

Ordinance No. 037-12
 2012 Fire Code

Table of Contents
 Fire Code of Cedar Rapids

<u>SECTION NUMBER</u>	<u>TITLE</u>	<u>FIRE CODE SEC. #</u>
Section 1... Existing Fire Code Repealed		
37.01.....	Fire Code adopted	
37.02.....	Fire Marshal's Office	103
37.03.....	General	103.1
37.04.....	Legal defense	103.4.1
37.05.....	Fire Marshal's Office Personnel and Police	104.12
37.06.....	Stopping use, evacuation	104.13
37.07.....	Board of Appeals Established	108.1
37.08.....	Permit and Fees	113.6
37.09.....	Citation	114
37.10.....	General Definitions Additions	202
37.11.....	General Definitions Deletions	202
37.12.....	Reckless Use of Fire	305.5
37.13.....	Liquefied-Petroleum-Gas Container	308.1.9
37.14.....	False Alarm	401.3.4
37.15.....	Permit Required - Confined Space	409
37.16.....	Dimensions	503.2.1
37.17.....	Address Numbers	505.1
37.18.....	Exception 2 Repealed	507.5.1
37.19.....	Upholstered Furniture, all Other Occupancies	805.5
37.20.....	Qualifications	901.4.7
37.21.....	Qualifications	901.6.3
37.22.....	Group R	903.2.8
37.23.....	Alarms	903.4.2
37.24.....	Post Indicator Valve	903.7
37.25.....	Manual Fire Alarm Alternative	907.4.2.7
37.26.....	Overcrowding	1004.7
37.27.....	Locks and Latches item 2	1008.1.9.3
37.28.....	Exception	3103.12.7
37.29.....	Iowa Right to Know	5003.5.2
37.30.....	Tier II Reporting	5003.13
37.31.....	Permit Submittal	5601.2.5
37.32.....	Seizure of Fireworks	5601.7.1
Section 2..... Severability		
Section 3..... Adoption of Code		
Section 4..... Code on File		
Section 5..... Violations and Penalties		
Section 6..... Effective Date		

ORDINANCE NO. 037-12

AN ORDINANCE AMENDING THE MUNICIPAL CODE OF THE CITY OF CEDAR RAPIDS, IOWA, BY REPEALING CHAPTER 37 THEREOF ENTITLED "FIRE CODE," CONSISTING OF THE INTERNATIONAL FIRE CODE, 2006 EDITION AS AMENDED; AND ENACTING AND ADOPTING A NEW CHAPTER 37 IN LIEU THEREOF ENTITLED "FIRE CODE," BEING THIS ORDINANCE HEREAFTER SET OUT, WHICH ADOPTS BY REFERENCE, WITH CERTAIN AMENDMENTS, THE INTERNATIONAL FIRE CODE, 2012 EDITION FIRST PRINTING, INCLUDING APPENDICES B, C, D, E, F, AND G, AS PUBLISHED BY THE INTERNATIONAL CODE COUNCIL, INC., REGULATING CONDITIONS HAZARDOUS TO LIFE AND/OR PROPERTY FROM FIRE OR EXPLOSION IN THE CITY OF CEDAR RAPIDS, IOWA; AND CONTINUE A FIRE MARSHAL'S OFFICE AND PROVIDING OFFICERS THEREOF, AND DEFINING THEIR POWERS AND DUTIES IN THE ISSUANCE OF PERMITS AND COLLECTION OF FEES THEREOF; AND REGULATING THE PROHIBITION, STORAGE, HANDLING, AND USE OF FLAMMABLE OR COMBUSTIBLE OR HAZARDOUS MATERIAL; AND BY REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT THEREWITH.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CEDAR RAPIDS, IOWA, as follows:

Section 1. Chapter 37 of the Municipal Code of the City of Cedar Rapids, Iowa, entitled "FIRE CODE" is hereby repealed and a new Chapter 37 is hereby adopted in lieu thereof, as follows:

'FIRE CODE'

37.01 FIRE CODE. Except as hereinafter added to, deleted, modified, or amended, there is hereby adopted as the "Fire Code" of the City of Cedar Rapids, Iowa, that certain fire code known as the International Fire Code, 2012 Edition, including Appendices B, C, D103.6, D105, E, F, and G as published by the International Code Council, Inc. The provisions of said fire code shall be controlling for the safeguarding of life and property from the hazards of fire and explosion arising from the storage, handling, and using of hazardous substances, materials, and devices, and from conditions hazardous to life or property in the use of occupancy of buildings or premises and in all matters covered by said Fire Code within the corporate limits of the City of Cedar Rapids, Iowa, and shall be known as the "Fire Code".

37.02 103 DEPARTMENT OF FIRE PREVENTION. The title of SECTION 103 DEPARTMENT OF FIRE PREVENTION is hereby repealed and replacing with a new title as follows:

SECTION 103 FIRE MARSHAL'S OFFICE

37.03 103.1 GENERAL. Section 103.1 General is hereby *modified* by replacing the words *department of fire prevention* with the words *Fire Marshal's Office*, as follows:

Section 103.1 General. The *Fire Marshal's Office* is established within the jurisdiction under the direction of the fire code official. The function of the department shall be the implementation, administration and enforcement of the provisions of this code.

37.04 103.4.1 LEGAL DEFENSE. Section 103.4.1 Legal Defense is hereby *modified* by replacing the words *department of fire prevention* with the words *Fire Marshal's Office*, as follows:

Section 103.4.1 Legal defense. Any suit instituted against any officer or employee because of an act performed by that officer or employee in the lawful discharge of duties and under the provisions of this code shall be defended by the legal representative of the jurisdiction until the final termination of the proceedings. The fire code official or any subordinate shall not be liable for costs in an action, suit or proceeding that is instituted in pursuance of the provisions of this code; and any officer of the *Fire Marshal's Office*, acting in good faith and without malice, shall be free from

liability for acts performed under any of its provisions or by reason of any act or omission in the performance of official duties in connection therewith.

37.05 104.12 FIRE MARSHAL'S OFFICE PERSONNEL AND LAW ENFORCEMENT OFFICERS/INVESTIGATOR. Section 104.12 Fire Marshal's Office Personnel and Law Enforcement Officers/Investigator is added as follows:

Section 104.12 Fire Marshal's Office Personnel and Law Enforcement Officers/Investigator.

The Chief may appoint and designate such members of the Fire Department as investigators upon being certified by the Iowa Law Enforcement Academy. Investigators shall be authorized to engage in the or supervise the prevention, detection, investigation, or prosecution of or the incarceration of any person for any violation of law. Investigators shall be authorized to carry a firearm and have the statutory power of arrest.

Notwithstanding his / her status as a Law Enforcement Officer/Investigator shall be subject to the rules and regulations of the Cedar Rapids Fire Department for all purposes and shall perform such functions, as the Chief or his / her designee shall assign.

37.06 104.13 STOPPING USE, EVACUATION. Section 104.12 Stopping use, evacuation is hereby added as follows:

Section 104.13 Stopping use, evacuation. The fire code official is authorized to order an operation or use stopped or the evacuation of any premises, building, or vehicle or portion thereof which has or is a fire or life safety hazard.

