

Holladay, Utah City Code

This code was last updated by ordinance 2014-08 passed June 5, 2014.

Chapter 9.76 FIRE CODE

9.76.010: ADOPTION OF FIRE CODE:

9.76.020: AMENDMENTS:

9.76.030: STORAGE OF HAZARDOUS MATERIALS:

9.76.040: FEES:

9.76.050: INTERPRETATION:

9.76.010: ADOPTION OF FIRE CODE:

- A. In order to prescribe regulations governing conditions hazardous to life and property from fire and explosion, the city hereby adopts by this reference the 2009 edition of the international fire code and the international fire code standards, and any subsequent editions ("IFC"), including appendices B, C, D, E, F, G, H, I and J, but not appendix A thereof, with such amendments as are set forth below.
- B. Pursuant to Utah Code Annotated 10-3-711, a copy of the IFC has been filed in the office of the city recorder for use and examination by the public. (Ord. 2010-12, 6-17-2010)

9.76.020: AMENDMENTS:

- A. The city hereby adopts by reference and incorporates herein the amendments to the IFC adopted by the Utah state legislature pursuant to Utah Code Annotated section 58-56-4 enacted in HB 308 (2010 general session).
- B. Section 903.4.2 of the IFC is amended to read as follows:

903.4.2 Alarms. Approved audible devices shall be connected to every automatic sprinkler system serving more than 20 fire sprinkler heads. Such sprinkler water flow alarm devices shall be activated by water flow equivalent to the flow of a single sprinkler of the smallest orifice size installed in the system. Alarm devices shall be provided on the exterior of the building and interior spaces per NFPA 72 in an approved location. With the exception of R-3 occupancies where a fire alarm system is installed, activation of the automatic sprinkler system shall activate the building fire alarm system.

(Ord. 2010-12, 6-17-2010)

9.76.030: STORAGE OF HAZARDOUS MATERIALS:

The storage of class I and class II hazardous materials in aboveground or belowground tanks, inside and outside of buildings is prohibited unless allowed by the land use provisions applicable to the location in which the proposed tanks are to be located. In addition, the storage of class I and class II

hazardous materials pursuant to this section is subject to the provisions of NFPA 30, 58 and 59A. (Ord. 2010-12, 6-17-2010; amd. Ord. 2012-15, 9-20-2012)

9.76.040: FEES:

In accordance with IFC section 113, the city adopts the fees for hazardous materials permitting and inspection, fire inspection, fire watch, reinspection-delay in preparation at work site, and blasting permitting as set forth below. All fees set forth below shall be collected by and paid to the unified fire authority (or other fire and emergency services provider for the city) at the time, the permit, inspection, reinspection, or fire watch staffing is requested and shall be a condition for issuance of the permit and scheduling of the inspection, reinspection or fire watch staffing.

FEE SCHEDULE

Material	Solid	Liquid	Gas	UFA Fees
Hazardous materials (annually)	500 pounds or less	55 gallons or less	200 cu. ft. or less corrosive or oxidizer, or 504 cu. ft. or less oxygen	\$195.00 ¹ annually
Hazardous materials (annually)	Over 500 pounds	Over 55 gallons	Over 200 cu. ft. corrosive or oxidizer, or over 504 cu. ft. oxygen	\$240.00 ¹ annually
H occupancy backup generator (annually)				\$145.00 ¹ annually
H occupancy hazardous materials permit dispense and use (annually)		500 gallon or less tank	500 cu. ft. or less	\$195.00 ¹ annually
H occupancy hazardous materials permit dispense and use (annually)		Over 500 gallon tank	Over 500 cu. ft. or any highly toxic gas	\$485.00 ¹ annually
Other occupancy hazardous materials permit dispense and use (annually)		500 gallon or more tank	500 cu. ft. or more	\$195.00 ² annually

