

Ordinance No. 1144-2024

By Council Members Polensek and Griffin
(by departmental request)

AN EMERGENCY ORDINANCE

To amend Sections 381.051, 381.052, 381.053, 381.054, and 381.06 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by Ordinance No. 2393-02, passed February 3, 2003, relating to fees for various fire permits, special inspection and testing fees, and fees for certificates of qualification.

WHEREAS, this ordinance constitutes an emergency measure providing for the usual daily operation of a municipal department; now, therefore,

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF CLEVELAND:

Section 1. That Sections 381.051, 381.052, 381.053, 381.054, and 381.06 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by Ordinance No. 2393-02, passed February 3, 2003, are amended to read as follows:

Section 381.051 Fees for Permits for Fire Protection Systems

(a) The fees for permits to install, enlarge or alter a fire protection system are established as follows:

(1) *Automatic Sprinkler Review:* The fee for the sprinkler review is based on the number of sprinkler heads in the system.

Sprinkler Heads	Fee
1 to 20	\$65.00 <u>\$150.00</u>
21 to 200	\$135.00 <u>\$200.00 plus \$1.00 per head over 21</u>
201 to 400	\$195.00 <u>\$250.00 plus \$1.00 per head over 201</u>
401 to 600	\$260.00 <u>\$300.00 plus \$1.00 per head over 401</u>
Over 600	\$325.00, plus \$0.25 per head over 600 <u>\$350.00 plus \$1.00 per head over 600</u>

For hydraulically-designed systems, multiply the above fee by one and one-half (1-1/2). For systems with a fire pump, add ~~sixty five dollars (\$65.00)~~ three hundred dollars (\$300.00). Standpipes using the same supply as sprinkler systems with fire pumps are included in the sprinkler system fee.

(2) *Standpipe Review:* Three hundred dollars (\$300.00). ~~Sixty five dollars (\$65.00); with a fire pump or pumps, one hundred thirty dollars (\$130.00).~~

(3) *Underground Fire Main/Yard Hydrant System:* One hundred dollars (\$100.00) plus \$25.00 per hydrant over 3. ~~Sixty five dollars (\$65.00).~~

(4) *Alternative Automatic Fire extinguishing system.* One hundred dollars (\$100.00) per system plus \$0.05 per square foot over 5,000 square feet. Associated alarm devices fee will be charged per sections 9 and 10.

~~(4)(5)~~ *Carbon Dioxide Suppression System:* Pre-engineered system, ~~sixty five dollars (\$65.00)~~ one hundred dollars (\$100.00) per system. Engineered

Ordinance No. 1144-2024

system, one (1) to one hundred seventy-five (175) pounds of agent, ~~sixty-five dollars (\$65.00)~~ one hundred dollars (\$100.00). Over one hundred seventy-five (175) pounds of agent, ~~sixty-five dollars (\$65.00) plus thirty cents (\$0.30)~~ one hundred dollars (\$100.00) plus fifty cents (\$0.50) per pound.

~~(5)(6)~~ (6)(6) *Halon Suppression Clean Agent System*: Up to thirty-five (35) pounds of agent, ~~sixty-five dollars (\$65.00)~~ one hundred dollars (\$100.00). Over thirty-five (35) pounds of agent, ~~sixty-five dollars (\$65.00) plus thirty cents (\$0.30)~~ one hundred dollars (\$100.00) plus fifty cents (\$0.50) per pound.

~~(6)(7)~~ (7)(7) *Dry Chemical Suppression System*: Up to thirty (30) pounds of agent, ~~forty-five dollars and fifty cents (\$45.50)~~ fifty dollars (\$50.00). Over thirty (30) pounds of agent, ~~sixty-five dollars (\$65.00) plus thirty cents (\$0.30)~~ one hundred dollars (\$100.00) plus fifty cents (\$0.50) per pound.

~~(7)(8)~~ (8)(8) *Wet Chemical Suppression System*: Up to three (3) gallons of agent, ~~forty-five dollars and fifty cents (\$45.50)~~ one hundred dollars (\$100.00). Over three (3) gallons of agent, ~~sixty-five dollars (\$65.00) plus two dollars and fifty cents (\$2.50)~~ one hundred dollars (\$100.00) plus five dollars (\$5.00) per gallon.

~~(8)(9)~~ (9)(9) *Automatic Fire Alarm Systems*: The fee for an automatic alarm system is based on the number of sending, signaling and detecting devices in the system. Add ~~one hundred thirty dollars (\$130.00)~~ one hundred fifty dollars (\$150.00) for a smoke control or removal system.

Devices	Fee
1 - 25	\$65.00 <u>\$200.00</u>
Over 25	\$65.00, plus \$0.65 per device over 25 <u>\$300.00, plus \$1.50 per device over 25</u>

~~(9)(10)~~ (10)(10) *Manual Fire Alarm Systems*: The fee for a manual fire alarm system is based on the number of sending and signaling devices.

