

ORDINANCE NO. 2014- 18

AN ORDINANCE OF THE CITY OF SOUTH SALT LAKE CITY COUNCIL
IMPOSING ADDITIONAL FIRE CODE REQUIREMENTS RELATED TO
THE OUTDOOR STORAGE OF WOOD CHIPS AND ASSOCIATED
MATERIALS

WHEREAS, Utah State Code § 15A-1-401(6) permits municipalities to enact ordinances that are more restrictive in fire code requirements than the State Fire Code; and

WHEREAS, the City desires to implement regulations in order to provide protection for life and property in and around property containing outdoor storage of wood chips, mulch and associated, combustible materials; and

WHEREAS, the City is authorized to exercise police powers for the protection of the health, safety and well-being of residents, businesses, and property owners within the city; and

WHEREAS, the City Council has received testimony and information related to this topic; and

WHEREAS, the City Council finds that the urban environment of the City of South Salt Lake calls for more strict fire regulations than those established in the State Fire Code in some cases; and

WHEREAS, the City Council finds that compliance with the requirements in this ordinance is likely to mitigate or prevent fires which can occur at such locations; and

WHEREAS, the immediate and retroactive application of these requirements for existing properties is necessary for the protection of the public; and

WHEREAS, the City Council finds that these additional requirements are necessary in order to meet the public safety needs of this jurisdiction,

THEREFORE, BE IT ORDAINED, therefore, by the City Council of the City of South Salt Lake that chapter 8.48 of the South Salt City Code is hereby enacted, and is immediately and retroactively applicable to all properties maintaining such uses, regardless of prior uses,

plans, or site approvals, with the exception of sections 8.48.030 and 8.48.040, which shall be effective immediately and not retroactively:

Chapter 8.48 Supplemental Fire Code Regulations

Part I – General Provisions

8.48.010 Purpose.

It is the purpose of this chapter to meet the public safety needs of the City when, due to the unique circumstances and hazards associated with certain uses, materials, and structures in the City and the urban nature of the City's composition, there is a need for more restrictive ordinances related to fire safety than exist in the State Fire Code.

8.48.020 Enactment of more restrictive ordinances.

When a more restrictive fire code requirement is enacted by the City, the City shall follow the procedures contained within the State Fire Code Administration Act, as amended, in order to notify the appropriate state officials.

8.48.030 Violations – Fines.

(A) Any violation of this chapter is punishable as a Class B misdemeanor. In the discretion of the Fire Marshal or a designee, violations may also be punished by an administrative citation.

(B) The fine for a violation of this chapter is \$1,000.00 per day that the violation occurred or continues to occur.

8.48.040 Administrative action.

In addition to criminal penalties, if a property owner or other responsible person is maintaining premises contrary to the provisions of this chapter, the Fire Marshal or a designee is permitted to take such measures as is necessary to protect the public or neighboring properties from the risk of fire, including evacuation or immediate closure to occupancy.

Part II – Specific Regulations

8.48.100 Outdoor storage of wood chips and associated materials.

(A) Any person who operates a business which generates, collects or sells chipped or ground-wood based materials, including wood chips, hogged material, or compost as a major function of the business, and which stores more than 3,600 cubic feet of such product outdoors at any one

time, shall comply with the provisions of this section. Nothing in this section shall prevent the fire marshal or other fire authority from enforcing generally applicable fire codes to smaller piles of such materials, in appropriate circumstances.

(B) Maximum amount of product per business location. No business may store greater than an aggregate total of 510,000 cubic feet of wood chips or materials regulated by this section, piles of which are subject to the further regulations in this section.

(C) Combustible waste materials such as bark, chips and other combustible debris shall not be permitted to accumulate in a location which constitutes, in the opinion of the Fire Marshal, an undue fire hazard. Such locations shall be affirmatively identified by the Fire Marshal.

(D) Smoking shall be prohibited on the entire premises, except designated, permanent locations which shall be kept free of any combustible materials and shall be clearly marked. The manager or owner must post "No Smoking" signs throughout the property.

(E) Storage areas shall be:

(1) enclosed with a minimum eight foot chain link fence with privacy slats with locked gates and a fire department box for keyed access by fire personnel, located as necessary to allow for entry of fire apparatus; and

(2) approved by the Fire Marshal using International Fire Code, Appendix "D" Section D102 "Required Access, Fire Apparatus Access Roads," and said access shall be paved with graded asphalt, concrete or other approved driving surface any of which shall be capable of supporting the imposed load of fire apparatus weighing at least 75,000 pounds.

(F) The owner or manager of the premises shall enact and follow a fire prevention program which includes the following elements:

(1) Establishing controls over factors that lead to spontaneous heating, including the monitoring of internal conditions of the pile by thermocouple, or other approved means which shall be installed with the piles, regularly monitored, and provide for regular reports upon request of the Fire Marshal;

(2) Placement of piles which provides access to within 150 ft. of all sides of a pile;

(3) Electrical equipment and installations shall conform to the provisions of the National Electrical Code and National Fire Prevention Association Standard 70;

(4) Freeze protected yard hydrants shall be installed on the site at maximum spacing intervals of not more than 250 feet. Yard hydrants shall be available for emergency use and for the day-to-day compost, chip and for other related fire prevention irrigation purposes. These yard hydrants shall be protected by barricades, posts, or necessary devices and spaced so that all portions of the yard hydrant has a minimum three foot

clearance around the hydrant. Hydrants shall be accessible at all times for emergency use; and

(5) Portable fire extinguishers suitable for all weather conditions shall be mounted and within a maximum travel distance not to exceed 75 feet from any pile.