37.07 108.1 BOARD OF APPEALS ESTABLISHED. Section 108.1 Board of appeals established is hereby repealed and replacing with a new Section 108.1 Board of appeals established, as follows:

Section 108.1 Board of appeals established. In order to hear and decide appeals concerning the suitability of alternate materials and methods of construction and to hear and decide appeals of determinations made by the fire marshal or the building official or designated representative concerning interpretations of the provisions of this Fire Code or the Building Code, there shall be and is hereby created a joint Board of Appeals for the Fire and Building Codes, consisting of seven members whose place of business, residence, or work is located in the City of Cedar Rapids, Iowa, and who are qualified by experience and training to pass upon matters pertaining to the fire and Building Codes. The fire marshal or designee shall be an ex-officio member and shall act as Secretary of the Board for appeals involving this Fire Code. The building official or designee shall be an ex-officio member and shall act as Secretary of the Board for appeals involving the Building Code. The Board of Appeals shall be appointed by the Mayor with approval of the City Council. The present Board members shall serve the remainder of their appointed terms or until their successors are duly appointed and qualified. All successive appointments or re-appointments shall be for three-year terms. The Board shall adopt reasonable rules and regulations for conducting its investigations and shall render all decisions and findings in writing to the fire marshal, with a duplicate copy to the appellant. The Board shall have no authority to waive requirements of this Fire Code or the Building Code.

37.08 113.6 PERMIT AND FEES. Section 113.6 Permit and fees is added as follows:

Section 113.6 Permit and fees. The City Council of the City of Cedar Rapids, Iowa may by resolution prescribe the occasions when permits are required and may also prescribe the fees required for such permits. The City Council of the City of Cedar Rapids, Iowa may by resolution prescribe the occasions when other fees for response or other fire department services are required.

37.09 114 CITATION. Section 114 Citation is hereby added as follows:

Section 114 Citation. Persons operating or maintaining an occupancy, premises, or vehicle subject to the requirements of this Code who allow a hazard to exist, or fail to take immediate action to abate a hazard in regard to such occupancy, premises, or vehicle, when ordered or notified to do so by the fire code official shall be guilty of a misdemeanor.

Fire code officials, or designees, are herewith authorized to issue and deliver citations on forms prepared and approved by the City Attorney's Office to persons accused of violating any of the provisions of this Ordinance.

37.10 202 GENERAL DEFINITIONS. Section 202 GENERAL DEFINITIONS shall be *modified*, by adding the following definitions:

ALARM USER. Any person or business on whose premises a fire alarm system or sprinkler system is located within the City of Cedar Rapids, Iowa.

CENTRAL BUSINESS DISTRICT. The City of Cedar Rapids area from the Cedar River to and including the easterly side of 5th St SE & from the southerly side of C Ave NE to the northerly side of 8th Ave SE.

CHARCOAL GRILL. An outdoor cooking device using solid fuels as a heat source for cooking food. Examples not limited to: charcoal, wood, wood chips, coal, or coke.

CONFINED SPACE. A space that (1) is large enough and so configured that an employee can bodily enter and perform assigned work; and (2) has limited or restricted means for entry or exit, such as tanks, vessels, silos, storage bins, hoppers, vaults, and pits; and (3) is not designed for continuous employee occupancy.

CONFINED SPACE RESCUE TEAM. Trained Fire Department personnel designed to rescue employees from permit-required confined spaces OR a confined space rescue team which complies with all Federal, State, and Local requirements.

FALSE ALARM. The willful and knowing initiation or transmission of signal, message or other notification of an event of fire when no such danger exists or an alarm caused by careless use, improper maintenance, or negligence of a fire alarm system or sprinkler system which causes response of fire department apparatus and personnel.

MULTIFAMILY COMPLEX. A residential occupancy such as: Apartment building, or condominium, or townhouse, or similar buildings with similar use.

OCCUPANCY CLASSIFICATION. The only change from this definition section of code is with the Residential Group R-3 definition. All other definitions remain the same.

Residential Group R-3. Residential occupancies where the occupants are primarily permanent in nature and not classified as R-1, R-2, R-4 or I, including:

Boarding houses (nontransient) with 16 or fewer occupants

Boarding houses (transient) with 10 or fewer occupants

Buildings that do not contain more than two dwelling units

Care facilities which provide accommodations for five or fewer persons receiving care

Congregate living facilities (nontransient) with 16 or fewer occupants

Congregate living facilities (transient) with 10 or fewer occupants

Care facilities within a dwelling. Care facilities for six or fewer persons receiving care that within a single-family dwelling are permitted to comply with the adopted Building Code (which includes the Residential Code and local amendments).

