

CITY OF CHANHASSEN
CARVER AND HENNEPIN COUNTIES, MINNESOTA

ORDINANCE NO. 644

**AN ORDINANCE AMENDING CHAPTER 9, FIRE PREVENTION AND PROTECTION,
AND CHAPTER 18, SUBDIVISIONS, OF THE CHANHASSEN CITY CODE**

THE CITY COUNCIL OF THE CITY OF CHANHASSEN ORDAINS:

Section 1. Chapter 9 of the Chanhassen City Code is amended to provide as follows:

Chapter 9 – Fire Prevention and Protection

ARTICLE I. – FIRE CODE

Sec. 9-1. – Compliance.

Any person violating any provision of this chapter or of any other code or standards adopted in this chapter, or any order made pursuant thereto shall be guilty of a misdemeanor.

Sec. 9-2. – Interpretation.

Whenever any part of this article conflicts with the Minnesota State Building Code or the Minnesota State Fire Code, the most restrictive standard shall prevail.

Sec. 9-3. – Technical Standards – Adopted.

The Minnesota State Fire Code and accompanying optional appendices B, C, and E through L, established pursuant to M.S. 299F.011, is hereby adopted as the fire code for the City of Chanhassen. The Code is hereby incorporated in this section as if fully set out herein. The ordinance codified in this section shall perpetually include the most current edition of the Minnesota State Fire Code including Appendices B, C, and E through L.

Sec. 9-4. – Appeals.

Whenever the fire marshal shall disapprove or refuse to grant a permit, or issue an order or notice as provided in the Minnesota State Fire Code or this chapter, or when it is claimed that the Minnesota Fire Code or this chapter has been wrongly applied or interpreted, the aggrieved person may appeal the decision of the fire marshal as provided in this section.

1. The aggrieved person must first request that the fire marshal reconsider his decision. The request to reconsider must be made within 10 days of the fire marshal's initial decision.
2. The fire marshal will consult with the State Fire Marshal's office for an opinion before rendering a final decision.

3. A person aggrieved by the final decision of the fire marshal may appeal the decision to the City Council. The appeal to the City Council must be made within 30 days from the date of the fire marshal's final decision.

Sec. 9-5. – 9-20. – Reserved.

ARTICLE II. – RECREATIONAL FIRES

Sec. 9-21. – Recreational Fire- Defined.

A recreational fire is an outdoor fire burning materials other than rubbish where the fuel being burned is not contained in an incinerator, outdoor fireplace, portable outdoor fireplace, barbeque grill or barbeque pit for pleasure, religious, ceremonial, cooking warmth or similar purposes. Fires used for debris disposal purposes are not considered recreation fires.

Sec. 9-22. – Permitted.

Recreation fires are permitted without a permit within the City of Chanhassen subject to following requirements:

1. The material to be burned must be limited to a pile no larger than three feet in diameter and three feet high.
2. Burn only clean burning unpainted and untreated wood. Note: Coal or charcoal may be burned.
3. All fire rings or pits must be located a minimum of twenty-five (25) feet away from any structures or combustibles, such as houses, garages, sheds, wood piles and wooden fences. The fire pit or ring must be present and made of a non-combustible material such as brick or metal designed to withstand direct heat. Manufactured portable fire pits also fall under this rule.
4. A fire extinguisher or garden hose shall be readily available for use at recreation fires.
5. Recreational fires shall be constantly attended by a responsible adult knowledgeable in the use of fire extinguishing equipment required by these requirements. An attendant shall supervise a recreation fire until such fire has been extinguished.
6. Any officer of the Chanhassen Fire Department, Minnesota DNR, or Carver County Deputy Sheriff is authorized to require that recreational fires be immediately discontinued if such fires are determined to constitute a hazardous condition or violation the City of Chanhassen's nuisance ordinance.
7. Recreation fires are not allowed if a total burning ban is in effect.
8. Wind speed and gusts can be no greater than 10 MPH when smoke may create a nuisance for nearby neighbors.

9. The prevailing winds must be away from nearby occupied buildings.
10. The use of flammable or combustible liquid accelerants is not permitted.
11. Recreational fires are not permitted on commercial or industrial sites, or sites with construction activities.
12. Open burning of lumber, pallets, wooden shingles, scrap wood, brush, tree trimmings, leaves, straw, hay, yard waste, cardboard, paper, garbage, and other similar items, is not permitted, except as regulated by Chapter 9 Article III.- Permitted Burns, and could result in a fine and/or Fire Department costs.

