

ORDINANCE 2014-01

SHORT TITLE:

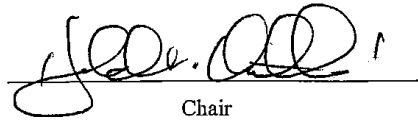
An ordinance amending Sections 9.51.010, 9.51.020, 9.51.030, and 9.51.040 of the Provo City Code to bring them into alignment with the adopted State Fire Code.

PASSAGE BY MUNICIPAL COUNCIL

ROLL CALL

DISTRICT	NAME	MOTION	SECOND	FOR	AGAINST	OTHER	
CW 1	DAVID SEWELL			✓			
CW 2	GARY GARRETT			✓			
CD 1	GARY WINTERTON			✓			
CD 2	KIM SANTIAGO			✓			
CD 3	HAL MILLER			✓			
CD 4	KAY VAN BUREN		✓	✓			
CD 5	STEPHEN HALES	✓		✓			
				TOTALS	7	0	0

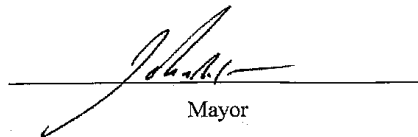
This ordinance was passed by the Municipal Council of Provo City, on the 7 day  
of January, 2014 on a roll call vote as described above. Signed this 7 day  
of January, 2014.

  
Chair

II

APPROVAL BY MAYOR

This ordinance is approved by me this 10 day of June 2014.

  
Mayor

ORDINANCE 2014-01

III

CITY RECORDER'S CERTIFICATE AND ATTEST

This ordinance was recorded in the office of the Provo City Recorder on the 14 day of January 2014, with a short summary being published on the 11 day of January 2014, in The Daily Herald, a newspaper circulated in Provo, Utah. I hereby certify and attest that the foregoing constitutes a true and accurate record of proceedings with respect to Ordinance Number 2014-01.



Signed this 14 day of January 2014.

Janene Weiss  
City Recorder



42 **9.51.010. ~~Uniform Fire Code and Uniform Fire Code Standards Adopted by~~**  
43 **~~Reference~~ International Fire Code and International Fire Code**  
44 **Standards Adopted by Reference.**

45 .  
46 (1) As required by Section ~~53-7-106~~ 15A-5-101 of the Utah Code, Provo City shall adhere to the  
47 Uniform Fire Code International Fire Code as promulgated by the International Fire Code  
48 Institute Council and adopted with amendments by the Utah ~~Fire Prevention Board~~ State  
49 Legislature (the "State Fire Code"). When a new or revised edition of the State Fire Code is  
50 adopted by the State of Utah (~~by statute or administrative regulation~~) Utah State Legislature, by  
51 statute, this Section shall be interpreted to refer to such edition of the State Fire Code.

52 (2) As authorized by ~~Section 53-7-106~~(2)(a) of the Utah Code, Provo City hereby adopts as  
53 additional fire code requirements the appendices to the 1997 Uniform Fire Code, Volume I, as  
54 set forth below:

55 (a) ~~Division I (Existing Buildings), except:~~ Appendix A Board of Appeals

56 (i) ~~Appendix I-A (Life Safety Requirements for Existing Buildings Other than~~  
57 ~~High-rise); and~~

58 (ii) ~~Appendix I-B (Life Safety Requirements for Existing High Rise).~~

59 (b) ~~Division II (Special Hazards), except:~~ Appendix B Fire Flow Requirements for  
60 Buildings

61 (i) ~~Appendix II-C (Marinas); and~~

62 (ii) ~~Appendix II-D (Rifle Ranges).~~

63 (c) ~~Division III (Fire Protection), except:~~ Appendix C Fire Hydrant Locations and  
64 Distribution

65 (i) ~~Appendix III-D (Basement Pipe Inlets).~~

66 (d) ~~Division IV (Special Combustion Hazards).~~ Appendix D Fire Apparatus  
67 Access Roads

68                   ~~(e) Division V (Standards).~~

69                   ~~(f) Division VI (Informational).~~

70   ~~(3) The fire codes set forth in Subsections (1) and (2) above shall constitute and shall be known~~  
71   ~~as the Provo City Fire Code. (Am 1989-25, Am 1992-05, Am 1995-49, Am 1999-05)~~

72   **9.51.020. Transport Routes and Regulation of Flammable Liquid Carriers.**  
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73   (1) Ammunition, explosives, flammable or combustible liquids, or hazardous chemicals, as the  
74   same are defined in the ~~Uniform Fire Code~~ International Fire Code, may only be transported into  
75   or within Provo City as described in this Section.

76   (2) Transportation shall be by the most direct route, which shall mean that the transporting  
77   vehicle shall travel on principal transportation routes such as highway I-15, highway 89/91 or  
78   highway 189 at all times except when leaving the same is necessary to make a delivery. At no  
79   time shall a transporting vehicle travel through any area designated as a residential zone (R1, R2,  
80   R3, R4, R5 and RM) on the Zone Map of Provo City, Utah, unless the ~~Fire Chief~~ Authority  
81   Having Jurisdiction otherwise consents in writing, which consent shall be given only when there  
82   is no practical alternative to transportation through a residential zone.

