

ORDINANCE NO. 94-1005

AN ORDINANCE REPEALING TITLE 15: BUILDINGS AND CONSTRUCTION, CHAPTER 15.40: FIRE CODE, OF THE OREGON CITY MUNICIPAL CODE, 1991, AND ENACTING A NEW TITLE 15: BUILDINGS AND CONSTRUCTION, CHAPTER 15.40: FIRE CODE, AND DECLARING AN EMERGENCY

OREGON CITY MAKES THE FOLLOWING FINDINGS:

WHEREAS, the State of Oregon has adopted most, but not all, of the 1991 Edition of the Uniform Fire Code; and

WHEREAS, Oregon City has in previous years adopted part, but not all, of the State-adopted version of the then-current Uniform Fire Code, and has adopted additional provisions of the Uniform Fire Code not adopted by the State; and

WHEREAS, Oregon City needs to adopt the now-current, or 1991 Edition of the Uniform Fire Code, as well as certain modifications so as to protect the public's health, safety and welfare.

Therefore,

OREGON CITY ORDAINS AS FOLLOWS:

Section 1: That Title 15: BUILDINGS AND CONSTRUCTION, Chapter 15.40: FIRE CODE, of the Oregon City Municipal Code, 1991, is hereby repealed and a new Title 15: BUILDINGS AND CONSTRUCTION, Chapter 15.40; FIRE CODE, is hereby enacted to read as follows:

CHAPTER 15.40

FIRE CODE

Sections:

15.40.010	Adoption.
15.40.020	Provisions not Adopted.
15.40.030	Amends Article 1, Section 1.103(d) - Appendices.
15.40.040	Amends Article 2, Section 2.303.
15.40.050	Amends Article 4, Section 4.103 of the State Amendments - Fees.
15.40.060	Amends Article 4, Section 4.109 - Licenses required.
15.40.070	Amends Article 9, Section 9.104 of the State Amendments - "Bureau of Fire Prevention" defined.
15.40.080	Amends Article 9, Section 9.108 of the State Amendments - "Fire Department" defined.
15.40.090	Amends Article 25, Section 25.117 - Standby Personnel.
15.40.100	Amends Appendix III-A of the State Amendments - Fire Flow Requirements for Buildings.
15.40.110	Amends Appendix IV-B - Christmas Trees.

15.40.010 Adoption. The 1991 Edition of the Uniform Fire Code, as amended and adopted by the State of Oregon pursuant to OAR 837-40-005, is adopted in its entirety, and all provisions, rules, regulations, penalties and statements therein are made the provisions, rules, regulations, penalties and statements of the City with the following exceptions and modifications of this Chapter.

15.40.020 Provisions not Adopted. The following pages, sections and subsections of the 1991 Uniform Fire Code, as modified and adopted by the State of Oregon, are not adopted by the City as part of this Chapter: Pages iiiia and Sections 2.302(e), 11.103, 12.103, 24.102, 15.101, 26.102, 27.102, 28.102, 29.102, 30.101, 31.102, 32.103, 33.102, 34.102, 35.10333, 45.102, 46.102, 47.102, 48.102, 49.101(c), 50.103, 51.103, 62.102, 63.103, 74.103, 75.104, 76.102, 81.103 and 88.103.

15.40.030 Amends Article 1, Section 1.103(d) - Appendices. Article 1, Section 1.103(d) of the State Amendments of the 1991 Edition of the Uniform Fire Code, is adopted as amended to read as follows:

(d) The provisions of the following appendices are adopted as part of this Code and no other Appendices:

- 1) I-C of the 1991 Edition of the Uniform Fire Code
- 2) I-D of the State Amendments to the 1991 Edition of the Uniform Fire Code
- 3) I-E of the State Amendments to the 1991 Edition of the Uniform Fire Code
- 4) I-F of the State Amendments to the 1991 Edition of the Uniform Fire Code
- 5) II-A of the 1991 Edition of the Uniform Fire Code
- 6) II-B of the 1991 Edition of the Uniform Fire Code
- 7) II-C of the 1991 Edition of the Uniform Fire Code
- 8) II-D of the 1991 Edition of the Uniform Fire Code
- 9) II-F of the State Amendments to the 1991 Edition of the Uniform Fire Code
- 10) III-A of the State Amendments to the 1991 Edition of the Uniform Fire Code as amended in Section 15.40.100 of this Code
- 11) III-B of the 1991 Edition of the Uniform Fire Code
- 12) III-C of the 1991 Edition of the Uniform Fire Code
- 13) IV-A of the 1991 Edition of the Uniform Fire Code
- 14) IV-B of the 1991 Edition of the Uniform Fire Code, as amended in Section 15.40.110 of this Code
- 15) V-A (nationally recognized standards) of the 1991 Edition of the Uniform Fire Code
- 16) V-B (statutes and administrative rules) of the State Amendments to the 1991 Edition of the Uniform Fire Code
- 17) VI-B of the 1991 Edition of the Uniform Fire Code
- 18) VI-D of the 1991 Edition of the Uniform Fire Code
- 19) VI-E of the 1991 Edition of the Uniform Fire Code
- 20) VI-F of the 1991 Edition of the Uniform Fire Code

