

ORDINANCE NO. 1827

**(An ordinance adding Chapter 15.42 to the Hood River Municipal Code
– Urban-Wildland Interface)**

WHEREAS, the City has areas within its boundaries that contain structures intermingling with wildland and vegetative fuels (Urban-Wildland Interface areas);

WHEREAS, the City will gain, through annexation, additional Urban-Wildland Interface areas;

WHEREAS, Urban-Wildland Interface areas pose different and often increased hazards for fires than do typical urban settings;

WHEREAS, existing fire prevention regulations do not adequately address fire safety in Urban-Wildland Interface areas;

WHEREAS, the City should adopt regulations to provide a higher level of fire safety in Urban-Wildland Interface areas;

NOW, THEREFORE, THE CITY OF HOOD RIVER ORDAINS AS FOLLOWS:

Chapter 15.42 is added to the Hood River Municipal Code:

CHAPTER 15.42 – URBAN-WILDLAND INTERFACE CODE

Sections:

- 15.42.010 Adoption of the Urban-Wildland Interface Code
- 15.42.020 Establishment and Duties of Code Official
- 15.42.030 Definitions
- 15.42.035 Amendments to the Urban-Wildland Interface Code
- 15.42.040 Appeals
- 15.42.050 New materials, processes or occupancies which may require permits
- 15.42.060 Recovery of costs of suppressing fire
- 15.42.070 Penalties
- 15.42.080 Conflicting Codes and Ordinances
- 15.42.090 Severability
- 15.42.100 Establishment of Urban-Wildland Interface Areas

15.42.010 Adoption of the Urban-Wildland Interface Code. For the purpose of prescribing regulations governing conditions hazardous to life and property from intrusion of fire from wildland fire exposures, fire exposures from adjacent structures, and prevention of structure fires from spreading to wildland fuels, the *Urban-Wildland Interface Code*, together with Appendix I-A, General Requirements and Appendix I-B, Vegetation Management Plan, published by the International Fire Code Institute (referred to in this Chapter as the “Code”), is adopted and incorporated as fully as if set out in full, except as may otherwise be provided by this Chapter. The applicable version of the Code shall be set by resolution of the Council.

15.42.020 Establishment and duties of Code Official. The Code shall be enforced by the designated Code Official. Under Chapter Five (5) of the Code, the designated Code Official shall be the City Building Official; under all other chapters of the Code, the designated Code Official shall be the City Fire Marshal.

15.42.030 Definitions. As used in the Code, the following words shall have the following meanings:

A. "Chief of the bureau of fire prevention" shall mean the Fire Marshal.

B. "Corporation Counsel" shall mean the City Attorney.

C. "Jurisdiction" shall mean the City.

D. "Urban-Wildland Interface Area" is that geographical area where structures and other human development meets or intermingles with wildland or vegetative fuels, and as established pursuant to this Chapter.

E. "Wildland" shall mean an area in which development is essentially nonexistent, except for roads, railroads, power lines, and similar facilities.

15.42.35 Amendments to the Code. The Code is amended as follows: Section 105 – Permits is deleted.

15.42.040 Appeals. Whenever the Fire Marshal requires a permit and the applicant does not agree that a permit is required under the Code, or whenever the Fire Marshal denies an application for a permit, the applicant may appeal the written decision of the Fire Marshal to the City Council within thirty days from the date of the decision.

15.42.050 New materials, processes or occupancies which may require permits. The City Council may, by resolution, specify any new materials, processes or occupancies which shall require permits, in addition to those now enumerated in the Code. A list of all materials, processes and occupancies requiring permits that are not specified in the Code shall be posted in a conspicuous place at the City fire department and made available to interested persons in accordance with the City's public records policy.

15.42.060 Recovery of costs of suppressing 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 the Code, is the result of a person intentionally burning material in a reckless manner, or is the result of a person disobeying a permit issued by the Fire Marshal, the person responsible for the violation shall be liable to the City for the reasonable costs of the fire fighting personnel and use of the equipment involved. If the City files an action to recover costs incurred under this section, in addition to recovery of costs, the City shall be entitled to recover its reasonable attorney fees.

15.42.070 Penalties. Violation of this Chapter shall be considered a violation and shall be punishable by a fine set by City Council Resolution. Any act prohibited by this Chapter shall be considered a nuisance subject to immediate and summary abatement by fire or police personnel. Costs of abatement shall be assessed against any person who violates the provisions of this Chapter and shall be imposed in addition to any fine. If the City files an action to recover costs incurred under this section, in addition to recovery of costs, the City shall be entitled to recover its reasonable attorney fees.

15.42.080 Conflicting Codes and Ordinances. In the event of a conflict between the provisions of this Chapter and the Code adopted under this Chapter, with any other provisions of the Hood River Municipal Code or the codes adopted thereunder, the more restrictive provision shall apply.

15.42.090 Establishment of Urban-Wildland Interface Areas. The Urban-Wildland Interface area shall be depicted on a map of the City and Urban Growth Area and described by written description. The map and written description shall be adopted by resolution of the Council. The boundaries of the Urban-Wildland Interface Area may be natural or man-made features. Property located in the Urban Growth Area and Urban-Wildland Interface area shall become subject to the provisions of this chapter upon annexation.

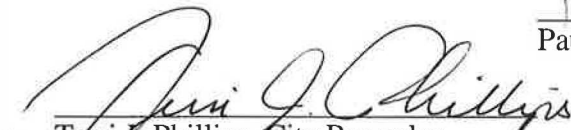
Read for the first time: June 10, 2002.

Read for the second time and passed: August 26, 2002, 2002, to become effective thirty (30) days hence.

Signed on August 27, 2002.


Paul G. Cummings, Mayor

ATTEST:


Terri J. Phillips, City Recorder