Sec. 9-23. – 9-30. – Reserved.

ARTICLE III. – PERMITTED BURNS

Sec. 9-31. – Permit Required.

No person shall burn a pile of material larger than three feet in diameter and three feet high without a burn permit issued by the City of Chanhassen.

Sec. 9-32. – Eligible Properties.

Burn permits for residents will only be issued, subject to the requirements of this article, for properties in rural portions of the city. Burn permits for the purpose of prairie grass restoration conducted by a licensed and Minnesota DNR-approved contractor are allowed in all areas of the city. The figure below indicates which areas of the city are classified as rural, urban, or suburban for determining burn permit eligibility.

Sec. 9-33. – Application for Permit.

To apply for a burn permit an applicant must:

1. Submit an application on the form provided by the city to the Fire Chief or Fire Marshal.
2. Provide a nonrefundable fee, which shall be imposed in accordance with the fee schedule established by the City Council.
3. If conducting a prairie grass burn larger than one-half an acre, the applicant must first apply for and receive a permit from the Minnesota DNR. The applicant must provide a copy of the Minnesota DNR permit when applying for a local burning permit.

Sec. 9-34. – Criteria for Approval.

Burn permits shall only be issued if the following criteria are met:

1. The applicant has not violated the conditions of a pervious burn permit.

2. The proposed burn site is on a property shown as eligible to receive a burn permit in Section 9-32.
3. The proposed burn site is at least 250 feet from any building.
4. There is not a practical alternative method for disposal of the materials such as hauling off-site, chipping, or composting.

Sec. 9-35. – Conditions.

The city may place conditions on any aspect of the burn as deemed necessary to prevent the creation of hazardous conditions or nuisances. All burn permits issued under this article are subject to the following conditions:

1. The fire must be kept under control and the applicant must to assume all responsibility for all damages and costs that may result from burning done under this permit.
2. The fire must be attended at all times until completely extinguished.
3. Fires will not be allowed to smolder without flame.
4. A clean burning device must be used to start fire.
5. No burning may be conducted during any air quality alert.
6. Burning may only be conducted when prevailing winds are blowing away from occupied buildings and when wind speeds do not exceed 10 mph.
7. Paper, cardboard, oils, rubber, plastics, tires, and chemically treated materials such as railroad ties, treated lumber, composite shingles, tar paper, composition board, sheetrock, wiring, paint and hazardous and industrial solid waste may not be burnt.
8. The permit must be present and available at the burn site for inspection.
9. The fire must be extinguished immediately if the permit is revoked.

Sec. 9-36. – Revocation.

A burn permit issued under this article may be revoked by the Fire Chief or their designee if it is determined after an inspection by city staff that the permit holder is in violation of or has violated conditions placed upon the burn permit, or that a burn has been conducted in such a manner as to constitute a public nuisance.

Section 2. Section 18-57(b) of the Chanhassen City Code is amended to read as follows:

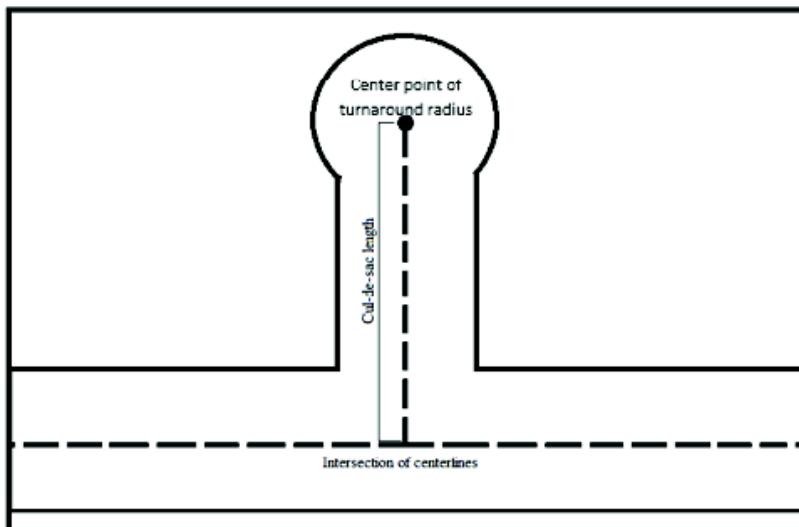
- (b) Street right-of-way widths shall be consistent with the comprehensive plan and official map, and shall conform to county and state standards for trunk highways. If no such plans

or standards are applicable, right-of-way and pavement widths shall not be less than the following:

