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Passed 7-0-0 (Rosenbarger, Zulich absent)

Bloomington Common Council

Ordinance 2026-35 – To Repeal and Re-Enact Title 18 of the Bloomington Municipal Code Entitled "Fire Prevention."

Preamble

WHEREAS, a review of City records reveals that Chapter 11 of the 1957 Bloomington Municipal Code declared an intent to codify a Fire Prevention Code and that the City eventually adopted the 1971 Edition of the Fire Prevention Code with the approval of Ordinance 71-20, which amended Title 18 of the Bloomington Municipal Code entitled "Fire Prevention," and

WHEREAS, Title 18 was repealed and re-enacted in 1976 with the adoption of Ordinance 76-48 and then extensively revised in 1997 with the adoption of Ordinance 97-36; and

WHEREAS, minor amendments were made to Title 18 in 2003 with the adoption of Ordinance 03-25, but it has not been substantially revised since 1997; and

WHEREAS, the City of Bloomington Fire Department seeks to repeal and re-enact Title 18, in its entirety, in order to improve public safety by promoting the control and regulation of fire hazards in the City of Bloomington; and

WHEREAS, the existing Title 18 should be updated in order to improve the safety and welfare of those who serve as City of Bloomington firefighters; and

WHEREAS, the City of Bloomington believes this ordinance is in the best interest of the citizens, residents, and business owners of the City of Bloomington; and

WHEREAS, the proposed repeal and re-enactment of Title 18 of the Bloomington Municipal Code has been duly considered by the Common Council of the City of Bloomington.

Be It Ordained by the Common Council of the City of Bloomington, Monroe County, Indiana, That:

Section 1. Chapter 18.04, entitled "Administration and Enforcement," of Title 18 "Fire Prevention," shall be repealed and re-enacted to read as follows:

Chapter 18.04

ADMINISTRATION AND ENFORCEMENT

Docusign Envelope ID: 5B8BC561-8710-8390-82D6-7510E8B063E9

Docusign Envelope ID: C93D381D-F241-885B-80E2-EF523177E775

18.04.010 - Title

These regulations and all material included herein by reference shall be known as "Title 18 - Fire Prevention" of the Bloomington Municipal Code ("this code").

18.04.020 - Purpose

The purpose of this code is to protect the life, public safety, health, and general welfare of the residents of Bloomington, Indiana and shall be construed in such a manner as to effectuate this purpose.

18.04.030 - Applicability

The provisions of this code are supplemental to the Indiana General Administrative Rules, Indiana Fire Code, Indiana Building Code, Indiana Mechanical Code, and Indiana Fuel Gas Code, as adopted by the Indiana Fire Prevention and Building Safety Commission or established oversight. The provisions of these regulations apply to maintenance of Fire Prevention and Life Safety Features as herein described, and apply to existing conditions as well as to the conditions arising after its adoption.

18.04.040 - Conflicting Provisions

If any provision of this Title is found to be in conflict with any Building, Zoning, Safety, Health, or other applicable law or ordinance or code of the City of Bloomington or Monroe County, Indiana, whether existing on the effective date of this ordinance or later adopted, the provision which establishes the higher standard for the promotion and protection of the safety and welfare of the public applies.

18.04.050 - Minimum Standards

All rules of the Indiana Fire Prevention, Indiana Department of Homeland Security, and/or Building Safety Commission, or established oversight as set out under Indiana Law, are incorporated by reference into this code and are on file in the office of the City Clerk for public inspection (IC 36-1-5-4) and shall include all later amendments to that article as published in the Indiana Register or the Indiana Administrative Code with effective dates as fixed therein. Any special processes or procedures not addressed in the Indiana Fire Code or this code shall be subject to applications found in Fire Safety Standards recognized by the Indiana Fire Code Referenced Standards and as approved by the Fire Chief or their designee. Any special processes or procedures not addressed in this code shall be subject to applications found in the current editions of the National Fire Protection Association (NFPA) Standards or other recognized Fire Safety

Docusign Envelope ID: 5B8BC561-8710-8390-82D6-7510E8B063E9

Docusign Envelope ID: C93D381D-F241-885B-80E2-EF523177E775

Standards, subject to the rules of the Indiana Fire Prevention and Building Safety Commission or established oversight.

18.04.060 - Definitions

"Building Code" means the Indiana Building Code found in accordance with Indiana Law.

"Class 1 Structure" has the meaning ascribed thereto in IC 22-12-1-4.

"Class 2 Structure" has the meaning ascribed thereto in IC 22-12-1-5.

"Crowd Manager" has the meaning ascribed thereto in accordance with Indiana Law.

"Cut Sheet" refers to the specification sheet that provides and describes the technical specifications of a particular product.

"Division of Fire and Building Safety" refers to the Division of Fire and Building Safety of the Indiana Department of Homeland Security established pursuant to Indiana Code.

"Fire Chief" means the chief officer of the City of Bloomington Fire Department.