15.40.040 Amends Article 2, Section 2.303. Article 2, Section 2.303 of the 1991 Edition of the Uniform Fire Code, is adopted as amended to read as follows:

(I) Sec. 2.303: The chief officer of the Oregon City Fire Department is vested with the authority to determine the suitability of alternative material and type of construction and to provide reasonable interpretations of the provisions of this Code. There is hereby created a Fire Code Appeals Board to entertain appeals of the chief officer's decisions in these and other similar matters. The Board of Appeals shall consist of five members who are qualified by experience and training to pass upon such matters. The City's chief fire officer shall be an ex officio member. The Appeals Board shall adopt reasonable rules and regulations to govern the conduct of its proceedings and shall render all decisions in writing, including findings of fact and conclusions of law, to the chief fire officer, with a duplicate copy to the appellant. The functions of the Fire Code Appeals Board may be combined with those of any other similarly constituted appeals board to form a joint appeals board.

15.40.050 Amends Article 4, Section 4.103 of the State Amendments - Fees. Article 4, Section 4.102 of the State Amendments to the 1991 Edition of the Uniform Fire Code, is adopted as amended to read as follows:

(d) Fees. The Fire Chief may establish a schedule of reasonable permit fees for those activities, operations, practices, or functions that require a permit from the chief and for which a permit fee is not otherwise established by this Code or State law.

15.40.060 Amends Article 4, Section 4.109 - Licenses required. Article 4, Section 4.109 of the 1991 Edition of the Uniform Fire Code, is adopted as amended to read as follows:

Sec. 4.109. A permit shall be required to engage in any of the following activities:

Open burning and recreational fires. To kindle or authorize the kindling or maintenance of open burning or recreational fires as regulated under Section 11.203 and Section 11.204 of the Uniform Fire Code.

15.40.080 Amends Article 9, Section 9.108 of the State Amendments - "Fire Department" defined. Article 9, Section 9.108 of the State Amendments to the 1991 Edition of the Uniform Fire Code, is adopted as amended to read as follows:

Fire Department is any regularly organized fire department, fire protection district, or fire company regularly charged with responsibility of providing fire protection within the jurisdiction of the City.

15.40.090 Amends Article 25, Section 25.117 - Standby Personnel. Article 25, Section 25.117 of the 1991 Edition of the Uniform Fire Code, is adopted as amended to read as follows:

Sec. 25.117. Whenever, in the opinion of the Fire Chief, it is essential for public safety in any place of public assembly or any other place where people congregate, due to the number of persons, or the nature of the performance, exhibition, display, contest or activity, the owner, agent or lessee shall employ one or more qualified persons, as required and approved by the Chief, to be on duty at that place. These individuals shall be subject to the Chief's orders at all times when so employed and shall be in uniform and remain on duty during the times the places are open to the public, or when the activity is being conducted. Before each performance or the start of the activity,

the individuals shall inspect the required fire appliances provided to see that they are in property place and in good working order, and shall keep diligent watch for fires during the time the place is open to the public or the activity is being conducted and to take prompt measures for extinguishment of fires that may occur. These persons shall also enforce all other regulations of Article 25, Division I, including but not limited to exit doors (Sec. 25.106), aisles (Sec. 25.107), seat spacing (Sec. 25.205), use of exit ways (Sec. 25.109), and maximum occupant load (Sec. 25.114). These persons shall not be required or permitted, while on duty, to perform any other duties than those herein specified.

15.40.100 Amends Appendix III-A of the State Amendments - Fire Flow Requirements for Buildings. Appendix III-A of the State Amendments to the 1991 Edition of the Uniform Fire Code, adopted in Section 15.40.030 of this Code, is adopted in its entirety except for Section 1. Scope and 5. Fire Flow Requirements for Buildings (a) One- and Two-Family Dwellings which shall read as follows:

1. SCOPE. The procedure determining fire-flow requirements for buildings and portion of buildings hereafter constructed shall be in accordance with this Appendix. This Appendix does not apply to structures other than buildings.

