

**TITLE 10
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 Tremonton Fire Department.

10-112. Rules and Regulations. In accordance with Utah Code Annotated (UCA) § 10-8-55 the Fire Department shall be governed by ordinances and resolutions adopted and as amended by the Tremonton City Council. Rules and regulations that have not been approved by the City Council shall be void.

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. The appointment of a person to the office of the Chief of the Fire Department shall be in accordance with 3-925 of the Revised Ordinances of Tremonton City Corporation. The Fire Chief shall fill the duties contained in the job description.

10-122. Creation of Battalion Chiefs. There is hereby created the position of Battalion Fire Chief and Battalion EMS Chief. The Fire Chief shall have the hiring decision for the Battalion Chief. The Battalion Chiefs shall fill the duties contained in the job description.

10-123. Creation of Captains. There is hereby created the position of Captains. The Fire Chief shall have the hiring decision for the Captains. The Captains shall fill the duties contained in the job description.

10-124. Fire Department Employees.

(1) Except as noted herein, all Employees of the Fire Department shall be at least 18 years of age and not over the age of 70 years. The Fire Chief may hire an Employee to the position of Fire Inspector over the age of 70. Employees shall fulfill the duties and responsibilities of their job description. (Ord. No. 13-02 March 5, 2013)

(2) Reserve Employees may be added to the Fire Department. Reserve Employees shall fulfill the duties and responsibilities of their job description. Reserve Employees shall be at least 18 years of age. (Ord. No. 13-02 March 5, 2013)

(3) Employees shall be interviewed by a board of officers and others as requested by the Fire Chief. Each candidate will be interviewed and ranked based upon the interview process. The Fire Chief shall have the final decision of selecting individuals to fill the positions. (Ord. No. 9-30 November 17, 2009)

10-125. Employees. Fire Department employees shall be recruited as per the process contained in the City Personnel Policies and Procedures. The Fire Chief shall have authority to hire, fire, and discipline except when the City Manager involves themselves in the process and requests the authority to make the final decision as allowed by sections 3-925 (2) (a) and 3-925 (2) (h) of the *Revised Ordinances of Tremonton City Corporation* and the City's Personnel Policies and Procedures. (Ord. No. 09-30 November 17, 2009)

10-126. Personnel Policies and Procedures. The Fire Department Employees shall be subject to and adhere to the City's adopted Personnel Policies and Procedures as amended from time to time. Due to the volunteer nature of the Fire Department, some of the adopted Personnel Policies and Procedures may not be directly applicable or may need some modification to be applicable to the Fire Department. It is the City Council's intent that the City's adopted Personnel Policies and Procedures be applicable to the Fire Department. The Fire Chief, City Manager, along with the City Attorney shall interpret and determine the applicability of the Policies and Procedures as necessary. Thereafter, the Fire Chief and City Manager shall propose amendments to the City Council to address any deficiencies or discrepancies in the applicability of the Personnel Policies and Procedures. As such the Fire Department shall be subject to discipline as per the requirements of the City's adopted Personnel Policies and Procedures. (Ord. No. 09-30 November 17, 2009)

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 Firemen 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, shall be subject to the fine amount and severity of punishment contained in the City's Consolidated Bail Schedule, adopted by Resolution of the City Council.

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 subject to the fine amount and severity of punishment contained in the City's Consolidated Bail Schedule, adopted by Resolution of the City Council.

10-136. Investigation After Fire Report. The Fire Chief, or such other persons as he or she 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 Governing Body at such time as it may direct.

10-137. Right to Enter Upon and Inspect Premises. The Fire Chief or their Battalion Chiefs 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. Deleted. (Ord. No. 13-02 March 5, 2013)

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 with or remove any part of the fire alarm system.

Part 10-150. International Fire Code. (Ord. No. 02-03 April 2, 2002)

10-151. International 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, the most recent edition of the

International Fire Code as recommended by the International Code Council, except to the extent it is hereinafter modified or amended by Section 10-156 of this part, three (3) copies of which have been and are now filed in the office of the Recorder for use and inspection by the public. (Ord. No. 02-03 April 2, 2002)

10-152. Establishment and Duties of Bureau of Fire Prevention.