"Fire Code" refers to the Indiana Fire Code found in accordance with Indiana Law.

"Fire Department" refers to the City of Bloomington Fire Department unless otherwise stated and has the meaning ascribed thereto in IC 36-8-17-2.

"Fuel Gas Code" refers to the Indiana Fuel Gas Code found in accordance with Indiana Law.

"General Administrative Rules" means the General Administrative Rules of the Indiana Fire Prevention and Building Safety Commission or established oversight found in accordance with Indiana Law.

"IAC" means the Indiana Administrative Code.

"IC" means the Indiana Code of the Indiana General Assembly.

"Key Box" has the meaning ascribed thereto in accordance with the Indiana Fire Code.

Docusign Envelope ID: 5B8BC561-8710-8390-82D6-7510E8B063E9

Docusign Envelope ID: C93D381D-F241-885B-80E2-EF523177E775

"Mechanical Code" means the Indiana Mechanical Code found under Indiana Law or Indiana Administrative Code.

"Notice of Violation" means a written notice issued by the Fire Department, usually in the form of an inspection report listing violations.

"Owner" has the meaning ascribed thereto in accordance with Indiana Law.

"Person" has the meaning ascribed thereto in IC 22-12-1-18.

"Qualified Person" means a person who either holds a current National Institute for Certification in Engineering Technologies (NICET) certification in the fire protection system being installed, serviced, or repaired, or has successfully completed a course of instruction specific to the equipment being installed, serviced, or repaired. Such instruction shall have been approved by the manufacturer of the equipment or their authorized representative.

TERMS NOT DEFINED: Where terms are not defined in this code and are defined in the General Administrative Rules, Indiana Building Code, Indiana Fire Code, Indiana Mechanical Code, or Indiana Fuel Gas Code, such terms shall have the meanings ascribed to them as in those codes. Where terms are not defined through the methods authorized, such terms shall have ordinarily accepted meanings such as the context implies under Indiana Law.

18.04.070 - Authority of the Fire Chief

The Fire Chief or their designee shall have the following authority:

(a) To administer and enforce:

(1) All provisions of this code;

(2) Variances granted in accordance with IC 22-13-2-11; and

(3) Orders issued under IC 22-12-7.

(b) At any fire, explosion, rescue, emergency medical or hazardous materials incident, or any other emergency which poses imminent threat to life, environment, or property, to direct operations as necessary to control, mitigate, or eliminate the emergency. It shall be unlawful for any person to impede or interfere with the emergency operations of the Fire Department;

Docusign Envelope ID: 5B8BC561-8710-8390-82D6-7510E8B063E9

Docusign Envelope ID: C93D381D-F241-885B-80E2-EF523177E775

(c) To establish emergency lines and limits, and barricade or guard from the general public such emergency lines and limits, and to create an area in which only firefighters, law enforcement personnel, or other emergency responders are permitted to enter. Other people or agencies who have a direct interest in any property threatened by fire, explosion, hazardous material incident or other emergency shall be admitted at the discretion of the Fire Chief. It shall be unlawful for any unauthorized person to cross such emergency lines or limits;

(d) To perform fire investigations pursuant to IC 36-8-17-7 and to conduct an origin and cause investigation of all fires and explosions within the service district of the City of Bloomington Fire Department. It shall be unlawful for any person to impede the Fire Chief or their designee from conducting an origin and cause investigation;

(e) To conduct fire and life safety inspections in Class 1 structures pursuant to IC 36-8-17-8. Such inspections shall be made as often as necessary for the purpose of ascertaining and causing correction of any violation of the Indiana General Administrative Rules, Indiana Fire Code, Indiana Building Code, Indiana Mechanical Code, Indiana Fuel Gas Code, this Fire Prevention Code, or any other rule of the established oversight;

(f) To enforce the provisions of the Indiana General Administrative Rules, Indiana Fire Code, Indiana Building Code, Indiana Fuel Gas Code, this Fire Prevention Code, or any other rule of the established oversight. Such enforcement shall include, but not be limited to:

(1) The prevention of fires;

(2) The handling, storage, sale, and use of flammable liquids, explosives, combustible, and hazardous materials;

(3) The adequacy of means of egress from all places in which numbers of people live, work, or congregate from time to time for any purpose;

(4) The location, installation, and maintenance of smoke alarms, fire alarm systems, and fire suppression systems; and

(5) The existence of recognized hazardous conditions that present a clear and immediate hazard to life and property.

Docusign Envelope ID: 5B8BC561-8710-8390-82D6-7510E8B063E9

Docusign Envelope ID: C93D381D-F241-885B-80E2-EF523177E775

(g) The Fire Chief or their designee shall have the authority to institute legal actions in cases of noncompliance and to initiate such actions in accordance with locally prescribed avenues covering violations of the Indiana General Administrative Rules, Indiana Fire Code, Indiana Building Code, Indiana Mechanical Code, Indiana Fuel Gas Code, this Fire Prevention Code , or any other rule of the Indiana Fire Prevention and Building Safety Commission or established oversight. Violators of this code may be cited into the court having jurisdiction.

