

IN THE COUNTY COURT OF THE STATE OF OREGON

IN AND FOR THE COUNTY OF WASCO

FILED WASCO CITY
THE DALLES, OR.

1 IN THE MATTER OF AN ORDINANCE ADOPTING)
2 THE SUBSTANTIVE PROVISIONS OF THE WASCO)
3 RURAL FIRE PROTECTION DISTRICT ORDINANCE)
4 NUMBER 90-1.)

JUL 19 4 07 PM '90
ORDINANCE
KAREN R LEDRETON
COUNTY CLERK

THE COUNTY COURT OF WASCO COUNTY, OREGON, DOES ORDAIN AS FOLLOWS:

5 Section 1. Purpose

6 The purpose of this Ordinance is to adopt a Uniform Fire Code
7 prescribing regulations governing conditions hazardous to life and
8 property from fire or explosion, and establishing a Bureau of Fire
9 Prevention Ordinance, which is in substance the same as the Wasco
10 Rural Fire Protection District Ordinance Number 90-1 for the purpose
11 of enforcing all Wasco Rural Fire Protection District's regulations
12 relating to the fire protection of the Wasco Rural Fire Protection
13 District, outside the City Limits of the City of The Dalles and
14 within Wasco County, Oregon.

15 Section 2. Authority

16 This Ordinance is enacted pursuant to the authority granted to
17 General Law Counties by ORS 203.035 to 203.065.

18 Section 3. Provisions

19 The applicable provisions of Wasco Rural Fire Protection
20 District Ordinance Number 90-1 attached hereto and by this reference
21 incorporated herein are adopted for areas within Wasco County, which
22 are provided with fire protection by Wasco Rural Fire Protection
23 District and are outside the incorporated area of the City of The
24 Dalles.

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Section 4. Enforcement

The provisions of this Ordinance shall be enforced only if the Wasco Rural Fire Protection District cannot obtain compliance otherwise with provision of Ordinance No. 90-1 outside the City of The Dalles.

Section 5. Emergency Declared

This Ordinance being immediately necessary to aid the Wasco Rural Fire Protection District in the enforcement of fire protection regulations outside the City of The Dalles, an emergency is declared to exist and this Ordinance shall take effect immediately upon passage.

Regularly passed and adopted by unanimous vote of all members of the County Court of the County of Wasco, State of Oregon, this 18th day of July, 1990.

WASCO COUNTY COURT

APPROVED AS TO FORM:


Bernard L. Smith
Wasco County District Attorney


William L. Hulse, County Judge


Scott McKay, County Commissioner

ATTEST:


John Mabrey, County Commissioner


Karen LeBreton
Wasco County Clerk

Ordinance No. 90-1

An Ordinance Adopting a Uniform Fire Code Prescribing Regulations Governing Conditions Hazardous to Life and Property From Fire or Explosion, and Establishing a Bureau of Fire Prevention, Providing Officers Therefor, Defining Their Powers and Duties, and Repealing Ordinances Inconsistent Therewith.

Be It Ordained by the Wasco Rural Fire Protection District #VI-801:

Section 1: Adoption of the Code. The 1988 edition of the Uniform Fire Code published by the Western Fire Chiefs and the International Conference of Building Officials adopted as the State of Oregon 1989 Edition Fire Code with exclusions therefrom and amendments thereto as hereafter set forth by printed page inserts is hereby adopted as the Wasco Rural Fire Prevention Code subject to the exclusions therefrom and amendments thereto as hereafter set forth in this ordinance.

Section 2: Definitions. Whenever the following terms are used in the code adopted in Section 1 of this ordinance, the terms shall have the meaning given below unless context clearly indicates otherwise.

A. "Jurisdiction," "City," "Municipality," "County" or "State" shall mean the district limits of Wasco Rural Fire Protection District No. VI-801.

B. "Chief" shall mean the Fire Chief of the Wasco Rural Fire Protection District.

C. "Governing body," "Council," "City Council" or "Board of

Commissioners" shall mean the Wasco Rural Board of Directors.

D. "Fire Marshal," "Fire Prevention Engineer" or "Chief of the Bureau of Fire Prevention" shall mean the Fire Marshal of the Wasco Rural Fire Protect District or his designee.

