

# COTTONWOOD HEIGHTS

## ORDINANCE NO. 204

### AN ORDINANCE AMENDING SECTION 9.65.020, COTTONWOOD HEIGHTS CODE OF ORDINANCES

**WHEREAS**, effective 14 January 2005, the city council (the “*Council*”) of the city of Cottonwood Heights (the “*City*”) adopted a code of ordinances (the “*Code*”) for the City; and

**WHEREAS**, Code Chapter 9.65, entitled “International Fire Code,” concerns the City’s adoption of the International Fire Code (the “*IFC*”) to prescribe regulations governing conditions hazardous to life and property from fire and explosion; and

**WHEREAS**, each of Utah’s political subdivision must comply with the state fire code, and such compliance requires an amendment of the Code to reflect changes in state law concerning the fire code as they occur; and

**WHEREAS**, Code section 9.65.020 (“*Section 9.65.020*”) contains certain amendments to the IFC authorized and/or required by enactments of the Utah Legislature; and

**WHEREAS**, an amendment to IFC section 310.8 (the “*Amendment*”) was adopted by the Utah Legislature in its 2013 General Session pursuant to HB 289 (“*HB 289*”); and

**WHEREAS**, the Council met in regular meeting on 11 June 2013, to consider, among other things, amending current Section 9.65.020 to adopt the Amendment effected by HB 289; and

**WHEREAS**, after careful consideration, the Council has determined that it is in the best interests of the health, safety, and welfare of its residents to so amend Section 9.65.020 to adopt the Amendment as specified by HB 289;

**NOW, THEREFORE, BE IT ORDAINED** by the city council of the city of Cottonwood Heights as follows:

Section 1. **Amendment of Section 9.65.020**. The Council hereby amends current Section 9.65.020 of the Code as shown on the attached exhibit, wherein additions to current Section 9.65.020 are underlined or otherwise shown as additions, and deletions to current Section 9.65.020 are ~~struck through~~ or otherwise shown as deletions.

Section 2. **Action of Officers**. All actions of the officers, agents and employees of the City that are in conformity with the purpose and intent of this ordinance (this “*Ordinance*”), whether taken before or after the adoption hereof, are hereby ratified, confirmed and approved.

Section 3. **Severability**. All parts of this Ordinance are severable, and if any section, paragraph, clause or provision of this Ordinance shall, for any reason, be held to be invalid or unenforceable, the invalidity or unenforceability of any such section, paragraph, clause or

provision shall not affect the remaining sections, paragraphs, clauses or provisions of this Ordinance.

Section 4. ***Repealer.*** All ordinances or parts thereof in conflict with this Ordinance are, to the extent of such conflict, hereby repealed.

Section 5. ***Effective Date.*** This Ordinance, assigned no. 204, shall take immediate effect as soon as it shall be published or posted as required by law and deposited and recorded in the office of the City's recorder, or such later date as may be required by Utah statute.

**PASSED AND APPROVED** this 11<sup>th</sup> day of June 2013.

**COTTONWOOD HEIGHTS CITY COUNCIL**



By *Kelvyn H. Cullimore, Jr.*  
Kelvyn H. Cullimore, Jr., Mayor

*Linda W. Dunlavy*  
Linda W. Dunlavy, Recorder

**VOTING:**

Kelvyn H. Cullimore, Jr.	Yea <input checked="" type="checkbox"/>	Nay <input type="checkbox"/>
Michael L. Shelton	Yea <input checked="" type="checkbox"/>	Nay <input type="checkbox"/>
J. Scott Bracken	Yea <input checked="" type="checkbox"/>	Nay <input type="checkbox"/>
Michael J. Peterson	Yea <input checked="" type="checkbox"/>	Nay <input type="checkbox"/>
Tee W. Tyler	Yea <input checked="" type="checkbox"/>	Nay <input type="checkbox"/>

**DEPOSITED** in the Recorder's office this 11<sup>th</sup> day of June 2013.

**POSTED** this 12 day of June 2013.

## Chapter 9.65

### INTERNATIONAL FIRE CODE

#### Sections:

- 9.65.010 Adoption of International Fire Code.
- 9.65.020 Amendments to IFC.
- 9.65.030 Storage of Hazardous Materials.
- 9.65.040 Fees.
- 9.65.050 Interpretation.

#### 9.65.010 Adoption of International Fire Code.

A. In order to prescribe regulations governing conditions hazardous to life and property from fire and explosion, the city hereby adopts by this reference the 2009 edition of the International Fire Code and the International Fire Code Standards, and any subsequent editions (“IFC”), including Appendices “B,” “C,” “D,” “E,” “F,” “G,” “H,” “I” and “J,” but not Appendix “A” thereof, with such amendments as are set forth below.

B. Pursuant to UTAH CODE ANN. 10-3-711, a copy of the IFC has been filed in the office of the city recorder for use and examination by the public.

#### 9.65.020 Amendments to IFC.

A. The City hereby adopts by reference and incorporates herein the additions and amendments to the IFC adopted by the Utah State Legislature pursuant to UTAH CODE ANN. §58-56-4 enacted in HB 308 (2010 General Session) and HB 289 (2013 General Session).

B. Section 903.4.2 of the IFC is amended to read as follows:

*903.4.2 Alarms. Approved audible devices shall be connected to every automatic sprinkler system serving more than 20 fire sprinkler heads. Such sprinkler water flow alarm devices shall be activated by water flow equivalent to the flow of a single sprinkler of the smallest orifice size installed in the system. Alarm devices shall be provided on the exterior of the building and interior spaces per NFPA 72 in an approved location. With the exception of R-3 occupancies where a fire alarm system is installed, activation of the automatic sprinkler system shall activate the building fire alarm system.*

C. Section 310.8 of the IFC is amended to read as follows:

310.8 Hazardous environmental conditions. When the fire code official determines that hazardous environmental conditions necessitate controlled use of any ignition source, including fireworks, lighters, matches, sky lanterns, and smoking materials:

(i) the legislative body of a municipality within which the hazardous environmental conditions exist may prohibit only the ignition or use of the ignition source in mountainous, brush-covered areas or the wildland urban interface area, which means the line, area, development meet or intermingle with undeveloped wildland or land being used for an agricultural purpose; and

(ii) where hazardous environmental conditions exist in unincorporated areas that meet the description in Subsection 1(c)(i), the state forester may prohibit the ignition or use of the ignition source in all or part of these areas, after consulting with the county fire code official having jurisdiction over that area.

**9.65.030 Storage of Hazardous Materials.**

The storage of Class I and Class II hazardous materials in above-ground or below-ground tanks, inside and outside of buildings is prohibited unless allowed by the zoning provisions applicable to the location in which the proposed tanks are to be located. In addition, the storage of Class I and Class II hazardous materials pursuant to this section is subject to the provisions of NFPA 30, 58 and 59A.

**9.65.040 Fees.**

In accordance with IFC Section 113, the city adopts the fees for Hazardous Materials Permitting and Inspection, Fire Inspection, Fire Watch, Re-inspection—Delay in Preparation at Work Site, and Blasting Permitting as set forth below. All fees set forth below shall be collected by and paid to the Unified Fire Authority (or other fire and emergency services provider for the city) at the time, the permit, inspection, re-inspection, or fire watch staffing is requested and shall be a condition for issuance of the permit and scheduling of the inspection, re-inspection or fire watch staffing.