

-ORDINANCE NO. 100-14

ORDINANCE TO AMEND SECTION D107.1 OF THE INTERNATIONAL FIRE CODE

WHEREAS, pursuant to Ordinance No. 134-12 adopted on December 18, 2012, the City of Opelika, Alabama, (the “City”) adopted by reference the International Fire Code published by the International Code Council, being particularly the 2012 edition thereof; and

WHEREAS, pursuant to the authority granted by §11-45-8(c) of the *Code of Alabama*, 1975, as amended, the City Council desires to amend Section D107.1 of the International Fire Code.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Opelika as follows:

Section 1. **Amendment.** That the *Code of Ordinances* of the City of Opelika, Alabama, is hereby amended by adding a section, to be numbered 9-31.1, which said section shall read as follows:

Sec. 9-31.1 Modifications and Amendments to International Fire Code.

The International Fire Code hereby adopted shall be modified and amended as follows:

Section D107.1 shall be amended to read as follows:

Sec. D107.1 One- or two-family dwelling residential Developments. Developments of one- or two-family dwellings where the number of dwelling units exceeds 99 shall be provided with two separate and approved fire apparatus access roads, and shall meet the requirements of D104.3.

Exceptions:

1. Where there are more than 99 dwelling units on a single public or private fire apparatus access road and all dwelling units are equipped throughout with an approved automatic sprinkler system in accordance with Section 903.1.1, 903.1.2 or 903.1.3 of the International Fire Code, access from two directions shall not be required.
2. The number of dwelling units on a single fire apparatus access road shall not be increased unless fire apparatus roads will connect with future development, as determined by the fire code official.

Section 2. **Repealer Clause.** All former ordinances or parts thereof conflicting or inconsistent with the provisions of this Ordinance or the section hereby adopted are repealed.

Section 3. **Severability.** If any section, clause, provision or portion of this Ordinance shall be held to be invalid or unconstitutional by any Court of any competent jurisdiction, said decision shall not affect any other section, clause, provision or portion of this Ordinance which is not in or of itself invalid or unconstitutional.

Section 4. **Construction.** If any section, paragraph or sentence or word of this Ordinance or the section hereby adopted be declared for any reason to be invalid, it is the intent of the City Council that it would have passed all other portions of this Ordinance and the section hereby adopted independent of the elimination therefrom of such portion that may be declared invalid.

Section 5. **Effective Date.** This Ordinance and the article hereby adopted shall take effect and be enforced immediately upon its adoption and publication as required by law.

Section 6. **Publication.** The City Clerk of the City of Opelika, Alabama is hereby authorized and directed to cause this Ordinance to be published one (1) time in a newspaper of general circulation published in the City of Opelika, Lee County, Alabama.

ADOPTED AND APPROVED this the 7th day of January, 2014.

/s/ C. E. "Eddie" Smith, Jr.

PRESIDENT OF THE CITY COUNCIL OF THE
CITY OF OPELIKA, ALABAMA

ATTEST:

/s/ R. G. Shuman

CITY CLERK

TRANSMITTED TO MAYOR on this the 7th day of January, 2014.

/s/ R. G. Shuman

CITY CLERK

ACTION BY MAYOR

APPROVED this the 7th day of January, 2014.

/s/ Gary Fuller

MAYOR

ATTEST:

/s/ R. G. Shuman

CITY CLERK