Street Classifications	Right-of-Way Widths (feet)	Roadway/Pavement Width (feet)
Minor arterial	100	36
Collector	80	36
Local street (rural residential)	60	24
Local street (urban residential)	60	31
Local street (commercial/industrial)	60	36
Cul-de-sac, turnaround radius (urban/residential)	60	48
Cul-de-sac, turnaround radius (rural residential)	60	40
Cul-de-sac, turnaround radius (commercial/industrial)	60	48
Private Street serving residential development with a density of less than 4 units per acre	30	20
Private Street serving residential development with a density equal to or greater than 4 units per acre	40	24
Private Street serving commercial, office, office industrial or mixed-use development	40	26

Section 3. Section 18-57(k) of the Chanhassen City Code is amended to read as follows:

- (k) The length of the cul-de-sac shall be measured from the intersection of the cul-de-sac and street's centerlines to the center point of the cul-de-sac turnaround radius (*see diagram below*). The maximum length of a street terminating in a cul-de-sac shall be 750 feet.



Section 4. Section 18-57(o)(1) of the Chanhassen City Code is amended to read as follows:

- (1) The prevailing development pattern makes it unfeasible or inappropriate to construct a public street. In making this determination the city may consider the location of existing property lines and homes, local or geographic conditions and the existence of wetlands.

Section 5. Section 18-57(p)(1) of the Chanhassen City Code is amended to read as follows:

- (1) The common sections of a private street serving two units or more in a development with a density of less than four units per acre must be built to a seven-ton design, paved to a width of 20 feet, utilize a maximum grade of ten percent, and provide a turnaround area acceptable to the fire marshal based upon guidelines provided by applicable Fire Codes. Private streets serving residential developments with a density equal to or greater than four units per acre shall be built to a seven-ton design, paved a minimum width of 24 feet, utilize a maximum grade of ten percent, and provide a turnaround acceptable to the fire marshal based on applicable Fire Codes. Private streets serving commercial, office, office industrial or mixed-use development shall be built to a nine-ton design, paved a minimum width of 26 feet, utilize a maximum grade of ten percent, and provide a turnaround area acceptable to the fire marshal based on guidelines provided by applicable Fire Codes. Private streets serving a residential component only, within a mixed-use development may be built to a seven-ton design, paved a minimum width of 24 feet, utilize a maximum grade of ten percent, and provide a turnaround that meets the requirements of section 18-57(u). Plans for the street shall be submitted to the city engineer. Upon completion of the private street, the applicant shall submit a set of "as-built" plans signed by a registered civil engineer.

Section 6. The Chanhassen City Code is amended by adding Section 18-57(u) to read as follows:

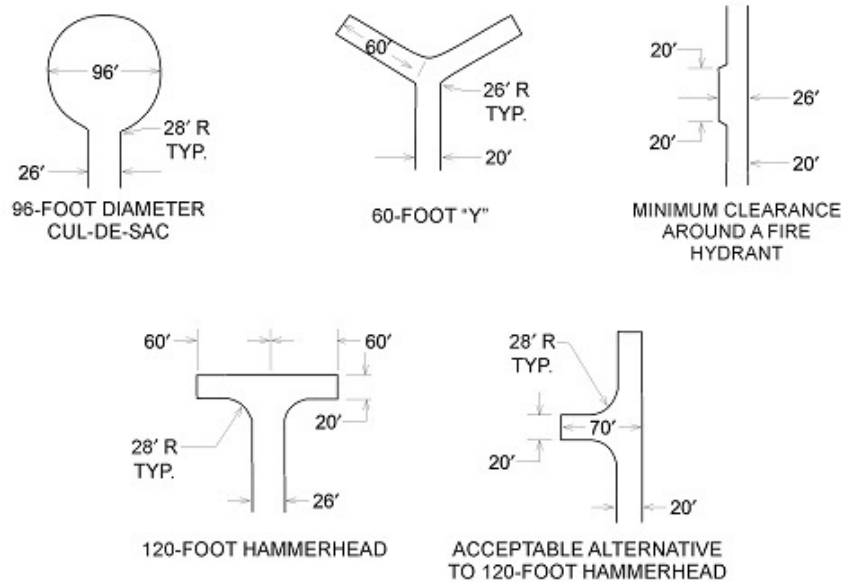
- (u) Fire Apparatus Access Roads
 - (1) General
 - i. Scope: Fire Apparatus Access Roads shall be in accordance with this section. Alterations to any requirement in this section require a variance from City Council.
 - (2) Required Access

- i. Access and loading: Facilities, buildings or portions of buildings hereafter constructed shall be accessible to fire department apparatus by way of an approved Fire Apparatus Access Road with an asphalt, concrete or other approved driving surface capable of supporting the imposed load of fire apparatus weighing at least 75,000 pounds (34,050 kg).

