

CITY OF SHERWOOD, OREGON

RESOLUTION NO. 278

A RESOLUTION ADOPTING FOR THE CITY OF SHERWOOD THE FIRE PREVENTION CODE FOR TUALATIN RURAL FIRE PROTECTION DISTRICT, TOGETHER WITH CERTAIN LOCALLY DESIRED AMENDMENTS TO SAID FIRE PREVENTION CODE.

WHEREAS, the Tualatin Rural Fire Protection District services the City of Sherwood and its inhabitants therein; and

WHEREAS, the Tualatin Rural Fire Protection District has submitted its "Ordinance Adopting a Fire Prevention Code for Tualatin Rural Fire Protection District Prescribing Regulations Governing Conditions Hazardous to Life and Property from Fire or Explosion and Providing for Administration and Enforcement Thereof, Establishing a Bureau of Fire Prevention, Providing Officers therefor and Defining Their Duties and Powers and Other Pertinent Provisions"; and

WHEREAS, the City Council for the City of Sherwood has reviewed said Ordinance and has received the recommendations and comments thereon from city staff and representatives of the Tualatin Rural Fire Protection District; and

WHEREAS, the City Council of the City of Sherwood finds that the adoption of the aforementioned ordinance, together with certain locally desired amendments as set forth below would be in the best interests of the health, safety and general welfare of the city's citizens;

NOW, THEREFORE, IT IS HEREBY RESOLVED:

1. That the City of Sherwood adopts the Ordinance Adopting a Fire Prevention Code for Tualatin Rural Fire Protection District Prescribing Regulations Governing Conditions Hazardous to Life and Property from Fire or Explosion and Providing for Administration and Enforcement thereof, Establishing a Bureau of Fire Prevention, Providing Officers therefor and Defining Their Duties and Powers, and Other Pertinent Provisions, a copy of same marked Exhibit "A": being attached hereto and by reference incorporated herein as if fully set forth, save and except those amendments thereto as set forth below.

2. The City of Sherwood hereby adopts the following amendments to the aforementioned Exhibit "A":

(a) Section III - DEFINITIONS (d): The term "the appropriate City Attorney" shall be stricken so DEFINITIONS (d) reads, "Wherever the term 'corporation counsel' or 'city attorney' is used in the Codes adopted herein, it shall be held to mean the attorney for Tualatin Rural Fire Protection District or the appropriate County District Attorney, whichever is deemed to be suitable by the Fire Chief."

(b) There shall be added to Section X - PENALTIES the following sentence to the end of the last paragraph: "The Fire District will provide copies of all inspection notices to the city by address of location of property inspected."

- (c) There shall be added an additional Section XV - PREMISES: "For purposes of this ordinance 'premises' means all structures which are subject to the jurisdiction of the State Fire Marshal under ORS 476.
- (d) Section VIII - APPEALS, Board Member Qualifications, for purposes of appeals relating to premises within the City of Sherwood, shall be amended to read as follows:

"The Fire Code Advisory and Appeals Board (hereinafter called the "Board") shall consist of five regular members and five or more alternative members jointly appointed by the Chief of Tualatin Rural Fire Protection District and the City Council of the City of Sherwood."

Add to the end of paragraph two of Section VIII:

"Any member may be removed by the Chief of Tualatin Rural Fire Protection District and the City Council for cause. Upon the death, resignation, or removal of any member, a successor shall be appointed by the Chief of Tualatin Rural Fire Protection District and the City Council to serve the balance of the unexpired term."

- (e) Section VII - A. - Section 1.102-(d): Change "District" to "City".
- (f) Section VII - E. - Section 10.207-(g): Add "unless fire fighting access is not directly affected by this requirement".
- (g) Section XI: Revise second paragraph to read:

"In order to assist in defraying expenses in examination of construction plans and subsequent on-site inspection of actual construction, a fee shall be paid at the time the application for a fire, life and safety permit is filed with the District. This fee shall be 40 percent of the building permit fee, pursuant to ORS 456.760.

INTRODUCED AND ADOPTED THIS 28 day of December, 1983.

