ORDINANCE NO. CO-10-15

AN ORDINANCE OF MORGAN COUNTY ADOPTING THE INTERNATIONAL FIRE CODE AND RELATED APPENDICES AND CREATING THE BUREAU OF FIRE PREVENTION

WHEREAS, the State of Utah sets forth the building, fire, and safety codes which are adopted for use by counties and municipalities; and

WHEREAS, the State of Utah recently updated the adopted fire, building and safety codes; and

WHEREAS, the County needs to update its code to reflect this; and

WHEREAS, the County Council determines that the adoption of the International Fire Code and related appendices, and creating he Bureau of Fire Prevention is in the interest of the public's health, safety, and welfare.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNTY COUNCIL OF MORGAN COUNTY, STATE OF UTAH:

Section 1. Title 7 (Building, Construction Regulations), of the Morgan County Code is hereby amended by adding a Chapter 8, Fire Prevention and Protection, which reads as follows:

7-8-1. Adoption of the International Fire Code.

(a) There is hereby adopted by Morgan County, as provided in Section 53-7-106, Utah Code, for the purpose of prescribing regulations governing conditions hazardous to life and property from fire or explosion occurring in the unincorporated area of the county, that certain Code known as the International Fire Code, 2009 Edition, excluding all appendices except for those appendices which are specifically adopted herein, as promulgated by the International Fire Code Council, Inc., and adopted by the Utah Fire Prevention Board, except as amended by the provisions listed in the Utah Administrative Rules, R710-9-1, et seq. and in the Utah Administrative Rules, R710-9-6, *et seq.*, save and except such portions as are hereinafter deleted, modified, or amended by the Morgan County Code, as authorized in Section 53-7-204(3), Utah Code, hereinafter referred to as the International Fire Code. In the event of any conflict between the terms of the International Fire Code and the terms of this Chapter, the terms of this Chapter shall control.

(b) The following appendices to the International Fire Code are hereby adopted: Appendix B – Fire Flow Requirements for Buildings; Appendix C – Fire Hydrant Locations and Distribution; Appendix D – Fire Apparatus Access Roads; Appendix E – Hazard Categories; Appendix F – Hazard Ranking; Appendix G – Cryogenic Fluids – Weight and Volume Equivalents; and Appendix I – Fire Protection Systems/ Non Compliant Conditions.

(c) The International Fire Code is hereby adopted in book form as provided in Section 17-53-208, Utah Code, and incorporated by such adoption as fully as if set out at length herein, and shall be controlling within the limits of the unincorporated area of Morgan County, Utah.

7-8-2. Establishment and Duties of Bureau of Fire Prevention

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Filed By: CB
BRENDA NELSON, Recorder
MORGAN COUNTY
For: MORGAN COUNTY

(a) There is hereby established a Bureau of Fire Prevention within the Morgan County Fire Department, which Bureau shall be managed by the Morgan County Fire Chief, which shall operate as the department of fire prevention when the function of such department is required by the International Fire Code. The International Fire Code shall be enforced by the Bureau of Fire Prevention and its officers as hereinafter set forth.

(b) There shall be the position of Fire Marshal within the Bureau of Fire Prevention, who shall serve as the "code official" or "Fire Chief", when the function of such officer is required by the International Fire Code, and shall have the duties required in state law, the International Fire Code, and other ordinances of Morgan County appertaining to his office or required by his supervisors.

(c) In addition to the position of Fire Marshal, the Bureau of Fire Prevention may include technical inspectors and other staff members, when authorized by the County Council, who work under the direction of the Fire Marshal to assist him in completing his duties.

(d) In addition to, or as a part of, the duties specified in this Chapter, the Bureau of Fire Prevention shall carry out the duties required by it in the contracts which Morgan County has made with Morgan City and the Mountain Green Fire District for fire protection throughout Morgan County. The Bureau of Fire Prevention, in carrying out the enforcement of the International Fire Code, may request and shall receive in so far as may be necessary and practical, the assistance and cooperation of other officials of Morgan County, Morgan City, and the Mountain Green Fire District.

7-8-3. Definitions.

(a) Whenever the term "code official" is used in the International Fire Code, it shall be held to mean the Fire Marshal.

7-8-4. Penalties.

(a) Any person who shall violate any of the provisions of the International Fire Code as adopted and amended herein or fails to comply therewith, or who violates or fails to comply with any order made thereunder, or who builds in violation of any detailed statement of specifications or plans submitted and approved thereunder, or any certificate or permit issued thereunder, and from which no appeal has been taken, or who fails to comply with an order as affirmed or modified by the Fire Code Board of Appeals or by a court of competent jurisdiction appealed to therefrom, or who violates or fails to comply with any provision of this Ordinance shall severally for each and every violation and noncompliance, respectively, be guilty of a Class B Misdemeanor, punishable under the terms of this Section and Section 1-4 of the Morgan County Code. Further, the imposition of one penalty for any violation shall not excuse the violation nor permit it to continue; all such persons shall be required to correct or remedy such violations or defects within a reasonable time; and when not otherwise specified, each ten days that prohibited conditions are maintained shall constitute a separate offense.

(b) The application of the above penalty shall not be held to prevent the enforced removal of prohibited conditions.

7-8-5. Superseding conflicting ordinances.

Consistent with Section 53-7-106(2)(a) of the Utah Code, should the provisions of the International Fire Code be deemed to be in conflict with the requirements of another ordinance, the more restrictive regulation shall apply.

Section 2. **Effective Date.** This Ordinance shall become effective immediately upon publication in one issue of a newspaper published in and having general circulation in the county, as it is necessary for the immediate preservation of the peace, health, or safety of the county and the county's inhabitants.

APPROVED, ADOPTED AND PASSED and ordered published by the Morgan County Council, this 19th Day of October, 2010.

ATTEST:

Stacy Lafitte
Morgan County Clerk

MORGAN COUNTY GOVERNING BODY

Sid Creager, County Council Chair

APPROVED AS TO FORM

Jann L. Farris
Morgan County Attorney

Council members	Voting: AYE	NAY	ABSENT
Sid Creager	✓		
Howard Hansen	✓		
Donald Mathews	✓		
Tina Kelley	✓		
Alvin Lundgren	✓		
Karen Sunday	✓		