PERMIT-REQUIRED CONFINED SPACE. A confined space that has one or more of the following characteristics; (1) contains or has a potential to contain a hazardous atmosphere; (2) contains a material that has the potential for engulfing an entrant; (3) has an internal configuration such that an entrant could be trapped or asphyxiated by inwardly converging walls or be a floor which sloped downward and tapers to a smaller cross-section; or (4) contains any other recognized serious safety or health hazard.

QUALIFIED PERSON. Sprinkler or Fire Alarm System design. A qualified person for plan design shall have a minimum National Institute for Certification in Engineering Technologies [NICET] Level III certification for fire sprinkler system design OR have NICET Level III certification for Fire Alarm System design. Other qualifications for sprinkler or fire alarm system design may be approved by the fire code official, including a licensed engineer with experience in life safety system design.

Sprinkler System installation or Inspection, Testing, and Maintenance. A qualified person for Automatic Sprinkler System installation shall have a minimum National Institute for Certification in Engineering Technologies [NICET] Level II certification for Automatic Sprinkler System installation. A qualified person for Automatic Sprinkler System Inspection, Testing, and Maintenance shall have a minimum NICET Level II certification for Automatic Sprinkler System Inspection and Testing of Water Based Systems. Other qualifications for fire sprinkler system installation or inspection, testing and maintenance may be approved by the fire code official, including a person who successfully completes a five-year approved apprenticeship program as a journeyman sprinkler fitter (e.g. American Fire Sprinkler Association [AFSA], National Fire Sprinkler Association [NFSA]).

Fire Alarm System installation or Inspection, Testing, and Maintenance. A qualified person for Fire Alarm System installation shall have a minimum National Institute for Certification in Engineering Technologies [NICET] Level II certification for Fire Alarm Systems OR be factory trained and certified for the specific Fire Alarm System installation. A qualified person for Fire Alarm System Inspection, Testing, and Maintenance shall be NICET Level II certified, OR be factory trained or certified for the specific Fire Alarm System, OR be International Municipal Signal Association Fire Alarm Certified, OR be a trained and qualified person employed by an organization listed by a national testing laboratory for the servicing of fire alarm systems. Other qualifications may be approved by the fire code official.

37.11 202 GENERAL DEFINITIONS. Section 202 GENERAL DEFINITIONS shall be *modified*, by deleting the definition *CANOPY*.

37.12 305.5 RECKLESS USE OF FIRE. Section 305.5 Reckless use of fire is hereby added as follows:

Section 305.5 Reckless use of fire. No person shall so use or fire or discharge any incendiary device or material as to recklessly endanger any property or safety of another.

37.13 308.1.9 LIQUEFIED-PETROLEUM-GAS CONTAINER. Section 308.1.9 Liquefied-petroleum-gas container is hereby added as follows:

Section 308.1.9 Liquefied-petroleum-gas container. LP-Gas containers with a water capacity greater than 2.5 pounds (1.14 kg) [nominal 1 pound (0.454 kg)] LP-gas capacity shall not be located on balconies above grade in multi-family complexes.

Exception: Non-combustible balconies which are served by outside stairways which are not required exits, AND when such stairways are used to transport the container.

37.14 401.3.4 FALSE ALARM. Section 401.3.4 False alarm is hereby added as follows:

Section 401.3.4 False alarm. An alarm user may be charged a fee for each false alarm to which the Fire Department responds.