CITY OF SHERWOOD, OREGON

By Mary L. John
Mayor

By Polly Blankenbaker
Recorder

AN ORDINANCE ADOPTING FIRE CODES AND STANDARDS PRESCRIBING REGULATIONS GOVERNING CONDITIONS HAZARDOUS TO LIFE AND PROPERTY FROM FIRE OR EXPLOSION, PROVIDING FOR THE ISSUANCE OF PERMITS FOR HAZARDOUS USES OR OPERATIONS, AND ESTABLISHING A BUREAU OF FIRE PREVENTION AND PROVIDING OFFICERS THEREFOR AND DEFINING THEIR POWERS AND DUTIES, AND REPEALING ORDINANCE(s) _____

WHEREAS, the District, pursuant to the authority granted under ORS 198.510 to ORS 198.600 and ORS 478.910 to ORS 478.940, has the power to adopt a fire prevention code.

WHEREAS, the District desires to and finds it necessary to adopt the following regulations to provide maximum fire safety and that a plan for inspections and maintenance will upgrade existing structures, thereby reducing hazards of fire, thus does hereby adopt the following regulations.

The whole of this ordinance including the Codes hereby adopted have been and are now filed in the record of the District and in the Office of the County Clerk as prescribed in ORS 478.560 and with the State Fire Marshal's Office and from the date on which this ordinance shall take effect, the provisions thereof shall be controlling within the limits of the area known as the District and the whole of this ordinance shall be known as the Fire Prevention Code of the District.

SECTION I ADOPTION OF UNIFORM CODES

There is hereby adopted by the District for the purpose of prescribing regulations governing conditions hazardous to life and property from fire or explosion, those certain Codes and Standards known as the:

A. Uniform Fire Code, including Appendix Chapters II-D, III-A, III-C, V-A, VI-A, and the Uniform Fire Code Standards published by the Western Fire Chiefs Association and the International Conference of Building Officials, being particularly the 1982 editions thereof and the whole thereof save and except such portions as are hereinafter deleted, modified or amended by Section 7 of this ordinance.

B. Uniform Building Code, 1982 Edition, including appendix chapters, as amended and adopted by the Building Code Division of the State of Oregon, Department of Commerce and the Office of the State Fire Marshal as the State of Oregon Structural Specialty Code and Fire and Life Safety Regulations, only to the extent of adoption as has been or shall be adopted by the Office of the Oregon State Fire Marshal, save and except for portions as are hereinafter deleted, modified or amended by this ordinance.

C. Uniform Mechanical Code, 1982 Edition, as amended and adopted by the State of Oregon, Department of Commerce, and the Office of the State Fire Marshal as the State of Oregon Mechanical Specialty Code and Mechanical Fire and Life Safety Regulations and the whole thereof, save and except for portions as are hereinafter deleted, modified or amended by this ordinance.

D. State of Oregon Administrative Rules, Oregon State Fire Marshal, Chapter 837. Divisions 11-010 through 11-030, 41, 43, 44, 45, and 80, of Oregon Administrative Rules, Oregon State Fire Marshal are herein adopted and as such become a part of this Fire Code.



OCT 1983

TUALATIN RURAL FIRE PROTECTION DISTRICT

P.O. BOX 127 • TUALATIN, OREGON 97062 • PHONE 682-2601 • RUSSELL WASHBURN, CHIEF

October 3, 1983

TO: All Cities and Counties within Tualatin Fire District

RE: Fire Prevention Code ORS 478.910

Every 3 years Fire Districts are required to update their Fire Prevention Code. Enclosed is a copy of the revised and adopted Fire Prevention Code. Tualatin Fire District is asking each city and county to approve this Fire Prevention Code by resolution in accordance with ORS 478.924 (see attachment). This revised Fire Prevention Code adopts the 1982 Edition of the Uniform Fire Code, Uniform Building Code and the Uniform Mechanical Code.

In an effort to standardize code enforcement Tualatin Fire District has adopted the same Fire Prevention Code as Washington County Fire District #1 and the City of Beaverton. This means that the same fire and life safety regulations will be enforced throughout east Washington County and part of Clackamas County. Standardization of code enforcement should assist architects, developers and builders who are required to utilize these codes.

You will note minor word changes throughout this document as the result of combining 3 fire district codes (Tualatin Fire District, Washington County Fire District #1 and the City of Beaverton). No amendments have been made in the Uniform Building Code or the Uniform Mechanical Code. Twelve amendments to the Uniform Fire Code are listed in Section VII on pages 4, 5, 6 and part of page 7.