18.04.080 - Right of Entry

Whenever necessary for the purpose of enforcing the provision of this ordinance, the Indiana General Administrative Rules, Indiana Fire Code, Indiana Building Code, Indiana Mechanical Code, Indiana Fuel Gas Code, any other rule of the commission or established oversight, or whenever the Fire Chief or their designee has reasonable cause to believe that there exists in any structure or upon any premises, any condition which makes such structure or premises unsafe, the Fire Chief or their designee shall be permitted to enter such structure or premises at all reasonable times to inspect the same or to perform any duty imposed upon the Fire Chief by this ordinance; provided that if such structure or premises be occupied, the Fire Chief or their designee shall first present proper credentials and request entry. If such entry is refused, the Fire Chief or their designee shall have recourse to every remedy provided by law to secure entry.

18.04.090 - Determination of Violation

Whenever the Fire Chief or their designee determines by inspection that an apparent or actual violation of this Code, the Indiana General Administrative Rules, Indiana Fire Code, Indiana Building Code, Indiana Mechanical Code, Indiana Fuel Gas Code, or any other rule of the commission or established oversight, or a hazardous condition exists upon any Class 1 structure within the service district of the Fire Department, the person making such determination shall issue such Notice of Violation or order as may be necessary for the enforcement of the provision(s) thus violated.

18.04.100 - Time Limit

Orders issued pursuant to this code shall set forth a time limit for compliance dependent upon the hazard created by the violation(s).

Docusign Envelope ID: 5B8BC561-8710-8390-82D6-7510E8B063E9

Docusign Envelope ID: C93D381D-F241-885B-80E2-EF523177E775

18.04.110 - Notice of Violation

Under IC 36-8-17-9, an order of enforcement of the Indiana General Administrative Rules, Indiana Fire Code, Indiana Building Code, Indiana Mechanical Code, Indiana Fuel Gas Code, this Fire Prevention Code, or any other rule of the commission or established oversight, which is within the jurisdiction of the Fire Chief or their designee, may seek the correction of any violation or the elimination of any hazardous condition by the methods specified in this Code or by any other appropriate remedy or procedure provided by law.The failure of the Fire Department to inspect or to issue a Notice of Violation or order in accordance with this Code shall not constitute approval of any violation or noncompliance. Any Notice of Violation or order issued pursuant to this Code shall be conveyed upon the owner, operator, occupant or other person responsible for the building or property. Conveyance of such order shall be by one of the following methods: personal service by hand delivery or by affixing a copy thereof in a conspicuous place at the entrance of such building or premises; mailing a copy thereof to such responsible person by first class mail to their last known address, fax, or electronic mail pursuant to IC 4-21.5-3.

18.04.120 - Imminent Danger

The Fire Chief or their designee may stop an operation or require the evacuation of any Class 1 structure or portion thereof under the provisions of IC 36-8-17-9 when it is determined that the conduct or conditions of the property:

(a) Present a clear and immediate hazard of death or serious bodily injury to any person other than a trespasser; or

(b) Are prohibited without a permit, registration, certification, authorization, variance, exemption, or other license required under IC 22-14, or another Indiana statute, rule of the commission, or established oversight; or in accordance with Indiana Law; or

(c) Will conceal a violation of law.

18.04.130 - Duty to Correct Violations

The owner or person in control of any premises or building upon which a violation or hazard exists shall:

(a) Cease and correct the violation; and

(b) Protect persons and property from the hazards of the violation.

Docusign Envelope ID: 5B8BC561-8710-8390-82D6-7510E8B063E9

Docusign Envelope ID: C93D381D-F241-885B-80E2-EF523177E775

18.04.140 - Appeal from Orders

(a) An owner or occupant who remains aggrieved by an order or decision issued pursuant to this Fire Prevention Code and the matter involves a rule of the Indiana Fire Prevention and Building Safety Commission or established oversight may appeal to the Commission or established oversight as set forth by IC 36-8-17.

(b) Whenever the Fire Chief disapproves or refuses to grant a permit applied for or when it is claimed that the provisions of this ordinance do not apply or that the true intent and meaning of this ordinance has been misconstrued or wrongly interpreted, the applicant may appeal the decision of the Fire Chief, in writing, to the Board of Public Safety within thirty (30) days from the date of the decision.

18.04.150 - False Reporting

Bloomington Municipal Code 14.40, entitled "False Emergency Alarms," is incorporated herein by reference.

18.04.160 - Fire Fund

The revenue deposited into the non-reverting fund, which is intended for community outreach, education, equipment, hardware, software, training props and related expenses, shall be transferred by the controller into a non-reverting fund. This fund shall be established for the purpose of paying for the costs of the aforementioned items.