37.15 409 PERMIT REQUIRED - CONFINED SPACE. Section 409 Permit required-confined space is hereby added as follows:

Section 409 Permit required – confined space. Employers that have one or more Permit-Required Confined Space(s) shall identify an approved Confined Space Rescue Team service in their emergency plan. Fees as established by City Council may be assessed to employers who choose to identify the Fire Department as their Confined Space Rescue Team.

37.16 503.2.1 DIMENSIONS. Section 503.2.1 Dimensions is hereby *modified* by replacing the words 20 feet with the words *28 feet* and adding three *Exceptions* as follows:

Section 503.2.1 Dimensions. Fire apparatus access roads shall have an unobstructed width of not less than *28 feet*, exclusive of shoulders, except for approved security gates in accordance with Section 503.6, and an unobstructed vertical clearance of not less than 13 feet 6 inches.

Exceptions:

- 1. Fire apparatus access road width may be reduced to 24 feet of level unobstructed width when such access roads meet the definition of a Private Street as set forth in Chapter 31 of the Municipal Code of the City of Cedar Rapids subsection 31.03 (d) 2 Private Streets.*
- 2. The width may be reduced when access roads will be exclusively used for fire apparatus and when approved by the fire code official.*
- 3. Upon approval of the fire code official, vertical clearance may be reduced, provided such clearance does not impair access by fire apparatus, and approved signs are installed and maintained indicating the established vertical unobstructed clearance.*

37.17 505.1 ADDRESS NUMBERS. Section 505.1 Address numbers is hereby repealed and replaced with a new Section 505.1 Address numbers as follows:

Section 505.1 Address numbers. New and existing building shall have approved address numbers, building numbers or building identification placed in a position that is plainly legible and visible from the street or road fronting the property. Where the fire code official requires, address shall also be located in an approved location along alleys which are visible from the alley. These numbers shall contrast with their background. Address numbers, building numbers, or building identification, shall be Arabic numerals or alphabet letters. From 0 – 99 ft. from the street numbers shall be a minimum of 4 inches (102 mm) high with a minimum stroke width of 0.5 inch (12.7 mm). For each additional 100 ft from the street, the number shall increase by an additional 2 inches

height. Measurements to determine the minimum number size shall be measured from the approved address location to the center line of the street for which the premises is addressed. Where access is by means of a private road and the building cannot be viewed from the public way, a monument, pole or other sign or means shall be used to identify the structure with address numbers not less than 6 inch height. Address numbers shall be maintained.

37.18 507.5.1 EXCEPTION 2. Section 507.5.1 Exception 2 is hereby repealed.

37.19 805.5 UPHOLSTERED FURNITURE, ALL OTHER OCCUPANCIES. Section 805.5 Upholstered furniture, all other occupancies is added as follows:

Section 805.5 Upholstered furniture all other occupancies. Upholstered furniture for use within fire rated corridor spaces or for use in Assembly Occupancies shall be fire resistant and compliant with California Technical Bulletin 117 or NFPA 261.

Exception 1. Where an Assembly Occupancy is fully sprinkler protected in accordance with 903.3 upholstered furniture shall not be required to be fire resistive, *unless* such upholstered furniture is located in a fire rated corridor or exit passageway.

37.20 901.4.7 QUALIFICATIONS. Section 901.4.7 Qualifications is hereby added as follows:

Section 901.4.7 Qualifications.

1. Water Based Fire Protection Systems. Working plans submitted to the fire department for water based fire protection systems shall be stamped and approved by a qualified person as being in compliance with applicable NFPA standards and the Cedar Rapids Fire Code. Any changes to the working plans shall be approved by a qualified person.

Installation of Water Based Fire Protection Systems. Water Based Fire Protection Systems shall be installed by or overseen by a qualified person. This qualified person shall verify that all installations comply with the working plans. A Water Based Fire Protection System Record of Inspection form shall be accurately completed and submitted by the qualified person with the same information as shown in NFPA 25 (including the Backflow Prevention Assembly Test and Maintenance Record).

2. Fire Alarm Systems. Working plans submitted to the fire department by a qualified person for fire alarm systems water based fire protection systems shall be stamped and approved by a qualified person as being in compliance with applicable NFPA standards and the Cedar Rapids Fire Code. Any changes to the working plans shall be approved by a qualified person.

Installation of Fire Alarm Systems. Fire Alarm Systems shall be installed by, or overseen by, a qualified person. This qualified person shall verify that installations comply with the working plans. A Fire Alarm System Record of Completion form shall be accurately completed and submitted by the qualified person containing at least the information as shown in NFPA 72.

37.21 901.6.3 QUALIFICATIONS. Section 901.6.3 Qualifications is hereby added as follows:

901.6.3 Qualifications.

1. Inspection, Testing, and Maintenance for Water Based Fire Protection Systems. Inspection, Testing, and Maintenance for Water Based Fire Protection Systems shall be conducted by a qualified person. A Water Based Fire Protection System Record of Inspection form shall be completed annually with the same information as shown in NFPA 25.

2. Inspection, Testing, and Maintenance for Fire Alarm Systems. Inspection, Testing, and Maintenance for Fire Alarm Systems shall be conducted by a qualified person. A Fire Alarm Inspection and Testing form shall be accurately completed and submitted by the qualified person containing at least the information as shown in NFPA 72.

37.22 903.2.8 GROUP R. Section 903.2.8 Group R is repealed and shall be enforced as written in the Building Code, Chapter 33 of the Municipal Code.

37.23 903.4.2 ALARMS. Section 903.4.2 Alarms is hereby repealed and replaced with a new Section 903.4.2 Alarms as follows:

Section 903.4.2 Alarms. Approved audible visual devices shall be connected to every automatic sprinkler system. Such sprinkler water-flow alarm devices shall be activated by water flow equivalent to the flow of a single sprinkler of the smallest orifice size installed in the system. An approved audible visual sprinkler flow alarm device shall be provided on the exterior of the building in an approved location, typically above the Fire Department Connection, tied only to the sprinkler water flow alarm and shall not be activated by other fire alarm system devices, such as a manual pull or a smoke detector. Approved audible visual alarm(s) to alert the occupants shall be installed on each level of the interior of the building in normally occupied location(s) as required by the fire code official. Where a fire alarm system is installed, actuation of the automatic sprinkler system shall actuate the building fire alarm system.

37.24 903.7 POST INDICATOR VALVE. Section 903.7 Post Indicator Valve is added as follows:

Section 903.7 Post Indicator Valve. Where fire system main isolation valves are provided prior to the fire protection system riser, the following main isolation valves shall be acceptable.

1. A Post Indicator Valve (PIV) installed in accordance with NFPA 24 Standard. The PIV must be located not closer than 3 ft from a building, regardless of building wall height.
2. A wall mounted Post Indicator Valve.
3. An approved main isolation valve in a fire-rated fire pump room accessible from an exterior access door without going through another room.
4. An approved main isolation valve in a fire rated stair enclosure and accessible from an exterior access door without going through another room.

37.25 907.4.2.7 MANUAL FIRE ALARM ALTERNATIVE. Section 907.4.2.7 Manual fire alarm alternative is hereby added as follows:

Section 907.4.2.7 Manual fire alarm alternative. Where in the opinion of the fire code official, manual fire alarm boxes may be used to cause false alarms, the fire code official is authorized to modify the requirements for manual fire alarm boxes and have the location(s) altered or the box(es) removed. Such alteration and the reasons for the alteration shall be recorded in the inspection file.

37.26 1004.7 OVERCROWDING. Section 1004.7 Overcrowding is added as follows:

Section 1004.7 Overcrowding. Overcrowding and admittance of persons beyond the approved capacity of a place of assembly are prohibited. The fire code official, upon finding overcrowding conditions or obstructions in aisles, passageways, or other means of egress, or upon finding a condition which constitutes a serious menace to life, is authorized to cause the performance,

presentation, spectacle, or entertainment to be stopped until such condition or obstruction is corrected.

