

## TITLE 3. FIRE

- Chapter 1. Fire Department.**
- Chapter 2. Flammable Liquids.** Repealed.
- Chapter 3. Fire Code.**
- Chapter 4. Fireworks.**
- Chapter 5. Local Fire Officer.**
- Chapter 6. Fire Code: Enforcement and Abatement.**
- Chapter 7. Fire Alarms.**

### CHAPTER 1. FIRE DEPARTMENT

- 3-1-1. Fire Chief.**
- 3-1-2. Duties and powers.**
- 3-1-3. Fire Marshal.**
- 3-1-4. Authority.**
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#### **3-1-1. Fire Chief.**

The Mayor, with the consent of the City Council, shall appoint the Chief of the Fire Department, who shall serve as the department head. The Fire Chief shall appoint Department officers, members, and staff, and shall otherwise administer the Department assets and activities, and perform Department functions.  
(Ord. 2024-31, 11-06-2024)

#### **3-1-2. Duties and powers.**

The Fire Chief shall have authority over fire prevention and fire suppression activities, including protecting life and property from fires and related hazards within the City. The Fire Chief may divide the City into fire districts. The Fire Chief may make such rules and regulations for the government of the Fire Department, as deemed expedient, including the use of uniform, badge, and equipment. The Fire Chief shall have command over all officers and members of the Fire Department at any fire or other hazard emergency scene. The Fire Chief shall have full charge of all apparatus, equipment, buildings, property, and appurtenances belonging to the Fire Department.  
(Ord. 2024-31, 11-06-2024)

#### **3-1-3. Fire Marshal.**

The Fire Chief shall appoint a Fire Marshal, whose duties shall include the following: inspections of structures and locations to ensure compliance with the Utah Fire Prevention and Safety Law, International Fire Code and adopted appendices, and building codes as adopted by the City; enforce applicable fire safety codes, ordinances, and regulations; respond to citizen's complaints; investigate fire cause; manage the Department's fire prevention program;

and, other duties and responsibilities customarily appertaining to the position or as assigned by the Fire Chief. The Fire Marshal shall work under the general supervision of the Fire Chief.  
(Ord. 2024-31, 11-06-2024)

#### **3-1-4. Authority.**

(1) The Fire Chief and Department officers have all authority set forth in the International Fire Code, which includes the authority to extinguish any fire that creates or adds to a hazardous or objectionable situation or that violates State or City laws or ordinances.

(2) When a fire is in progress, the Fire Chief and Department officers shall have the discretion to order any building or buildings involved in or in close proximity to a fire to be torn down or otherwise disposed of for the purpose of checking for fire extension, determining fire cause, and to prevent fire spread.

(3) When responding to a fire, it shall be lawful for the Fire Chief and Department officers to blockade any street or other place if in their judgment it is necessary to secure a safe and efficient working zone for fire personnel and apparatus under their command. It shall be unlawful for any person to break through the blockade.

(4) When responding to a fire, it shall be lawful for the Fire Chief and Department officers to use water from any source for the purpose of extinguishing fires or for saving property in danger of being damaged or destroyed by fires.

(5) The fire officer in charge, in conjunction with the police department officer in charge, may prescribe the limits in the vicinity of a fire within which no person, except members of the Fire Department, and police, or those admitted by order of the officer in charge, shall be permitted. It shall be unlawful for any unauthorized person to enter the restricted area.  
(Ord. 2024-31, 11-06-2024)

#### **3-1-5. Unlawful interference.**

It shall be unlawful for any person to willfully hinder any fire officer or firefighter in the discharge of their duty at a fire or fire scene, or in any manner injure, deface, or destroy any engine, hose, or other fire apparatus belonging to the City, or in any way interfere with the water or its source of supply.  
(Ord. 2024-31, 11-06-2024)

#### **3-1-6. Investigation.**

Once a fire is extinguished, the Fire Department shall: make a prompt and thorough investigation of the fire cause, the time of the fire, and the amount of loss; shall prepare a description of the affected buildings and premises; shall secure all other useful information and data reasonably available; and, shall record the same in the National Fire Incident Reporting System (NFIRS). The Fire Department has the right to enter any building,

or real property, for fire suppression activities and the associated investigation. Once lawfully present, the Fire Department may keep custody of the incident scene for a reasonable time without a need for a warrant in order to conduct their investigation.

(Ord. 2024-31, 11-06-2024)

### **3-1-7. Burning of solid waste; recreational fires.**

(1) Definitions. For this Section, the following terms are defined as follows:

(a) “Nuisance” means a state of being offensive or objectionable to a reasonable person because of smoke or odor emissions and/or a state of being hazardous to human health under present atmospheric conditions or other local circumstances;

(b) “Open burning” means the burning of material wherein products of combustion are emitted directly into the ambient air without passing through a stack or chimney from an enclosed chamber, including any fire or smoldering (burning with or without visible flames) where any material is burned in the outdoor air or receptacle other than a furnace or fireplace connected to a stack or chimney;

(b) “Out-of-control fire” means a fire that is not under the management or control of a person 18 years of age or older, such that the fire burns wild, without direction, and/or in such a way as to quickly flourish or spread;

(c) “Waste” means all solid, liquid, or gaseous material, including garbage, trash, household waste, clothing, rags, leather, plastic, rubber, floor coverings, excelsior, tree leaves, yard trimmings, garden trash, construction or demolition debris, refuse resulting from the processes of any business, trade, or industry, and/or other similar materials. “Waste” does not include paper, charcoal, and wood products used for recreational fires or cooking, as regulated in this Chapter.

(2) General Rule. It shall be unlawful for any person, for the purpose of final disposal thereof, to engage in open burning of any waste on any lot, street, alley, gutter, or on any other land, public or private.

(3) Exception. Recreational or cooking fires are allowed by persons on their own property so long as:

(a) the recreational or cooking intention for the fire is evident;

(b) the fire pile height does not exceed 12 inches above the bottom of the fire ring, fire pit, or other fire containing structure at any time;

(c) the fire is contained within a non-combustible fire ring, fire pit, or other fire containing structure no larger than 36 inches in diameter;

(d) the fire is attended and under the control of a person 18 years of age or older, until the fire is completely extinguished;

(e) fire extinguishing items are immediately on-hand (e.g., hose, shovel, water bucket, fire extinguisher); and,

(f) the fire does not become a nuisance to neighboring properties or an out-of-control fire.

(4) Any person who ignites a fire that becomes a nuisance or an out-of-control fire will be responsible for all suppression costs and other losses resulting therefrom.

(Ord. 2024-31, 11-06-2024)

### **3-1-8. Penalties.**

(1) A violation of Section 3-1-5 is a class B misdemeanor.

(2) Any other violation of this Chapter is a class C misdemeanor.

(Ord. 2024-31, 11-06-2024)