

Chapter 1

FIRE DEPARTMENT

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4-1-1: GENERAL PROVISIONS:

A. Organization: The fire department is organized under the department of public safety.

B. Volunteer Members; Exception: All members of the department are volunteers, with the exception of the fire chief and any person specifically hired by the city for full or part time employment in the department.

C. Bylaws: The department governs itself under the provisions of the bylaws of the Pleasant Grove City fire/EMS department. A current copy of this document has been approved by the city council and is available for public inspection in the office of the city recorder.

D. Fire Chief: A member of the department, who shall have the title of fire chief, shall have the authority and power to fulfill the duties prescribed in this code. The fire chief shall be an salaried position in the city. The fire chief shall be appointed by the mayor with the advice and consent of the city council. (Ord. 2002-5, 2-5-2002)

4-1-2: COMPENSATION:

The compensation of the chief of the fire department and any paid members of the fire department shall be fixed by resolution of the city council from time to time, and shall be paid from the funds of the city. The salary of the fire chief will be determined by the city council. (Ord. 2002-5, 2-5-2002)

4-1-3: APPOINTMENTS:

The chief of the fire department shall have power to appoint full time members of the department. Fire/EMS department volunteers shall be appointed pursuant to bylaws adopted by the city council and shall perform in accordance with established policies and procedures. (Ord. 2002-5, 2-5-2002)

4-1-4: POWERS AND DUTIES:

The duty of extinguishing fires and of protecting life and property within the city is entrusted to the chief of the fire department. He may divide the city into fire districts and make such rules and regulations, subject to the approval of the city council, for the government of all officers and members of the department, as he may deem expedient. He may make suitable regulations under which the officers and members of the department shall be required to wear an appropriate uniform or badge by which, in case of fire and at other times, their authority and position in the fire department may be known. The chief shall have sole and entire command over all officers and members of the department at fires. He shall have full charge at all times of all apparatus and appurtenances belonging to the department, and he shall adopt such measures as he shall deem expedient for the extinguishing of fires, protection of property, or preservation of order and observance of the laws of the state, which duties are required of him by law and the provisions of this code. It shall be the duty of the fire chief to examine the condition of any dwellings, places of business, accessory buildings, tanks, structures, and pipelines, as well as any other place or thing that may at any time become subject to accidental or other fire condition, for the purpose of preparing himself, the department and equipment for response to such fires. It shall also be his duty to inspect engines, hoses, and hook and ladder equipment of the fire department, as well as personal protective equipment used by each individual member of the department. (Ord. 2002-5, 2-5-2002)

4-1-5: SPECIAL DUTY:

It shall be especially the duty of the chief of the fire department to see that the provisions of this chapter relating to the protection and regulation of property are strictly enforced at all times, along with all provisions of this chapter for the prevention of and protection against fires. (Ord. 2002-5, 2-5-2002)

4-1-6: AUTHORITY TO REMOVE PROPERTY; LIMITATIONS:

When a fire is in progress, the fire chief or, in his absence, the officer in charge, may in case of urgent public necessity order any telegraph, telephone, electrical, cable TV, wires or poles in close proximity to the fire to be torn down or otherwise disposed of, and he may likewise order any building in close proximity to the fire to be torn down or otherwise disposed of for the purpose of checking the conflagration; however, neither the fire chief nor any other officer

or member of the fire department shall unnecessarily or recklessly destroy or injure any building or other property. (Ord. 2002-5, 2-5-2002)

4-1-7: BLOCKADING:

Whenever a fire occurs, it is lawful for the chief or the officer in command to blockade any street, alley, sidewalk or other place if in his judgment it is necessary to secure the efficient working of the firefighters, hoses, engines or hook and ladder apparatus under his command, and to protect any personnel or equipment of the department from injury. It is unlawful for any person to break through the blockade. (Ord. 2002-5, 2-5-2002; amd. 2003 Code)

4-1-8: LIMITS AT FIRE:

The police officer in charge, in conjunction with the fire officer in charge, may prescribe the limits in the vicinity of the fire within which no person, except members of the department, police, or those admitted by order of the officer in charge, shall be permitted to come. (Ord. 2002-5, 2-5-2002)

4-1-9: UNLAWFUL INTERFERENCE; VIOLATION:

Any person who shall wilfully hinder any member of the department from doing his duty at a fire, or who in any manner wilfully injures, defaces or destroys an engine, hose or other fire apparatus belonging to the city, or who shall interfere with any fire company or person, or who wilfully breaks or damages any water pipe, or in any way interferes with the water or its source of supply, shall be deemed guilty of a class B misdemeanor and upon conviction, subject to penalty as provided in section [1-4-1](#) of this code. (Ord. 2002-5, 2-5-2002; amd. 2003 Code)

4-1-10: USE OF WATER:

The fire chief or other officer in charge shall have the right to use water from any source for the purpose of extinguishing fires or for saving property in danger of being destroyed thereby. (Ord. 2002-5, 2-5-2002)