37.27 1008.1.9.3 LOCKS AND LATCHES ITEM 2. Section 1008.1.9.3 Locks and latches item 2 shall be repealed in the Fire Code and enforced as written in the Building Code, Chapter 33 of the Municipal Code.

37.28 3103.12.7 EXCEPTION. Section 3103.12.7 Exception is added as follows:

Section 3103.12.7 Exception. Internally or externally illuminated exit signs are NOT required in tents when all of the following conditions are met: 1. The tent is not occupied after sunset 2. The tent is not provided with any artificial lighting. 3. The tent has a minimum of 5 foot candle of natural external lighting for non-lit exit signs during the hours the tent is open to the public

37.29 5003.5.2 IOWA RIGHT TO KNOW. Section 5003.5.2 Iowa Right to Know is added as follows:

Section 5003.5.2 Iowa Right to Know. Hazard Identification Signs shall also comply with the Iowa Right to Know law.

37.30 5003.13 TIER II REPORTING. Section 5003.13 Tier II Reporting is added as follows:

Section 5003.13 Tier II Reporting. Facilities reporting hazardous chemical inventories in excess of their Threshold Planning Quantities pursuant to Section 312 of the Emergency Planning and Community Right to Know Act shall use an approved electronic "Emergency and Hazardous Chemical Inventory" form or show reason to use paper forms and submit the electronic or paper form prior to March 1st of each year.

37.31 5601.2.5 PERMIT SUBMITTAL. Section 5601.2.5 Permit submittal is added as follows:

Section 5601.2.5 Permit submittal. Application for a permit shall be submitted with all required information not less than 14 days before a proposed event requiring a permit by Chapter 56 of this Code, or as approved by the fire code official.

37.32 5601.7.1 SEIZURE OF FIREWORKS. Section 5601.7.1 Seizure of fireworks is added as follows:

Section 5601.7.1 Seizure of fireworks. Except as hereinafter provided, it shall be unlawful for any person to possess, store, to offer for sale, sell at retail or use or explode any fireworks, provided that the fire code official or authorized official may issue permits for supervised public displays of fireworks by a jurisdiction, fair association, amusement parks, other organizations or for the use of fireworks by artisans in pursuit of their trade in accordance with the Fire Code. Every such use or display shall be handled by a competent operator approved by the fire code official or authorized official and shall be of such character and so located, discharged, or fired so as, in the opinion of the fire code official, after proper investigation, not to be hazardous to property or endanger any person.

The fire code official or authorized official shall seize, take, remove, or cause to be removed at the expense of the owner all stocks of fireworks offered or exposed for sale, stored, or held in violation of this article.

Section 2. Severability. It is the intent of the Council that each section, paragraph, sentence, clause, and provision of this Ordinance is severable, and if any provision is held unconstitutional or invalid for any reason, such decision shall not affect the remainder of this Ordinance nor any part thereof other than that affected by such decision.

Section 3. Adoption. That changes as provided in this Ordinance shall be made a part of the replacement pages of the Municipal Code, City of Cedar Rapids, Iowa, and made a part of said Code as provided by law.

Section 4. Penalty. Any person who shall violate a provision of this code, or fail to comply therewith, or with any of the requirements thereof, shall be prosecuted within the limits provided by state or local laws. Each day that a violation continues after the due notice has been served shall be deemed a separate offense.

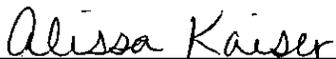
Section 5. Effective Date. That this Ordinance shall be in full force and effect July 1, 2012 after its passage and publication as provided by law.

Introduced this 8th day of May, 2012.

Passed this 22nd day of May, 2012


_____, Mayor
Ron J. Corbett

Attest:


_____, Deputy City Clerk
Alissa Kaiser