(G) Piles shall comply with the following regulations at all times:

(1) Pile heights shall not exceed 20 feet in height, 150 feet in width and 170 feet in length, with a pile-to-pile clearance of not less than 30 feet.

(2) Piles shall be wetted regularly to keep materials from drying out and to maintain the moisture content of the surface layer of the pile;

(3) No portion of any pile shall be located within 76 feet of a property line; and

(4) No temporary conveyors or motors shall be placed or used on the surface or immediately adjacent to the piles.

(H) The premises shall not contain more than the amount of product identified in the operating plan, which may be modified annually by the Fire Marshal prior to the issuance or renewal of the business's license.

(I) Vehicles used on site shall be subject to the following regulations:

(1) Power-operated, shovel-type or scoop-type vehicles, dozers, or similar equipment shall be available for use in moving stored material for firefighting purposes;

(2) Portable fire extinguishers suitable for Class A fires shall be provided in accordance with NFPA 10, Standard for Portable Fire Extinguishers, on all vehicles operating on or near a pile in addition to the normal Class B units for the vehicle; and

(3) Physical protection shall be provided to prevent heat sources, such as steam lines, airlines, electrical motors, and mechanical drive equipment from becoming buried or heavily coated with combustible material.

This ordinance shall take effect immediately upon execution by the Mayor, or after fifteen days from transmission to the office of Mayor if neither approved nor disapproved by the Mayor.

The City Recorder is further directed to notify, within 30 days of this ordinance's enactment, the Utah Fire Prevention Board of this action, provide a copy of this ordinance, along with the public safety need that formed the basis of this ordinance.

(signatures appear on separate page)

DATED this 16th day of July, 2014.

BY THE CITY COUNCIL:

Irvin H. Jones, Jr.

Irvin H. Jones, Jr., Council Chair

ATTEST:

Craig D. Burton
Craig D. Burton, City Recorder

City Council Vote as Recorded:

Beverly	<u>Aye</u>
Gold	<u>Aye</u>
Jones	<u>Aye</u>
Rapp	<u>Aye</u>
Rutter	<u>Aye</u>
Snow	<u>ABSENT</u>
Turner	<u>ABSENT</u>

Transmitted to the Mayor's office on this 17th day of July, 2014.

Craig D. Burton
Craig D. Burton, City Recorder

MAYOR'S ACTION: Approve

Dated this 17 day of July, 2014.

Cherie Wood
Cherie Wood, Mayor

ATTEST:

Craig D. Burton
Craig D. Burton, City Recorder



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CUSTOMER NAME AND ADDRESS	ACCOUNT NUMBER	DATE
CITY OF SOUTH SALT LAKE, ATTN: AMY DALLEY ATTN: CRAIG BURTON 220 E MORRIS AVE. SOUTH SALT LAKE CITY UT 84115	9001382697	7/21/2014

ACCOUNT NAME	
CITY OF SOUTH SALT LAKE,	
TELEPHONE	ADORDER# / INVOICE NUMBER
8014836000	0000971596 /
SCHEDULE	
Start 07/19/2014	End 07/19/2014
CUST. REF. NO.	
Ord 2014.18	
CAPTION	
CITY OF SOUTH SALT LAKE ORDINANCE NO. 2014-18 An Ordinance of the City of South S	
SIZE	
23 Lines	1.00 COLUMN
TIMES	RATE
2	
MISC. CHARGES	AD CHARGES
TOTAL COST	
33.75	

**CITY OF SOUTH SALT LAKE
ORDINANCE NO. 2014-18**
An Ordinance of the City of South Salt Lake City Council imposing additional fire code requirements related to the outdoor storage of wood chips and associated materials.
s/ Irvin H. Jones, Jr.
Council Chair
The complete Ordinance 2014-18 is available in the office of the City Recorder, 220 East Morris Avenue, South Salt Lake, Utah.
Published: Saturday, July 19, 2014
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AFFIDAVIT OF PUBLICATION

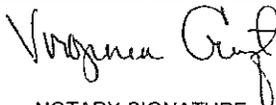
AS NEWSPAPER AGENCY COMPANY, LLC dba MEDIAONE OF UTAH LEGAL BOOKER, I CERTIFY THAT THE ATTACHED ADVERTISEMENT OF CITY OF SOUTH SALT LAKE ORDINANCE NO. 2014-18 An Ordinance of the City of South Salt Lake City Council imposing additional fire code requirements related to th FOR CITY OF SOUTH SALT LAKE, WAS PUBLISHED BY THE NEWSPAPER AGENCY COMPANY, LLC dba MEDIAONE OF UTAH, AGENT FOR THE SALT LAKE TRIBUNE AND DESERET NEWS, DAILY NEWSPAPERS PRINTED IN THE ENGLISH LANGUAGE WITH GENERAL CIRCULATION IN UTAH, AND PUBLISHED IN SALT LAKE CITY, SALT LAKE COUNTY IN THE STATE OF UTAH. NOTICE IS ALSO POSTED ON UTAHLEGAL.S.COM ON THE SAME DAY AS THE FIRST NEWSPAPER PUBLICATION DATE AND REMAINS ON UTAHLEGAL.S.COM INDEFINATELY. COMPLIES WITH UTAH DIGITAL SIGNATURE ACT UTAH CODE 46-2-101; 46-3-104.

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SIGNATURE 

DATE 7/21/2014




NOTARY SIGNATURE

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