E. "Chief of Police" shall mean the Wasco County Sheriff or his assistant or designee acting in his absence.

F. "Corporation Counsel" or "City Attorney" shall mean the Attorney for the Wasco Rural Fire Protection District.

Section 3. Fire Bureau Established, Powers and Duties.

A. There is hereby established in the Fire Department of the Wasco Rural Fire Protection District the Bureau of Fire Prevention which shall operate under the supervision of the Chief of the Fire Department and which shall be responsible for enforcement of the Fire Prevention Code of the Wasco Rural Fire Protection District.

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 Board of Directors 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 non-members of the Wasco Rural Fire Protection District No. VI-801 and appointment made after examination shall be for indefinite term.

Section 4. Establishment of Limits of Districts in Which Storage of Flammable or Combustible Liquids In Outside, Above-Ground Tanks Is To Be Prohibited. The limits referred to in

Section 79.501 of the Uniform Fire Code in which the storage of flammable or combustible liquids is restricted are hereby established as follows: Those commercial and heavily populated areas known as Chenoweth Flats adjacent to the City Limits of the City of The Dalles and those areas known as Murray's/West Hiland Additions. With the following exceptions:

(1) The areas west of Snipes on West Second Street where above-ground tanks in special enclosures will be allowed for retail and commercial dispensing of flammable and combustible liquids in accordance with Article 79 of the Uniform Fire Code, Section 902(1) 1 and 2.

(2) Aboveground tank storage of combustible liquids used solely for heating.

(3) The area located on the Columbia River side of the Union Pacific Railroad main line and west of Webber Street if extended to the Columbia River.

Section 5. Establishments of Limits in Which Storage of Liquefied Petroleum Gases Is To Be Restricted. The limits referred to in Section 82.104(b) of the Uniform Fire Code, in which storage of liquefied petroleum gas is restricted, are hereby established as follows: Those heavily populated or congested commercial areas within the district limits of Wasco Rural Fire Protection District No. VI-801.

Section 6. Establishments of Limits of Districts In Which Storage Of Explosive And Blasting Agents Is To Be Prohibited. The limits referred to in Article 77 of the Uniform Fire Code in which

storage of explosive and blasting agents is prohibited are hereby established as follows: storage is prohibited within those heavily populated residential and commercial areas within the district limits of Wasco Rural Fire Protection District No. VI-801.

Section 7. Appeals. Whenever fire personnel disapprove an application or refuse to grant a permit applied for, or when it is claimed that the provisions of the code do not apply or that the true intent and meaning of the code have been misconstrued or wrongly interpreted, the applicant may appeal from the decision of the fire personnel to a committee composed of the Wasco Rural Fire Chief and Oregon State Fire Marshal Deputy. Any appellant dissatisfied with the decision of this committee may appeal the decision of the committee to the Wasco Rural Board of Directors.

Section 8. New Materials, Processes or Occupancies Which May Require Permits. The Fire Chief and the Oregon State Fire Marshal Deputy shall act as a committee to determine and specify, after giving affected persons an opportunity to be heard, any new materials, process or occupancies for which permits are required in addition to those now enumerated in said code. Fire personnel shall post such list in a conspicuous place in the fire department, and distribute copies thereof to interested persons.

Section 9. Modifications, Changes and Amendments to Adopted Code.

A. State of Oregon 1989 Edition Fire Code - Deletions:

(1) Appendices: IA, B and C; II A, B.C. D and E; III D; IV A; VI C.

(2) Sections: 3.103; 3.104; 10.209; 10,303 (c); 11.201(c); 11.203(a); 11.208; 11.410 (a); 24.102; 24.201 (a) delete second sentence; 25.101; 25.116(a); 26.102; 27.102; 28.102; 29.102; 30.101; 31.102; 32.103; 33.102; 34.102; 35.103; 36.102; 45.102; 46.102; 47.102; 48.102; 49.101(c); 50.103; 51.103; 62.102; 63.103; 63.108; 74.103; 75.103; 76.102; Article 77 Divisions II, III, IV; 78.103 through 78.106; 80.103; 81.103; 82.102; 83.101.

B. State of Oregon 1989 Fire Code, based on the 1988 Edition of the Uniform Fire Code - Additions, Modifications and replacements:

(1) Section 1.103(d) add the following appendices are adopted as part of this code: IIIA, IIIB and IIIC.

