

Minutes

Monday, June 29, 2009



Land Use Committee

5:58 p.m.
Carnegie Town Hall
235 W. 10th Street

Members Present: Greg Jamison, Bob Litz and Kermit Staggers

Staff Present: Debra A. Owen, City Clerk; and Denise D. Tucker, CMC, Assistant City Clerk

Guests: Ron Bell, Building Services; Perry Volden, Sioux Falls Fire Rescue; Donn Hill, Fire Chief; Thad Schetnan, South Dakota Multi-Housing Association (SDMHA); Todd Anawski, Home Builders Association of the Sioux Empire (HBASE); Todd Boots, HBASE Legislative Committee; Amy Poppinga, *Argus Leader*; Bart Hacker, Realtor Association; Mike Cooper, Director of Planning and Building Services; Herman Otten, HBASE and Otten Construction; Jeanne Gerken, SDMHA; Gerald Gerken, SDMHA; Denise Hanzlik, SDMHA and Lloyd Company; and Corina Bittner, Costello and SDMHA.

1. Call to Order

A. Committee Chair Greg Jamison called the meeting to order at 5:58 p.m.

2. Approval of Minutes

A. A motion was made by Litz and seconded by Staggers to approve the April 27, 2009, minutes. Jamison called for a voice vote. All committee members voted yes. **Motion Passed.**

3. Discussion

A. Draft Residential Sprinkler Ordinance by Ron Bell, Zoning Services Chief Building Official; Donn Hill, Sioux Falls Fire Chief; and Perry Volden, Sioux Falls Fire Rescue Battalion Chief

- Ron Bell began his presentation stating that Zoning Services is proposing a draft ordinance to require automatic fire extinguishing systems in Group R, with the exception of one- and two-family dwellings and townhomes. Sprinkler coverage in one- and two-family dwellings and townhomes is a new requirement in the 2009 International Residential Code, which is intended to be adopted at the end of this year.
 - Bell discussed what other states were doing in regards to the sprinkler issue and the adoption of the 2009 International Residential Code.
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- Bell said Sioux Falls had one of the most lenient sprinkler ordinances and he hopes to bring the proposed ordinance before the City Council for a public forum.
- The Building Board of Appeals voted 4-1 to bring the proposed ordinance to the Land Use Committee and City Council.
- Thad Schetnan, with SDMHA, said he is opposed to the ordinance. He said as a builder he is already required to install smoke detectors and a variety of other things. Schetnan gave statistics on fire related deaths. He said there have been two fire-related deaths in multi-family housing units. He said because of the strict enforcement of building codes, there has not been a single death in the last 10 years. Schetnan said statistically it's a non issue and that it's costly to put these things in. He said it would cost approximately \$45,500 to put a system in a 12 unit building at \$3.07 a square foot. And approximately \$22,000 for a four-plex. He said any additional costs end up being passed on to residents.
- Committee Chair Greg Jamison asked if anyone in the audience was in favor of the proposed ordinance. No one responded.
- Perry Volden, Sioux Falls Fire Rescue Battalion Chief, said it's quite common to see disconnected hardwired smoke detectors and fire separation doors being latched open. He said smoke detectors and smoke alarms do nothing to stop fire growth. Volden said sprinklers help knock it down and keep fires in check. He added that 9 out of 10 times sprinklers put the fire out.
- "You can't beat a sprinkler system. At some point, as a community, you have to say let's do it right and protect our citizens. How do you put a price on a life?" said Volden.
- Committee Member Kermit Staggers asked if they ultimately want to put sprinkler systems in single family residences. Volden said yes.
- Donn Hill, Fire Chief, said since 2004, there has been \$5 million in fire loss. And when you add sprinklers, it reduces 80 percent of fire loss costs. He said 80 percent of fire deaths in the country occur in family structures, and sprinklers reduce it by 80 percent. Hill said there are costs and benefits to sprinklers.
- Jamison asked, "If we adopted this program in the future, would it be more cost effective for us as a city?" Hill said, yes. He said currently there are good fire statistics, but it would be a long time before you see savings in the city's budget.
- Staggers said you could make a good argument either way. Why not let the individual homeowner make the decision instead of us mandating it?
- Bell said the proposed ordinance does not affect homes being remodeled or repaired. He said it only kicks in when there is a change in occupancy.
- Corina Bittner, with Costello and SDMHA, said no one is arguing the benefits of a sprinkler system, but they are trying to weigh the costs. She said the national average (statistics) tells us we are already doing a good job. Bittner asked if the costs outweigh the need that we have. She said no.
- Committee Member Bob Litz said he understands both sides of the debate. He expressed some concerns. Litz said the way things have been is working and it is the way he would like to see things stay. Litz made a motion to keep things the way they are. The motion was seconded by Staggers. Bell said they want a public hearing and want the council to take a stand.
- A substitute motion to take the ordinance to Council and to recommend that it not pass was made by Litz and seconded by Staggers. A voice vote was taken and all committee members voted yes. **Motion passed.**

