

AN ORDINANCE TO AMEND AND ADD CERTAIN SECTIONS OF PART II - CODE OF ORDINANCES; TO WIT: AMEND CHAPTER 18: BUILDINGS AND BUILDING REGULATIONS., ARTICLE II. – TECHNICAL CODES, DIVISION ONE. – GENERALLY TO ADD SECTION 18-37; AMEND CHAPTER 50: FIRE PROTECTION AND PREVENTION., ARTICLE III. – FIRE PREVENTION CODE TO ADD SECTION 50-80; TO REPEAL ALL CONFLICTING ORDINANCES, TO FIX AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

WHEREAS, the Mayor and Council have previously adopted and amended APPENDIX A - ZONING, ARTICLE III. - DEFINITIONS, Section 3.2. - List of definitions., subsection 35. of the municipal zoning code to establish and define the category of “*Loft apartment or residence*” as follows:

“The upper room(s) or floor(s) of a building used as a single-family residence and meeting all building, electrical and fire safety codes imposed by any city ordinance or law of the State of Georgia and which has a sprinkler system and fire alarm system for safety purposes[;]” and

WHEREAS, the Mayor and Council for the City of Calhoun have previously adopted and amended the municipal zoning code and ordinances to allow for the renovation and/or construction in areas zoned C-1 for permitted use as such a loft apartment or residence through APPENDIX A - ZONING, ARTICLE VII. - USE REQUIREMENTS BY DISTRICTS, Section 7.8. - C-1 central business district.; and

WHEREAS, the Mayor and Council for the City of Calhoun now find that in the interest of public safety and the general welfare of the public, and specifically for those operating a business or occupying a loft apartment or residence, such a permitted use pursuant to the aforementioned zoning code provisions shall be subject to specific fire safety rules, requirements

and code provisions,

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF CALHOUN THAT THE CALHOUN CODE OF ORDINANCES, PART II, CHAPTER 18: BUILDINGS AND BUILDING REGULATIONS., ARTICLE II. – TECHNICAL CODES, DIVISION ONE. – GENERALLY AND CHAPTER 50: FIRE PROTECTION AND PREVENTION., ARTICLE III. – FIRE PREVENTION CODE BE AMENDED AS FOLLOWS:

SECTION ONE: *CHAPTER 18: BUILDINGS AND BUILDING REGULATIONS, ARTICLE II – TECHNICAL CODES, DIVISION ONE. - GENERALLY*, shall be amended to add the following language:

“ Sec. 18-37. Compliance with adopted municipal fire code provisions for loft apartment and residence.

All remodeling and building construction, and all electrical, plumbing, brick masonry and natural gas work and installations, for a permitted use of a loft apartment or residence as defined by APPENDIX A - ZONING, ARTICLE III. - DEFINITIONS, Section 3.2. - List of definitions., subsection 35 must be done in compliance with the specific fire code provisions enacted and found in CHAPTER 50 - FIRE PROTECTION AND PREVENTION, ARTICLE III. - FIRE PREVENTION CODE, SECTION 50-80. - SPECIFIC REQUIREMENTS FOR LOFT APARTMENTS OR RESIDENCES.

Secs. 18-38 – 18-60. Reserved.”

SECTION TWO: *CHAPTER 50: FIRE PROTECTION AND PREVENTION, ARTICLE III – FIRE PREVENTION CODE*, shall be amended to add the following language:

“ Sec. 50-80. Specific requirements for all permitted use and/or construction of loft apartments or residences.

A loft apartment or residence, as defined by APPENDIX A - ZONING,

ARTICLE III. - DEFINITIONS, Section 3.2. - List of definitions., subsection 35, shall be required to adhere strictly to the following:

- (1) Be equipped with a National Fire Protection Association (NFPA) Standard 13 sprinkler system, and all other floors of the same building, including the basement, shall be equipped with a fire suppression sprinkler system complying with the National Fire Protection Association (NFPA) Standard 13;
- (2) Have no doorway or window interconnection between loft/urban dwellings;
- (3) Have an exterior window or door in all sleeping rooms; except where buildings have two means of egress from the building that are a minimum, 2 hour rated and, lead directly outside the building.
- (4) Have hard wired single-station smoke alarms in all sleeping rooms;
- (5) Have smoke alarms installed outside all sleeping rooms and interconnected;
- (6) Have an audio/visual warning device interconnected to the sprinkler system water-flow device in each corridor, with pull station at each exterior exit that will activate the warning device in corridor to swelling units and the warning device in the area used as business;
- (7) Have emergency lighting and smoke detection in place in all corridors, smoke alarms shall be connected to audio/visual device;
- (8) Have a fire extinguisher in swelling-unit food-prep areas;
- (9) Have no commercial cooking equipment installed in loft/urban dwelling without meeting the requirements of National Fire Protection Association (NFPA) Standard 96;
- (10) Have a residential range tope hood system installed with all range surfaces vented directly outside with approved metal piping from range top suppression system and maintained according to manufacturer's recommendation;

- (11) The building containing the loft/urban dwelling shall be equipped with smoke-detection devices (devices) in the business areas which shall activate local alarm and audio/visual device in corridors of dwelling units.

Secs. 50-81 – 50-100. Reserved.”

SECTION THREE: This ordinance shall become effective following enactment by the Mayor and Council of the City, the public health, safety, and welfare requiring it

SECTION FOUR: All ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION FIVE: It is hereby declared to be the intention of the Mayor and Council that the sections, paragraphs, sentences, clauses, and phrases of this Ordinance are severable and if any section, paragraph, sentence, clause, or phrase shall be declared unconstitutional, or otherwise invalid by a court of competent jurisdiction, such unconstitutionality or invalidity shall not affect any of the remaining sections, paragraphs, sentences, clauses, or phrases herein.

SO ADOPTED and ENACTED this the ____ day of _____, 2017.

ATTEST:

JAMES F. PALMER, MAYOR
CITY OF CALHOUN, GEORGIA

SHARON NELSON, CMC, CITY CLERK

Date of First Reading: _____

Date of Second Reading: _____

Date of Public Reading: _____