Section 2. Chapter 18.08, "Fire Appliances", of Title 18 "Fire Prevention", shall be repealed, re-enacted, and renamed "General Safety Provisions", and shall read as follows:

Chapter 18.08

GENERAL SAFETY PROVISIONS

18.08.010 - Open Burning

In addition to the requirements of this code, all rules of the Indiana Department of Natural Resources and the Indiana Department of Environmental Management shall be observed at all times.

Docusign Envelope ID: 5B8BC561-8710-8390-82D6-7510E8B063E9

Docusign Envelope ID: C93D381D-F241-885B-80E2-EF523177E775

18.08.020 - Permit Required

No person shall kindle or maintain any bonfire or open burning, or authorize any such fire to be kindled or maintained within the city limits without permit or proper authorization from the Fire Chief. During construction or demolition of buildings or structures, no waste materials or rubbish shall be disposed of by burning on the premises or in the immediate vicinity without having obtained a permit or proper authorization. Any applicant for an open burning permit shall demonstrate that they are in legal control of the lot or parcel of land on which the burning is to be done.

(a) Exception: These restrictions do not prohibit outdoor fires in pits or grills used solely for the preparation of food. The fire shall be extinguished immediately after completion of the cooking process and shall not be permitted to smolder.

The Fire Chief or their designee shall extinguish or order the immediate discontinuation of any open burning in violation of this chapter or which is deemed hazardous, even with a permit. The Fire Chief or their designee is empowered to prohibit any and all types of outside burning when deemed necessary.

18.08.030 - Burning on Public Property

Burning on public property shall be prohibited unless a permit is obtained from the Fire Chief a minimum of forty-eight (48) hours prior to the event.

18.08.040 - Penalty for Violation

Violation of any provision of this chapter will result in a fine as set forth in the fee/fine schedule in BMC 18.23.010.

18.08.050 - Vacant or Abandoned Buildings

(a) Vacant or abandoned buildings shall be secured against unlawful entry when required by the Fire Chief or their designee. In order to protect a building against unlawful entry or vandalism while it is vacant, an owner may secure the windows and doors of the building by the use of boarding with plywood, oriented strand board, or equivalent material.

(b) Fire alarm, sprinkler and standpipe systems shall be maintained in operable condition at all times unless:

Docusign Envelope ID: 5B8BC561-8710-8390-82D6-7510E8B063E9

Docusign Envelope ID: C93D381D-F241-885B-80E2-EF523177E775

(1) All combustible materials and debris have been removed from the building and the Fire Chief or their designee determines that the condition and security of the building do not create a fire hazard; or

(2) All contents and storage are removed and the building has been secured against unlawful entry and the building is unheated and exposed to freezing temperatures. In this case the Fire Chief and/or their designee may permit fire alarms and sprinkler systems to be placed out of service and standpipes to be maintained as dry systems.

(c) The Fire Department shall identify buildings subject to BMC 18.08.050.

18.08.060 - Tent and Other Membrane Structures

The following provisions shall apply to tent and other membrane structures:

18.08.061 - Permit Required

(a) The Fire Department shall be notified seventy-two (72) hours in advance of the erection for any purpose of any tent and/or membrane structure having an area in excess of 400 square feet (37 square meters) and an application for the tent shall be submitted to the Bloomington Fire Marshal's Office (BFMO);

(b) An inspection may be required prior to or after erection of the structure, or both, at the discretion of the BFMO;

(3) Detailed Site Plan shall be submitted with the permit application including:

1. Tent location on property, location of permanent structures, adjacent vegetation, access to parking, and fire breaks.

2. Floor Plan: Seating capacity and layout, required exits, egress illumination, aisle and exit signs, electrical equipment, locations and types of appliances and/or equipment, manufacturer's specifications and installation instructions.

3. Flame propagation performance treatment.

4. Occupant load.

Docusign Envelope ID: 5B8BC561-8710-8390-82D6-7510E8B063E9

Docusign Envelope ID: C93D381D-F241-885B-80E2-EF523177E775

(4) The Fire Department shall be notified twenty-four (24) hours in advance of the disassembly or removal of any tent and/or membrane structure subject to BMC 18.08.061(a).

18.08.062 - Penalty for Violation

Violation of any provision of this chapter will result in a fine as set forth in the fee/fine schedule in BMC 18.23.010. Each day that a violation occurs or continues shall constitute a separate offense.

Section 3. Chapter 18.12 entitled "Fire Lanes and Smoke Detectors", of Title 18 "Fire Prevention", shall be repealed, re-enacted, and renamed "Emergency Planning", and shall read as follows:

Chapter 18.12

EMERGENCY PLANNING

18.12.010 - Fire Watch Personnel

The following provisions shall apply to the appointment of fire watch personnel:

18.12.011 - Training and Qualifications

Whenever it is essential for public safety in any Class 1 structure or other location where people congregate, due to the occupant load or the nature of the activity being conducted, the Fire Chief may require the owner, agent or lessee to employ one or more qualified persons, to be approved by the Fire Chief or their designee, to serve as a fire watch at such structure or location. Such persons shall:

(a) Be subject to the Fire Chief's orders at all times;

(b) Be in uniform;

(c) Remain on duty at all times that such Class 1 structure or other location is open to the public; and

(d) Be provided at the ratio of one qualified person per 500 occupant load.