(3) Minimum Specifications

- i. Access road width with a hydrant: Where a fire hydrant is located on a Fire Apparatus Access Road, the minimum road width shall be 26 feet (7,925 mm), exclusive of shoulders (see diagram below).

DEAD END FIRE APPARATUS ACCESS ROAD TURNAROUND



Note: 60-foot "Y" and 120-foot Hammerhead configurations are only permitted for private streets.

For SI: 1 foot = 304.8 mm.

- ii. Grade: Fire Apparatus Access Roads shall not exceed 10 percent in grade.
Exception: Grades steeper than 10 percent as approved by the fire chief.
- iii. Turning radius: The minimum turning radius shall be determined by the Fire Code official.
- iv. Dead-end: Dead-end Fire Apparatus Access Road in excess of 150 feet (45,720 mm) shall be provided with width and turnaround provisions in accordance with the table below.

Table: REQUIREMENTS FOR DEAD END FIRE APPARATUS ACCESS ROADS

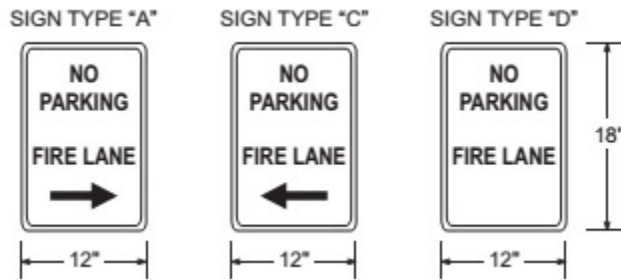
LENGTH (feet)	WIDTH (feet)	TURNAROUNDS REQUIRED
0-150	20	None required
151-500	20	120-foot Hammerhead, 60-foot “Y“ or 96-foot diameter cul-de-sac* in accordance with Section 18-57(u)(3)(i)
501-750	26	120-foot Hammerhead, 60-foot “Y“ or 96-foot diameter cul-de-sac* in accordance with Section 18-57(u)(3)(i)
Over 750	Requires Variance from City Council	

*Temporary cul-de-sacs may be constructed with a 90-foot diameter, as specified in Section 18-57(t).

Note: 60-foot “Y” and 120-foot Hammerhead configurations are only permitted for private streets.

- v. Fire Apparatus Access Road Gates: Gates securing the Fire Apparatus Access Roads shall comply with all of the following criteria:
 1. The minimum gate width shall be 20 feet (6096 mm).
 2. Gates shall be of the swinging or sliding type.
 3. Construction of gates shall be of materials that allow manual operation by one person.
 4. Gate components shall be maintained in an operative condition at all times and replaced or repaired when defective.
 5. Electric gates shall be equipped with a means of opening the gate by fire department personnel for emergency access. Emergency opening devices shall be approved by the Fire Code official.
 6. Manual opening gates shall not be locked with a padlock or chain and padlock unless they are capable of being opened by means of forcible entry tools or when a key box containing the key(s) to the lock is installed at the gate location.
 7. Locking device specifications shall be submitted for approval by the Fire Code official.
 8. Electric gate operators, where provided, shall be listed in accordance with UL 325.

9. Gates intended for automatic operation shall be designed, constructed and installed to comply with the requirements of ASTM F2200.
- vi. Signs: Where required by the Fire Code official, Fire Apparatus Access Road shall be marked with permanent NO PARKING—FIRE LANE signs complying with the diagram below. Signs shall have a minimum dimension of 12 inches (305 mm) wide by 18 inches (457 mm) high and have red letters on a white reflective background. Signs shall be posted on one or both sides of the Fire Apparatus Access Road as required by Section 18-57(u)(3)(vi)(1) or Section 18-57(u)(3)(vi)(2) .



Fire Lane Signs Diagram

1. Roads 20 to 26 feet in width: Fire lane signs as specified in Section 18-57(u)(3)(vi) shall be posted on both sides of Fire Apparatus Access Roads that are 20 to 26 feet wide (6,096 to 7,925 mm).
2. Roads more than 26 feet in width: Fire lane signs as specified in Section 18-57(u)(3)(vi) shall be posted on one side of Fire Apparatus Access Roads more than 26 feet wide (7925 mm) and less than 32 feet wide (9,754 mm).