The only significant change from our old document is a water flow requirement in Section VII.G. This amendment provides a reasonable requirement for fire protection in newly constructed high-rise buildings or large industrial occupancies where a good municipal water supply is not available. This 3000 GPM water flow requirement has been in affect in Washington County District #1 and the City of Beaverton for some time. It reduces the need to provide additional equipment and manpower to combat fire in high-rise occupancies.

In the interest of standardized codes in the metropolitan area we are asking each city or county to adopt this code without amendments. Please place this Resolution on your agenda as soon as possible. If you have any questions regarding the Fire Prevention Code, please feel free to call at any time.

Sincerely,

Tom Thompson
Fire Marshal

cc: Chief Washburn

J. Whenever the term "corporation counsel" or "City Attorney" is used it shall be held to mean the Attorney for this fire district, or the appropriate City Attorney, or the appropriate County District Attorney, whichever is deemed to be suitable or appropriate by the Fire Chief.

K. Whenever the term "jurisdiction", "city", "county", "state", or "municipality" is used it shall be held to mean this fire district or the City or County of which this department is a part thereof.

L. Whenever the term "Structural Specialty Code" is used it shall be held to the same definition as may appear in any other section of this Code or municipal code of the City of which this fire department is a part thereof.

M. Whenever the term "hazardous vehicles" is used it shall be held to mean vehicles blocking public or private right-of-way fire hydrants, vehicles with leaking gas tanks and vehicles located in violation of the fire code.

SECTION IV ESTABLISHMENT OF LIMITS OF DISTRICTS IN WHICH STORAGE OF FLAMMABLE OR COMBUSTIBLE LIQUIDS IN OUTSIDE ABOVE-GROUND TANKS IS PROHIBITED

The limits referred to in Section 79.501 of the Uniform Fire Code relating to storage of Class I and II flammable or combustible liquids in outside above-ground tanks is prohibited except the following areas:

All areas other than those currently described in the Washington County Zoning Ordinance as AF-5, AF-10, AF-20, EFU, EFC and MA-2 zones or their equivalent zones and then only when the location and storage facilities have been first approved and a permit obtained pursuant to Section 79.103.

SECTION V ESTABLISHMENTS OF LIMITS OF DISTRICTS IN WHICH STORAGE OF EXPLOSIVES AND BLASTING AGENCIES IS PROHIBITED

The limits referred to in Section 77.106(b) of the Uniform Fire Code, in which storage of explosives and blasting agents is prohibited, are hereby established as follows:

All areas other than those currently described in Washington County Zoning Ordinance as EFC and MA-2 zones and then only when those distances prescribed in the American Table of Distances for the storage of explosives (Uniform Fire Code Table No. 77.201) are maintained and a permit is obtained pursuant to Section 77.104.

SECTION VI ESTABLISHMENTS OF LIMITS IN WHICH STORAGE OF LIQUEFIED PETROLEUM GASES IS TO BE RESTRICTED

The limits referred to in Section 82.105 of the Uniform Fire Code, in which storage of liquefied petroleum gas is restricted, are hereby established as follows:

All areas other than those currently described in the Washington County Zoning Ordinance as AF-5, AF-10, AF-20, EFU, EFC, and MA-2 zones and then only when approval has been obtained pursuant to Section 82.102.

SECTION II ESTABLISHMENT AND DUTIES OF BUREAU OF FIRE PREVENTION

A. The Uniform Fire Code, the Uniform Building Code, and the Uniform Mechanical Code, shall be enforced by the Bureau of Fire Prevention in the fire department in the District, which was previously established and which shall be operated under the supervision of the Chief of the fire department.

SECTION III DEFINITIONS

Definitions set forth in the State of Oregon Structural Specialty Code and Fire and Life Safety Code, the State of Oregon Mechanical Specialty Code and Mechanical Fire and Life Safety Code, the Uniform Fire Code and the National Fire Code (N.F.P.A) are hereby adopted save and except for the following:

A. Whenever the terms "administrator" or "director" are used, they shall be held to mean the Fire Chief or his authorized representative.

B. Whenever the term "Board of Appeals" is used, it shall be held to mean the Board of Appeals that is provided by the Fire Prevention Code of this fire district.

