

AN ORDINANCE ADOPTING, RATIFYING AND CONFIRMING THE APPLICABILITY TO THE CITY OF SHERWOOD OF THE FIRE PREVENTION CODE ADOPTED BY THE VOTERS OF THE TUALATIN RURAL FIRE PROTECTION DISTRICT, INCLUDING THE CITY OF SHERWOOD, BY REFERENDUM OF MAY 26, 1966; PRESCRIBING STANDARDS FOR ON-SITE FIRE PROTECTION FACILITIES WITHIN THE CITY OF SHERWOOD, PROVIDING APPROVAL OF FIRE FACILITIES BY THE TUALATIN RURAL FIRE PROTECTION DISTRICT AS CONDITION PRECEDENT TO ISSUANCE OF BUILDING PERMITS; PROHIBITING OBSTRUCTION OF ACCESS TO RISK AREAS; REQUIRING FIRE INSPECTION OF COMPLETED FACILITIES PRIOR TO OCCUPANCY; ESTABLISHING RESPONSIBILITY FOR MAINTENANCE OF FACILITIES; PROHIBITING OBSTRUCTION OF FIRE HYDRANTS AND SIMILAR FIRE CONNECTIONS; PRESCRIBING EFFECTIVE DATE AND DECLARING AN EMERGENCY.

THE CITY OF SHERWOOD DOES ORDAIN AS FOLLOWS:

Section 1: The Council of the City of Sherwood does hereby ratify, confirm and adopt the Fire Prevention Code of the Tualatin Rural Fire Protection District as adopted by the legal voters of the District, including voters of the City of Sherwood, at a referendum election on the 26th day of May, 1966, and any amendment or recodification or re-enactments thereof.

Section 2: That the following additional sections are hereby adopted as amendments and supplements to the Fire Prevention Code as adopted under Section 1 hereof;

(a) Definitions. For the purpose of this section, unless it is plainly evident from the context that a different meaning is intended, certain terms used herein are defined as follows:

1. "Adequate water supply" shall mean reasonable flow of water which the Chief of the Fire Department determines is necessary to protect any building or structure against fire on the land to be developed.

2. "To develop land" shall mean to make any improvements or do any work upon such land which would require the issuance of a building permit under the Building Code of the City of Sherwood.

3. "Developer" shall mean the owner or other person responsible for the development of the land in question. For purposes of this section, the terms "owner" and "person" shall be applied in their usual and customary context.

4. "Facilities" shall mean such water mains, fire hydrants, and appurtenances thereto as are necessary for fire protection.

5. "Fire Chief" shall mean the Chief of the Tualatin Rural Fire Protection District, or his duly authorized

representative, who is charged with the administration and enforcement of the Fire Prevention Code as it presently exists, or hereafter may be amended.

6. "Judgment" shall mean the judgment of the Chief of the Fire Department, based upon sound fire protection principles which judgment shall be conclusive, provided that said judgment is not arbitrarily or capriciously exercised.

7. "Land" shall mean any lot, parcel, acreage, or building site, or any other land or portion thereof embraced within a common plan of development, whether improved or unimproved.

8. "Access" shall mean a twelve (12) foot unobstructed ingress and egress for fire-fighting equipment.

(b) Review by Fire Chief. Every application for a building permit and accompanying plans shall be reviewed by the Fire Chief and a determination made whether any building or structure on the land to be developed is or will by virtue of said development become in excess of 150 feet from an adequate water supply. If upon such review it is determined that the fire protection facilities mentioned herein are not required or that they are adequately provided for in the plans, the Fire Chief shall endorse his approval thereon.

If adequate provisions for such facilities are not made, the Fire Chief shall either disapprove said plans and indicate it to the applicant in writing, wherein they are deficient, or approve said plans subject to conditions. If the Fire Chief shall fail to take any action with respect to any plans which have been submitted to him for a period of 15 working days, said plans shall be deemed approved.

(c) On-Site Facilities Required. When any land is developed in such a manner that all or a substantial part of any building or structure thereon is or becomes in excess of 150 feet from an adequate water supply for fire protection, the developer shall provide such fire protection facilities upon the land as shall be determined necessary to provide adequate water supply.

