

ORDINANCE NO. 265

AN ORDINANCE ADOPTING A UNIFORM FIRE CODE WITH EXCEPTIONS AND AMENDMENTS; PRESCRIBING REGULATIONS GOVERNING CONDITIONS HAZARDOUS TO LIFE AND PROPERTY FROM FIRE AND EXPLOSION; PRESCRIBING ENFORCEMENT; ADOPTING PENALTIES; REPEALING ORDINANCES IN CONFLICT HERewith; AND DECLARING AN EMERGENCY

THE CITY OF DRAIN ORDAINS AS FOLLOWS:

Section 1. The following sections are hereby adopted as the Index and provisions of the City of Drain's Fire Prevention Code:

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- 8.005 Uniform Fire Code - Adoption
- 8.010 Enforcement of Fire Prevention Code
- 8.015 Uniform Fire Code - Exceptions, Amendments
- 8.900 Penalties

This Ordinance No. 265 was prepared by Martha Reidy
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400 SOUTH PARK BUILDING

101 EAST BROADWAY
EUGENE, OREGON 97401

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8.005 Uniform Fire Code - Adoption. Except as sections 8.010 and 8.015 of this Code provide to the contrary, the city hereby adopts as a part of its Fire Prevention Code the 1976 edition of the Uniform Fire Code of the International Conference of Building Officials and Western Fire Chiefs Association, and all amendments thereto, a copy of which is on file in the office of the City Recorder.

8.010 Enforcement of Fire Prevention Code.

(1) This Code shall be enforced by the Fire Department of the City of Drain under the supervision of the Chief of the Fire Department.

(2) The Fire Department shall act as the Bureau of Fire Prevention for the City of Drain and whenever the term "Bureau of Fire Prevention" is used in this Code it shall mean the Fire Department of the City of Drain.

(3) The Chief of the Fire Department may, with the approval of the City Administrator, appoint a Fire Marshall who shall have responsibility for fire prevention and inspection and enforcement of this Code. The service of the Fire Marshall shall continue only at and during the pleasure of the Fire Chief.

(4) The Chief of the Fire Department may detail such members of the Fire Department as Inspectors as shall from time to time be necessary or advisable, and such designations shall continue only at and during the pleasure of the Fire Chief.

(5) Sections 1.203 and 1.204 are deleted from the Uniform Fire Code as adopted by section 8.005 of this Code.

(6) The city has agreed to the formation of a Rural Fire Protection District. When the district begins operations, the city may, by contract, transfer responsibility for prevention, inspection and enforcement of this Code to the district.

8.015 Uniform Fire Code - Exceptions, Amendments.

(1) Section 1.215 dealing with appeals is deleted from the Uniform Fire Code.

(2) There shall be added to Article 1 of the Uniform Fire Code, a section to be numbered 1.309 and reading:

Section 1.309 Appeals.

Whenever the Chief of the Fire Department or Fire Marshall shall disapprove an application or refuse a permit applied for, or when it is contended that the provisions of the Code do not apply, or that the intent or the meaning of the Code has been misconstrued or wrongly interpreted, the applicant or aggrieved person may appeal any such

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each detector listing the date installed, dates inspected and dates serviced, if any. This record shall be available for inspection by the Fire Chief or his or her designee.

(4) Renters shall be responsible for periodically testing the unit's smoke detector. Upon failure of the detector, the tenant shall deliver a written notice of the failure to the dwelling owner or his or her designee. The owner shall replace or repair the defective detector within 10 days from the date of this notice.

(b) Owner-Occupied Dwelling Units. No owner shall sell, transfer or otherwise convey any owner-occupied dwelling without certifying to the transferee that all smoke detectors required by this Code are installed and in proper working order.

(7) The limits of the district in which storage in above ground tanks is prohibited in section 15.201 of the Uniform Fire Code are the entire corporate limits of the city.

(8) The limits of the district in which no new bulk plants shall be constructed in section 15.601 of the Uniform Fire Code are the entire corporate limits of the city, except areas by ordinance designated as "industrial zones." Bulk plants constructed in industrial zones must be approved by the Bureau of Fire Prevention as to the size and location of the same before installation.

(9) There is added to Article 15 of the Uniform Fire Code a section to be number 15.1105(n) and reading:

Section 15.1104 Operation of Tank Vehicles.

(n) In making deliveries of flammable liquids (Class I and II), the delivery tank vehicles shall wholly be confined within the property lines of the property upon which delivery is being made. However, when it is impractical to make such deliveries wholly within said property lines, the Bureau of Fire Prevention may issue permits for deliveries from public streets or ways under such conditions and restrictions as the Bureau may deem necessary for safety. When making deliveries, all tank vehicles shall proceed in and out of the properties upon which deliveries are being made in a forward manner. Where this is impractical, the Bureau of Fire Prevention may issue permits to do otherwise, but may require such safety measures as may be necessary for the protection of the public.

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Without limitation as to such safety measures, they may include limiting the time of deliveries to specific times of the day.

(10) The limits of the district in which bulk storage of liquefied petroleum gas is restricted in section 20.105(a) of the Uniform Fire Code are the entire corporate limits of the city except areas by ordinance designated as "industrial zones." Bulk storage of liquefied petroleum gas must be approved by the Bureau of Fire Prevention as to the size and location of the same before installation, and such storage is subject to the following additional provisions:

(a) Storage of such gas in containers of five gallons or less water capacity, or in portable containers, as distinguished from permanently installed containers, is not considered to be bulk storage.

(b) The use, storage and handling of such gases in portable containers of over five gallons water capacity is permitted in Fire Zones II and III, provided approval of the Bureau of Fire Prevention as to location and size shall be secured before use or installation.

(c) The Bureau of Fire Prevention may prohibit the use of storage of compressed or liquefied petroleum gases in portable containers in any area within the corporate limits of the city when such use or storage would create a hazard or increase an existing hazard.

8.900 Penalties. Violation of any provision of this Chapter shall be punishable by a fine not to exceed \$500.00.

Section 2. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

Section 3. The invalidity of any section, clause, sentence, or provision of this Ordinance shall not affect the validity of any other part of this Ordinance which can be given effect without such invalid part or parts.

Section 4. Inasmuch as for the purposes or subject matter of this Ordinance the city is now operating without a Fire Prevention Code, and additional safety measures and procedures are now available under the Uniform Fire Code adopted by this Ordinance, it is considered to be necessary for the safety and general welfare of the City of Drain and its inhabitants that this Ordinance become effective as soon as possible. Accordingly, an emergency hereby is declared to exist, and this Ordinance shall be in full force and effect immediately upon its passage by the City Council and approval by the Mayor ~~OR~~ COUNCIL PRESIDENT

Passed by the City Council this
12 day of June, 1979.

Robert A. Gray
Clerk of the Council Pro Tem

COUNCIL PRESIDENT
Approved by the ~~Mayor~~ this
12 day of JUNE, 1979.

Jack Holt
~~Mayor~~
JACK HOLT, COUNCIL PRESIDENT