While on duty, such persons shall not be required or permitted to perform any duties other than fire watch.

Docusign Envelope ID: 5B8BC561-8710-8390-82D6-7510E8B063E9

Docusign Envelope ID: C93D381D-F241-885B-80E2-EF523177E775

18.12.012 - When Required

When a required fire protection/alarm system is out of service, the Fire Chief or their designee shall be notified immediately and, if required by the Fire Chief or their designee, the building shall be either evacuated or an approved fire watch shall be provided for all occupants left unprotected by the shut down until the fire protection system has been returned to service.

18.12.013 - Duties

Fire watch personnel shall be provided with at least one means for notification of the Fire Department that has been approved by the Fire Chief or their designee, and the only duty of fire watch personnel shall be to perform constant patrols of the protected premises and keep watch for fires.

18.12.020 - Penalty for Violation

Violation of any provision of this chapter will result in a fine as set forth in the fee/fine schedule in BMC 18.23.010. Each day that a violation occurs or continues shall constitute a separate offense.

Section 4. Chapter 18.16, entitled "Open Burning", of Title 18, "Fire Prevention", shall be repealed, re-enacted, and retitled "Fire Service Features", and shall read as follows:

Chapter 18.16

FIRE SERVICE FEATURES

18.16.010 - Address Identification

(a) New and existing buildings shall have address numbers, building numbers or other building identification placed in a position that is plainly legible and visible from the street or road fronting the property. The numbers shall contrast with their background distinctly so that they are easily visible from the street. Address numbers shall be provided in appropriate locations to facilitate emergency response. Address numbers shall be Arabic font numerals or alphabetical letters, and shall be a minimum of four inches (4") high with a minimum stroke width of one-half inch (½"). Where access is by means of a private road and the building cannot be viewed from the public right-of-way, a monument, pole or other sign shall be used to identify the structure. Address numbers shall be maintained;

Docusign Envelope ID: 5B8BC561-8710-8390-82D6-7510E8B063E9

Docusign Envelope ID: C93D381D-F241-885B-80E2-EF523177E775

(b) Secured sites staffed with twenty-four (24) hour onsite response teams to escort responding Fire Departments may omit address numbers, building numbers or building identification on individual buildings; and

(c) For Class 1 structures with three or more separate tenants, where tenants have both a front or main entrance and a rear entrance with an all-weather surface for vehicular traffic that is tenant-specific, such rear entrance shall have a posted address visible from the all-weather surface.

18.16.020 - Fire Lane Markings

(a) Fire lanes, which may also be called emergency vehicle lanes, shall be required and enforced as set forth in Bloomington Municipal Code 15.32.160, entitled "Emergency Vehicle Lanes". Fire lanes shall be marked with freestanding signs or marked curbs, sidewalks or other traffic surfaces with the words "Fire Lane - No Parking," and such markings shall remain in good visible condition as determined by the Fire Chief or their designee. The type and color of approved markings and signage shall be determined by the Fire Chief or their designee; and

(b) Fire lanes shall be capable of supporting the intended loads of the largest fire apparatus anticipated to be used on the property. Bridges used as access shall be designed, constructed and maintained to be capable of carrying imposed loads of fire apparatus.

18.16.030 - Fire Apparatus Access Roads

Fire apparatus access roads shall be provided and maintained in accordance with Indiana Fire Code. The Fire Chief or their designee shall use Indiana Fire Code Appendix D as a guide.

18.16.040 - Gates or Barricades

The installation of gates or other barricades across fire apparatus access roads, trails or other access ways, not including public streets, alleys or highways, is subject to approval of the Fire Chief or their designee. Approved gates or barricades shall be maintained by the property owner.

18.16.050 - Key Boxes

The Fire Chief or their designee shall require the installation of a key box or other rapid entry product in an approved location(s) at any Class 1 structure that is protected by an

Docusign Envelope ID: 5B8BC561-8710-8390-82D6-7510E8B063E9

Docusign Envelope ID: C93D381D-F241-885B-80E2-EF523177E775

automatic sprinkler system or fire alarm system which sends a local or transmitted signal, if access to or within such structure or other area on the property is unduly difficult because of secure openings, and immediate access may be necessary for lifesaving, firefighting, or property preservation purposes. The key box or rapid entry product manufacturer must be approved by the Fire Chief or their designee.