4-1-11: PLACES OF ASSEMBLAGE; RULES AND REGULATIONS; ENFORCEMENT:

It shall be the duty of the fire chief, subject to the approval of the city council, to make such rules and regulations as may be necessary for the prevention of fire or the expeditious evacuation of the place in the event of fire in theaters, schools, churches and other places of assemblage or public amusement. Such rules and regulations shall be printed and posted in conspicuous places as designated by the fire chief, and it is unlawful for any person to remove, obstruct or deface the same. It shall be the duty and responsibility of the owner, manager, agent or person having control of such building to cause and bring about compliance with all such rules and regulations, including the training of the employees or attendants of such places in the method and procedures of expeditious and safe evacuation. (Ord. 2002-5, 2-5-2002)

4-1-12: COMBUSTIBLES:

It is unlawful for any person to permit the accumulation of weeds, empty boxes, waste or other inflammable substances on any premises within the city limits, or to carry on any business in or about any premises in such a manner as to expose such premises or building, or other buildings or premises, to danger of fire or explosion. It shall be the responsibility of the fire chief to identify such accumulations and/or conditions and to take immediate measures for their abatement. (Ord. 2002-5, 2-5-2002)

4-1-13: RIGHT OF ENTRY:

The fire chief or his appointee shall have the right to enter upon any premises at all reasonable hours for the purpose of inspecting the same in order to ascertain the fire safety of the premises. (Ord. 2002-5, 2-5-2002)

4-1-14: DANGEROUS AND DEFECTIVE STRUCTURES; NOTICE; VIOLATION:

Whenever in the judgment of the fire chief any building or structure, or any portion thereof, or any appurtenances or fixtures thereto, or any chimney, smokestack, stove, oven, furnace or wiring or thing connected with such building or premises is deemed defective or unsafe, and such defect or unsafe condition is such as to create a danger from fire; or whenever the owner or occupant of such building or structure or part thereof keeps or stores any explosive, combustible or inflammable material, waste or rubbish of any description in such manner that the same creates a danger from fire, the fire chief or his appointee shall give the owner or person having control of such building or structure notice, not exceeding five (5) days, of required changes, alterations or repairs necessary to render the same safe to life and property from fire, and any person refusing or neglecting to comply with such notice shall be deemed guilty of a class B misdemeanor and upon conviction, subject to penalty as provided in section [1-4-1](#) of this code. (Ord. 2002-5, 2-5-2002; amd. 2003 Code)

4-1-15: UNOCCUPIED BUILDINGS:

Whenever any unoccupied building not properly secured or enclosed comes to the attention of the department, the fire chief or his appointee shall immediately visit the premises and notify either in person or by certified mail to the last known address as shown on the records of the county tax rolls, of the owner or person having control of the same to immediately secure or enclose the same, and the person so notified as set out in this section shall within forty eight (48) hours comply therewith. (Ord. 2002-5, 2-5-2002)

4-1-16: INVESTIGATION, FIRE REPORT AND POST FIRE SAFETY:

The chief, or in his absence his designee in charge of the fire, shall, after its extinguishment, make a prompt and thorough investigation of the cause of the fire, the time the fire began, the amount of loss to life and property and insurance therefor, a description of the affected buildings and premises, and shall secure all other useful information and data available and record the same in a record book or electronic file kept for that purpose in the office of the department, and shall report the same to the city council at such time as it may direct. The chief or his appointee shall also assure, in cooperation with the police department, that the premises experiencing the fire is secured from pilfering and looting and is controlled in such a way as to protect the citizenry from any harm resulting from the damaged premises. (Ord. 2002-5, 2-5-2002)

4-1-17: WILFULLY OR NEGLIGENTLY CAUSING FIRE:

It is unlawful for any person to wilfully or negligently ignite or cause to be ignited any tree, shrub, cultivated crop, fence, building or other property on any land not his own, or to throw away any lighted cigar, cigarette, match or other burning material whatsoever on any land cover which will carry fire. (Ord. 2002-5, 2-5-2002)

4-1-18: FIRE APPARATUS; RIGHT OF WAY:

The fire trucks and other emergency apparatus and vehicles of the city police and fire

departments, and the personal cars of members of the fire department, shall have the right of way over all other vehicles of every kind in the city when such equipment and vehicles are displaying the necessary identification and are responding to an emergency within the operational jurisdiction of the fire department. It is unlawful for the owner or operator of any vehicle to drive or operate the same ahead of any of the aforementioned vehicles at a distance less than five hundred feet (500') or to follow the same at a distance closer than five hundred feet (500'). Violation of this section shall be a class C misdemeanor and upon conviction, subject to penalty as provided in section [1-4-1](#) of this code. (Ord. 2002-5, 2-5-2002; amd. 2003 Code)

