

ORDINANCE NO. \_\_\_\_\_, 2021

**AN ORDINANCE TO  
AMEND TITLE 8.12 OF THE COLUMBUS MUNICIPAL CODE  
ENTITLED “FIRE PREVENTION REGULATIONS”  
TO REQUIRE A FIRE WATCH WHEN MANDATORY FIRE PROTECTION  
SYSTEMS ARE OUT OF SERVICE**

WHEREAS, Indiana Code 36-1-3 et. seq. confers upon units of government within the State of Indiana such powers as necessary or desirable to conduct the affairs of local government;

WHEREAS, Indiana Code 36-4-6-18 authorizes the Common Council of the City of Columbus, Indiana to pass such ordinances, orders, resolutions and motions as may be necessary and proper for the governmental unit to fulfill and satisfy the responsibilities and duties of said governmental unit; and

WHEREAS, the Columbus Fire Department provides fire protection and prevention for the City of Columbus.

WHEREAS, it is the desire of the Common Council to update and modernize the fire prevention regulations for the City of Columbus to assist the Columbus Fire Department in their mission to protect life and property.

NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF COLUMBUS, INDIANA, THAT THE FIRE PREVENTION REGULATIONS, TITLE 8 OF THE COLUMBUS CITY CODE, HEALTH AND SAFETY, ARE AMENDED AS FOLLOWS:

SECTION 1. Chapter 8, Section 12, Subsection 050 of the Columbus Municipal Code, is hereby amended to add the following defined term:

**CHAPTER 8.12.050 DEFINITIONS.**

**Fire Protection System.** Approved devices, equipment and systems or combinations of systems used to detect a fire, activate an alarm, extinguish or control a fire, control or manage smoke and products of a fire or any combination thereof.

**Fire Watch.** A fire watch is a person or persons who are assigned to monitor an area for watching for fires and other life safety concerns that may endanger the occupants or building. Fire watch personnel shall be provided with at least one approved means for notification of the Fire Department and their only duty shall be to perform constant patrols of the protected premises and keep watch for fires. Fire watch patrols shall be performed at a minimum every fifteen (15) minutes. This person must be familiar with the building, the evacuation procedure, the use of fire extinguishers and trained in fire safety and prevention. Personnel used for fire watch shall be certified as a State

Firefighter I/II and shall be approved by the Fire Chief. All costs, including wages paid directly to the fire watch personnel, shall be the responsibility of the building owner.

SECTION 2. Chapter 8, Section 12, Subsection 171 of the Columbus Municipal Code, is hereby added and shall read as follows:

**Chapter 8.12.171 REQUIRED FIRE PROTECTION SYSTEMS; OUT-OF-SERVICE.**

**A. General.** Where a required fire protection system is out of service, the fire department shall be notified immediately and the building shall either be evacuated or an approved fire watch shall be provided for all occupants left unprotected, until the fire protection system has been returned to service.

**B. Fire Watches.**

1. Where utilized, fire watches shall be provided with at least one approved means for notification of the fire department and their only duty shall be to perform constant patrols for the unprotected premises and keep watch for fires. Fire watch patrols shall be performed at a minimum every fifteen (15) minutes.

2. The person who is on fire watch shall be a State of Indiana certified Firefighter I/II and be able to present current certification documentation (copies) when requested, and approved by the Fire Chief and / or his designee. The fire watch shall have direct ability to communicate with the fire department dispatch center.

**C. Penalty.** Any property owner or tenant that does not comply with Fire Watch Order issued by the City of Columbus Fire Department may be fined (\$300.00) per day. Each day during which violation of this ordinance takes place shall be deemed to be a separate violation.

SECTION 3. This ordinance shall be in full force and effect from the date that it is approved by the Fire Prevention and Building Safety Commission or approved as the result of the Fire Prevention and Building Safety Commission not issuing an order approving or denying the ordinance within the period set forth in IC 22-13-2-5.5(2).

**PASSED AND ADOPTED** by the Common Council of the City of Columbus, Bartholomew County, Indiana, upon this \_\_\_\_\_ day of \_\_\_\_, 2021.

\_\_\_\_\_  
James D. Lienhoop, Mayor  
Presiding Officer of the Common Council

**ATTEST:**

\_\_\_\_\_  
Luann Welmer, Clerk/Treasurer  
City of Columbus

**PRESENTED** by me to the Mayor of the City of Columbus, Bartholomew County, Indiana, upon this \_\_\_\_\_ day of \_\_\_\_, 2021.

\_\_\_\_\_  
Luann Welmer, Clerk/Treasurer  
City of Columbus

SIGNED and APPROVED by me upon this \_\_\_\_\_ day of \_\_\_\_\_, 2021.