83   (3) Transportation shall only be by the use of vehicles constructed and operated ~~as described in~~  
84   ~~the Uniform Fire Code and~~ in the manner otherwise described by other applicable law, including,  
85   but not limited to, references therein to parking, garaging and vehicle repair.

86   (4) Flammable or combustible liquids may be transported to retail sales locations only as  
87   follows:

88                   (a) Delivery by tank vehicles having a capacity of more than three thousand (3,000)  
89                   gallons shall not be made at any location open to the public unless the tank vehicle  
90                   is located entirely on private property while making the delivery.

91                   (b) No delivery may be made or accepted if the intake pipe for an underground  
92                   storage facility is within twenty (20) feet of a motor vehicle, a public street or retail  
93                   pumps. If the requirements of this Subsection (4)(b) cannot be met, deliveries may  
94                   be made only by completely closing off the business location and removing all

95 customers during the time of delivery, or by making the delivery at night between  
96 the hours of 11:00 p.m. and 7:00 a.m.

97 (c) When arriving for a delivery, during delivery, and when leaving thereafter, the  
98 delivery vehicle shall at all times move forward and not in reverse. The ~~Fire Chief~~  
99 Authority Having Jurisdiction may, in writing, allow exceptions to this Subsection  
100 (4)(c), but only for circumstances where it is not possible to comply with this  
101 Subsection (4)(c).

102 (d) The person in charge of the delivery vehicle shall at all times during delivery  
103 remain within forty (40) feet of the discharge point and in full view of the delivery  
104 point.

105 (e) At the beginning of any delivery the unused capacity of the receiving tank shall  
106 be one hundred twenty per cent (120%) of the maximum capacity (used or unused)  
107 of the delivering tank or compartment of the delivery vehicle.

108 (5) Neither ammunition nor explosives, in amounts regulated by the Uniform Fire Code, may be  
109 transported into or within Provo City without a permit therefor from the ~~Fire Chief~~ Authority  
110 Having Jurisdiction, and then only pursuant to the terms of said permit.

111 (6) Violation of any part of this Section shall unlawful and a misdemeanor. (Enacted 1989-25)

112 **9.51.030. Use of Open Flame Torches for Roofing Prohibited.**

113 It shall be unlawful to use or operate, or permit the use or operation of, an open flame torch in  
114 the installation or application of roofing materials on any structure within the municipal limits of  
115 Provo City without the prior written approval of the ~~Provo City Fire Chief~~ Authority Having  
116 Jurisdiction. (Enacted 1995-31)

117 **9.51.040. Open Burnings Prohibited - Exceptions.**

118 (1) Except as provided in this Section, it shall be unlawful for any person to create or permit to  
119 be created an open burning of any kind.

120 (2) The following burnings are exempt from Subsection (1) of this Section:

121 (a) Upon obtaining all necessary permits, those held on property zoned as  
122 "agriculture" as said term is defined in Title [14](#) of the Provo City Code, as  
123 amended, and designated as agricultural on the Provo City Zoning Map, as  
124 amended; and

125 (i) are incident to horticultural or agricultural operations of:

126 (A) prunings from trees, bushes, and plants; or

127 (B) dead or diseased trees, bushes, and plants, including stubble;

128 (ii) controlling weed growth along ditch banks incident to clearing these  
129 ditches for irrigation purposes; or

130 (iii) heating of orchards or other crops to lessen the chances of their being  
131 frozen so long as the emissions from this heating do not violate minimum  
132 standards established by the federal "Clean Air Act" as amended and the state  
133 of Utah "Air Conservation Act" as amended.

134 (b) For the purpose of outdoor cooking, contained barbecues or pits with a cooking  
135 area no larger than six (6) feet in diameter.

136 (c) Other outdoor cooking facilities meeting the approval of the ~~Fire Chief~~  
137 [Authority Having Jurisdiction](#).

138 (d) Other open fires, fireworks, torches or open burnings specifically allowed for  
139 under another portion of the Provo City Code after obtaining any necessary  
140 approval of the ~~Fire Chief~~ [Authority Having Jurisdiction](#).

141 (e) Controlling weed growth along ditch banks incident to clearing these ditches for  
142 irrigation purposes after obtaining any necessary approval or permit.

143 (f) Controlled burning of not more than two (2) structures per year under the direct  
144 control of the Provo City Fire Department for the purpose of training fire service  
145 personnel when the United States Weather Service clearing index is above 500.

146 (Enacted 1995-75)

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PART II:

A. If a provision of this Ordinance 2014-01 conflicts with a provision of a previously adopted ordinance concerning the same title, chapter, and/or section number amended herein, the provision in this Ordinance shall prevail.

B. This ordinance and its various sections, clauses and paragraphs are hereby declared to be severable. If any part, sentence, clause or phrase is adjudged to be unconstitutional or invalid, the remainder of the ordinance shall not be affected thereby.

C. The Municipal Council hereby directs that the official copy of the Provo City Code be updated to reflect the provisions enacted by this ordinance.

D. This ordinance shall take effect immediately after being posted or published as required by law.

END OF ORDINANCE.