

ORDINANCE NO. 1474

AN ORDINANCE ADOPTING A FIRE PREVENTION CODE; PRESCRIBING REGULATIONS GOVERNING CONDITIONS HAZARDOUS TO LIFE AND PROPERTY FROM FIRE OR EXPLOSIONS; ESTABLISHING A BUREAU OF FIRE PREVENTION; PROVIDING OFFICERS THEREFOR ; DEFINING THEIR POWERS AND DUTIES; PROVIDING FOR APPEALS; PROVIDING FOR PENALTIES; AND REPEALING ORDINANCE NO. 1365.

THE CITY OF HOOD RIVER ORDAINS AS FOLLOWS:

Section 1: Adoption of the Uniform Fire Code.

That certain document, three copies of which are on file in the office of the City Recorder of the City of Hood River being marked and designated as the Uniform Fire Code, 1979 edition, including its appendices A,B,C,D,E,F,G, H, and I, recommended by the International Conference of Building Officials and the Western Fire Chiefs Association, shall be and the same is hereby adopted as the Uniform Fire Code of the City of Hood River, prescribing regulations, governing conditions hazardous to life and property from fire or explosions, establishing a Bureau of Fire Prevention and providing officers therefore and defining their powers and duties; and each and all of the regulations, provisions, penalties and conditions and terms of said Uniform Fire Code, 1979 edition, with its above noted appendices recommended by the International Conference of Building Officials and Western Fire Chief Association on file in the office of the City Recorder of the City of Hood River, save as are hereafter in this ordinance amended are hereby referred to, adopted and made a part hereof as if fully set out in this ordinance.

Section 2: Establishment and Duties of Bureau of Fire Prevention.

(a) The Uniform Fire Code shall be enforced by the Bureau of Fire Prevention of the City of Hood River which is hereby established and which shall be operated under the supervision of the Chief of the Fire Department.

(b) The Fire Marshall in charge of the Bureau of Fire Prevention shall be appointed by the Fire Chief.

(c) The Chief of the Fire Department may detail such members of the fire department as inspectors as shall from time to time be necessary.

Section 3: Definitions.

(1) Whenever the word "Jurisdiction" is used in the Uniform Fire Code it shall be held to mean the City of Hood River.

(2) Whenever the word "Corporation Counsel" is used in the Uniform Fire Code it shall be held to mean the attorney for the City of Hood River.

(3) Whenever the words "Chief of the Bureau of Fire Prevention" are used in Uniform Fire Code, they shall be held to mean the Fire Marshall of the City of Hood River. And the words "Fire Marshall" herein refers to the Fire Marshall of the City of Hood River.

Section 4: Establishment of Limits of Districts in Which Storage of Flammable or Combustible Liquids in Outside Aboveground Tanks is to be Prohibited.

(1) The limits referred to in Section 79.201 of the Uniform Fire Code in which storage of flammable or combustible liquids in outside aboveground tanks is prohibited, are hereby established as follows; the area described and set forth as zoned for residential occupancies and commercial within the City of Hood River as established by ordinance now or hereafter put into effect.

(2) The limits referred to in Section 79.601 of the Uniform Fire Code, in which new bulk plants for flammable or combustible liquids are prohibited, are hereby established as follows; the area described and set forth as zoned for residential occupancies and commercial, within the City of Hood River as established by ordinance now or hereafter put into effect.

Section 5: Establishment of Limits to which Bulk Storage of Liquified Petroleum Gases is to be Restricted. The limits referred to in Section 82.105 (a) of the Uniform Fire Code, in

which bulk storage of liquified petroleum gas is restricted, are hereby established as follows; the area described and set forth as zoned for residential occupancies and commercial within the City of Hood River as established by ordinance now or hereafter put into effect.

Section 6: Establishment of Limits of Districts in Which Storage of Explosives and Blasting Agents is to be Prohibited. The limits referred to in Section 77.106 (b) of the Uniform Fire Code in which storage of explosives and blasting agents is prohibited, are hereby established as follows; the area described and set forth as zoned for residential occupancies and commercial within the City of Hood River established by ordinance now or hereafter put into effect.

Section 7: Modification. The Fire Marshall may modify any of the provisions of the Uniform Fire Code upon application when there are practical difficulties in carrying out the strict letter of the code, provided that the spirit of the code shall be observed, public safety secured and substantial justice done. The particulars of such a modification when granted or allowed and the decision of the Fire Marshall thereon shall be entered upon the records of the department and a signed copy shall be available to applicant.

Section 8: Appeals. Whenever the Fire Marshall shall disapprove an application or refuse to grant a permit applied for or when it is claimed that the provisions of the code do not apply, or that the code has been wrongly interpreted, or that modification of any provision of the code by the Fire Marshall is improper, the applicant may appeal from the decision of the Fire Marshall to the City Council of the City of Hood River within thirty (30) days from the decision.

Section 9: New Materials, Processes or Occupancies which may Require Permits. The City of Hood River Administrator, the Fire Chief, Building Officials, and Fire Marshall shall act as a committee to determine and specify, after giving persons an opportunity to be heard, any new materials, processes or

occupancies which shall require permits, in addition to those now enumerated in said code. The Fire Marshall may file with the City Recorder a list of approved new materials, processes or occupancies.

Section 10: Repeal. Ordinance No. 1365 adopted December 30, 1974, pertaining to the adoption of a prior fire code and all other ordinances or parts of ordinances in conflict with this ordinance are repealed.

Section 11: Recovery of Costs of Suppressing Unlawful Fire. If city fire fighting personnel are required to respond to a condition of smoke or fire, whether they engage in fire fighting or not; if the smoke or fire is the result of a person violating any provision of this ordinance or as a result of disobeying a permit issued by the Fire Marshall, and if a municipal court complaint has been filed against the person under Section 12 of this ordinance, such person or persons responsible for the violation shall be liable for the reasonable costs of the fire fighting personnel and use of the equipment involved. If the City of Hood River files a civil action to collect costs as a result of a violation as described in this section, the City shall be entitled to a reasonable amount to be fixed by a trial court or appellate court as the City's attorney fees.

Section 12: Penalties. Any person, firm or corporation who violates, disobeys, neglects or refuses to comply with, or who resists the enforcement of any of the provisions of this ordinance shall be considered to have committed an offense and be subject to punishment as set forth in the City's general penalties ordinance, Ordinance No. 1452. Each day that a violation occurs or is permitted to exist shall constitute a separate offense.

Section 13: Validity. Should any section, paragraph, sentence or word of this ordinance or of the code hereby adopted be declared for any reason to be invalid, it is the intent of the Council of the City of Hood River that it would have passed all other portions of this ordinance independent of the

elimination herefrom of any such portion as may be declared invalid.

Read for the first time: June 10, 1980.

Read for the second time: June 24, 1980.

PASSED by the Council of the City of Hood River
this 24 day of June, 1980.

Dorothy M. Sengers
City Recorder

APPROVED by the Mayor of the City of Hood River
this 24 day of June, 1980.

Charles F. Beardsley
Mayor