C. Whenever the term "Board of County Commissioners" or "City Council" is used it shall be held to mean the Board of Directors of this fire district.

D. Whenever the term "building code" is used it shall be held to mean whichever building code is currently in use in the particular jurisdiction served by this fire department or the particular building code or codes adopted by this fire district.

E. Whenever the term "building department" is used it shall be held to mean the Fire Prevention Division of this fire district or the building department of the City or County of which this fire department is a part thereof.

F. Whenever the term "building official" is used it shall be held to mean the Fire Marshal of this fire district or his authorized representative or the building official of the City or County of which this fire department is a part thereof.

G. Whenever the term "Chief of Bureau of Fire Prevention", "Fire Prevention Engineer", "State Fire Marshal" are used they shall be held to mean the Fire Marshal of this fire district or his authorized representative.

H. Whenever the term "Chief" or "Chief of the fire department" is used it shall be held to mean the Chief of this fire district.

I. Whenever the term "Chief of Police" is used it shall be held to mean whichever Sheriff or Chief of Police has jurisdiction within the geographical area so affected.

E. Section 10.207 is amended by adding paragraph (g):

(g) The grade slope of required access, roads, streets and driveways shall not exceed 15 percent.

Article 10 is amended by adding a new sub-section 10.210:

F. Section 10.210 AUTHORITY TO TOW HAZARDOUS VEHICLES

The Chief or other officer of the fire department may immediately cause a vehicle to be towed without prior notice at the owner's expense if the vehicle is determined to be a hazardous vehicle.

G. Section 10.301(c) is amended to read:

(c) Required Fire Flow: No building shall be constructed, altered, enlarged, or repaired in a manner that by reason of size, type of construction, number of stories, location on property, occupancy, or any combination thereof creates a need for a fire flow in excess of 3000 gallons per minute at 20 pound per square inch residual pressure.

Existing buildings that require a fire flow in excess of 3000 gallons per minute are not required to comply with the fire flow requirements of this section; however, alterations, additions or repairs shall not further increase the required fire flow for the buildings. Furthermore, if alterations, additions, or repairs made in any 12 month period exceed fifty percent (50%) of the area of the building, the entire building shall be made to conform with the fire flow requirements.

Fire flow requirements in excess of 3000 gallons per minute may be allowed if, in the opinion of the Chief, all reasonable methods of reducing the required fire flow have been included within the development and no unusual hazard to life and property exists.

In determining the required fire flows the Chief may be guided by the standard published by the Insurance Services office "Guide for Determination of Required Fire Flow".

An approved water supply capable of supplying required fire flow for fire protection shall be provided to all premises upon which buildings or portions of buildings are hereafter constructed. Water supply may consist of reservoirs, pressure tanks, elevated tanks, water mains or other fixed systems capable of supplying the required fire flow. Other water supply sources may be counted as contributing to the supply if, in the judgment of the Chief, the source is dependable, readily accessible and adaptable to use by public fire-fighting equipment.

SECTION VII AMENDMENTS MADE IN THE UNIFORM FIRE CODE

The Uniform Fire Code is amended and changed in the following respects:

A. Section 1.102 is amended by adding a new paragraph (d):

(d) Where the conditions imposed by a provision of this Code differ from those imposed by another ordinance, law or regulation having application in the District, the provision which is most restrictive shall govern.

B. Section 2.101 is amended by adding paragraphs (i, j, k and l)

(i) Adequacy of means of approach to buildings and structures by mobile fire apparatus, and firefighting personnel:

(j) Providing fire fighting water supplies and fire detection and suppression apparatus adequate for the protection of buildings and structures.

(k) Issuance of permits before burning trash or waste materials.

(l) Inspection of premises by officers designated by the Board of Directors and requiring removal of fire hazards found on premises at such inspections.

C. Section 2.102 is amended as follows:

The Chief, by executive order, is authorized to make, promulgate and enforce such rules and regulations for the prevention and control of fires and hazards as may be necessary from time to time to carry out the intent of this code. Certified copies of such rules and regulations shall be filed with the County Clerk and be available for public inspection pursuant to ORS 478.940, and shall be in effect immediately thereafter and additional copies shall be kept in the Fire Prevention Bureau office for distribution to the public.

D. Section 2.104 is amended as follows:

(a) The Chief (or the Fire Marshal) in charge of the Bureau of Fire Prevention shall be appointed by the appropriate authority of the District, on the basis of examination to determine his qualifications.