The Fire Chief may prescribe that the development include installation of such on-site fire protection facilities as in his judgment are necessary to provide an adequate water supply on the land to be developed. Said installation shall be at the expense of the owner or developer.

All facilities required to be installed hereunder shall be approved by and meet the specifications of the Fire Chief and the Public Works Director as to location, size and type of materials, and manner of installation. All inspection costs shall be paid by the owner or developer.

(d) Adequate Water Supply. The following calculation shall serve as a guide to determine capacity of facilities required to furnish an adequate water supply to individual buildings:

Item	Formula	Gallons Per Minute Required
(1) A = Ground area of building in square feet	$1,000 + \frac{A}{10}$	=
		(Not to exceed 5,000 G.P.M.)
(2) H = Height in number of stories	$500 \times (H-1)$	=
		(Not to exceed 3,000 G.P.M.)
Flow required in gallons per minute	$(1) = (2)$	=
		(G.P.M.)

(e) Facility Flow Requirements. The fire protection facilities shall be adequate to convey the required quantity of water, as determined by the above calculation, to any outlet in the system,, with no less than 20 pounds per square inch residual pressure at the outlet being considered, with the required quantity of water flowing.

(f) Availability of Supply. Hydrants with the Tualatin Rural Fire Protection District shall be taken into account in determining whether an adequate water supply exists with reference to a given building. Other water sources may be counted as contributing to said supply, if, in the judgment of the Fire Chief, said source is dependable, readily accessible, adaptable to use by District equipment, and within reasonable distance of the building or portion thereof to be served by said source. No source or private land adjoining the land to be developed shall be considered to be readily accessible unless there shall be obtained the irrevocable and unobstructed right to use the same upon such terms as may be approved by the Fire Chief.

(g) Access for Fire Fighting Equipment. Whenever any hydrant or other appurtenance for use by the Fire Department is required to be installed under the provision of this section, there shall be included in said development plan, and delineated thereon, adequate provisions for access to and from every such hydrant and appurtenance by District fire fighting equipment. Said access shall be in the form of an improved, permanently maintained roadway or of an open paved area, or any combination thereof, designed, constructed and at all times maintained in such a manner that there shall be an access way kept clear and unobstructed at such grades and having sufficient width and height clearance to permit ingress and egress by District fire fighting equipment.

1. Access to Facilities to Be Kept Open. Whenever any on-site fire protection facilities or accessways have been installed as provided in this section, either pursuant hereto or prior to the effective date hereof, the following provisions shall be applicable:

(1.1) Hydrants - Parking Prohibited. With respect to hydrants located along private accessways where curbs exist, said curbs shall be painted yellow or otherwise appropriately marked by the owner, lessee, or other person in charge of the premises to prohibit parking for a distance of 10 feet

in either direction from any such hydrant. In such cases where curbs do not exist, there shall be appropriate markings painted on the pavement, or signs erected, or both, giving notice that parking is prohibited for a distance of 10 feet from any such hydrant. No person shall park or leave standing a vehicle within 10 feet of any such fire hydrant.

(1.2) Access- Obstruction Prohibited. No owner or lessee of the land or proprietor, partner, officer, director, manager or agent of any business or other activity carried on upon the land, shall, after receiving notice thereof, permit or otherwise allow, and no person shall cause any activity, practice, or condition to occur or exist or continue to exist upon said land which shall lessen, or obstruct or impair the access required to be maintained under subsection (g).

(1.3) Access- Parking May be Prohibited. If in the judgment of the Fire Chief it is necessary to prohibit vehicular parking along private accessways in order to keep them clear and unobstructed, he may require the owner, lessee, or other person in charge of the premises to paint the curbs or install signs or give other appropriate notice to the effect that parking is prohibited by the Fire Department. It shall thereafter be unlawful for any such owner, lessee, or other person in charge to fail to install and maintain in good condition the form of notice so prescribed.

