

ORDINANCE

90-008

WHEREAS, on 20th day Sept, 1970, the City Council of Mantua City, Utah passed and posted an Ordinance adopting a code entitled THE CODE OF REVISED ORDINANCES OF MANTUA CITY; and

WHEREAS, the City Council has determined there is a need to establish an ordinance creating a fire department, establishing the organization of a fire department, establishing the powers of a fire department and adopting the Uniform Fire Code;

NOW, THEREFORE, the City Council of Mantua City, Utah, hereby adopts, passes and publishes the following:

AN ORDINANCE CREATING A FIRE DEPARTMENT, ESTABLISHING THE ORGANIZATION OF A FIRE DEPARTMENT, ESTABLISHING THE POWERS OF A FIRE DEPARTMENT AND ADOPTING THE UNIFORM FIRE CODE.

BE IT ORDAINED BY THE CITY COUNCIL OF MANTUA CITY, BOX ELDER COUNTY, STATE OF UTAH AS FOLLOWS:

TITLE 10-000. FIRE, HEALTH, SAFETY AND WELFARE.

CHAPTER 10-100. FIRES - DEPARTMENT - CODE.

PART 10-110. DEPARTMENT

10-111. CREATION. There is hereby created a fire department to be known as the Mantua Volunteer Fire Department.

PART 10-120. PERSONNEL AND DUTIES.

10-121. CREATION OF POSITION OF CHIEF. There is hereby created the position of chief of the fire department.

10-121. POWERS AND DUTIES OF CHIEF.

- A. The chief shall have responsibility for the general supervision of the department.
- B. During a fire, the chief shall have full authority to take all measures as he shall deem necessary, subject to state law, to control and extinguish the fire and for that purpose he is hereby made a special peace officer.
- C. The chief shall at least quarterly report to the city council the condition of the fire equipment, the number of fires and their causes and estimated loss therefrom together with such other information as the city council may request or as he shall deem appropriate.

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- D. The chief shall strictly enforce all of the provisions of the ordinances of this city relating to the protection against and prevention of fire.
- E. The chief shall maintain the equipment of the department in good repair and order and ready for use.
- F. The chief, subject to the approval of the mayor and city council, shall establish rules and regulations for the operation of the department.
- G. The chief may delegate his duties to any person employed by the department, but such delegation shall not relieve the chief of his responsibility for the performance thereof.
- H. The chief shall cause all fires to be promptly investigated to determine the cause of the fire and report the cause of the fire, the time originated and such other information as may be relevant to prevent other fires.

10-123. EMPLOYEES. The chief may make recommendations to the mayor relating to the employment of firemen and such other personnel as may be necessary to enforce the provisions of this chapter. The chief may employ such additional personnel as the mayor and city council may direct or authorize.

PART 10-130. POWERS OF FIRE DEPARTMENT.

10-131. EMERGENCY VEHICLES. Fire trucks are hereby designated authorized emergency vehicles.

10-132. REMOVAL OF OBSTRUCTIONS AT FIRE. The officer in charge at any fire may order the removal or destruction of any fence, building or structure, or that any utility be closed, cut or removed when deemed necessary to control, extinguish or prevent the spread of fire.

10-133. CONTROL OF PERSONS. All persons present at a fire shall obey the orders of any fireman.

10-134. INTERFERENCE WITH FIREMAN IN DISCHARGE OF DUTIES. Every person at the scene of any fire who disobeys the lawful orders of any public officer or fireman, or offers any resistance to or interference with the efforts of any fireman, or company of firemen to extinguish the same, or engages in any disorderly conduct calculated to prevent the same from being extinguished, or who forbids, prevents or dissuades others from assisting to extinguish the same, is guilty of an infraction.

10-135. UNLAWFUL INTERFERENCE WITH OFFICERS, APPARATUS, WATER, ETC. Any person who shall willfully hinder any officer or fireman in the discharge of his duty at a fire, or in any manner injure, deface or destroy any engine, hose or other fire apparatus belonging to the city, or who shall interfere with any fire company or person, or who shall willfully break or injure any water pipe, or interfere with the water or its source of supply shall be deemed guilty of a class B misdemeanor and shall be punished accordingly.

10-136. INVESTIGATION AFTER FIRE REPORT. The chief, or such other person as he shall designate, shall, after extinguishing a fire, make a prompt and thorough investigation of the cause of the fire, the time the fire began, the amount of loss and insurance, a description of the affected buildings and premises, and shall secure all other useful information available, and record the same in a record book kept for the purpose in the office of the department and shall report the same to the government body at such time as it may direct.