(4) Commercial and Industrial Developments

- i. Buildings exceeding three stories or 30 feet in height: Buildings or facilities exceeding 30 feet (9,144 mm) or three stories in height shall have at least two means of fire apparatus access for each structure.
- ii. Buildings exceeding 62,000 square feet in area: Buildings or facilities having a gross building area of more than 62,000 square feet (5,760 mm) shall be provided with two separate and approved Fire Apparatus Access Road.

Exception: Projects having a gross building area of up to 124,000 square feet (11,520 mm) that have a single approved Fire Apparatus Access Road when all buildings are equipped throughout with approved automatic sprinkler systems. OR a variance from City Council.

iii. Remoteness: Where two Fire Apparatus Access Road are required, they shall be placed a distance apart equal to not less than one half of the length of the maximum overall diagonal dimension of the lot or area to be served, measured in a straight line between accesses.

(5) Aerial Fire Apparatus Access Roads

- i. Where required: Where the vertical distance between the grade plane and the highest roof surface exceeds 30 feet (9,144 mm), approved Aerial Fire Apparatus Access Roads shall be provided. For purposes of this section, the highest roof surface shall be determined by measurement to the eave of a pitched roof, the intersection of the roof to the exterior wall, or the top of parapet walls, whichever is greater.
- ii. Width: Aerial Fire Apparatus Access Roads shall have a minimum unobstructed width of 26 feet (7925 mm), exclusive of shoulders, in the immediate vicinity of the building or portion thereof.
- iii. Proximity to building: At least one of the required access routes meeting this condition shall be located within a minimum of 15 feet (4,572 mm) and a maximum of 30 feet (9,144 mm) from the building, and shall be positioned parallel to one entire side of the building. The side of the building on which the Aerial Fire Apparatus Access Road is positioned shall be approved by the Fire Code official.
- iv. Obstructions: Overhead utility and power lines shall not be located over the Aerial Fire Apparatus Access Road or between the Aerial Fire Apparatus Access Road and the building. Other obstructions shall be permitted to be placed with the approval of the Fire Code official.

(6) Multiple-Family Residential Developments

- i. Projects having more than 100 dwelling units: Multiple-family residential projects having more than 100 dwelling units shall be equipped throughout with two separate and approved Fire Apparatus Access Road.

Exception: Projects having up to 200 dwelling units may have a single approved Fire Apparatus Access Road when all buildings, including nonresidential occupancies, are equipped throughout with approved automatic sprinkler systems installed in accordance with Section 903.3.1.1 or 903.3.1.2 of the most current edition of the Minnesota State Fire Code.

- ii. Projects having more than 200 dwelling units: Multiple-family residential projects having more than 200 dwelling units shall be provided with two

separate and approved Fire Apparatus Access Road regardless of whether they are equipped with an approved automatic sprinkler system.

(7) One- Or Two-Family Residential Developments

- i. One- or two-family dwelling residential developments: Developments of one- or two-family dwellings where the number of dwelling units exceeds 30 shall be provided with two separate and approved Fire Apparatus Access Road, and shall meet the requirements of Section 18-57(u)(4)(iii).

Exceptions:

- 1. Where there are more than 30 dwelling units on a single public or private fire apparatus access road and all dwelling units are equipped throughout with an approved automatic sprinkler system in accordance with Section 903.3.1.1, 903.3.1.2 or 903.1.3 of the International Fire Code, access from two directions shall not be required.
- 2. The number of dwelling units on a single Fire Apparatus Access Road shall not be increased unless Fire Apparatus Access Roads will connect with future development, as determined by the Fire Code official.

(8) REFERENCED STANDARDS

ASTM	F2200—05	Standard Specification for Automated Vehicular Gate Construction	Section 18-57(u)(3)(v)
ICC	IFC—12	International Fire Code	Section 18-57(u)(7)(i)
UL	325—02	Door, Drapery, Gate, Louver, and Window Operators and Systems, with Revisions through February 2006	Section 18-57(u)(3)(v)

Section 7. This ordinance shall be effective immediately upon its passage and publication.

PASSED AND ADOPTED this 12th day of August, 2019, by the City Council of the City of Chanhassen, Minnesota.

Todd Gerhardt, City Clerk/Manager

Elise Ryan, Mayor

(Summary Ordinance 644 published in the Chanhassen *Villager* on August 22, 2019)