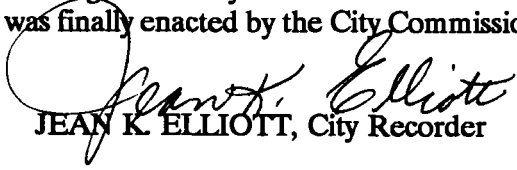
5. FIRE-FLOW REQUIREMENTS FOR BUILDINGS. (a) One- and Two-Family Dwellings. The minimum fire flow and flow duration requirements for one- and two-family dwellings having a fire area which does not exceed 3,600 square feet shall be 1,000 gallons per minute for a minimum of two (2) hours. Fire flow and flow duration for dwellings having a fire area in excess of 3,600 square feet shall not be less than that specified in Table No. A-III-A-1.

EXCEPTION: A reduction in required fire flow of 50 percent, as approved by the Fire Chief, is allowed when the building is provided with an approved automatic sprinkler system.

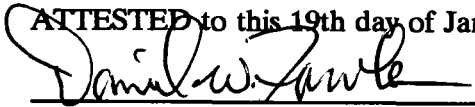
15.40.110 Amends IV-B Christmas Trees. Appendix IV-B of the 1991 Edition of the Uniform Fire Code, adopted in Section 15.40.030 of this Code, is amended to delete sections pertaining to flame retardants, tags and permits. All other Sections remain the same.

Section 2. Because this ordinance is necessary for the preservation of the peace and public health, safety and welfare of Oregon City, and to provide for an orderly transition in a reasonable amount of time to this regulatory system, an emergency is hereby declared to exist and this ordinance shall be in full force and effect from and after its passage by the Commission,

Read for the first time at a regular meeting of the City Commission held on the 19th day of January, 1994, and the foregoing ordinance was finally enacted by the City Commission this 19th day of January, 1994.


JEAN K. ELLIOTT, City Recorder

ATTESTED to this 19th day of January, 1994.


DANIEL W. FOWLER, Mayor

ORDINANCE NO. 94-1005

Effective Date: January 19, 1994



CITY OF OREGON CITY

INCORPORATED 1844

COMMISSION REPORT

TO THE HONORABLE MAYOR AND COMMISSIONERS

FOR AGENDA

DATED
January 19, 1994

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Subject: Proposed Ordinance No. 94-1005, An
Ordinance Repealing Title 15: Buildings and
Construction, Chapter 15.40: Fire Code, of the Oregon
City Municipal Code, 1991, and Enacting a New Title 15:
Buildings and Construction, Chapter 15.40: Fire Code, and Declaring an Emergency

Report No. 94-007

On the January 19, 1994 agenda is proposed Ordinance No. 94-1005 (copy attached) which will delete the current City Code, Chapter 15.40: Fire Code and create a new Chapter 15.40: Fire Code that adopts the 1991 Edition of the Uniform Fire Code with amendments to fit the needs of Oregon City. Previously, the City adopted certain parts of the 1988 Edition of the Uniform Fire Code to protect the health, safety and welfare of the citizens of Oregon City and to better conform with the uniform system of fire regulations and safety in the region and throughout the State of Oregon.

Since 1988, the Uniform Fire Code has undergone substantial revision, resulting in this Edition which was first published in 1991. The City's Fire Code now needs to be updated to make the City's fire regulations consistent with current State standards and the standards applied throughout the region.

Detailed in proposed Ordinance No. 94-1005 are the following:

- Deletes most permit requirements;
- Authorizes a reasonable permit fee;
- Establishes an appeals process;
- Establishes a two-hour fire flow duration on one and two family residences under 3,600 square feet;
- Eases the requirements for displaying Christmas trees in public places by removing the requirement for flame retardants, tags, and permits.

Other changes are essentially editorial or housekeeping changes and are not particularly significant in their impact on those subject to the regulations.

Notice of proposed Ordinance No. 94-1005 has been posted at City Hall, Courthouse and Senior Center, by direction of the City Recorder. Because of the emergency clause, it is recommended that first and second readings be unanimously approved for final enactment for the ordinance to become effective January 19, 1994.

CHARLES LEESON
City Manager

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Attach.

cc: Fire Chief