Devices	Fee
1 - 10	\$65.00 <u>\$150.00</u>
Over 10	\$65.00, plus \$1.00 per device over 10 <u>\$150.00, plus \$2.00 per device over 10</u>

(b) The services provided for the fees established by this section shall include review of the permit application, review of the plans, and the issuance of a permit. The services shall also include the presence of a representative of the Division of Fire at the testing of the system for a single day not exceeding ~~eight (8)~~ four (4) hours. If the testing extends beyond a single day due to continuation of the acceptance test, failure of the system, or any other cause whatsoever, then an additional fee of ~~one hundred thirty dollars (\$130.00)~~ one hundred fifty dollars (\$150.00) plus fifty dollars (\$50.00) per each additional day shall be paid for the presence of a representative of the Division of Fire at each additional day of testing or fraction of a day. After hours inspection fees will be based on current overtime rate, minimum of four (4) hours per inspection.

Ordinance No. 1144-2024

Section 381.052 Fees for Permits for Storage Tanks

(a) The following fees are hereby established to install, remove, repair or alter tanks for the storage of hazardous substances:

(1) To install outdoor above-ground or buried tanks inside street or alley lines or tanks inside buildings for storing any substance or combustible liquid other than water:

Gallon Capacity	Fee (Each Tank)
Up to 1,000	\$65.00 <u>\$100.00</u>
Over 1,000 to 3,000	\$100.00 <u>\$125.00</u>
Over 3,000 to 12,000	\$130.00 <u>\$150.00</u>
Over 12,000 to 20,000	\$195.00 <u>\$200.00</u>
Over 20,000 to 50,000	\$260.00 <u>\$300.00</u>
Over 50,000 to 100,000	\$325.00 <u>\$350.00</u>
Over 100,000	\$390.00 <u>\$500.00</u>

(2) To install tanks inside buildings other than high hazard occupancy use group classification for storing hazardous substances:

Gallon Capacity	Fee (Each Tank)
Up to 1,000	\$65.00 <u>\$100.00</u>
Over 1,000 to 3,000	\$100.00 <u>\$125.00</u>
Over 3,000 to 12,000	\$130.00 <u>\$150.00</u>
Over 12,000 to 25,000	\$195.00 <u>\$200.00</u>

(3) To install new piping for existing tanks. Fee: ~~sixty five dollars (\$65.00)~~ one hundred dollars (\$100.00).

(4) To remove, abandon, place temporarily out of service or otherwise dispose of a tank. Fee: ~~sixty five dollars (\$65.00)~~ one hundred fifty dollars (\$150.00).

(5) To reline an underground liquid petroleum tank. Fee: ~~sixty five dollars (\$65.00)~~ one hundred dollars (\$100.00).

(b) The fees established by this section shall include review of the permit application, review of the plans, and the issuance of a permit. The fees established shall also include the presence of a representative of the Division of Fire at the testing of the tank or piping, if applicable, for a single day not exceeding ~~eight (8)~~ four (4) hours. If the testing extends beyond a single day due to continuation of the acceptance test, failure of the tank or the piping, or any other cause whatsoever, then an additional fee of ~~one hundred thirty dollars (\$130.00)~~ one hundred fifty dollars (\$150.00) plus fifty dollars (\$50.00) for each additional day shall be paid for the presence of a representative of the Division of Fire at each additional day of testing or fraction of a day. After hours inspection fees shall be based on current overtime rate, minimum of four (4) hours per inspection.

Ordinance No. 1144-2024

Section 381.053 Fees for Permits for Hazardous Substances and Explosives

(a) The fee for a permit to store, use or handle a hazardous substance other than an explosive shall be ~~sixty-five dollars (\$65.00)~~. Each permit shall be issued for a ~~period of not to exceed three (3) years~~ one hundred dollars (\$100.00) for 1 year and in a fixed facility one hundred fifty dollars (\$150.00) per 3 years. In the event that a permit to handle a hazardous substance other than an explosive is issued for a period of five (5) days or less, the permit fee shall be ~~twenty dollars (\$20.00)~~ twenty-five dollars (\$25.00).

(b) The fee for a permit to store, use, sell, give away, transport or dispose of an explosive shall be ~~seventy-five dollars (\$75.00)~~ one hundred fifty dollars (\$150.00) per event. The permit shall be issued for a period of not to exceed one (1) year.

(c) The fee for a permit to exhibit and/or store pyro (fireworks), flame, and lasers shall be one hundred fifty dollars (\$150.00) per event.

Section 381.054 Special Inspection and Testing Fees

(a) The fee shall be ~~thirty-two dollars and fifty cents (\$32.50)~~ one hundred dollars (\$100.00) for the Division of Fire to conduct an initial inspection of any facility requiring a fire inspection for a license, such as child care facilities, residential care facilities, board and care facilities, half-way houses, group homes, convalescent facilities, and alcohol and drug facilities. The fee for each re-inspection shall be one-hundred dollars (\$100.00) per license inspection.

(b) The fee for the Division of Fire to conduct a flow test of a dry standpipe having no permanent water supply shall be ~~three hundred dollars (\$300.00)~~ four hundred fifty dollars (\$450.00) and shall include up to three (3) risers. For each additional riser, there shall be a cost of one hundred dollars (\$100.00) per riser.

