

STATE OF GEORGIA

COUNTY OF CLAYTON

ORDINANCE NO. 2008 - 31

AN ORDINANCE TO AMEND THE CODE OF CLAYTON COUNTY, GEORGIA, AS AMENDED; SPECIFICALLY CHAPTER 42, "FIRE PREVENTION AND PROTECTION", ARTICLE III, "AUTOMATIC SPRINKLER SYSTEMS", SECTION 42-61, "DEFINITIONS"; SECTION 42-63, "WHERE INSTALLED"; TO REPEAL CONFLICTING LAWS, ORDINANCES, AND RESOLUTIONS; TO PROVIDE FOR SEVERABILITY; TO PROVIDE AN EFFECTIVE DATE OF THIS ORDINANCE; AND FOR OTHER PURPOSES.

WHEREAS, the MGM Grand Hotel in Las Vegas, NV, not equipped with sprinklers, caught fire in November 1980, taking the lives of 85 people and injuring 700 others; and

WHEREAS, in January of 2004, the Comfort Inn in Greenville, South Carolina burned killing six and injuring twelve others; and

WHEREAS, the Budget Inn Hotel in Riverdale, Georgia, did not contain an automatic sprinkler system and burned down killing 5 people, injuring six, including three firefighters in June, 2007; and

WHEREAS, the National Fire Protection Association reported an average of 4,550 hotel and motel fires and sixteen fatalities for each year between 1999 and 2002; and

WHEREAS, no lives were lost in hotel or motel fires equipped with automatic sprinkler systems; and

WHEREAS, the Clayton County Fire Department seeks to ensure the safety of the citizens and visitors of Clayton County by enhancing the protection features necessary to minimize danger to life from fire, smoke, fumes and panic; and

WHEREAS, the Board of Commissioners deems it in the best interest of the County to amend the ordinance as hereinafter set forth.

NOW THEREFORE, BE IT ORDAINED BY THE BOARD OF COMMISSIONERS
OF CLAYTON COUNTY, GEORGIA AND IT IS HEREBY ORDAINED

Section 1. The Board of Commissioners hereby amends the Code of Clayton County, Georgia, as amended, specifically Chapter 42, Fire Prevention and Protection, Article III, Automatic Sprinkler Systems, Section 42-61, Definitions, shall be amended:

By adding the following new definitions to read as follows:

New Construction – Any structure constructed after the date of this ordinance that is used or intended for supporting or sheltering any use or occupancy. For the purpose of this section, “new” shall include any additions to existing buildings, whether vertical or horizontal, which exceeds twenty-five percent of the original floor area; or any existing building or structure which shall be deemed to be new building in the event such building or structure is subject to substantial renovation or a fire or other hazard of serious consequence as deemed by the Chief of the County Fire Department.

Multi-family Dwelling – any building containing three or more dwelling units with independent cooking and bathroom facilities.

Substantial Renovation – any construction project involving exits or internal features of building or structure costing more than twenty-five percent of the building’s or structure’s assessed value according to county tax records at the time of such renovation.

Section 2. The Board of Commissioners hereby amends the Code of Clayton County, Georgia, as amended, specifically Chapter 42, Fire Prevention and Protection, Article III, Automatic Sprinkler Systems, Section 42-63, where installed, as follows:

By deleting the section in its entirety and substituting the following:

- 1) All new commercial buildings shall be protected throughout with an approved

automatic fire protection system.

Exception: Hotels and motels up to and including four stories in height shall be protected with a National Fire Protection Association 13R type sprinkler system modified to include coverage in all attics.

2) All new multi-family residential structures shall be protected throughout with an approved automatic fire protection system.

Exception: Multi-family dwellings up to and including four stories in height shall be protected with a National Fire Protection Association 13R type sprinkler system modified to include coverage in all attics, breezeways and exterior balconies.

3) Existing hotels and motels shall be retrofitted in accordance with Subsection One of this article. Retrofits shall be completed no later than eighteen months from the date of this ordinance.

4) All new one and two family dwellings built closer than 15 feet from another structure or closer than 10 feet to the property line must be equipped with an approved sprinkler system.

5) Any sprinkler system required by another section of this code shall be monitored by an approved alarm, detection and communication system installed in accordance with NFPA 72.

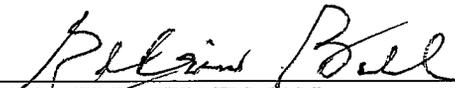
Section 3. In the event any section, paragraph, subpart, sentence, clause, phrase, or word of this ordinance shall be declared or adjudged unconstitutional or invalid by any court, such declaration or adjudication shall not affect the remaining portions of this ordinance which shall remain in full force and effect as if the portions declared invalid or unconstitutional had never been enacted into law.

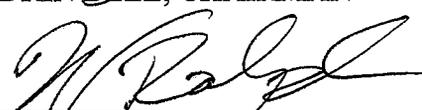
Section 4. All laws, ordinances or resolutions, or parts thereof, in conflict with provisions of this ordinance are hereby repealed.

Section 5. This ordinance shall become effective following its approval by the Board of Commissioners after the second reading of the ordinance, and provided further that a copy of the ordinance has been published in the official organ of Clayton County and filed with the Secretary of State of Georgia as required by law.

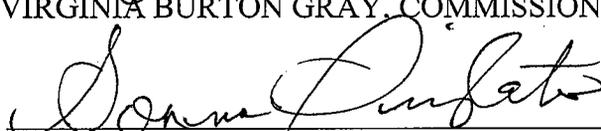
SO RESOLVED, this the 4th day of March, 2008.

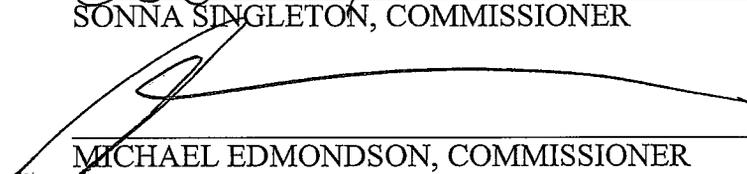
CLAYTON COUNTY BOARD OF COMMISSIONERS


ELDRIN BELL, CHAIRMAN


WOLE RALPH, VICE CHAIRMAN

(Absent)
VIRGINIA BURTON GRAY, COMMISSIONER


SONNA SINGLETON, COMMISSIONER


MICHAEL EDMONDSON, COMMISSIONER

ATTEST:


SHELBY D. HAYWOOD, CLERK