(2) Section 2.101 add subsection (d) The Wasco Rural Fire Protection District may enforce this code as modified by adoption.

(3) Section 2.201 by deleting entire paragraph and replacing with

(a) Inspections. The Bureau of Fire Prevention shall inspect, as often as may be necessary, all buildings and premises, including such other hazards or appliances as the chief may designate for the purpose of ascertaining and causing to be corrected any conditions which would reasonably tend to cause fire or contribute to its spread, or any violation of the purpose or provisions of this code and of any other law or standard affecting fire safety.

(b) Unsafe buildings. All buildings or structures which are structurally unsafe or not provided with adequate egress, or which constitute a fire hazard or are otherwise dangerous to human life,

or which in relation to existing use constitute a hazard to safety or health or public welfare, by reason of inadequate maintenance, dilapidation, obsolescence, fire hazard, disaster damage or abandonment as specified in this code or any other effective ordinance, are, for the purpose of this section, unsafe buildings. All such unsafe buildings are hereby declared to be public nuisance and shall be abated by repair, rehabilitation, demolition or removal in accordance with the procedure specified in ORS 479.179 and 479.195 or by any other procedures provided by law."

(4) Section 2.303 by deleting entire paragraph and replacing with Section 7 of the Wasco Rural Fire Protection Ordinance No. 90-1.

(5) Section 4.104 by deleting the word "may be" in the first sentence and replacing with "is" and deleting "shall" and replacing with "may."

(6) Section 4.108 add the following words "or Wasco Rural Fire Protection District" after the wording "State Fire Marshal." Delete the following sub parts a.1; a.2; a.3; b.2; c.1; c.2; c.3; c.4; c.5; c.6; c.7; d.1; d.2; e.1; f.1; f.2; f.4; f.5; g.1; h.1.

(7) Section 9.105 "Bureau of Fire Prevention" by deleting the words "is the office of State Fire Marshal" and replace with "is the Fire Prevention Bureau of the Wasco Rural Fire Protection District."

(8) Section 10.301 (b) Delete the following wording from the second sentence "automatic fire alarm systems, automatic sprinkler or water spray systems, standpipe and hose."

(9) Section 11.105(c) insert the word "metal" after the words "constructed of" and delete the wording "other than metal, with a completely enclosed combustion chamber" and "permanently attached."

(10) Section 11.106 insert the wording "constructed of brick, concrete hollow tile or other fire-resistive materials other than metal" after the words "Residential incinerator."

(11) Section 11.106 insert the following paragraph after the first paragraph and before the second printed paragraph. "Residential incinerator constructed of metal 'Burn Barrel' used in one, two and three family dwellings shall be located not less than 15 feet from buildings and cleared of all combustibles at least 10 feet around incinerator and equipped with a heavy wire mesh, openings not greater than 1/2 inch, fire arrester."

(12) Section 79.103. Add a new paragraph following the first one to read as follows: "A permit will be obtained for tank installations for the storage of flammable or combustible liquids above ground in special enclosures or approved vaults less than 1,000 gallons from the Wasco Rural Fire Protection District.

Section 13. Penalties. Any owner or occupant of any building or premises who fails to comply with an order to correct any fire safety deficiency or violations of this code not appealed from, shall be punished by a fine of not less than \$10 nor more than \$50 for each day's neglect as provided by ORS 479.990(4).

Exception: Where other penalties for specific violations are provided for by law they shall prevail.

Section 14. Severability. Each section of this ordinance and

every paragraph of each section and every sentence thereof is hereby declared to be separable, and the holding of any section or part hereof to be void, ineffective or unconstitutional for any cause shall not affect the validity of any other section or part thereof.

Section 15. Repeal of Existing Ordinances. All former ordinances or parts thereof conflicting or inconsistent with the provisions of this ordinance or the Code or Standards hereby adopted are hereby repealed.

Section 16. Date of Effect. This ordinance shall be in full force and effect 30 days after its being passed by the Board of Directors and signed by the President.

Passed and Enacted by the Board of Directors of the Wasco Rural Fire Protection District No. VI-801 on the 14th day of May, 1990.



Acting President, Board of Directors

Attest:


