

Riverton City

Chapter 15.20 FIRE CODE

Sections:

- [15.20.010](#) Adoption of International Fire Code.
- [15.20.020](#) Amendments to the International Fire Code, 2009 Edition.
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- [15.20.040](#) New materials, processes or occupancies which may require permits.
- [15.20.050](#) Penalties.

15.20.010 Adoption of International Fire Code.

(1) For the purpose of prescribing regulations governing conditions hazardous to life and property from fire and explosion, the 2009 Edition of the International Fire Code, and any subsequent editions, including the International Fire Code Standards, is hereby adopted 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.

(2) Pursuant to Section [10-3-711](#), Utah Code Annotated 1953, upon passage of the ordinance codified in this section, a copy of the 2009 Edition of the International Fire Code shall be placed on file in the office of the Riverton City recorder for the use and examination of the public.

(3) The storage of class I and class II hazardous materials in above-ground or below-ground tanks, inside and outside of buildings is prohibited unless allowed by the zoning 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.1. [Ord. 10-07 § 1; Ord. 1-25-05-1 § 2. Code 1997 § 10-1-50.]

15.20.020 Amendments to the International Fire Code, 2009 Edition.

(1) Riverton City hereby adopts by reference and incorporates herein the amendments to the 2009 Edition of the International Fire Code, adopted by the Utah State Legislature pursuant to Section [58-56-4](#), Utah Code Annotated 1953, in House Bill 308 (2010 General Session).

(2) Section 903.4.2 of the International Fire Code, 2009 Edition, 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, actuation of the automatic sprinkler system shall actuate the building fire alarm system.

[Ord. 10-07 § 1; Ord. 1-25-05-1 § 3. Code 1997 § 10-1-51.]

15.20.030 Appeals.

Whenever the chief shall disapprove an application, refuse to grant a permit for which application has been received, or when it is claimed that the provisions of the fire code do not apply or that the true intent and meaning of the fire code have been misconstrued or wrongly interpreted, the applicant may appeal the decision of the chief to the city council within 30 days from the date of such decision. [Code 1997 § 10-1-58.]

15.20.040 New materials, processes or occupancies which may require permits.



The building inspector and the chief of the bureau of fire prevention shall act as a committee to determine and specify, after giving affected persons an opportunity to be heard, any new materials, processes or occupancies which shall require permits in addition to those now enumerated in the fire code.

The chief of the bureau of fire prevention shall post such list in a conspicuous place in his office and distribute copies thereof to interested persons. [Code 1997 § 10-1-59.]

15.20.050 Penalties.

(1) Any person who shall violate any of the provisions of the fire code or fail to comply therewith, or who shall violate or fail to comply with any order made thereunder, or who shall build in violation of any detailed statement of specifications or plans submitted and approved thereunder, or any certificate or permit issued thereunder, and from which no appeal has been taken, or who shall fail to comply with such an order as affirmed or modified by the city council or by a court of competent jurisdiction within the time fixed herein shall, severally for each and every such violation and noncompliance respectively, be guilty of a class B misdemeanor. The imposition of one penalty for any violation shall not excuse the violation or permit it to

continue. All persons shall be required to correct or remedy such violations or defects within a reasonable time, and when not otherwise specified, each 10 days that prohibited conditions are maintained shall constitute a separate offense.

(2) The application of the penalty in subsection (1) of this section shall not be held to prevent the enforced removal of the prohibited condition. [Amended during 2011 recodification. Code 1997 § 10-1-60.]

Chapter 8.30 FIREWORKS

Sections:

- [8.30.010](#) Short title.
- [8.30.020](#) Definitions.
- [8.30.030](#) Sale or use of unauthorized fireworks unlawful.
- [8.30.040](#) Enforcement and penalty.
- [8.30.050](#) State Fire Prevention Board.
- [8.30.060](#) Exemptions.
- [8.30.070](#) Unified Fire Authority (UFA) regulations.
- [8.30.80](#) Public notice.

8.30.010 Short title.

This chapter shall be known and cited as the Riverton City fireworks ordinance. [Ord. 12-14 § 1. Code 1997 § 13-2-1.]

8.30.020 Definitions.

“Combination fireworks device” means any device containing combinations of two or more of the effects described in the definition of “ground or hand-held sparkling device” or “ground audible device.”

“Fireworks” shall have the same meaning as found in Title [53](#), Chapter [7](#) of the Utah Code.

“Ground audible device” means any paper or cardboard tube containing not more than 50 milligrams of pyrotechnic material that travels along the ground (chaser) upon ignition and often produces a whistling and/or popping effect.

“Ground or hand-held sparkling device” means:

(a) Any cylindrical tube (cylindrical fountain) not exceeding three-fourths inch in inside diameter and containing not more than 75 grams of pyrotechnic composition which produces a shower of color and sparks upon ignition and may whistle or pop;

(b) Any cardboard or heavy paper cone (cone fountain) containing up to 50 grams of pyrotechnic composition which produces a shower of color and sparks upon ignition and may whistle or pop;

(c) Any cylindrical tube (illuminating torch) containing up to 100 grams of pyrotechnic composition which produces colored fire upon ignition;

(d) Any pyrotechnic device (wheel) capable of being attached to a post or tree containing up to six driver units or tubes not exceeding one-half inch in inside diameter and each containing not more than 60 grams of pyrotechnic composition per driver unit which revolves upon ignition producing a shower of color and sparks and sometimes a whistling effect;

(e) Any device similar in design and effect to a wheel capable of being placed on the ground (ground spinner) and ignited; and

(f) Any narrow paper fuseless tube (flitter sparkler) filled with pyrotechnic composition that produces color and sparks when the popper at one end of the tube is ignited.

“Hazardous environmental conditions” means extreme dryness or lack of moisture, windy conditions, the presence of dry weeds and other vegetation and any combination thereof.

“Ignition source” means fireworks, lighters, matches, smoking materials, and similar means used to ignite fire.

“Trick noisemaker” means:

(a) Any tube or sphere containing pyrotechnic composition that upon ignition produces white or colored smoke (smoke device) as its primary effect; and

(b) Any device that produces a small report intended to surprise the user, including:

(i) A “booby trap” which is a small tube with a string protruding from both ends that ignites the friction sensitive composition in the tube when the string is pulled;

(ii) A “snapper” which is a small paper-wrapped device containing a minute quantity of explosive composition coated with bits of sand which explodes producing a small report;

(iii) A “trick match” which is a kitchen or book match coated with a small quantity of explosive or pyrotechnic composition that produces a small shower of sparks when ignited;

(iv) A “cigarette load” which is a small wooden peg coated with a small quantity of explosive composition that produces a small report when the cigarette is ignited; and

(v) An “auto burglar alarm” which is a tube which contains pyrotechnic composition that produces a loud whistle and smoke when ignited. A small quantity of explosive, not exceeding 50 milligrams, may also be used to produce a small report. A squib is used to ignite the device. [Ord. 12-14 § 1; amended during 2011 recodification. **Code** 1997 § 13-2-2.]

8.30.030 Sale or use of unauthorized fireworks unlawful.

It is unlawful for any person to sell or offer for retail sale or to discharge any fireworks in this city other than those defined in RCC [8.30.020](#). [Ord. 12-14 § 1. **Code** 1997 § 13-2-3.]

8.30.040 Enforcement and penalty.

(1) Every city officer charged with the enforcement of state and city laws including all **fire** enforcement officers and the division of public safety is charged with responsibility to enforce this chapter.

(2) Any person who intentionally or knowingly violates an order of the Unified **Fire** Authority (UFA) issued pursuant to this chapter is guilty of a class B misdemeanor.

(3) Fireworks sold or offered for sale in violation of this chapter may be seized and destroyed and the license of the person selling or offering fireworks for sale may be revoked. [Ord. 12-14 § 1. **Code** 1997 § 13-2-4.]

8.30.050 State **Fire Prevention Board.**

It shall be a class B misdemeanor for any person or any retailer to violate the rules established by the State **Fire** Prevention Board. [Ord. 12-14 § 1; amended during 2011 recodification. **Code** 1997 § 13-2-5.]

8.30.060 Exemptions.

This chapter does not apply to the product inventories of fireworks manufacturers, importers, distributors or wholesalers designated for shipment directly out of the state. Nothing in this chapter shall supersede the provisions of Section [23-13-7](#), Utah **Code** Annotated 1953. [Ord. 12-14 § 1. **Code** 1997 § 13-2-10.]

