

**A RESOLUTION ESTABLISHING A TEMPORARY MORATORIUM ON THE ACCEPTANCE OF NEW APPLICATIONS FOR SPECIAL USE APPROVAL, PERMITTED USE APPROVAL, OR BUILDING PERMITS FOR ANY MULTI-UNIT BUILDINGS**

**WHEREAS**, the Mayor and City Council of the City of Dunwoody ("City Council") are charged with the protection of the public health, safety and welfare; and

**WHEREAS**, in furtherance of carrying out its responsibilities the City, in conjunction with the DeKalb county fire department, has begun a review of its fire life safety ordinances; and

**WHEREAS**, the City and the fire department have agreed that public safety and welfare would be enhanced by certain revisions to the fire ordinances relating to multi-unit buildings; and

**WHEREAS**, the City and the fire marshal have begun reviewing the city's fire ordinances and have identified additional measures related to multi-unit buildings and have continued researching additional potential amendments which would benefit public safety and welfare; and

**WHEREAS**, the Mayor and Council believe a moratorium will allow the City the opportunity to continue the review of the current fire ordinances and upon completion adopt said changes.

**NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF DUNWOODY, GEORGIA:**

**Section 1.** The Moratorium imposed herein incorporates the findings and statements set forth in the preceding "whereas" clauses and such clauses are made a part of this moratorium, and the aforesaid recitals are not mere recitals, but are material portions of this Resolution.

**Section 2.** This resolution becomes effective immediately upon adoption.

**Section 3.** From **11:30 a.m. on November 19, 2018, until 11:29 a.m. on May 18, 2019**, notwithstanding any provisions of the Code of Ordinances of the City of Dunwoody, to the contrary, there shall be a complete moratorium on the City's acceptance, processing and review of any new applications for special use approval, permitted use approval, or building permits for any multi-unit buildings within the City.

**Section 4.** During the moratorium neither the City nor any of its departments or staff shall accept, process or review new applications for special use

**STATE OF GEORGIA  
CITY OF DUNWOODY**

**RESOLUTION 2018-11-28**

approval, permitted use approval, or building permits for any multi-unit buildings within the City.

**Section 5.** This moratorium shall expire at **11:29 a.m. on May 18, 2019**, and be of no further force and effect, unless shortened or extended by an official action of the Mayor and City Council of the City of Dunwoody

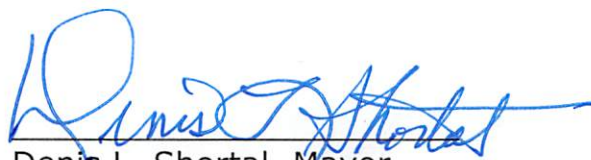
**Section 6.** The moratorium period adopted herein is deemed to be the appropriate minimum time for the development of such regulations without unduly diminishing the rights of individuals and property owners.

**Section 7.** This Resolution shall not apply to or otherwise affect completed applications duly filed prior to the effective date of this Resolution.

**Section 8.** The provisions of this Resolution are severable, and should any section, subsection, sentence, clause, phrase or other portion of this Resolution, or its application to any person, entity or circumstance, be held by a court of competent jurisdiction to be unconstitutional or invalid, the remainder of the Resolution, or application of the provision to other persons, entities or circumstances, shall not be affected.

**SO RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF DUNWOODY, GEORGIA** this 19<sup>th</sup> day of November, 2018.

Approved:

  
Denis L. Shortal, Mayor

Attest:

  
  
Sharon Lowery, City Clerk  
(SEAL)



## DEKALB COUNTY FIRE RESCUE DEPARTMENT

Darnell D. Fullum – Director/Fire Chief  
 Fire Marshal Division-Chief Joseph K. Cox, Fire Marshal  
 330 West Ponce De Leon Avenue, Decatur, Georgia 30030  
 Phone: 404-371-2776 Fax: 404-687-2430



- **Fire protection during construction** Wood buildings can pose particular fire risks during construction. This risk is not restricted to mid-rise wood structures, but can also exist with smaller wood structures. Building Code requirements address the design and manner of construction of buildings, including the sufficiency of the building components for their intended use. This does not include safety requirements of workers during construction. While the Building Code requires a number of fire safety measures and systems that would be in place when a building is occupied (such as operational sprinkler systems), those measures and systems are not generally in place during construction. While construction is underway, a fire can occur before these systems are fully installed or operational. To mitigate concerns about the risk of fires in mid-rise wood construction projects, the Fire Marshal's Office will work together with stakeholders to implement requirements for fire safety during the construction of combustible buildings, in accordance with:
  - 2012 IFC Chapter 33 Fire Safety During Construction (Adopted)
    - Emphasis- See attached Adopted 2012 IFC Chapter 3308-Building Owners Responsibility for Fire Protection
  - NFPA 241 Standard for Safeguarding Construction (Adopted)
    - Emphasis- See attached Adopted 2013 NFPA 241- Chapter 7 Building Owners Responsibilities
  
- **Increased fire protection in concealed spaces** NFPA 13R Systems prohibited. The proposed would require these areas to meet NFPA 13 sprinkler standard. NFPA 13 requires combustible concealed spaces, such as roof assemblies and attics to be provided with sprinkler protection. This limits the probability of fire spreading both within and from a concealed space to other parts of the building.

- **Requiring sprinklering for all balconies and decks.** They would also be an increase in fire protection over current Building Code requirements for combustibile buildings of four storeys or less, which do not require exterior sprinklers. The proposed “Enhanced NFPA 13 System” would require sprinklers on any balconies or decks in mid-rise wood buildings. Exterior sprinklers are readily available on the market, and do not impose greater risks of water damage through pipe freezing, as the design of the sprinkler system keeps water well clear of cold weather until needed. Fires on balconies are a reasonably common occurrence due to people smoking on their balconies. Unattended or poorly maintained barbeques are also a common source of balcony fires. When a fire starts on a balcony, it can gain access to the building interior by burning through the bottom surfaces of the balcony above, or into the wall assembly. This proposed requirement would exceed NFPA 13 provisions, which require sprinklering only of balconies and decks over four feet deep.
- **Non-combustible stairwells with a fire resistance rating of 1.5 hours** The proposed would prescribe that stairwells in mid-rise wood buildings be constructed of non-combustible materials only [i.e. concrete, masonry (concrete block), or steel frame and drywall] with a fire resistance rating of at least one and one-half (1.5) hours. Since stairwells are used for staging of public evacuation and fire fighter response they are subject to increased fire safety concerns. The Building Code currently requires that most structural elements such as floors, walls and stairwells have one-hour fire endurance. In addition, the Building Code currently requires that all buildings, whether combustibile or non-combustibile, have fire separations between the stairwell structure and the surrounding floors. This limits the potential for fire to spread to stairwells from floor assemblies.
- **Other Suggestions**
- **Require combustion-resistant roof cladding** It is proposed required to have "Class A" roof covering providing maximum fire resistance. The intent is to help prevent flying embers from any nearby fires causing the roof of the mid-rise building to catch fire. This requirement would apply regardless of the height of the roof assembly.

- **Require non-combustible exterior cladding** It is proposed mid-rise wood would be a requirement that all exterior wall cladding be composed of non-combustible materials or fire tested exterior assemblies. Brick is the most common of these materials, but other materials and systems that meet the referenced standard do exist, and would also be permitted to be used. The requirement for non-combustible cladding on exterior walls on all storeys would recognize that one possible way that a fire can spread is on, or through, the exterior of the building. Currently, four storey wood frame buildings permitted under the Building Code do not require combustion resistant or non-combustible exterior cladding.
- **Require strict compliance to 2012 IFC Appendix D104, D105, and D106**
- **Require Smoke-Proof Enclosures (Pressurized Stairwells) in accordance with IBC**
- **Require installation of UL 300A Residential Range top suppression systems for R-2 Multi-family Occupancies**



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### 7.2 Owner's Responsibility for Fire Protection.

#### 7.2.1 \*

The owner shall designate a person who shall be responsible for the fire prevention program and who shall ensure that it is carried out to completion.

##### 7.2.1.1

The fire prevention program manager shall have the authority to enforce the provisions of this and other applicable fire protection standards.

##### 7.2.1.2

The fire prevention program manager shall have knowledge of the applicable fire protection standards, available fire protection systems, and fire inspection procedures.

##### 7.2.1.3

Inspection records shall be available for review by the authority having jurisdiction.

#### 7.2.2

Where guard service is provided, the fire prevention program manager shall be responsible for the guard service.

#### 7.2.3 \* Prefire Plans.

##### 7.2.3.1

Where there is public fire protection or a private fire brigade, the manager shall be responsible for the development of prefire plans in conjunction with the fire agencies.

##### 7.2.3.2

Prefire plans shall be updated as necessary.

##### 7.2.3.3

The prefire plan shall include provisions for on-site visits by the fire agency.

#### 7.2.4 Program Manager Responsibilities.

##### 7.2.4.1

The manager shall be responsible for ensuring that proper training in the use of protection equipment has been provided.

##### 7.2.4.2

The manager shall be responsible for the presence of adequate numbers and types of fire protection devices and appliances and for their proper maintenance.

##### 7.2.4.3

The manager shall be responsible for supervising the permit system for hot work operations. (See Section 5.1.)

##### 7.2.4.4

A weekly self-inspection program shall be implemented, with records maintained and made available.

##### 7.2.4.5 \*

Impairments to the fire protection systems or fire alarm, detection, or communications systems shall be authorized only by the fire prevention program manager.

## FIRE SAFETY DURING CONSTRUCTION AND DEMOLITION

**3305.6 Leakage and spills.** Leaking vessels shall be immediately repaired or taken out of service and spills shall be cleaned up and disposed of properly.

### SECTION 3306 FLAMMABLE GASES

**3306.1 Storage and handling.** The storage, use and handling of flammable gases shall comply with Chapter 58.

### SECTION 3307 EXPLOSIVE MATERIALS

**3307.1 Storage and handling.** *Explosive* materials shall be stored, used and handled in accordance with Chapter 56.

**3307.2 Supervision.** Blasting operations shall be conducted in accordance with Chapter 56.

**3307.3 Demolition using explosives.** *Approved* fire hoses for use by demolition personnel shall be maintained at the demolition site whenever *explosives* are used for demolition. Such fire hoses shall be connected to an *approved* water supply and shall be capable of being brought to bear on post-*detonation* fires anywhere on the site of the demolition operation.

### SECTION 3308 OWNER'S RESPONSIBILITY FOR FIRE PROTECTION

**3308.1 Program superintendent.** The *owner* shall designate a person to be the fire prevention program superintendent who shall be responsible for the fire prevention program and ensure that it is carried out through completion of the project. The fire prevention program superintendent shall have the authority to enforce the provisions of this chapter and other provisions as necessary to secure the intent of this chapter. Where guard service is provided, the superintendent shall be responsible for the guard service.

**3308.2 Prefire plans.** The fire prevention program superintendent shall develop and maintain an *approved* prefire plan in cooperation with the fire chief. The fire chief and the *fire code official* shall be notified of changes affecting the utilization of information contained in such prefire plans.

**3308.3 Training.** Training of responsible personnel in the use of fire protection equipment shall be the responsibility of the fire prevention program superintendent.

**3308.4 Fire protection devices.** The fire prevention program superintendent shall determine that all fire protection equipment is maintained and serviced in accordance with this code. The quantity and type of fire protection equipment shall be *approved*.

**3308.5 Hot work operations.** The fire prevention program superintendent shall be responsible for supervising the permit system for hot work operations in accordance with Chapter 35.

**3308.6 Impairment of fire protection systems.** Impairments to any *fire protection system* shall be in accordance with Section 901.

**3308.7 Temporary covering of fire protection devices.** Coverings placed on or over fire protection devices to protect them from damage during construction processes shall be immediately removed upon the completion of the construction processes in the room or area in which the devices are installed.

### SECTION 3309 FIRE REPORTING

**3309.1 Emergency telephone.** Readily accessible emergency telephone facilities shall be provided in an *approved* location at the construction site. The street address of the construction site and the emergency telephone number of the fire department shall be posted adjacent to the telephone.

### SECTION 3310 ACCESS FOR FIRE FIGHTING

**3310.1 Required access.** *Approved* vehicle access for fire fighting shall be provided to all construction or demolition sites. Vehicle access shall be provided to within 100 feet (30 480 mm) of temporary or permanent fire department connections. Vehicle access shall be provided by either temporary or permanent roads, capable of supporting vehicle loading under all weather conditions. Vehicle access shall be maintained until permanent fire apparatus access roads are available.

**3310.2 Key boxes.** Key boxes shall be provided as required by Chapter 5.

### SECTION 3311 MEANS OF EGRESS

**[B] 3311.1 Stairways required.** Where a building has been constructed to a *building height* of 50 feet (15 240 mm) or four stories, or where an existing building exceeding 50 feet (15 240 mm) in *building height* is altered, at least one temporary lighted *stairway* shall be provided unless one or more of the permanent *stairways* are erected as the construction progresses.

**3311.2 Maintenance.** Required *means of egress* shall be maintained during construction and demolition, remodeling or *alterations* and additions to any building.

**Exception:** *Approved* temporary *means of egress* systems and facilities.

### SECTION 3312 WATER SUPPLY FOR FIRE PROTECTION

**3312.1 When required.** An *approved* water supply for fire protection, either temporary or permanent, shall be made available as soon as combustible material arrives on the site.