(1) The International 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. (Ord. No. No. 02-03 passed 04/02/02)

(2) 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. (Ord. No. 13-02 March 5, 2013)

10-153. Definitions. Reserved. (Ord. No. 02-03 04/02/02)

10-154. Establishment of Limits of Districts in Which Storage of Flammable or Combustible Liquids in Outside Aboveground Tanks Is to Be Prohibited.

(1) It is hereby established that the limits referred to in the most recent edition of the International Fire Code in which storage of flammable or combustible liquids in outside aboveground tanks is prohibited, or such limits as provided by state law, whichever is most restrictive, shall be adhered to. (Ord. No. 02-03 April 2, 2002)

(2) It is established that the limits referred to in the most recent edition of the International Fire Code, in which new bulk plants for flammable or combustible liquids are prohibited, or such limits as provided by state law, whichever is most restrictive, shall be adhered to. (Ord. No. 02-03 April 2, 2002)

10-155. Establishment of Limits in Which Bulk Storage of Liquefied Petroleum Gases Is to Be Restricted. The limits referred to in the most recent edition of the International Fire Code, in which the bulk storage of liquefied petroleum gas is restricted, or such limits as provided by state law, whichever is most restrictive, are hereby adopted. (Ord. No. 02-03 April 2, 2002)

10-156. Establishment of Limits of Districts in Which Storage of Explosives and Blasting Agents Is Prohibited. The limits referred to in the most

recent edition of the International Fire Code, in which the storage of explosives and blasting agents is prohibited, or such limits as provided by state law, whichever is most restrictive, are hereby adopted. (Ord. No. 02-03 April 2, 2002)

10-157. Amendments Made in the International Fire Code. Any amendments to the International Fire Code shall be set forth in the appropriate section to this Code. (Ord. No. 02-03 April 2, 2002)

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.

Part 10-160. Penalties.

(1) 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 noncompliance respectively, shall be subject to the fine amount and severity of punishment contained in the City's Consolidated Bail Schedule, adopted by Resolution of the City Council. The imposition of one (1) 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 (10) days that prohibited conditions are maintained shall constitute a separate offense.

(2) 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.

Part 10-180. Controlled Burning Regulations.

10-181. Controlled Burn Permit Required. All controlled burns within the Tremonton City limits shall require a Controlled Burn Permit issued by a City Fire Department member. That member shall contact the County Fire Marshal Office for a Controlled Burn Permit number for the burn requester. (Ord. No. 10-14)

10-182. Exceptions to Controlled Burn Permit Required. Unless prohibited by state statutes or regulations, other City Ordinances, applicable declarations of closed fire seasons, the order of a law enforcement officer or the Tremonton Fire Department, the following types of burning are permitted without the issuance of a Controlled Burn Permit:

(1) Controlled burning of ditch banks and fence lines incidental to agricultural operations provided that the burning shall not pose a threat to forest, range or watershed lands. The Box Elder County Sheriff Dispatch Office and the Tremonton City Fire Department shall be notified of the approximate time the burning shall occur. Adequate provision shall be made to prevent fire from spreading to areas adjacent to the ditch banks being burned,

(2) Controlled burning of materials or structures when conducted under the control and supervision of the Tremonton Fire Department.

(3) Controlled fires for fireman training purposes when conducted under the direct control and supervision of the Tremonton Fire Department.

(4) Other controlled burning for special purposes or under unique circumstances when approved by the Tremonton Fire Department and the County Health Department following a formal request therefore.

(5) Controlled burning on any City property including roads, rights-of-way, ditch banks, river

bottomlands, wildlands or other areas of City domain.
(Ord. No. 12-14)

10-183. Controlled Burn Permit Requirements.