8.30.070 Unified **Fire Authority (UFA) regulations**

(1) The UFA as the local **fire** official for Riverton City is authorized to prohibit open **fires** and the use of any ignition source, including fireworks, lighters, matches, and smoking materials, when hazardous environmental conditions necessitate controlling the use thereof.

(2) The UFA is hereby authorized to issue orders prohibiting open burning, open **fires**, the use of any ignition source, including fireworks, lighters, matches, and smoking materials in any area of the municipality when the local **fire** official determines that hazardous environmental conditions necessitate controlling or prohibiting the use thereof.

(3) The UFA shall determine what areas are subject to prohibition and the extent of the prohibition and shall identify the same in a written order. The order may also include a map outlining affected areas. [Ord. 12-14 § 1.]

8.30.080 Public notice

Before any order issued by the UFA under authority of this chapter shall be considered enforceable, the UFA shall first post notices that such order has been issued in at least three public places which are located within 100 feet of the prohibited area; post a copy of the order on the official municipal website; inform all local news media outlets of the order, and provide a copy of the order thereto. [Ord. 12-14 § 1.]

Chapter 8.25 FIRE FIGHTING AND SAFETY¹

Sections:

- [8.25.010](#) Emergency vehicles.
- [8.25.020](#) Removal of obstructions at fire.
- [8.25.030](#) Control of persons.
- [8.25.040](#) Interference with firemen in discharge of duties.
- [8.25.050](#) Unlawful interference with officers, apparatus, water, etc.
- [8.25.060](#) Investigation after fire report.
- [8.25.070](#) Right to enter upon and inspect premises.
- [8.25.080](#) *Deleted during 2011 recodification.*
- [8.25.090](#) False alarm.
- [8.25.100](#) Procedures for recovering costs incurred by recklessly caused fire emergencies.
- [8.25.110](#) Burning permits required.
- [8.25.120](#) Procedure.
- [8.25.130](#) Denial.
- [8.25.140](#) Penalty.
- [8.25.150](#) Life safety code.

8.25.010 Emergency vehicles.

Fire trucks are hereby designated authorized emergency vehicles. [Code 1997 § 10-1-31.]

8.25.020 Removal of obstructions at fire.

The officer in charge at any fire may order the removal or destruction of any fence, building or structure, or that any utility be closed, cut or removed when deemed necessary to control, extinguish or prevent the spread of fire. [Code 1997 § 10-1-32.]

8.25.030 Control of persons.

All persons present at a fire shall obey the orders of any fireman. [Code 1997 § 10-1-33.]

8.25.040 Interference with firemen in discharge of duties.

Every person at the scene of any fire who disobeys the lawful orders of any public officer or fireman, or offers any resistance to or interference with the efforts of any fireman, or company of firemen to extinguish the same, or engages in any disorderly conduct calculated to prevent the same from being extinguished, or who forbids, prevents or dissuades others from assisting to extinguish the same, is guilty of a class B misdemeanor. [Amended during 2011 recodification. Code 1997 § 10-1-34.]

8.25.050 Unlawful interference with officers, apparatus, water, etc.

Any person who shall willfully hinder any officer or fireman in the discharge of his duty at a fire, or in any manner injure, deface or destroy any engine, hose or other fire apparatus belonging to the city, or who shall interfere with any fire company or person, or who shall willfully break or injure any water pipe, or interfere with the water or its source of supply shall be deemed guilty of a class B misdemeanor and shall be punished accordingly. [Code 1997 § 10-1-35.]

8.25.060 Investigation after fire report.

The chief, or such other persons as he shall designate, shall, after extinguishing a fire, make a prompt and thorough investigation of the cause of the fire, the time the fire began, the amount of loss and insurance, a description of the affected buildings and premises, and shall secure all other useful information available, and record the same in a record book kept for the purpose in the office of the department and shall report the same to the government body at such time as it may direct. [Code 1997 § 10-1-36.]