\_\_\_\_\_  
James D. Lienhoop, Mayor  
Presiding Officer of the Common Council

ORDINANCE NO. \_\_\_\_\_, 2021

**AN ORDINANCE TO  
AMEND TITLE 8.12 OF THE COLUMBUS MUNICIPAL CODE  
ENTITLED “FIRE PREVENTION REGULATIONS”  
TO ASSESS FEES FOR FIRE AND LIFE SAFETY RE-INSPECTIONS OF  
STRUCTURES, PLAN REVIEW AND ACCEPTANCE TESTS, AND NEW  
CONSTRUCTION AND REMODELING**

WHEREAS, Indiana Code 36-1-3 et. seq. confers upon units of government within the State of Indiana such powers as necessary or desirable to conduct the affairs of local government;

WHEREAS, Indiana Code 36-4-6-18 authorizes the Common Council of the City of Columbus, Indiana to pass such ordinances, orders, resolutions and motions as may be necessary and proper for the governmental unit to fulfill and satisfy the responsibilities and duties of said governmental unit; and

WHEREAS, the Columbus Fire Department provides fire protection and prevention for the City of Columbus.

WHEREAS, it is the desire of the Common Council to update and modernize the fire prevention regulations for the City of Columbus to assist the Columbus Fire Department in their mission to protect life and property.

NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF COLUMBUS, INDIANA, THAT THE FIRE PREVENTION REGULATIONS, TITLE 8 OF THE COLUMBUS CITY CODE, HEALTH AND SAFETY, ARE AMENDED AS FOLLOWS:

SECTION 1. Chapter 8, Section 12, Subsection 196 of the Columbus Municipal Code, is hereby added and shall read as follows:

**Chapter 8.12.196 INSPECTION FEES – EXISTING STRUCTURES.**

A. Fire and Life Safety Inspections shall be conducted by the Fire Chief, or his designee, in existing Class 1 structures per I.C. 36-8-17-8. Upon the discovery of a violation of the Indiana Building Code, Indiana Fire Code, Indiana Mechanical Code, Indiana Fuel Gas Code, this Fire Prevention Code, or any other Fire Safety Code of the jurisdiction, a re-inspection may be necessary to confirm compliance with a Notice of Violation or an order issued by the Fire Chief, or his designee. A fee for re-inspections shall be charged as indicated below:

**1. Annual Inspection: \$0.00**

**2. First Re-Inspection:** \$75.00. The First Re-Inspection shall occur no sooner than 30 days after the Annual Inspection.

**3. Second Re-Inspection:** \$150.00. The Second Re-Inspection shall occur no sooner than 30 days after the First Re-Inspection.

**4. Third and all subsequent Re-Inspections:** \$250.00. The Third Re-Inspection and subsequent re-inspections shall occur no sooner than 30 days after the Second Re-Inspection and subsequent Re-Inspections.

**B.** The fees assessed under this section are in addition those fines or fees that may be levied by the State of Indiana, Bartholomew County, and/ or the City of Columbus.

**C.** The fees assessed under this section are due within thirty (30) days from the date that the fee is assessed. Violators who fail to make payment prior to the payment due date shall be assessed an additional twenty-five dollar (\$25.00) late fee per day for each outstanding fee and shall be subject to litigation for failure to pay an ordinance violation fee.

**D.** Failure to pay any fees assessed under this section or take the necessary corrective action as outlined in the Notice of Violation or an order issued by the Fire Chief, or his designee, in a timely manner will result in liens filed against the subject property and the City filing suit in Bartholomew County for payment of the civil penalty and to bring about compliance of such property.

**E.** In the event that litigation is required to achieve compliance or collect a fee under this chapter, the violator will be responsible for any and all related court costs including, but not limited to, filing fees, service of process fees, attorney fees, and other fees associated with the litigation.

SECTION 2. Chapter 8, Section 12, Subsection 197 of the Columbus Municipal Code, is hereby added and shall read as follows:

**Chapter 8.12.197 INSPECTION FEES FOR PLAN REVIEW AND ACCEPTANCE TESTS / FEES FOR NEW CONSTRUCTION AND REMODELING.**

**A.** Plan Review and Acceptance Tests as well as inspections for new construction and remodeling shall be conducted by the Fire Chief, or his designee, in existing Class 1 structures per I.C. 36-8-17-8. Upon the discovery of a violation of the Indiana Building Code, Indiana Fire Code, Indiana Mechanical Code, Indiana Fuel Gas Code, this Fire Prevention Code, or any other Fire Safety Code of the jurisdiction, a re-inspection may be

necessary to confirm compliance with a Notice of Violation or an order issued by the Fire Chief, or his designee. A fee for re-inspections shall be charged as indicated below:

Construction/ Building Plan Review For Fire Code Compliance	\$0.02 per sq. foot /\$150.00 minimum
Initial Site and Construction Inspections	\$0.00
First Re-Inspection and All Subsequent Re-Inspections to Confirm Compliance for Each Type of Inspection (e.g. site, pre-drywall (rough-in), above ceiling, fire sprinkler system (rough-in), sprinkler system final fire stopping/ walls, cooking hood light test and final certificate of occupancy inspections)	\$75.00
Fire Alarm/ Initial Acceptance Test	\$0.00
Hood Suppression System-Initial Acceptance Test (per system)	\$0.00
Fire Sprinkler Riser / Fire Pump Flow Test Initial Acceptance Test (per system)	\$0.00
All Subsequent Acceptance Tests	\$75.00

**B.** The fees assessed under this section are in addition those fines or fees that may be levied by the State of Indiana, Bartholomew County, and/ or the City of Columbus.

**C.** The fees assessed under this section are due within thirty (30) days from the date that the fee is assessed. Violators who fail to make payment prior to the payment due date shall be assessed an additional twenty-five dollar (\$25.00) late fee per day for each outstanding fee and shall be subject to litigation for failure to pay an ordinance violation fee.

**D.** Failure to pay any fees assessed under this section or take the necessary corrective action as outlined in the Notice of Violation or an order issued by the Fire Chief, or his designee, in a timely manner will result in liens filed against the subject property and the City filing suit in Bartholomew County for payment of the civil penalty and to bring about compliance of such property.

**E.** In the event that litigation is required to achieve compliance or collect a fee under this chapter, the violator will be responsible for any and all related court costs including, but

not limited to, filing fees, service of process fees, attorney fees, and other fees associated with the litigation. Failure to pay the penalty and take the necessary corrective action to cure any and all deficiencies

SECTION 3. This ordinance shall be in full force and effect from the date that it is approved by the Fire Prevention and Building Safety Commission or approved as the result of the Fire Prevention and Building Safety Commission not issuing an order approving or denying the ordinance within the period set forth in IC 22-13-2-5.5(2).

**PASSED AND ADOPTED** by the Common Council of the City of Columbus, Bartholomew County, Indiana, upon this \_\_\_\_\_ day of \_\_\_\_, 2021.

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James D. Lienhoop, Mayor  
Presiding Officer of the Common Council

**ATTEST:**

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Luann Welmer, Clerk/Treasurer  
City of Columbus

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James D. Lienhoop, Mayor  
Presiding Officer of the Common Council

ORDINANCE NO. \_\_\_\_\_, 2021

**AN ORDINANCE TO  
AMEND TITLE 8.12 OF THE COLUMBUS MUNICIPAL CODE  
ENTITLED “FIRE PREVENTION REGULATIONS”  
TO DEPOSIT FEES GENERATED BY VIOLATIONS OF THE FIRE  
PREVENTION ORDINANCE IN THE FIRE PREVENTION HOUSE ACCOUNT  
NO. \_\_\_\_\_(Request Account No. from CTO)**

WHEREAS, Indiana Code 36-1-3 et. seq. confers upon units of government within the State of Indiana such powers as necessary or desirable to conduct the affairs of local government;

WHEREAS, Indiana Code 36-4-6-18 authorizes the Common Council of the City of Columbus, Indiana to pass such ordinances, orders, resolutions and motions as may be necessary and proper for the governmental unit to fulfill and satisfy the responsibilities and duties of said governmental unit; and

WHEREAS, the Columbus Fire Department provides fire protection and prevention for the City of Columbus.

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NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF COLUMBUS, INDIANA, THAT THE FIRE PREVENTION REGULATIONS, TITLE 8 OF THE COLUMBUS CITY CODE, HEALTH AND SAFETY, ARE AMENDED AS FOLLOWS:

SECTION 1. Chapter 8, Section 12, Subsection 198 of the Columbus Municipal Code, is hereby added and shall read as follows:

**Chapter 8.12.198 DISPOSITION OF FEES AND MONIES COLLECTED.**

**A.** Monies generated from re-inspections fees, fees collected related to the enforcement of a Fire Watch Order, or any other fee, fine, penalty, or damage award issued pursuant to this Columbus Fire Prevention code shall be deposited in the Fire Prevention House Account.

**B.** Monies deposited in the Fire Prevention House Account shall be used by the Columbus Fire Department to pay for education, training, compliance enforcement material, and for community risk reduction.



SECTION 2. This ordinance shall be in full force and effect from the date that it is approved by the Fire Prevention and Building Safety Commission or approved as the result of the Fire Prevention and Building Safety Commission not issuing an order approving or denying the ordinance within the period set forth in IC 22-13-2-5.5(2).

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James D. Lienhoop, Mayor  
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