(b) The Chief of the fire department may detail such members of the fire department as inspectors as shall from time to time be necessary. The Chief of the fire department shall recommend to the District the employment of technical inspectors, who, when such authorization is made, shall be selected through an examination to determine their fitness for the position and appointments made after examination shall be for an indefinite term with removal only for cause.

N. Section 82.103 is amended to read:

It shall be the duty of the Fire Marshal to inspect a reasonable number of liquefied petroleum gas installations to determine if compliance is being made with the provisions of ORS 480.450(2), (3) and (5).

O. Section 82.104 is amended to read:

All liquefied petroleum gas equipment including such equipment installed at utility gas plants, shall be installed in accordance with the provisions of ORS 480.410(2).

SECTION VIII APPEALS

Whenever the Fire Chief, Fire Marshal, or their authorized representatives shall disapprove a construction or alteration plan, or deny a permit applied for under this ordinance, or when it is claimed that the provisions of these regulations do not apply, or that the true intent and meaning of these regulations have been misconstrued or wrongly interpreted, the aggrieved person may appeal the decision of the Fire Chief or Fire Marshal or their authorized representatives to the Board of Appeals of the fire protection district, in care of the district offices. Said written notice shall be filed within thirty (30) days of the date of the decision by the Fire Chief, Fire Marshal, or their authorized representatives.

In order to determine the suitability of alternate methods, materials, and types of construction, and to provide for a reasonable interpretation of the provisions of these regulations, there shall be and is hereby created a Board of Appeals consisting of five members and five alternate members appointed by the Board of Directors, who are qualified by experience and training to pass upon pertinent matters. The Fire Marshal shall designate, from time to time as necessary, a person to act as Secretary to the Board for the purpose of recording minutes of appeals hearings and such other clerical functions as may be necessary to keep accurate records of all proceedings coming before the Boards, and shall serve as ex-officio member of the Board without voting privileges. The Board shall consist of five members who are qualified by experience and training to render decisions on fire and life safety matters.

The members of the Board of Appeals shall be appointed by the Board of Directors for three year terms filled on a rotating basis. No member or alternate member shall hear appeals or render a decision on an appeal on any matter in which he or she may have a personal or pecuniary interest. The Board of Appeals shall establish rules for the conduct of its meetings and notice thereof.

SECTION IX NEW MATERIALS, PROCESSES OR OCCUPANCIES WHICH MAY REQUIRE PERMITS

The Chief and the Fire Marshal shall act as a committee to determine and specify, after giving affected persons an opportunity to be heard, any new materials, processes or occupancies for which permits are required in addition to those now enumerated in said 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.

Fire Hydrants: Fire hydrants shall be located so that no part of a commercial building is more than 250 feet from a fire hydrant (exception: when approved by the Chief this distance may be extended to a maximum of 500 feet as measured along a route accessible to vehicles, when the building is equipped with an approved fire protection system). Fire hydrants shall be placed at intersections unless authorized by the Chief. Where required single family residential buildings may not be more than 500 feet from a fire hydrant as measured along a route accessible to vehicles. For the purpose of this sub-section, a "commercial building" means a building used for other than R-3 or M occupancy. Fire hydrants on private water mains that are serving automatic sprinkler systems and are pressurized by a fire department connection shall not be considered to contribute to the above requirements unless specifically approved by the Chief.

All systems or appliances required to be installed under Section 10.301 as amended shall be installed by the developer and shall be approved by and meet the specifications and requirements of the Chief as to location, size and type of materials and manner of installation.

H. Section 10.301 is amended by adding a new paragraph (f):

(f) Fire Department Connections. When structures are protected with an automatic sprinkler system, the location of the fire department connection shall be approved by the Chief and be within seventy (70) feet of a standard fire-hydrant assembly. It shall not be attached to the structure protected unless otherwise approved by the Chief.

I. Section 25.118(b)4. is amended to read:

4. When in the opinion of the Chief adequate safeguards have been taken, flame lighted hand-held candle may be permitted. Hand-held candles shall not be passed from one person to another when lighted.