Section 381.06 Fees for Certificates of Qualification

(a) Every standpipe installation, yard hydrant system, automatic sprinkler installation, or installation of other automatic fire extinguishing equipment, electrically operated interior fire alarm system and automatic fire detecting system, shall be under the responsible charge of the owner or other person designated by the owner, who is familiar with the operation of the systems in his or her charge. The person shall see that the systems are maintained in a serviceable condition. No person shall be in charge of any system or installation unless he or she applies for and receives ~~holds~~ a certificate of qualification issued by the Fire Chief and pays a fee of ~~thirty-five dollars (\$35.00)~~ fifty dollars (\$50.00) for any initial certificate or annual renewal of a certificate. The following categories require a Certificate of Qualification permit:

- (1) Liquid Petroleum Gas (LPG)
- (2) Fire Protection Systems
 - A. Sprinkler
 - B. Standpipe
 - C. Fire Pump
 - D. Yard Hydrant
 - E. Fire Alarm
 - F. Smoke Control System
 - G. Other Automatic Protection System

Ordinance No. 1144-2024

(b) Additional fees:

(1) FPS initial inspection fees for Fire Alarm and Wet based systems:

<u>Category</u>	<u>Fee</u>
<u>Less than 2,500 square feet</u>	<u>\$100.00</u>
<u>2,501 – 5,000 square feet</u>	<u>\$125.00</u>
<u>5,001 – 10,000 square feet</u>	<u>\$150.00</u>
<u>10,001 – 12,000 square feet</u>	<u>\$175.00</u>
<u>12,001 – 20,000 square feet</u>	<u>\$200.00</u>
<u>20,001 – 40,000 square feet</u>	<u>\$225.00</u>
<u>40,001 – 60,000 square feet</u>	<u>\$250.00</u>
<u>60,001 – 100,000 square feet</u>	<u>\$275.00</u>
<u>100,001 – 125,000 square feet</u>	<u>\$300.00</u>
<u>125,001 and over</u>	<u>\$300.00 + \$15.00 per additional 5,000 square feet</u>

(2) Additional Inspection/Specialty fees:

<u>Category</u>	<u>Fee</u>
<u>New Cell Towers with utility building</u>	<u>\$150.00</u>
<u>New Cell Towers</u>	<u>\$100.00</u>
<u>Cellular Antennas replacement</u>	<u>\$50.00</u>
<u>New Fire Alarm test</u>	<u>\$150.00</u>
<u>Fire Control Panel Replacement</u>	<u>\$150.00</u>
<u>Sprinkler Panel</u>	<u>\$150.00</u>
<u>Kitchen Hood</u>	<u>\$150.00</u>
<u>Underground Fire Main</u>	<u>\$150.00</u>
<u>Hazardous Escort During business hours</u>	<u>\$100.00</u>
<u>Hazardous Escort after hours</u>	<u>\$334.32/4 hour minimum – \$83.58 per additional hour</u>
<u>Communication Permit (Annual)</u>	<u>\$100.00</u>
<u>FPS Contractor fee (Annual)</u>	<u>\$100.00</u>
<u>Festival Permit</u>	<u>\$150.00/Year</u>
<u>Festival Inspection fee</u>	<u>\$334.32/4 hour minimum – \$83.58 per additional hour</u>

(3) Additional Inspection/Specialty fees:

<u>Category</u>	<u>Fee</u>
<u>BUSTR (Underground Tank Inspection)</u>	<u>\$100/hr.</u>
<u>Knox Box Permit</u>	<u>\$50.00</u>

Ordinance No. 1144-2024

(4) HAZMAT Response fees:

<u>Category</u>	<u>Fee</u>
<u>HAZMAT Response fee billed to spiller</u>	<u>\$400.00/4hrs. - \$100.00/man hr. after the initial 4 hours</u>
<u>HAZMAT Specialist</u>	<u>\$334.32/4 hour minimum – \$83.58 per additional hour</u>

(c) Replacement costs: any damaged supplies or equipment will be billed to the spiller.

(d) By the discretion of the Fire Chief, any permit fees may be waived on a case-by-case basis.

Section 2. That existing Sections 381.051, 381.052, 381.053, 381.054, and 381.06 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by Ordinance No. 2393-02, passed February 3, 2003, are repealed.

Section 3. That this ordinance is declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds of all the members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise it shall take effect and be in force from and after the earliest period allowed by law.

SL:nl
10-21-2024
FOR: Director Drummond

Ord. No. 1144-2024

**REPORT
after second Reading**

By Council Members Polensek and Griffin (by departmental request)

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READ FIRST TIME on OCTOBER 21, 2024

REPORTS

**and referred to DIRECTORS of Public Safety, Finance, Law;
COMMITTEES on Safety, Finance Diversity Equity and Inclusion**

CITY CLERK

READ SECOND TIME

CITY CLERK

READ THIRD TIME

PRESIDENT

CITY CLERK

APPROVED

MAYOR

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