Aerosol products (annually)			Over 500 pounds Level 2 or 3 Aggregate quantity	\$195.00 ¹ annually
Flammable cryogenic fluid (annually)		Indoors 1 gallon or more, outdoors 60 gallons or more		\$195.00 ² annually
Aboveground tanks installation (flammable)			500 cu. ft. or less R-3 occupancy exempt	\$195.00 ¹ \$75.00 ² per hour
Belowground tanks installation (flammable)			500 cu. ft. or less R-3 occupancy exempt	\$195.00 ¹ \$75.00 ² per hour
Aboveground tanks installation (flammable)		500 gallons or more		\$395.00 ¹ \$75.00 ² per hour
Belowground tanks installation (flammable)		500 gallons or more		\$395.00 ¹ \$75.00 ² per hour
Pyroxylin plastics. Cellulose nitrate (pyroxylin) plastics (annually)	25 pounds or more			\$195.00 annually
Body shop/garage under 5,000 square feet (annually)				\$195.00 annually
Fireworks - outdoor public display (per event). Cities, county exempt				\$485.00 ¹ per event \$75.00 ² per hour per inspector

Open flame proximal audience indoor approved fireworks (per event)				\$195.00 ¹ per event \$75.00 ² per hour
Application of flammable finishes, spray, or dip	More than 9 square feet for flammable liquid spray application or 55 or more gallons for dip tank operations			\$195.00 ²
Blasting permit				\$75.00 per site, \$350.00 annually
Fire standby special events				\$75.00 ² per hour per fire inspector
Reinspection fee, delay in preparation at worksite				\$75.00 ² first hour, doubles every hour thereafter

Notes:

1. Fees are assessed separately.
2. Fees are assessed cumulatively (added to baseline permit fee).

Authorization by code:

- IFC 105.1.1 Permits required, fees can be assessed
- IFC 105.1.2 Types of permits
- IFC 105.2.2 Inspections authorized
- IFC 113.1 Permit fees

(Ord. 2010-12, 6-17-2010)

9.76.050: INTERPRETATION:

In the event of any conflict between the provisions of the applicable fire code and the provisions of any other applicable ordinance, statute, rule or regulation, the more restrictive provisions shall apply.
(Ord. 2010-12, 6-17-2010)

Chapter 9.80 FIRE FEES

9.80.010: FEES; INSPECTION:

9.80.020: FEES; PERMITS:

9.80.010: FEES; INSPECTION:

All nursing, convalescent and group homes, nurseries, daycare centers, hospitals, retirement centers, preschools and all other occupancies which require annual fire clearance certificates for city, county, state and federal purposes shall be inspected annually by the fire prevention bureau of the Salt Lake County fire department. The annual fee for said inspection shall be as required by [title 3, chapter 3.35](#) of this code. (1999 Code; amd. Ord. 2010-27, 12-9-2010)

9.80.020: FEES; PERMITS:

The fee schedule for permits shall be as required by [title 3, chapter 3.35](#) of this code. (Ord. 2010-27, 12-9-2010)

Chapter 9.92 PYROTECHNICS AND EXPLOSIVES

9.92.010: DEFINITIONS:

9.92.020: SALE OR USE OF PYROTECHNICS PROHIBITED; EXCEPTIONS:

9.92.030: TIMES FOR SALE AND DISCHARGE OF FIREWORKS:

9.92.040: PUBLIC DISPLAY; PERMIT REQUIRED; FEE:

9.92.050: PUBLIC DISPLAY; PERMIT APPLICATION:

9.92.060: PUBLIC DISPLAY; LOCATION AND PROCEDURES:

9.92.065: PERMIT FEES:

9.92.010: DEFINITIONS:

All words used in this chapter shall mean the same as they are defined in Utah Code Annotated sections 53-7-202 et seq., and 53-7-222 et seq., as amended. (Ord. 2011-12, 6-16-2011)

9.92.020: SALE OR USE OF PYROTECHNICS PROHIBITED; EXCEPTIONS:

- A. All sales shall comply with the provisions of Utah Code Annotated section 53-7-222, as amended.
- B. Except as provided under Utah Code Annotated section 53-7-222(1)(b), as amended, class C dangerous explosives, as defined in section [9.92.010](#) of this chapter, may not be possessed, discharged, sold or offered for retail sale.
- C. Unclassified fireworks may not be sold, or offered for sale.