4-1-19: PARKING NEAR FIRE HYDRANT:

It is unlawful for the owner or operator of any vehicle to stop or park the same at any time within a distance of fifteen feet (15') of any fire hydrant within the city. Violation of this section shall be a class C misdemeanor and upon conviction, subject to penalty as provided in section [1-4-1](#) of this code. (Ord. 2002-5, 2-5-2002; amd. 2003 Code)

4-1-20: FALSE ALARMS; VIOLATION¹:

Any person who shall without cause give an alarm of fire by outcry, ringing of bells, or otherwise, shall be deemed guilty of a class C misdemeanor and upon conviction, subject to penalty as provided in section [1-4-1](#) of this code. (Ord. 2002-5, 2-5-2002; amd. 2003 Code)

[Footnote 1](#): See also [title 3, chapter 18](#) of this code for provisions on false burglar and robbery alarms.

Chapter 8 FIRE CODE

9-8-1: FIRE CODE ADOPTED BY REFERENCE:

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The current edition of the international fire code, published by the International Code Council and adopted by the state on January 1, 2002, is approved and adopted as the fire code of the city. As new editions of the fire codes described in Utah Code Annotated section 53-7-106, as amended, are adopted by the state (by statute or administrative regulation), this chapter shall be interpreted to refer to the same editions as those adopted by the state. This adopted code is by this reference made a part of this chapter to the same extent and effect as though the code were copied in full in this chapter. One copy of the code shall be filed in the office of the fire chief for use and examination by the public. (Ord. 2002-17, 10-1-2002; amd. 2003 Code)

ORDINANCE NO. 2012-13

AN ORDINANCE OF PLEASANT GROVE CITY, UTAH COUNTY, UTAH; AMENDING TITLE 4 CHAPTER 7, "FIREWORKS REGULATIONS" BY ADDING SECTION 2 "AERIAL FIREWORKS RESTRICTED"; AND PROVIDING FOR AN EFFECTIVE DATE. PLEASANT GROVE CITY (APPLICANT).

WHEREAS, the legislative body has previously adopted ordinances intended to regulate fireworks within the City according to state law; and

WHEREAS, the Fire Department desires to amend the Pleasant Grove City Municipal code Title 4, Chapter 7, by adding text to protect the hillsides of Pleasant Grove during fireworks season from fire; and

WHEREAS, the Utah State Code states that the fireworks season is July 1st to July 7th and July 21st to July 29th, between the hours of 11:00 a.m. to 11:00 p.m., except for the holiday until midnight; and

WHEREAS, the Fire Department has determine that the hillside area east of the Murdock Canal from the south boundary of Pleasant Grove to 1100 North and east of 100 East from 1100 North to the north boundary of Pleasant Grove is an area that needs to extra protection against fires that could be caused by aerial fireworks; and

WHEREAS, at its meeting the Pleasant Grove City Council was satisfied that the amendment to the Pleasant Grove Municipal Code is in the best interest of the public and consistent with the goals and policies of the General Plan.

NOW, THEREFORE, BE IT ORDAINED by the City Council of Pleasant Grove City, Utah County, State of Utah, as follows:

SECTION 1: Section 4-7-2 of the Pleasant Grove Municipal Code is hereby enacted as follows:

4-7-2: AERIAL FIREWORKS RESTRICTED

It shall be unlawful to ignite fireworks, known as aerial devices (i.e. multiple shot, cake fireworks), as defined in R710-2 of the Municipal Fireworks Act, east of the Murdock Canal from the south boundary of Pleasant Grove City to 1100 North and east of 100 East from 1100 North to the north boundary of Pleasant Grove City. These defined areas represent the neighborhoods of Battle Creek, Grove Creek, Big Spring and a small portion of Manila.

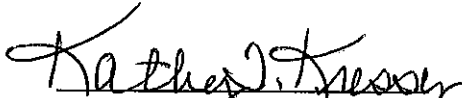
Violation of this ordinance shall be a Class B Misdemeanor.

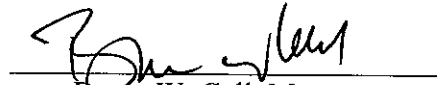
SECTION 2: SEVERABILITY. The sections, paragraphs, sentences, clauses, and phrases of this Ordinance are severable. If any such section, paragraph, sentence, clause, or phrase shall be declared invalid or unconstitutional by the valid judgment or decree of a Court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any of the remaining sections, paragraphs, sentences, clauses, or phrases of this Ordinance.

SECTION 3: EFFECTIVE DATE. This ordinance shall take effect immediately upon its passage and shall be posted or published as required by law.

SECTION 4: APPROVED AND ADOPTED AND MADE EFFECTIVE by the City Council of Pleasant Grove City, Utah County, Utah, this 15th day of May, 2012.

ATTEST:


Kathy T. Kresser, CMC
City Recorder


Bruce W. Call, Mayor



(SEAL)