10-137. RIGHT TO ENTER UPON AND INSPECT PREMISES. The fire chief or his deputies upon presentation of proper credentials shall have the right to enter upon any premises at all reasonable hours for the purpose of making inspections.

10-138. PERSONS PRESENT AT FIRE SUBJECT TO ORDERS. Every able bodied person eighteen years or older present at a fire shall be subject to the orders of the officer in command and shall render assistance in the manner directed by the officer in command.

10-139. FALSE ALARM. It shall be unlawful for any person to turn in or report to the fire department a false alarm or report of a fire or to tamper or remove any part of the fire alarm system.

PART 10-150. UNIFORM FIRE CODE.

10-151. UNIFORM FIRE CODE ADOPTED. There is hereby adopted as the fire code by this city, for the purpose of prescribing regulations governing conditions hazardous to life and protecting property from fire or explosion, that certain code known as the 1990 Edition of the Uniform Fire Code as recommended by the Western Fire Chiefs Association and the International Conference of Building Officials, except to the extent it is hereinafter modified or amended by Section 10-156 of this part, three copies of which have been and are now filed in the office of the recorder for use and inspection by the public.

10-152. 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 which is hereby established and which shall be operated under the supervision of the chief of the fire department.
- B. The chief of the fire department may detail such members of the fire department as inspector as shall from time to time be necessary. The chief of the fire department shall recommend to the mayor 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.

10-153. DEFINITIONS.

- A. The word "jurisdiction" as used in the Uniform Fire Code, shall mean the boundaries of this city.
- B. The term "corporation counsel" as used in the Uniform Fire Code shall mean the attorney for this city.

10-154. 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 in an appendix to this code.
- 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 in an appendix to this code.

10-155. 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 the bulk storage of liquefied petroleum gas is restricted, are hereby established in the appropriate appendix attached to this code.

10-156. ESTABLISHMENT OF LIMITS OF DISTRICTS IN WHICH STORAGE OF EXPLOSIVES AND BLASTING AGENTS IS PROHIBITED. The limits referred to in Section 11.106(b) of the Uniform Fire Code, in which the storage of explosives and blasting agents is prohibited, are hereby established in the appropriate appendix attached to this code.

10-157. AMENDMENTS MADE IN THE UNIFORM FIRE CODE. Any amendments to the Uniform Fire Code shall be set forth in the appropriate appendix to this code.

10-158. APPEALS. Whenever the chief shall disapprove an application, refuse to grant a permit for which application has been received, or when it is claimed that the provisions of the fire code do not apply or that the true intent and meaning of the fire code have been misconstrued or wrongly interpreted, the applicant may appeal the decision of the chief to the city council within thirty (30) days from the date of such decision.

10-159. NEW MATERIALS, PROCESSES OR OCCUPANCIES WHICH MAY REQUIRE PERMITS. The building inspector and the chief of the bureau of fire prevention 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 the fire 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.

10-160. PENALTIES.

A. Any person who shall violate any of the provisions of the Uniform Fire Code 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 non-compliance respectively, be guilty of a class B misdemeanor, punishable by a fine of not less than \$150.00 nor more than \$299.00 or by imprisonment of not less than 10 days nor more than 6 months 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. All 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 the prohibited condition.

PART 10-170. STANDARD FIRE-FIGHTING EQUIPMENT.

10-171. EQUIPMENT FOR NEW FIRE PROTECTION SYSTEMS - STANDARD EQUIPMENT. See U.C.A. Section 11-4-1.

10-172. DUTY OF LOCAL GOVERNING BODY TO MAINTAIN AND COMPLY. SEE U.C.A. Section 11-4-2.

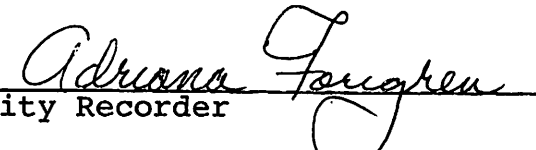
10-173. PROHIBITED SALES AND PENALTIES. See U.C.A. Sections 11-4-3 and 11-4-4.

ADOPTED AND APPROVED by the Mantua City Council this 20th day of September, 1990.

MANTUA CITY

By: 
Mayor Cliff Allred

ATTEST:


City Recorder

Posted: 9/21/90