J. Section 45.702 is amended to read:

All spraying operations involving the use of organic peroxides and other dual-component coatings shall be conducted in approved rooms provided with automatic fire protection which shall include but shall not be limited to automatic sprinkler systems, automatic dry chemical systems, automatic carbon dioxide flooding systems, automatic halon extinguishing systems, and automatic foam extinguishing systems. In addition, an approved means for prompt notification of fire to those within the plant and the fire department shall be provided.

K. Article 78 is amended by adding a new sub-section 78.107:

78.107 Where there is a conflict between this Article and ORS 480.110 through 480.122 the ORS shall prevail.

L. Section 81.107(a) is amended as follows:

The Exception to 81.107(a) is deleted.

M. Section 82.102 is amended as to read:

For a permit to install or maintain an LP-gas container or operate LP-gas tank vehicles see ORS 480.450(1).

In order to assist in defraying expenses in examination of construction plans and subsequent on-site inspection of actual construction, a fee shall be paid at the time the application for a ~~building permit~~ ^{fire, life and safety n w} is filed with the ~~County Building Department or the Building Department of any municipality within the jurisdiction of the City/District.~~ This fee shall be 40 percent of the building permit fee, pursuant to ORS 456.760, ~~and all monies collected under this section by a County Building Department or any building department of a municipality within the jurisdiction of the District shall be paid to the District on or before the tenth day of the month following the month in which the monies are collected save for any expenses incurred in the collection thereof by the County Building Department or the Building Department of any municipality within the jurisdiction of the district.~~

SECTION XII REPEAL OF CONFLICTING ORDINANCES

All former ordinances or parts thereof conflicting or inconsistent with the provisions of this ordinance or of the Code or Standards hereby adopted are hereby repealed _____.

SECTION XIII VALIDITY

The City/District hereby declares that should any section, paragraph, sentence or word of this ordinance or of the Code or Standards hereby adopted be declared for any reason to be invalid, it is the intent of the City/District that it would have passed all other portions of this ordinance independent of the elimination herefrom of any such portion as may be declared invalid.

SECTION XIV DATE OF EFFECT

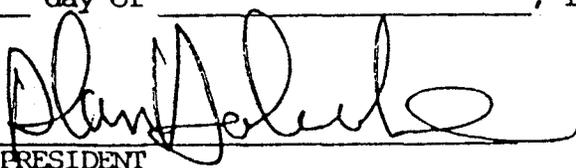
This ordinance shall take effect and be in force from and after its approval as required by law.

NOW, THEREFORE, an emergency is hereby declared to exist and this Ordinance shall be in full force and effect immediately upon its passage by the Board of Directors, approval of the President.

PASSED by the District this 28th day of September, 1983

APPROVED by the City/County this _____ day of _____, 1983

TUALATIN RURAL FIRE PROTECTION
DISTRICT
FIRE DISTRICT


PRESIDENT

CITY or COUNTY

MAYOR/ADMINISTRATOR

SECTION X PENALTIES

Any person who shall violate any of the provisions of these regulations hereby adopted or fail to comply therewith, or shall violate or fail to comply with any order made thereunder, or who shall build in violation of any detailed statement, specification or plans submitted and approved hereunder and from which no appeal has been taken, or who shall fail to comply with such an order as affirmed or modified by the Board of Appeals or by a court of competent jurisdiction within the time affixed herein, shall severally, for each and every such violation and non-compliance respectively, be guilty of a misdemeanor as provided in ORS 478.930 punishable upon conviction as prescribed by ORS 478.990.

The corporation counsel, the Fire Chief, or any Fire Marshal or his designated representative may bring a complaint in law or inequity to alleviate a violation of this ordinance as well as in addition to the rights to enforce said ordinance under the provisions of ORS 478.930 and ORS 478.990.

Penalties shall be as so provided by Oregon Revised Statutes, County Ordinances, or city Ordinance.