8.25.070 Right to enter upon and inspect premises.

The fire chief or his deputies upon presentation of proper credentials shall have the right to enter upon any commercial premises at all reasonable hours for the purpose of making inspections. [Amended during 2011 recodification. Code 1997 § 10-1-37.]

8.25.080 Males present at fire subject to orders.

Deleted during 2011 recodification. [Code 1997 § 10-1-38.]

8.25.090 False alarm.

It shall be unlawful for any person to turn in or report to the fire department a false alarm or report of a fire or to tamper with or remove any part of the fire alarm system. [Code 1997 § 10-1-39.]

8.25.100 Procedures for recovering costs incurred by recklessly caused fire emergencies.

(1) Definitions.

“Expense” means the actual labor costs of government and volunteer personnel including worker’s compensation benefits, fringe benefits, administrative overhead, costs of equipment, costs of equipment operation, costs of materials, costs of disposal and the cost of any contract labor and materials.

“Fireworks” means any firework as defined in Sections [53-7-202](#)(1) through (5), Utah Code Annotated 1953, whether legally or unlawfully available and used.

“Recklessly caused fire emergency” means a fire proximately caused by the reckless conduct of an owner or occupier of property and/or structures which presents a direct and immediate threat to public safety and requires immediate action to mitigate the threat. “Reckless conduct” is conduct which is willfully and wantonly in disregard for the safety of persons or property.

(2) Recovery Authorization and Procedure. The city is empowered to recover from any person, corporation, partnership or other individual or entity whose reckless actions cause fire emergency expenses or who, through the use of fireworks, cause fire emergency expenses incurred by city agencies directly associated with a response to a fire emergency pursuant to the following procedure:

(a) The city shall determine responsibility for the emergency and notify the responsible party by mail of the city’s determination of responsibility and the costs to be recovered.

(b) The notice shall specify that the determined responsible party may appeal the city’s decision before a hearing officer designated by the mayor and establish a date by which the notice of appeal shall be filed. The appeal date shall be no less than 15 days from the date of the notice.

(c) In the event the determined responsible party appeals the determination, the hearing officer shall hold a public 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.

(d) The hearing officer shall, after the hearing, make a recommendation to the mayor who shall issue a decision assessing responsibility and costs.

(3) No Admission of Liability. The payment of expenses determined owing under this chapter does not constitute an admission of liability or negligence in any legal action for damages.

(4) Action to Recover Costs. In the event parties determined to be responsible for the repayment of recklessly caused fire emergency costs or fire emergency costs caused by fireworks fail to make payments to the city within 30 days after a determination of any appeal by the mayor, or 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 costs determined to be owing, including the city's reasonable attorney fees. [Code 1997 § 10-1-61.]

8.25.110 Burning permits required.

All persons desiring to burn material outside of a building shall be required to obtain a burning permit from the city of Riverton. [Code 1997 § 10-1-81.]

8.25.120 Procedure.

Burning permits will be available at the offices of the unified fire authority. [Amended during 2011 recodification. Code 1997 § 10-1-82.]

8.25.130 Denial.

Burning permits shall not be granted if the proposed fire would violate any municipal ordinance. [Code 1997 § 10-1-83.]

8.25.140 Penalty.

Any person who fails to obtain a burning permit and subsequently causes a fire requiring the fire department of the city of Riverton to respond shall be guilty of a class B misdemeanor. [Amended during 2011 recodification. Code 1997 § 10-1-84.]

8.25.150 Life safety code.

(1) The Life Safety Code, 2009 Edition, as published by the National Fire Protection Association, is hereby adopted as the life safety code of Riverton City.

(2) The Unified Fire District fire marshal is hereby appointed the enforcement officer under this life safety code, and in his absence, the Unified Fire District fire chief or the assistant fire chief shall act as the enforcement officer under this life safety code.

(3) Violations of the life safety code may be punishable as a class B misdemeanor. [Amended during 2011 recodification. Code 1997 § 10-1-90.]

State law references: Equipment for new fire protection systems – Standard equipment, see Section [53-7-206](#), Utah Code Annotated 1953; Duty of local governing body – Maintenance of existing equipment, see Section [11-4-2](#), Utah Code Annotated 1953; Prohibited sales and penalties, see Sections [53-7-207](#) and [53-7-208](#), Utah Code Annotated 1953.