment of false alarm user fees must be paid to the City Clerk within 30 days from the date of notice by the City to the alarm user. Failure to pay the fee within 30 days will cause the alarm user to be considered delinquent and subject to a late payment charge in an amount not to exceed six percent per annum or as the Council shall determine.

D. False Alarm Report Required.

When an alarm user has incurred five false alarms or more within a consecutive 12 month period, the alarm user shall submit a written report to the City Clerk within ten days after being charged with the fifth false alarm, describing actions taken or to be taken to discover and eliminate the cause of the false alarms.

E. Automatic Dialing Devices Prohibited.

No automatic dialing devices initiating a pre-recorded emergency alarm message shall be connected to the fire communications center through any telephone, cable line or other means, except when authorized by the City Clerk or the Clerk's designee.

F. Intentional False Alarms Prohibited.

No person shall intentionally make, turn in, or give a false alarm of fire, or of need for police or ambulance assistance or aid or abet in the commission of such act.

Subd. 10. Notification of Fire Department.

- A. The manager or person in control of any school, theater, place of worship, institutional building, hotel, public assembly unit, cafe, restaurant, factory, warehouse, mercantile

building, or any multiple dwelling capable of housing eight or more families or having 24 or more sleeping rooms above the first floor, or any other person who discovers a fire, smoke, heat or gases indicating that there is a fire in such building, shall immediately call the Fire Department upon the discovery of such fire, smoke, heat or gases in any such building.

- B. No manager or person in control of any structure referred to in this Section shall issue any instructions directing employees not to notify the Fire Department, or instructing them to delay in calling the Fire Department immediately upon the discovery of a fire, smoke, heat or gases indicating that there is or may be a fire.
- C. Each owner, manager or person in control of any structures referred to in this Section shall post, and keep posted, in conspicuous places in the building, a notice in a form approved by the City Fire Chief directing employees and others to call the Fire Department immediately upon the discovery of fire, smoke, heat or gases indicating that there is or may be a fire.

SECTION 416.01. MINNESOTA STATE BUILDING CODE.

Subd. 1. Building Code Adopted by Reference. The Minnesota State Building Code, as adopted by the Minnesota Department of Labor and Industry pursuant to Minnesota Statutes § 326B.101 through 326B.194, including all of the amendments, rules and regulations established, adopted and published from time to time by the Minnesota Department of Labor and Industry, is hereby adopted by reference with the exception of the optional chapters, unless specifically adopted in this Section or amendments to this Section. The Minnesota State Building Code is hereby incorporated in this Section as if fully set forth. The following optional chapters are hereby adopted and incorporated in this Section as if fully set forth in 1306: Special Fire Protection Systems: 1306.0020, Subdivision 3 – New Buildings.

Subd. 2. Application, Administration and Enforcement. The application, administration, and enforcement of the Code shall be in accordance with the Minnesota State Building Code. The code shall be enforced within the extra territorial limits permitted by Minnesota Statutes 16B.62, Subd. 1, but only if established by an amending ordinance.

The Code Enforcement Agency of Delano is the Delano City Council.

This Code shall be enforced by the Delano Building Official, or the Building Official's designee. The Delano Building Official is the Minnesota Certified Building Official designated by Delano to administer the Code (Minnesota Statute 326B.133).

Subd. 3. Permits and Fees. The issuance of permits and the collection of fees shall be as authorized in Minnesota Rules Parts 1300.0120 and 1300.0160 and accordance with the Delano fee ordinance, No.O-05-11. In addition, a surcharge fee shall be collected on all permits issued for work governed by this Code in accordance with Minnesota Statute 326B.148.

Subd. 4. Building Code Optional Chapter Regarding Fire Suppression Systems. The Minnesota State Building Code permits Delano to adopt by reference and enforce optional