It shall be unlawful for any person to leave standing or park a vehicle adjacent to any such curb marking or contrary to such sign.

(h) Facilities to be Provided During Initial Stage of Construction. When it is deemed that fire fighting facilities are required to be installed as required by this section by the developer, such facilities as may be required shall be installed and made serviceable prior to or at the time any combustible construction begins on the land, unless, in the opinion of the Fire Chief, the nature of circumstances of said facilities makes it impractical to so require.

(i) Final Inspection. No final inspection under the Building and related codes of the City of Sherwood as to all or any portion of the development shall be deemed completed and no certificate of occupancy or temporary certificate of occupancy shall be issued unless and until the installation of the prescribed facilities and accessways have been completed and the final approval thereof of the Fire Chief and the Building Division given.

(j) Maintenance of Facilities. All on-site fire protection facilities, whether installed before or after the effective date of this action, shall at all times be maintained in good working order by the owner thereof. To this end, the Fire Chief is hereby empowered in his discretion to conduct periodic tests and inspection of said facilities. If the Fire Chief determines that said facilities are not being maintained as required by this section, he may order that the owner or lessee of the land make the necessary repairs or changes within 10 days or such longer time as in his judgment is reasonable. It shall be unlawful for any such person to fail or refuse to comply with any such order.

(k) Operation or Modification of Facilities. On-site fire

protection facilities, whether installed before or after the effective date of this section, may be altered or repaired with the consent of the Fire Chief, provided that such alteration or repairs shall be carried out in conformity with the provisions of subsection (c).

Section 3. Obstructing Fire Hydrants and Other Fire Protection Connections. No person shall obstruct any fire hydrant or other fire department fire hose connection or place or deposit any lumber, rock, sand, vehicles, debris, or other substance within 15 feet to the front or either side of any such fire hydrant or fire department connection, or any walls, fences, hedges, screen planting or any construction of any kind within 3 feet to the rear of such hydrant or connection on any public or private property in the City. The use of wrenches, other than those with pentagonal heads, for the purpose of opening or shutting of any fire hydrant is strictly prohibited. No fire hydrant shall be used by any person other than a member of the Fire Department, a city employee authorized to do so, or an employee of the department of utilities supplying water to the hydrants.

Section 4. Penalties. Supplementary to the penalties provided by Section 11 of the Fire Prevention Code adopted by the voters of the Tualatin Rural Fire Protection District, effective July 1, 1966, any violation of this Ordinance with respect to which no applicable penalty exists under said District Fire Prevention Code, shall be punishable upon conviction by a fine of not less than \$50.00 nor more than \$500, for each offense.

Section 5. Appeal from Administrative Action. Any order or action taken by the Fire Chief with respect to the enforcement of Section 2 of this ordinance within the corporate boundaries of the City of Sherwood may be appealed to the City Council of the City of Sherwood which shall hear the matter to determine whether or not the order or action of the Fire Chief with respect thereto is unreasonable, arbitrary or capricious. If it is determined that the order or action of the Fire Chief is unreasonable, arbitrary or capricious, the Council may order such action as in the judgment of the Council is necessary to the proper enforcement of the provisions of Section 2 of this ordinance. If the order or action of the Fire Chief is found not to be unreasonable, arbitrary or capricious, said action or order shall be affirmed.

Section 6. Repeal: All ordinances or portions of ordinances of the City of Sherwood now in effect to the extent inconsistent herewith, are hereby repealed.

Section 7. Emergency Clause: Inasmuch as the ordinances of the City of Sherwood do not now provide for on-site fire protection facilities, and the additional rules and regulations hereby required and it is necessary for the peace, health, and safety of the people of the City of Sherwood that provision be made as herein provided with the least possible delay, an emergency is hereby declared to exist and this Ordinance shall be effective upon its passage by the Council and approval by the Mayor.

PASSED: By the Council by unanimous vote of all Council members present, after being read by caption three times, and in body once, this 12 day of May, 1971.

APPROVED: By the Mayor, this 30 day of JUNE, 1971

Majorie Stewart
Recorder - City of Sherwood