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4. Open Discussion

There was none.

5. Adjournment at 6:53 p.m.

A. A motion was made by Litz and seconded by Staggers to adjourn. Jamison called for a voice vote. All committee members present voted yes. **Motion Passed.**

Denise D. Tucker, CMC

Assistant City Clerk

1st Reading: _____
2nd Reading: _____
Date Adopted: _____
Date Published: _____
Effective Date: _____

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, AMENDING THE REVISED ORDINANCES OF THE CITY TO REQUIRE AUTOMATIC FIRE EXTINGUISHING SYSTEMS IN GROUP R OCCUPANCIES.

BE IT ORDAINED BY THE CITY OF SIOUX FALLS, SD:

Section 1. That Section [F]903.2.7 of Section 11-20 of Article II of Chapter 11 of the Revised Ordinances of Sioux Falls, SD, is hereby amended to read as follows:

Section [F] 903.2.7. Group R. An automatic sprinkler system installed in accordance with Section 903.3 shall be provided throughout all buildings with a Group R-1 or a Group R-4 fire area with more than eight occupants. An automatic fire-extinguishing system shall be provided throughout all buildings with a Group R-2 fire area where more than two stories in height, including basements, or having more than 16 dwelling units. Effective January 1, 2011, an automatic fire extinguishing system installed in accordance with Section 903.3 shall be provided throughout all buildings with a Group R fire area.

Exception. One- and two-family dwellings and townhomes regulated by the International Residential Code.

Section 2. That Section 903.2.7 of Section 16-15 of Article II of Chapter 16 of the Revised Ordinances of Sioux Falls, SD, is hereby amended to read as follows:

Section 903.2.7. Group R. An automatic sprinkler system installed in accordance with Section 903.3 shall be provided throughout all buildings with a Group R-1 or a Group R-4 fire area with more than eight occupants. An automatic fire-extinguishing system shall be provided throughout all buildings with a Group R-2 fire area where more than two stories in height, including basements, or having more than 16 dwelling units. Effective January 1, 2011, an automatic fire extinguishing system installed in accordance with Section 903.3 shall be provided throughout all buildings with a Group R fire area.

Exception. One- and two-family dwellings and townhomes regulated by the International Residential Code.

Date adopted: _____

Mayor

ATTEST:

City Clerk

2009 International Residential Code Sprinkler Provisions

SECTION R313 ~~SMOKE ALARMS~~ FIRE SPRINKLER SYSTEMS

R313.1 General. Effective January 1, 2011, an approved automatic fire sprinkler system shall be installed in new one-and two-family dwellings in accordance with NFPA 13D.
(Renumber subsequent sections)

R313 FIRE PROTECTION SYSTEMS AND SMOKE ALARMS

R313.1 Fire protection systems. An approved automatic fire sprinkler system shall be installed in new townhouses in accordance with NFPA 13D, except as follows:

1. Where townhouses have separation walls designed based on R317.2, Exception 2, sprinklers shall be provided to protect exterior combustible balconies, decks, porches and ground floor patios located under such combustible projections. Exterior sprinklers and supply piping shall be protected from freezing where freeze protection is required by P2603.6. Where sidewall sprinklers are installed beneath exposed wood joists, sprinklers shall be permitted to be installed with deflectors located 1 inch (25 mm) to 6 inches (152mm) below the joists, not to exceed a maximum distance of 14 inches (356 mm) below the deck.
2. Where townhouses with private garages have separation walls designed based on R317.2, Exception 2, fire sprinkler protection shall be provided in the garage. Sprinklers in garages shall be connected to a system that complies with NFPA 13D. Garage sprinklers shall be residential sprinklers or quick-response sprinklers, designed to provide a density of 0.05 gpm/ft². Garage doors shall not be considered as obstructions with respect to sprinkler placement.

R317.2 Townhouses. Each townhouse shall be considered a separate building and shall be separated by fire resistance-rated wall assemblies meeting the requirements of Section R302 for exterior walls.

Exceptions:

1. A common 2-hour fire-resistance-rated wall is permitted for townhouses if such walls do not contain plumbing or mechanical equipment, ducts or vents in the cavity of the common wall. Electrical installations shall be installed in accordance with Chapters 33 through 42. Penetrations of electrical outlet boxes shall be in accordance with Section R317.3.
2. A common 1-hour fire-resistance rated wall is permitted for townhouses equipped throughout with an automatic sprinkler system installed in accordance with R313.1. The wall shall be rated for fire exposure from both sides and shall extend to and be tight against exterior walls and the underside of the roof sheathing. Where roof surfaces adjacent to the wall are at different elevations, the rated wall shall continue to the upper roof sheathing.

**APPENDIX P
FIRE SPRINKLER SYSTEM**

The provisions contained in this appendix are not mandatory unless specifically referenced in the adopting ordinance.

~~**AP101 Fire sprinklers.** An approved automatic fire sprinkler system shall be installed in new one- and two-family dwellings and townhouses in accordance with Section 903.3.1 of the *International Building Code*.~~

3. Add standard to Chapter 43 as follows:

NFPA

13D-07 Installation of Sprinkler Systems in One- and Two-Family Dwellings and Manufactured Homes

Comparison of Other City's Residential Sprinkler Provisions

Sioux Falls Locally Modified Residential Sprinkler Provisions

[F] 903.2.7 Group R. An automatic sprinkler system installed in accordance with Section 903.3 shall be provided throughout all buildings with a Group R-1 or a Group R-4 fire area with more than eight occupants. An automatic fire-extinguishing system shall be provided throughout all buildings with a Group R-2 fire area where more than two stories in height, including basements, or having more than 16 dwelling units.

The following is a list of various communities' residential sprinkler requirements:

Fargo, North Dakota

Section 903.2.7. Group R. An automatic sprinkler system installed in accordance with Section 903.3 shall be provided throughout all buildings with a Group R fire area.

Rapid City, South Dakota

903.2.7 Group R. An automatic sprinkler system installed in accordance with Section 903.3 shall be provided throughout all buildings with a Group R fire area.

Exception: One- and two-family dwellings as per the *International Residential Code*

Pierre, South Dakota

903.2.7 Group R. An automatic sprinkler system installed in accordance with Section 903.3 shall be provided throughout all buildings with a Group R fire area.

Exception: One- and two-family dwellings as per the *International Residential Code*

Section 903.2.7. Group R. An automatic sprinkler system installed in accordance with Section 903.3 shall be provided throughout all buildings with a Group R fire area.

Sioux City, Iowa

Section 903.2.7. Group R. An automatic sprinkler system installed in accordance with Section 903.3 shall be provided throughout all buildings with a Group R fire area.