- D. Holladay City incorporates all of the same rules and standards of retail related to the National Fire Protection Association as laid out in Utah Code Annotated section 53-7-222(3) et seq., as amended.
- E. Nothing in this chapter shall be held to apply to the possession or use of signaling devices for consumption by railroads and others requiring them.
- F. Nothing in this chapter shall be held to apply to the possession, sale or use of normal stocks of flashlight compositions by photographers or dealer in photographic supplies. (Ord. 2011-12, 6-16-2011)

9.92.030: TIMES FOR SALE AND DISCHARGE OF FIREWORKS:

- A. Class C common state approved explosives may be sold beginning on June 26 and ending on July 26 and beginning on December 26 and ending on January 1; three (3) days before and on Chinese New Year as provided in Utah Code Annotated section 53-7-222 et seq., as amended.
- B. Class C common state approved explosives may be discharged beginning on June 26 and ending on July 26 and beginning December 31 and on January 1 and on the Chinese New Year as provided in Utah Code Annotated section 53-7-222 et seq., as amended. (Ord. 2011-12, 6-16-2011)

9.92.040: PUBLIC DISPLAY; PERMIT REQUIRED; FEE:

- A. Permit, Bond Or Insurance Required: The city may, upon written application and the posting of a suitable bond or the filing of a public liability insurance policy in amounts to be determined by the city, grant a permit for the public display of pyrotechnics by religious, educational, fraternal or civic organizations, fair associations, amusement parks, or other organizations or groups of individuals. After such permit shall have been granted, sales, possession, use and distribution of pyrotechnics for such display shall be lawful for that purpose only.
- B. Fee: The permit fee for public display of pyrotechnics shall be as required by [title 3, chapter 3.35](#) of this code. (Ord. 2011-12, 6-16-2011)

9.92.050: PUBLIC DISPLAY; PERMIT APPLICATION:

All applications for permission to operate a public display of pyrotechnics shall be in writing and shall set forth:

- A. The name of the organization or person sponsoring the display, together with the name, age and qualifications of such persons actually in charge of firing the display;
- B. The date and time of day at which the display is to be held;
- C. The exact location planned for the display; and
- D. The manner and place of storage of fireworks prior to the display. (Ord. 2011-12, 6-16-2011)

9.92.060: PUBLIC DISPLAY; LOCATION AND PROCEDURES:

- A. Distance From Buildings Or Obstructions: The actual point at which the fireworks are to be fired shall be at least two hundred feet (200') from the nearest permanent building, public highway or railroad, and fifty feet (50') from the nearest telegraph, telephone or electric power pole or line, tree, or other overhead obstruction.
- B. Spectators: Spectators shall be restrained behind lines at least two hundred feet (200') from the point at which the pyrotechnics are discharged.
- C. Projectile In Vertical Direction: All pyrotechnics that fire a projectile shall be so set up that the projectile will go into the air as nearly as possible in a vertical direction. In no event shall such pyrotechnics be set off so as to cause the projectile to go in the direction of or over the spectators. (Ord. 2011-12, 6-16-2011)

9.92.065: PERMIT FEES:

Fees for permits required pursuant to articles 77, 78 and 80 of the uniform fire code shall be as required by [title 3, chapter 3.35](#) of this code.