SECTION XI PLAN REVIEW—SUBMITTAL OF PLAN

Any building (exclusive of one and two family dwellings, farm barns, and outbuildings); flammable liquid storage utilization, transportation or dispensing facilities; and facility for the storage, handling, transport and use of explosive and blasting agents; dry-cleaning plants; facilities for the storage, handling, use and transportation of liquefied petroleum gases; or any other building, structure or facility wherein highly combustible or hazardous materials are manufactured, utilized, dispensed, conveyed or stored; the plans and specifications therefor shall be submitted to the Fire Marshal of the district or his authorized representative for examination and approval with respect to conformance with these regulations and no construction shall proceed prior to such approval. When the Fire Marshal or his authorized representative approves any such plan, he shall so signify by means of a stamp and signature. All construction or alteration shall thereafter comply with the approved plan, in all respects, unless modified by subsequent written permit or order of the Fire Marshal. Plans and specifications shall be drawn to scale upon substantial paper or cloth and shall be of sufficient clarity and detail to permit the Fire Marshal to determine the question of conformity with these regulations and shall include a plot plan showing type, location of the proposed buildings, structures, facilities and fire hydrant locations and access ways, in relationship to the property lines, and all other buildings, structures and facilities proposed or existing on the premises. Approval of plans shall not be construed as to be a permit to violate any applicable law or regulation of the State, County, or fire district.

478.740 [Amended by 1969 c.667 §48; repealed by 1971 c.727 §203]

478.750 [Amended by 1965 c.316 §4; 1969 c.667 §49; repealed by 1971 c.727 §203]

CONSOLIDATED DISTRICTS

478.760 Tax levy of consolidated district. A district formed by consolidation of two or more districts, in the first fiscal year following the consolidation, shall not levy upon property in the consolidated district a tax greater than the amount, plus six percent thereof, of the sum of the taxes levied by the consolidating districts in any one of the last three years in which a tax was levied. This section does not prohibit a consolidated district from levying a tax in excess of constitutional limitation when such excess levy is authorized by a vote of the people of the consolidated district in the manner prescribed by law. [1965 c.316 §3; 1969 c.667 §50]

478.810 [Amended by 1969 c.667 §51; repealed by 1971 c.727 §203]

478.820 [Amended by 1969 c.667 §52; repealed by 1971 c.727 §203]

478.830 [Amended by 1969 c.667 §53; repealed by 1971 c.727 §203]

FIRE PREVENTION CODE; FIRE PERMITS

478.910 Adoption of fire prevention code. A district board may, in accordance with ORS 198.510 to 198.600, adopt a fire prevention code. [Amended by 1969 c.667 §54; 1971 c.268 §19]

478.920 Scope of fire prevention code. The fire prevention code may provide reasonable regulations relating to:

- (1) Prevention and suppression of fires.
- (2) Mobile fire apparatus means of approach to buildings and structures.
- (3) Providing fire-fighting water supplies and fire detection and suppression apparatus adequate for the protection of buildings and structures.
- (4) Storage and use of combustibles and explosives.
- (5) Construction, maintenance and regulation of fire escapes.
- (6) Means and adequacy of exit in case of fires and the regulation and maintenance of fire and life safety features in factories, asy-

lums, hospitals, churches, schools, halls, theaters, amphitheatres, all buildings, except private residences, which are occupied for sleeping purposes, and all other places where large numbers of persons work, live or congregate from time to time for any purpose.

(7) Requiring the issuance of permits by the fire chief of the district before burning trash or waste materials.

(8) Providing for the inspection of premises by officers designated by the board of directors, and requiring the removal of fire hazards found on premises at such inspections. [Amended by 1969 c.667 §55; 1977 c.292 §1]

478.924 Approval of code by city or county required. The provisions of a fire prevention code adopted by a district after October 4, 1977, shall not apply within any city or county within the district unless the governing body of the city or county approves the fire code by resolution. [1977 c.292 §5]

478.927 Building permit review for fire prevention code. A district adopting a fire prevention code shall provide plan review at the agency of the city or county responsible for the issuance of building permits for the orderly administration of that portion of the fire prevention code that requires approval prior to the issuance of building permits. [1977 c.292 §4]

478.930 Violation of code, failure to remove hazards, burning waste without permit prohibited. When a district has adopted a fire prevention code as provided in ORS 478.910:

(1) No person shall violate the provisions of the code or fail to remove hazards found on inspection within the time set by the inspecting officer, after written notice to either the owner or occupant of the premises.

(2) No person shall burn waste materials or trash in an unguarded manner without a permit, when a permit is required by the district code or this chapter. [Amended by 1969 c.667 §56]

478.940 Copies of code to be filed with State Fire Marshal and posted at fire stations. Copies of the fire prevention code shall be filed with the State Fire Marshal's office and a copy shall be posted at each fire station within the district.

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