ATTACHMENT #1

Special Safety Advisory and Transportation Committee Meeting of 12-13-07

BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF DOVER, IN COUNCIL MET:

That Chapter 46, Article III, be amended by adding Section 46-128, as follows:

Sec. 46-128 Sprinkler Requirements in Townhouses.

(a) Definitions

(1) For the purposes of this section, a townhouse shall be defined as a single-family unit in a row of three or more attached units that are separated by walls constructed as two-hour rated fire barrier walls, separated by property lines and with open space on at least two sides, and shall be served by an exit directly to the exterior at grade level.

(b) Requirements

(1) All new Townhouses constructed after _____ shall be required to install residential sprinkler systems in accordance with adopted codes of the City of Dover. A permit must be obtained in accordance with the provisions of Sec. 46-126. This section shall not apply to existing townhouses or townhouses that have received final Planning Commission approval prior to the effective date this section.

(2) Townhouse units constructed prior to the effective date of this ordinance that have been damaged by fire, weather, or other cause shall not be required to install residential sprinklers as part of their reconstruction, provided, however, that where such fire, weather or other cause results damage to three or more adjacent townhouse units under common ownership and such damage exceeds 50% of the pre-damage assessed value of each living unit, the installation of residential sprinklers in the units that were damaged shall be required as part of the reconstruction.

(3) Where three or more adjacent townhouse units under common ownership which were constructed prior to the effective date of this ordinance are subsequently renovated and the costs of the renovations exceed fifty percent (50%) of the pre-renovation assessed value of each living unit, the installation of residential sprinklers in each unit renovated shall be required as part of the renovations. For the purposes of this subsection, there shall be a rebuttable presumption that this subsection applies if building permits for renovations are obtained for adjacent units during any twenty-four (24) month period.

(4) For purposes of this section, the assessed value of any townhouse unit shall be as determined by the City Assessor.

(5) The owner of a townhouse used as a rental property shall ensure that the sprinkler system is functioning each time a new tenant moves in.

(6) Sprinkler systems shall be designed so that an alarm, clearly audible inside the townhouse, will sound upon activation of a sprinkler head within a unit.

(7) Prior to the issuance of a Certificate of Occupancy the City of Dover Fire Marshals Office shall be furnished with a fully completed Certificated of Installation signed by the sprinkler installer indicating the proper installation of the sprinkler system.

(8) Any service needed on any residential sprinkler system shall be conducted by a vendor licensed by the State Fire Marshals Office.

(9) Any sprinkler activation as a result of a fire shall be reported to the Fire Department.

(10) Anyone found to have tampered with or disconnected a townhouse residential fire sprinkler system shall be fined pursuant to Section 1-17 of the Dover Code of Ordinances.

ADOPTED: *