18.16.060 - Water Supply

A water supply capable of meeting the fire flow requirements of BMC 18.16.070 must be provided to all property upon which a Class 1 structure, a portion of a Class 1 structure, or a Class 2 structure is constructed. The water supply shall be provided as follows:

(a) When a municipal water supply is available to the property, fire hydrants and mains capable of providing the required fire flow shall be installed; and

(b) When a municipal water supply is not available, an alternative water supply may be approved by the Fire Chief or their designee. The alternative water supply shall consist of a pond, stream, river, canal, lake, reservoir, quarry, pressure tank, elevated tank, or other fixed system capable of providing the required fire flow. The means of acquiring the water from an alternative source shall be accessible, and the connection(s) shall be approved by the Fire Chief or their designee prior to final design and construction.

18.16.070 - Fire Flow Requirements

The Fire Chief or their designee shall determine the fire flow requirements for a water supply required by BMC 18.16.060. In determining such fire flow requirements, the Fire Chief or their designee shall use Indiana Fire Code Appendix B "Fire Flow Requirements for Buildings", and Appendix C "Fire Hydrant Locations and Distribution", as a guide. The Fire Chief or their designee may not impose requirements that are more stringent than those set forth in Appendices B or C.

18.16.080 - Emergency Electrical Disconnects

All new or remodeled Class 1 structures shall have a clearly identified and readily accessible means of emergency electrical disconnection. The disconnect means shall be accessible on the exterior of the structure or within ten feet (10') of an accessible entrance door.

Docusign Envelope ID: 5B8BC561-8710-8390-82D6-7510E8B063E9

Docusign Envelope ID: C93D381D-F241-885B-80E2-EF523177E775

18.16.090 - Smoke Detectors

(a) All dwelling units within the City of Bloomington shall be equipped with a minimum of one functional, properly installed, labeled, and UL approved smoke detector as described in NFPA 72 and in accordance with the Indiana and Monroe County building codes;

(b) Each owner, manager, or rental agent of the owner is responsible for the installation of required smoke detectors and the repair or replacement of a required smoke detector within two (2) business days of receiving written notification of the need to repair or replace the smoke detector. Residents shall inspect and test all detectors in accordance with the manufacturer's instructions at least monthly;

(c) Tampering with or removing any smoke detector, except as necessary for maintenance or inspection, is illegal. Any smoke detector removed for repair, replacement, or remodeling shall be reinstalled or replaced to comply with this section; and

(d) Violation of any provision of this chapter will result in a fine as set forth in the fee/fine schedule in BMC 18.23.010. Each day that a violation occurs or continues shall constitute a separate offense. When appropriate, the Fire Department may notify the City of Bloomington Housing and Neighborhood Development Department and/or any other regulatory agency of the violation.

Section 5. Chapter 18.20, "Appeals and Penalties", of Title 18, "Fire Prevention", shall be repealed, re-enacted, and renamed "Emergency and Standby Power", and shall read as follows:

Chapter 18.20

EMERGENCY AND STANDBY POWER

18.20.010 - Emergency Lighting Activation Test

(a) Where emergency lighting is requested by code, an activation test of emergency lighting equipment shall be completed monthly. The activation test shall ensure the emergency lighting activates automatically upon normal electrical disconnect and stays sufficiently illuminated for a minimum of thirty (30) seconds; and

Docusign Envelope ID: 5B8BC561-8710-8390-82D6-7510E8B063E9

Docusign Envelope ID: C93D381D-F241-885B-80E2-EF523177E775

(b) Records for the activation test shall be maintained on the premises for a minimum of three (3) years and submitted to the Fire Chief or their designee upon request. The record must include the location of the emergency lighting tested, whether the unit passed or failed, the date of the test, and the person completing the test.

18.20.020 - Emergency Lighting Power Test

(a) Where emergency lighting is requested by code, for battery-powered emergency lighting, a power test of the emergency lighting equipment shall be completed annually. The power test shall operate the emergency lighting for a minimum of ninety (90) minutes and shall remain sufficiently illuminated for the duration of the test; and

(b) The ninety (90)minute power test record shall be maintained on the premises for a minimum of three (3) years and submitted to the Fire Chief or their designee upon request. The record must include the location of the emergency lighting tested, whether the unit passed or failed, the date of the test, and the person completing the test.

Section 6. Title 18 "Fire Prevention", shall be amended to add Chapter 18.21, entitled "Fire Protection Systems", and shall read as follows:

Chapter 18.21

FIRE PROTECTION SYSTEMS

18.21.010 - Construction Documents

(a) The following plans for new or remodeled Class 1 structures shall be submitted for review to the Fire Department:

(1) Civil Engineering

(A) Site plan with grades

(B) Utility plan

(C) Access roads and specifications

(2) Architectural

(A) Complete floor plan (all floors)

Docusign Envelope ID: 5B8BC561-8710-8390-82D6-7510E8B063E9

Docusign Envelope ID: C93D381D-F241-885B-80E2-EF523177E775

(B) Elevation of building and stairs

(C) Life safety plan with exit travel distance

(b) Plans for Fire Alarm Systems, Water-Based Fire Protection Systems, Fire Pumps, Special Hazard Fire Suppression Systems, High-piled Storage Arrangements, and Firestop Systems shall be submitted to the Fire Department for review upon request. Each applicable submittal must contain the following information:

(1) Sprinkler/Standpipe Systems

(A) One Full Set of Sprinkler/Standpipe Plans

(B) One Full Set of Sprinkler/Standpipe Calculations

(C) One Copy of the Sprinkler Construction Design Release (CDR)

(D) One Set of Manufacturer's Cut Sheets for all sprinkler heads in the design

(2) Fire Alarm Systems

(A) One Full Set of Fire Alarm Plans

(B) One Set of Battery Calculations

(C) One Copy of the Fire Alarm Construction Design Release (CDR)

(D) One Set of Manufacturer's Cut Sheets for the Fire Alarm Control Panel (FACP) and Fire Alarm Components

(E) One Fire Alarm Sequence of Operation Matrix

(3) Special Hazard Fire Protection Systems (if applicable)

(A) One Set of Plans

(B) One Set of Engineering Data

(C) One Copy of the Construction Design Release (CDR)

(D) One Set of Manufacturer's Cut Sheets for System Components

(4) Fire Pumps

(A) One Copy of the Manufacturer's Fire Pump Specifications

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(B) One Copy of the Manufacturer's Certified Pump Test Characteristic Curve

(5) Firestop Systems

(A) Through-Penetration Firestop Systems

(B) Membrane-Penetration Firestop Systems

(C) Fire-Resistant Joint Systems

(D) Perimeter Fire Barrier Systems

(E) Fire-Rated Duct and Air-Transfer Openings

18.21.020 - Fire Department Connections

The location of Fire Department connections shall be approved by the Fire Chief or their designee with respect to fire hydrants, Fire Department access roads, fire apparatus water supply lines, buildings, utilities, and landscaping. Immediate access to Fire Department connections shall be maintained at all times and not hindered by obstructions including fences, bushes, trees, walls, or other fixed or removable objects. No fire hydrant shall be painted except by persons employed or authorized by the City of Bloomington.

18.21.030 - Locking Fire Department Connection Caps

Fire Department connection locking caps shall be permitted with the approval of the Fire Chief or their designee.

18.21.040 - Fire Extinguishers

Portable fire extinguishers shall be installed and maintained in Class 1 structures as set forth in National Fire Protection Association (NFPA) 10, Standard for Portable Fire Extinguishers (current Indiana adopted edition).

18.21.050 - Qualified Contractors

Prior to performing installation, service, repair, inspection, or maintenance of fire protection systems, the qualified person conducting such function(s) shall submit documentation to the Fire Chief or their designee verifying the individual's or company's certification for each type of fire protection system being installed, serviced, repaired, inspected, or maintained. Certification shall conform to the requirements as outlined in each applicable NFPA standard or from the manufacturer of such equipment.

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18.21.060 - Inspection, Testing, and Maintenance (ITM) Reporting Requirements

(a) Submission of Reports: All companies or individuals performing inspection, testing, or maintenance on fire protection, life safety, or emergency systems within the municipality's jurisdiction shall submit a complete and accurate report of such inspection to the Fire Department;

(b) Method of Submittal: Reports shall be submitted electronically via the Fire Department's approved web-based third-party reporting system. No paper, fax, or email submissions will be accepted;

(c) Timeline: All inspection, testing, and maintenance reports must be uploaded to the designated system within ten (10) business days of the date of the inspection;

(d) Critical Deficiencies: If an inspector discovers a critical system deficiency or impairment that renders a fire protection system inoperable, the inspector must notify the Fire Department and the property owner immediately, and upload the report within twenty-four (24) hours; and

(e) Violations and Enforcement: Failure to submit a timely report, or providing a false or incomplete report, constitutes a code violation. Each unsubmitted report shall count as a separate offense and is subject to a fine of up to $50 per violation.

Section 7. Title 18 "Fire Prevention," shall be amended to add Chapter 18.22, entitled "Consumer Fireworks," and shall read as follows:

Chapter 18.22

CONSUMER FIREWORKS

18.22.010 - Consumer Fireworks

Pursuant to Indiana Code § 22-11-14-6(d), Indiana Code § 22-11-14-10.5, and this code, consumer fireworks may only be used in the City of Bloomington corporate limits during the days and times listed below:

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(a) Between the hours of 5:00 p.m. and two (2) hours after sunset on June 29 through July 3, and July 5 through July 9; however, regardless of what time sunset occurs, no later than 11 p.m.;

(b) Between 10:00 a.m. and Midnight on July 4 and December 31.

In the event that the hours for consumer fireworks listed in Indiana Code § 22-11-14-6(d) or Indiana Code § 22-11-14-10.5 conflict with this code, state statute shall control.

Section 8. Title 18 "Fire Prevention", shall be amended to add Chapter 18.23, entitled "Penalties and Fees," and shall read as follows:

Chapter 18.23

PENALTIES AND FEES

18.23.010 - Fee/Fine Schedule

The Fire Chief or their designee has the authority to assess fees or fines up to the maximum amounts shown in the Bloomington Municipal Code. Any violation of this ordinance is subject to penalty provisions of Bloomington Municipal Code unless stated otherwise. All fees are assessed by occurrence and all fines are assessed by violation, unless otherwise stated. Each calendar day that a violation continues shall constitute a separate violation.