Prior to issuing the Controlled Burn Permit the City Fire Department member shall inspect the burn site to ensure adequate safety precautions have been met to maintain control of the fire at all times. The City Fire Department member shall evaluate wind conditions to ensure they are less than five (5) miles per hour (calm is preferred). If the Controlled Burn Permit is issued the Fire Department shall notify Box Elder County Dispatch. Controlled Burn Permits are valid for the date issued only. A Controlled Burn Permit shall only be issued to an adult, an individual being over the age of eighteen (18) years. In addition to any other conditions imposed by Tremonton City, the following requirements shall be complied with by the Controlled Burn Permit Holder:

(1) No fires shall be ignited before 10:00 a.m. or after 6:00 p.m., and all fires shall be out thirty (30) minutes before dark.

(2) A one hundred foot (100') firebreak shall be required between any structure and the area to be burned. If necessary to contain the fire, the firebreak may be required by the City Fire Department member around the entire perimeter of the area to be burned.

(3) No controlled burn shall occur in any area which has received any precipitation within the immediately preceding twenty-four (24) hours prior to the ignition of any fire.

(4) For controlled burns associated with Agricultural lands, ashes shall be incorporated into the ground within twenty-four (24) hours of the fire being extinguished, with the exception of fence lines, ditches, ditch banks, levees and canals.

(5) Land owners within three hundred (300') feet of a controlled burn area shall be notified in advance of the burn by the Control Burn Permit Holder.

(6) If conditions, including but not limited to wind speeds, change during the controlled burn, or other unsafe conditions occur, the fire shall be extinguished immediately.

(7) Hazardous materials or items that can be removed by the weekly garbage pick-up shall not be permitted to be burned. (Ord. No. 12-14)

10-184. Controlled Burn Permit to Be Present at Site.

All Controlled Burn Permit Holders shall have the City Controlled Burn Permit in possession before commencing any burning except when a Controlled Burn Permit is not required according to 10-182. Controlled Burn Permits shall be present at the site of the fire during all times. (Ord. No. 12-14)

10-185 Unattended Controlled Burns Prohibited.

All controlled burns shall be monitored by a Control

Burn Permit Holder at all times. All fires shall be extinguished before the Control Burn Permit Holder leaves the burn area. If a fire is left unattended, a citation may be issued. (Ord. No. 12-14)

10-186. Consent of Wildlife Resources Required.

The consent of the Utah Division of Wildlife Resources shall be required for any fires on any property leased, owned or controlled by that division as wildlands or wildlife habitats.

10-187. Penalties and Liabilities.

(1) Any person who shall violate or fail to comply with the provisions of this Part 10-180 shall, for each day that a violation or non-compliance is committed or allowed to continue, be subject to the fine amount and severity of punishment contained in the City's Consolidated Bail Schedule, adopted by Resolution of the City Council, and shall be subject to penalty as provided by law for each offence. (Ord. No. 99-08)

(2) Any person responsible for the existence or spread of any uncontrolled or unattended fire, or any other fire for which such person is responsible, on public or private property, necessitating suppression action by the City, County, or State, shall be liable to the City, County, or State for the payment of all suppression costs incurred in the suppression of any such fire and for any and all damage caused by the fire or as a result of the fire (i.e., smoke damage, heat damage, etc.). (Ord. No. 12-14)

**Part 10-190. Open Fires –
Recreational/ Preparing Food.**

10-191. Open Fires for Preparing Food.

(1) Open fires for the purpose of preparing food shall be allowed provided they can meet the following standards:

(a) The fire pit or ring shall be located a minimum of ten (10) feet from any building or structure.

(b) The fire pit or ring shall be a minimum of ten (10) feet from property lines.

(c) A garden hose attached to a water supply, or other fire extinguishing equipment shall be readily available for use.

(d) The materials to be burned must be dry and not produce dense smoke.

(e) Flammable or combustible liquids shall not be used to maintain the fire.

(f) A person(s) shall not construct a fire pit or ring as to constitute a fire hazard, burn trash, endanger life or property, or for any other recreational burning not involving the preparing of food.

- (g) The fire must be completely extinguished when not in use or unattended.
- (h) The fire must be extinguished by 12:00 midnight. (CC 02-15-11)

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