Bismarck, North Dakota

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Billings, Montana

Section 903.2.7. Group R. An automatic sprinkler system installed in accordance with Section 903.3 shall be provided throughout all buildings with a Group R fire area.

Topeka, Kansas

Section 903.2.7. Group R. An automatic sprinkler system installed in accordance with Section 903.3 shall be provided throughout all buildings with a Group R fire area.

Des Moines, Iowa

Section 903.2.7. Group R. An automatic sprinkler system installed in accordance with Section 903.3 shall be provided throughout all buildings with a Group R fire area.

Omaha, Nebraska

Section 903.2.7. Group R. An automatic sprinkler system installed in accordance with Section 903.3 shall be provided throughout all buildings with a Group R fire area.

Boulder, Colorado

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Aberdeen, South Dakota

All Group R occupancies with a threshold of greater than 12,000 square feet and more than 45 feet in height are required to be sprinklered.

Lincoln, Nebraska

[F] 903.2.7 Group R. An automatic sprinkler system installed in accordance with Section 903.3 shall be provided throughout all buildings with a Group R fire area.

Exception: A sprinkler system is not required when all of the following conditions exist:

The building is an R-2 apartment occupancy and contains 8 or fewer apartment units.

1. Separation is maintained between living units by means of one-hour fire partitions creating a complete vertical separation from foundation to roof.
2. Each living unit has its own separate exit access independent of other living units.

Cedar Rapids, Iowa

Section 903.2.7 Group R. An automatic sprinkler system, in compliance with Section 903, as applicable, shall be provided throughout buildings that have a Group R fire area where one of the following conditions exist:

1. The Group R fire area is located in a building more than two stories in height above grade.
2. The building contains more than four guest rooms, dwelling units, or combination thereof in a Group R occupancy.
3. This building includes a Group R-4 fire area.
4. Any new Group R fire area is located in a building with any other occupancy, excluding private garages.
5. For the purposes of this Section, portions of a building separated by one or more firewalls shall not be considered separate buildings.

1. The combined area on all floors, including mezzanines, exceeds 9,250 square feet (859.3 m²); or
2. The Group R fire area is located more than three stories above grade plane.

Exceptions:

- A. Group R 3 single dwelling unit buildings.
- B. Group R 3 or R 4 occupancies containing a facility licensed by the State of Minnesota shall be provided with a fire suppression system as required by the applicable licensing provision or this section, whichever is more restrictive.
- C. Attached garages need not be sprinklered throughout if a dry sprinkler is installed within 5 feet (1524 mm) of the door opening between the garage and attached residence.

For the purposes of this section, fire walls, party walls, or attached multiple fire resistive exterior walls shall not constitute separate buildings.

Exception: Fire walls, party walls, or attached multiple fire resistive exterior walls separating other occupancies not accessory to the Group R.

**Minutes
Board of Appeals
Old Commission Chambers
City Hall
Tuesday, June 23, 2009, 8 a.m.**

Members Present

Trent Christiansen, Keith Thompson, Daryl Christensen, Tim Fonder, and Julian Pearson

Guests Present

Perry Volden, Frank Ataiyan, Mike Cooper, Donn Hill, Todd Anawski, Todd Boots, and Greg Jamison

New Business

The Board was requested to review the following draft ordinance in the Building and Fire Codes concerning automatic fire extinguishing systems in Group R-Residential occupancies for input prior to presenting to the Land Use Committee of the City Council.

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Exception. One- and two-family dwellings and townhomes regulated by the International Residential Code.

A motion was made by Mr. Pearson and a second was made by Mr. Christiansen to approve the submittal of the Group R automatic fire extinguishing ordinance to the City Council. The ordinance as drafted will require automatic fire extinguishing systems to be installed in Group R fire areas constructed on January 1, 2011 and thereafter, exclusive of one- and two-family dwellings and townhomes regulated by the International Residential Code. The motion passed. Yeses, 4. Noes, 1.

Adjournment

Secretary