

ORDINANCE NO. 890

AN ORDINANCE AMENDING MUNICIPAL CODE SECTION 15.12 PERTAINING TO UPDATED STATE FIRE CODE

THE TROUTDALE CITY COUNCIL FINDS AS FOLLOWS:

1. Current Municipal Code Chapter 15.12 refers to the 2007 State Fire Code and the Gresham Fire and Emergency Services Department.
2. The 2007 State Fire Code has been modified numerous time since 2007 and should be updated to the current code version. The Gresham Fire and Emergency Services Department has changed its name to the Gresham Fire Department.
3. Our Municipal Code should reflect and enforce the current Fire Code, and the correct name of the fire service serving our community.
4. The new references in our ordinance to the State Fire Code should also reflect that it is amended from time to time. We should eliminate the need to update our ordinance when the State modifies the Fire Code. The previous code language locked our ordinance into the 2007 version.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF TROUTDALE

Section 1. Chapter 15.12 is amended as set forth in Attachment A.

Section 2. This ordinance will be effective 30 days after approval.

YEAS: 7

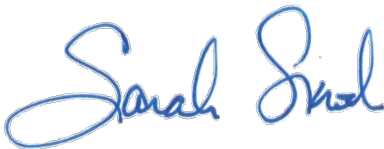
NAYS: 0

ABSTAINED: 0



Randy Lauer, Mayor

Date: June 12, 2024



Sarah Skroch, City Recorder

Adopted: June 11, 2024

Chapter 15.12 FIRE AND LIFE SAFETY CODE*

Sections:

15.12.010 Adoption of fire code and fire and life safety regulations.

- A. For the purpose of prescribing minimum regulations governing conditions hazardous to life and property from fire, panic, or explosion, the city adopts the fire code known as the Oregon Fire Code (OFC), the whole thereof, as adopted or amended by OAR 837-040-001, including Oregon adopted appendices, except as otherwise amended in Section 15.12.070 of this chapter, and incorporated herein.
- B. This code section, including the codes hereby adopted, shall be filed and maintained in the record of Gresham Fire Department (GFD), in the State Fire Marshal's Office, and the Troutdale Community Development Department. This chapter shall be known as the Fire and Life Safety Code of the city of Troutdale (hereafter known as "Oregon Fire Code").
- C. In addition to any fines, penalties, remedies or other enforcement powers authorized by the Oregon Fire Code, any violation of the fire code shall also constitute a public nuisance under Chapter 8.28 of this code, and shall be subject to the general penalty provisions in Chapter 1.04 of this code.

(Ord. 787 § 1 Att. 1 (part), 2007)

15.12.020 Definitions.

For purposes of this chapter, the following mean:

"Business" means any activity, trade, occupation, profession, or pursuit conducted for the purpose of generating revenue, whether for profit or nonprofit, regardless of occupancy type assigned by code language, excluding home occupations.

Fire Code Official. Wherever the Oregon Fire Code uses the term "Fire Code Official," it means the city of Gresham fire chief or fire marshal.

"Illegal occupancy" means any business occupying a building or premises without a city business license or the changing of an occupancy without proper building and planning department permits or certificate of occupancy.

Jurisdiction. Wherever the Oregon Fire Code uses the term "jurisdiction," it means the city of Troutdale.

Occupancy. The lawfully permitted purpose for which a building or part thereof is used or intended to be used.

(Ord. 787 § 1 Att. 1 (part), 2007)

15.12.030 Establishment and duties of the Fire and Life Safety Division.

The Oregon Fire Code shall be enforced by the Fire and Life Safety Division of Gresham Fire Department , which shall be operated under the supervision of the fire marshal under the direction of the fire chief.

(Ord. 787 § 1 Att. 1 (part), 2007)

15.12.070 Amendments to the Oregon Fire Code.

The Oregon Fire Code is amended and changed as follows:

Section 104.1 is amended to add:

The Jurisdiction shall establish the fees, if any, for special use permits. The fees shall be set by resolution.

Section 108.1 is amended to add:

The Jurisdiction shall establish the fees, if any, for initial business fire inspections, reinspections, failure to abate hazards and false alarms. The fees shall be set by resolution.

Section 308.1.4 is amended to read:

Open-flame cooking devices. Charcoal burners and other open-flame cooking devices shall not be operated on combustible balconies or within ten feet of combustible construction.

Exceptions:

1. One and two family dwellings.
2. Where buildings, balconies and decks are protected by an automatic sprinkler system.

Section 308.1.6.2 is amended to read:

Liquefied-petroleum-gas-fueled cooking devices. LP-gas burners having an LP-gas container with a water capacity greater than 2.5 pounds (nominal 1 pound LP-gas capacity) shall not be operated on combustible balconies or within ten feet of combustible construction.

