

ORDINANCE NO. 731

AN ORDINANCE ADOPTING A UNIFORM FIRE CODE PRESCRIBING REGULATIONS GOVERNING CONDITIONS HAZARDOUS TO LIFE AND PROPERTY FROM FIRE OR EXPLOSION, AND ESTABLISHING A BUREAU OF FIRE PREVENTION AND PROVIDING OFFICERS THEREFOR AND DEFINING THEIR POWERS AND DUTIES, AND REPEALING ORDINANCE NO. 557.

THE PEOPLE OF THE CITY OF PRINEVILLE ORDAIN AS FOLLOWS:

Section 1. Adoption of Uniform Fire Code. There is hereby adopted by the City Council of Prineville, Crook County, Oregon for the purpose of prescribing regulations governing conditions hazardous to life and property from fire or explosion, that certain code known as the Uniform Fire Code recommended by the Western Fire Chiefs Association and the International Conference of Building Officials being particularly the 1973 edition thereof, of which Code not less than three (3) copies have been and are now filed in the office of the Recorder of the City of Prineville, and the same are hereby adopted and incorporated as fully as if set out at length herein, and from the date on which this ordinance shall take effect, the provision thereof shall be controlling within the limits of the City of Prineville.

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

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

(b) The Chief (or Fire Marshal) in charge of the Bureau of Fire Prevention shall be appointed by the City Administrator on the basis of examination to determine his qualifications.

(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. The Chief of the Fire Department shall recommend to the City Administrator the employment of technical inspectors, who, when such authorization is made, shall be selected through an examination to determine their fitness for the position. The examination shall be open to members and nonmembers of the Fire Department, and appointments made after examination shall be for an indefinite term with removal only for cause.

Section 3. Definitions.

(a) Wherever the word "jurisdiction" is used in the Uniform Fire Code, it shall be held to mean the City of Prineville corporate limits.

(b) Wherever the term "Corporation Counsel" is used in the Uniform Fire Code, it shall be held to mean the Attorney for the City of Prineville.

(c) Wherever the words "Chief of the Bureau of Fire Prevention" are used, they shall be held to mean "Fire Marshal."

Section 4. Establishment of Limits of Districts in Which Storage of Flammable Or Combustible Liquids In Outside Aboveground Tanks Is To Be Prohibited.

(a) The limits referred to in Section 15.201 of the Uniform Fire Code in which storage of flammable or combustible liquids in outside aboveground tanks is prohibited, are hereby established as follows: All areas of the City except those specifically zoned for heavy industrial use, as outlined on the City of Prineville Zoning Map, and any existing commercial storage of gasoline or petroleum products in excess of 1,000 gallons in areas annexed after May 1, 1974, providing said commercial bulk storage was in existence prior to annexation.

Section 4. cont.

(b) The limits referred to in Section 15.601 of the Uniform Fire Code, in which new bulk plants for flammable or combustible liquids are prohibited, are hereby established as follows: All areas of the City except those specifically zoned for heavy industrial use, as outlined on the City of Prineville Zoning Map, and any existing commercial storage of gasoline or petroleum products in excess of 1,000 gallons.

Section 5. Establishment of Limits In Which Bulk Storage of Liquefied Petroleum Gases Is To Be Restricted.

The limits referred to in Section 20.105 (a) of the Uniform Fire Code, in which bulk storage of liquefied petroleum gas is restricted, are hereby established as follows: All areas of the City except those specifically zoned for commercial or heavy industrial use, as outlined on the City of Prineville Zoning Map.

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 11.106 (b) of the Uniform Fire Code, in which storage of explosives and blasting agents is prohibited, are hereby established as follows: All areas of the City except those specifically zoned for heavy industrial use, as outlined on the City of Prineville Zoning Map.

Section 7. Amendments made in the Uniform Fire Code.

The Uniform Fire Code is amended and changed in the following respects:

- (1) Section 27.101 (b) is amended by inserting 20 feet for 50 feet as it appears therein. Further, the following sentence is added: An approved waste burner is one made of non-combustible materials with a 1/4 inch mesh cover and without openings into the combustion chamber.
- (2) Section 27.105 is amended by deleting paragraph (c) and re-numbering paragraphs (d) & (e) & (d) respectively. The new paragraph (c) is now amended in inserting 1/4 inch for 1/2 inch as it appears therein.
- (3) Section 27.106 (a) is amended to read: Any residential incinerator shall be installed in accordance with the provisions of the Uniform Mechanical Code (U.B.C. Vol. II.).
- (4) Section 27.112 (b) 2. is amended by inserting 20 feet for 25 feet as it appears therein.

Section 8. Appeals. Whenever the Chief 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 true intent and meaning of the Code have been misconstrued or wrongly interpreted, the applicant may appeal from the decision of the Chief to the City Council within 30 days from the date of the decision appealed.

Section 9. New Materials, Processes or Occupancies Which May Require Permits.

The City Administrator and the Fire Chief shall act as a committee to determine and specify, after giving affected 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 Chief of the Bureau of Fire Prevention shall post such list in a conspicuous place in his office, and distribute copies thereof to interested persons.

Section 10. Penalties.

(a) Any person who shall violate any of the provisions of this Code hereby adopted or fail to comply therewith, or who shall violate or fail to comply with any order made thereunder, or who shall build 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 shall fail to comply with such an order as affirmed or modified by the City Council or by a court of competent jurisdiction, within the time fixed herein, shall severally for each and every such violation and noncompliance respectively, be guilty of a misdemeanor, punishable by a fine of not less than \$10.00 nor more than \$500.00 or by imprisonment for not less than one (1) day nor more than fifty (50) days or by both such fine and imprisonment. The imposition of one penalty for any violation shall not excuse the violation or permit it to continue; and 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.

Section 11. Repeal of Conflicting Ordinances. Ordinance No. 557, or any other ordinances, or parts thereof conflicting or inconsistent with the provisions of this ordinance or of the Code hereby adopted are hereby repealed.

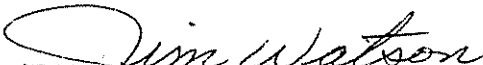
Section 12. Validity. The City Council of Prineville hereby declares that should any section, paragraph, sentence, or word of this ordinance or of the Code hereby adopted be declared for any reason to be invalid, it is the intent of said Council that it would have passed all other portions of this ordinance independent of the elimination herefrom of any such portion as may be declared invalid.

Passed by the City Council this 10th day of Sept, 1974.

Approved by the Mayor this 10th day of Sept., 1974.



Dr. Riley Allen, Mayor



Jim Watson, City Administrator