

ORDINANCE NO. 2017-12

AN ORDINANCE OF THE CHESTERTON
TOWN COUNCIL AMENDING THE
CHESTERTON TOWN CODE TO REQUIRE
CARBON MONOXIDE DETECTORS IN
CERTAIN NEW RESIDENTIAL
CONSTRUCTION

WHEREAS, the laws and rules of the State of Indiana and the Town of Chesterton regulate the use and installation of smoke detectors;

WHEREAS, Carbon Monoxide poses a threat to the health and lives of citizens of the Town; and
WHEREAS, smoke detectors do not always provide ample warning of the presence of Carbon Monoxide; and

WHEREAS, it is in the interests of the public health and safety of the residents and visitors of the Town to require the installation of Carbon Monoxide detectors in certain new construction;
BE IT AND IT IS HEREBY ORDAINED by the Chesterton Town Council:

SECTION 1. The title of Chapter 8 Article II is hereby deleted, and replaced with the following:

ARTICLE II. SMOKE AND CARBON
MONOXIDE DETECTORS

SECTION 2. A new definition to Chapter 8 Article II Section 8-2 is hereby added and shall read as follows:

Carbon Monoxide Detector shall be defined as a device that detects the presence of carbon monoxide (CO) gas and emits an audible alarm of at least eighty-five (85) decibels at ten (10) feet, and such alarm shall be capable of persisting for at least four (4) minutes, and conform to the NFPA 720 Standard for the Installation of Carbon Monoxide (CO) Detection and Warning Equipment.

SECTION 3. Sec. 8-3(A) is hereby deleted in its entirety and replaced with the following language:

A. Smoke Detectors shall be installed in the following properties:

1. All new single and multiple family dwellings.
2. All existing two (2) family or multiple family dwellings.
3. All rental dwellings either single or multiple.
4. All new and existing trailer homes.
5. All new and existing apartment homes.
6. All new and existing hotels, motels and rooming houses.
7. All new and existing dwellings above business property.

SECTION 4. A new subsection D. to Chapter 8 Article II Section 8-3 is hereby added and shall read as follows:

Carbon Monoxide Detectors shall be installed in the following properties:

1. At least one (1) operational Carbon Monoxide Detector (as defined in Sec. 8-2 of the Town Code), per residential unit, in all buildings of a Class 2 structure (as defined by I.C. § 22-12-1-5, or any successor statute) designed for residential use and have a fireplace, attached garage, or fossil fuel burning appliance, and for which a building permit is issued for new construction after the date that this Ordinance is in full force and effect.

SECTION 5. A new subsection D. to Chapter 5 Article II Section 5-50 is hereby added and shall read as follows:

Carbon Monoxide Detector Requirement - For all buildings of a Class 2 structure (as defined by I.C. § 22-12-1-5, or any subsequent statute) designed for residential use and having a fireplace, attached garage, or fossil fuel burning appliance, and for which a building permit is issued for new construction after the date that this Ordinance is in full force and effect, shall have at least one (1) operational Carbon Monoxide Detector (as defined in Sec. 8-2 of the Town Code) per residential unit. Installation of the Carbon Monoxide Detector shall be in accordance with the Manufacturer's specifications and recommendations.

SECTION 6. This Ordinance shall be in full force and effect from and after its adoption, approval by the State Fire Prevention and Building Safety Commission, and publication as required by law.

ALL OF WHICH IS PASSED AND ADOPTED by the Chesterton Town Council this 24th day of July, 2017.

CHESTERTON TOWN COUNCIL
James G. Ton, President
Lloyd Kittredge, Jr.
Emerson Delaney

Nathan Cobbs
Dane Lafata

ATTEST:

Stephanie T. Kuziela

Clerk-Treasurer, Town of Chesterton

3/29/18 - hspaxlp