Exception: One and two family dwellings.

Section 505.1 is amended to read:

Address Numbers. New and existing buildings shall have approved address numbers, building numbers or approved building identification placed in a position that is plainly legible and visible from the street or road fronting the property. These numbers shall contrast with their background. Address numbers shall be Arabic numerals or alphabet letters. Numbers shall be a minimum of six inches high with a minimum stroke width of 0.5 inch and larger when required by Gresham Fire and Emergency Services Standard Operating Guideline 3.1.5.

Section 806.1.1 is amended to read:

Restricted occupancies. Natural cut trees shall be prohibited in Group A, E, I-1, I-2, I-3, I-4, M, R-1, R-2, R-4 and SR occupancies.

Exceptions:

1. Trees located in areas protected by an approved automatic sprinkler system installed in accordance with Section 903.1.1 or 903.1.2 shall not be prohibited.
2. Within dwelling units of R-2 occupancies.

Section 5701.4 is amended to read:

Permits. Permits for the installation of all flammable or combustible liquid tanks and/or storage of all flammable or combustible liquids within or outside of buildings are required within all areas of the city.

Section 5701.6 is amended to read:

Plans. Construction documents shall be submitted with each permit application for flammable or combustible liquid tanks and/or the storage of the same.

Section 6101.2 is amended to read:

Permits. Permits for the installation of all liquefied petroleum gas (LPG) tanks and/or storage of all LPG are required within all areas of the city. Distributors shall not fill an LP-gas container for which a permit is required unless a permit for installation has been issued for that location by the fire code official.

Section 6101.3 is amended to read:

Plans. Plans shall be submitted with each permit application for liquefied petroleum gas (LPG) tanks and/or storage of the same.

(Ord. 787 § 1 Att. 1 (part), 2007)

15.12.080 Appeals.

The appeals board specified in Section 111.1 of the Oregon Fire Code shall consist of the Troutdale building official, with the addition of a fire protection professional as designated by the fire code official.

(Ord. 787 § 1 Att. 1 (part), 2007)

15.12.090 Fire safety inspection program.

- A. Purpose and Scope. The purpose of this section is to set forth the requirements of a fire safety inspection program within the city of Troutdale for violations of the Oregon Fire Code. The provisions of this section shall apply to each business location of every business within the city of Troutdale.
- B. Hazard Level Designations. A hazard level designation for each individual business will be determined by the fire marshal based on occupancy classification and existing hazards. The fire marshal will utilize the hazard ratings issued for occupancy designations by the National Fire Protection Association (NFPA), 13, "Installation of Sprinkler System," and as designated by OFC Chapter 2. In cases of multiple occupancy classifications, hazard level placement will normally correspond to the occupancy classification with the highest rated hazard level.
- C. Fire Safety Inspections. Each business location of every business located within the city of Troutdale is subject to a fire safety inspection by Gresham FD each calendar year. Inspection fees, if any, shall be established by council resolution and correspond to the hazard level designation for each business location as determined by the fire marshal.
- D. Fire Safety Reinspections. When violations of the OFC are found in the course of an annual inspection, Gresham FD shall conduct a reinspection, after allowing the appropriate time for voluntary abatement of the violation. Fees for reinspection, if any, shall be established by council resolution.
- E. Failure to Abate OFC Violations. Failure to abate OFC violations shall constitute a public nuisance, and subject the violator to the nuisance abatement remedies established in Chapter 8.28 of this code including the imposition of an administrative enforcement fee for each month the violation continues. The administrative enforcement fee for inspection violations shall be established by Troutdale city council resolution. In addition to the imposition of an administrative enforcement fee, the city manager or the city manager's designee, may enforce abatement proceedings or civil action as provided in Chapter 8.28 of this code, or as otherwise authorized by law, including any enforcement remedies, orders, or powers under the OFC.
- E. Warrants. When an inspection is done pursuant to this chapter to enforce compliance with the Oregon Fire Code, as adopted herein, the person doing the inspection shall obtain consent or a warrant authorizing the entry into a building or structure, except in circumstances where a warrant or consent is not legally required.

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- F. Business License Inspections. Any person or business entity that applies for a license to conduct business in a physical location within the city of Troutdale must obtain a business license inspection by Gresham FD, and pay a fee for that inspection, if established by council resolution. Any person or business entity that applies for a renewal of any license to conduct business in a physical location within the city of Troutdale may be subject to a business license inspection by Gresham FD, and pay a fee for that inspection, if established by council resolution, if a history of OFC code violations has been found within said business location and a general fire safety inspection has not been completed there within the previous twelve months.

(Ord. 787 § 1 Att. 1 (part), 2007)

(Ord. No. 801, § 1, 1-11-2011)