(a) Fire Inspection Fees

First Inspection	No charge
First Re-inspection following a failed inspection	No charge
Second Re-inspection	$100
Each Subsequent Re-inspection	$200

Fire Inspection	No Charge
First Re-inspection following a failed inspection	No Charge
Second Re-inspection	$100

Docusign Envelope ID: 5B8BC561-8710-8390-82D6-7510E8B063E9

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Each Subsequent Re-inspection	$200

(b) New Construction Inspection Fees

Fire Alarm/Sprinkler System - Initial Acceptance Test	No Charge
Hood Suppression System - Initial Acceptance Test	No Charge
Each Re-inspection due to failure of Initial Acceptance Test	$250

(c) Other Fees

Fire Report/Investigation Report	$5
Failure to Timely Upload ITM Report (Per each ten (10) business days late)	$50

(d) Fines

Emergency Vehicle Lane Violation	$50
Occupancy in excess of Certificate of Occupancy	$500
Failure to Notify of Tent or Membrane Structure	$100
Failure to Provide or Maintain Required Smoke Detector	$100

Docusign Envelope ID: 5B8BC561-8710-8390-82D6-7510E8B063E9

Docusign Envelope ID: C93D381D-F241-885B-80E2-EF523177E775

Tampering with or Disabling Smoke Detector	$100
Fourth False Alarm	$150
Fifth False Alarm or subsequent	$200 per each occurrence
Tampering with or Disabling other Fire Safety, Alarm or Suppression System	Up to $2,500/day
Open Burning violation	Up to $2,500/day
Failure to provide required Fire Watch	Up to $2,500/day

Effective Adoption

The expressed or implied repeal or amendment by this ordinance of Bloomington Municipal Code 18.04, 18.08, 18.12, 18.16 and/or 18.20, or part of any other ordinance, does not affect any rights or liabilities accrued, penalties incurred, or proceedings begun prior to the effective date of this ordinance. Such rights, liabilities, and other proceedings shall continue and penalties shall be imposed and enforced under the repealed or amended BMC provisions as if this ordinance had not been adopted.

Severability

If any section, sentence, or provision of this ordinance, or the application thereof to any person or circumstances shall be declared invalid, such invalidity shall not affect any of the other sections, sentences, provisions, or applications of this ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this ordinance are declared to be severable.

Effective Date

This ordinance shall be in full force and effect from and after its passage by the Common Council of the City of Bloomington, approval of the Mayor, and publication in accordance with State law.

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Docusign Envelope ID: C93D381D-F241-885B-80E2-EF523177E775

Passed

Passed by the Common Council of the City of Bloomington, Monroe County, Indiana, upon this 4th day of November, ~~[Year].~~ 2026

Signed by:
31826BE6116F4B5...
11/9/2026 | 5:04 PM EST

Signature of Common Council President ~~[Full Name]~~ Isak Nti Asare

Attestation of Bloomington City Clerk:

Signed by:
Nicole Bolden
60DF9211B070448...
11/9/2026 | 5:13 PM EST

Signature of Bloomington City Clerk ~~[Full Name]~~ Nicole Bolden

Presentation by Bloomington City Clerk:

Presented by me to the Mayor of Bloomington, Monroe County, Indiana, upon this day of , [Year].

Signed by:
Nicole Bolden
60DF9211B070448...
11/9/2026 | 5:13 PM EST

Signature of Bloomington City Clerk ~~[Full Name]~~ Nicole Bolden

Approval by the Mayor:

Signed by:
2ABC5816C245416...
11/13/2026 | 3:03 PM EST

Signed and approved by me on this day of , [Year].

Signature of Mayor ~~[Full Name]~~ Kerry Thomson

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Synopsis:

This ordinance repeals and re-enacts the City's outdated 1997 Fire Prevention Code to align with Indiana state standards. It outlines the Fire Chief's authority to manage fire scenes, conduct investigations, perform life safety inspections, order evacuations, and review safety plans for new or remodeled Class 1 structures.

The updated regulations establish stricter controls for open burning, consumer fireworks, vacant buildings, tents, crowd managers, and fire watch personnel. To improve emergency response and scene access, the ordinance standardizes street addressing, fire lanes, key boxes, water supply requirements, and emergency electrical disconnects. Furthermore, it mandates smoke detectors in all City dwelling units and requires regular maintenance and testing for fire hydrants, extinguishers, and mandatory emergency lighting systems. Finally, the code introduces inspection fees and sets specific violation fines, aligning enforcement with BMC 1.01.130 to allow penalties of up to $2,500 per occurrence.

Distributed to: Clerk, Council Attorney, Fire, Legal, and Mayor.