Each of the permits referenced above shall be issued for a twelve (12) month period effective from the date of issuance. (Ord. 2011-12, 6-16-2011)

Chapter 9.94

COST RECOVERY; FIRE DEPARTMENT

9.94.010: PURPOSE:

9.94.020: DEFINITIONS:

9.94.030: RECOVERY AUTHORIZATION AND PROCEDURE:

9.94.040: NO ADMISSION OF LIABILITY:

9.94.050: ACTION TO RECOVER EXPENSES:

9.94.010: PURPOSE:

This chapter shall provide procedures for recovering costs incurred by the city or the fire department for assistance rendered by the city or the fire department in responding to hazardous materials emergencies, aggravated fire emergencies and aggravated emergency medical responses. (1999 Code)

9.94.020: DEFINITIONS:

As used in this chapter:

AGGRAVATED FIRE EMERGENCY: A. A fire proximately caused by the owner or occupier of property or a structure, which presents a direct and immediate threat to public safety and requires immediate action to mitigate the threat, and the fire:

1. Is caused or contributed to by the failure to comply with an order from any city agency, department or official; or
 2. Occurs as a direct result of a deliberate act in violation of the ordinances or regulations of the city; or
 3. Is caused by arson;
- B. An alarm that results in a fire unit being dispatched, and the person transmitting, or causing the transmission of, the alarm, knows at the time of said transmission that no fire or fire related emergency exists.

AGGRAVATED MEDICAL EMERGENCY: An alarm that results in a fire unit or an emergency medical unit being dispatched, and the person transmitting, or causing the transmission of, the alarm, knows at the time of said transmission that there are no reasonable grounds for believing that a medical emergency exists.

EXPENSES: The actual costs of government and volunteer personnel including worker's compensation benefits, fringe benefits, administrative overhead, costs of equipment operation, costs of materials, costs of disposal and the cost of any contract labor and materials.

FIRE DEPARTMENT: The Salt Lake County fire department or other entity providing fire protection services to the city.

HAZARDOUS MATERIALS EMERGENCY: A sudden or unexpected release of any substance that, because of its quantity, concentration or physical, chemical or infectious characteristics, presents a direct and immediate threat to public safety or the environment and requires immediate action to mitigate the threat. (1999 Code)

9.94.030: RECOVERY AUTHORIZATION AND PROCEDURE:

- A. Procedure: The city is hereby empowered to recover expenses incurred by virtue of the city's or the fire department's response to a hazardous materials emergency, aggravated fire emergency or an aggravated medical emergency from any person, corporation, partnership or other individual or entity who caused such an emergency, pursuant to the following procedure:
1. The fire department shall determine responsibility for the emergency or response as defined above and notify the responsible party by mail of the department's determination of responsibility and the expenses to be recovered.
 2. The notice shall specify that the determined responsible party may appeal the fire department's decision before the mayor or a hearing officer designated by the city and specify a date by which the notice of appeal shall be filed. The appeal date shall be no less than fifteen (15) days from the date of the notice.
- B. Appeal; Hearing: In the event the determined responsible party appeals the determination, the mayor or a hearing officer shall hold a hearing to consider any issues raised by the appeal, at which hearing the appealing party and the city shall be entitled to present evidence in support of their respective positions.
- C. Hearing Officer Recommendation; Mayor Decision: If the hearing is before a hearing officer, the hearing officer shall make a recommendation to the mayor, who shall issue a decision

determining responsibility and assessing expenses. The mayor may adopt, modify or remand the recommendation of the hearing examiner for further proceedings. The mayor may, in his sole discretion, hear additional evidence prior to issuing its decision. (1999 Code)

9.94.040: NO ADMISSION OF LIABILITY:

The payment of expenses determined owing under this chapter does not constitute:

- A. An admission of liability or negligence in any legal action for damages; or
- B. A criminal fine. (1999 Code)

9.94.050: ACTION TO RECOVER EXPENSES:

In the event the parties determined to be responsible for the repayment of expenses incurred due to the city's or the fire department's response to such an emergency fail to make payment to the city within thirty (30) days after a final administrative determination of any appeal to the city or thirty (30) days from the deadline for appeal in the event no appeal is filed, the city may initiate legal action to recover from the determined responsible parties the expenses determined to be owing, including the city's reasonable attorney fees. (1999 Code)