

**UTAH STATE FIRE PREVENTION BOARD  
JANUARY 9, 2018 MEETING MINUTES –  
APPROVED**

**BOARD MEMBERS PRESENT**

Vincent A. Newberg	Board Chair
Craig Humphreys	Board Vice Chair
Brian Cottam	Board Member
Rod Hammer	Board Member
Eric Miller	Board Member
David Olsen	Board Member
Mike Phillips	Board Member
Jason Poulsen	Board Member

**BOARD MEMEBERS NOT PRESENT**

Frank Park	Board Member
Jared Larson	Board Member

**STAFF PRESENT**

Coy Porter	State Fire Marshal
Ted Black	Chief Deputy State Fire Marshal
Lynda Viti	Assistant Attorney General
Monica Todd	Board Secretary
Mark Burton	State Fire Marshal Office
Art Deyo	State Fire Marshal Office
Shane Maughan	State Fire Marshal Office
Jon Ritchie	State Fire Marshal Office
Kelly Snow	State Fire Marshal Office

**PRESENT**

Many members of the public and the fire service were in attendance at this meeting. The attendance log is kept with the full record of the meeting, recording and all other related paperwork.

**Item #1** on the agenda, Board meeting called to order by Board Chair Vincent Newberg. The meeting started at 8:30 A.M., at the South Salt Lake City Hall, Council Chambers. Chair Newberg also welcomed the new representative from the Attorney General’s Office Lynda Viti.

**Item #2** on the agenda was approval of the November 14, 2017 Board Meeting minutes. Motion made to approve minutes by Board Member Miller, seconded by Board Member Humphreys, motion passed unanimously.

**Item #3** on the agenda was report to the Board by Chief Scott Spencer, Chair, Utah Fire Service Certification Council. Chief Spencer addressed the Board and stated they had been working on fee changes for those not part of fire agencies. The rate will increase to \$90 to take effect in July. In addition Brett Osler has resigned his position on the Council to work full time for Division of Forestry, Fire and State Lands. Their next meeting will be January 17<sup>th</sup> in St. George.

**Item #4** on the agenda was a report to the Board by Ryan Peterson, Chair, Hazardous Materials Advisory Council. Chair Peterson addressed the Board and stated that the HazMat tech curriculum has been reviewed and updated and should be approved and available at the end of February and then the test bank will be approved. They will maintain the 120 hours per the directive of the Board and they will include the science portion as well as more hands-on time with the instructors and monitors.

**Item #5** on the agenda was a report to the Board by Robert DeKorver, Chair, Fire Service Standards and Training Council. Chair DeKorver addressed the Board and stated that the Council met last week and are preparing to perform an audit on UFRA as is done every three years. They will visit UFRA in pairs to review the certification administration, finance and logistics and they should be able to bring a report to the Board at the July meeting. They also voted to maintain the current chair and vice chair and will be meeting prior to each Fire Prevention Board Meeting in order to be able to report to the Board.

**Item #6** on the agenda was a report to the Board of pending legislation, by Utah State Fire Marshal Coy Porter. Marshal Porter addressed the Board and stated that several bills have been filed for the legislative session some of which have been numbered. He provided a list of some of those bills as being relevant to the fire service, a copy of that list is with the hardcopy record of this meeting. He specifically mentioned the following six bills. HB 32 Uniform Construction Code Amendments – focused mainly on adopting the 2017 National Electric Code. HB 38 Fireworks Restrictions – to reduce the number of days allowed for discharge to two days before, the day of and the day after each holiday as well as more concrete language as far as authority for restrictions and historical restrictions and asks that municipalities and counties define areas on a map outlining restricted areas and make that available to the public and the vendors. A Fire Code Amendments bill which has not yet been numbered will be run by Rep Mike Schultz to define “fire access roads during construction”. Rep. Karen Kwan will be running a bill regarding Assisted Living Facilities Amendments which subject is under the prevue of the State Fire Marshal’s Office. SB 67 Fireworks Amendments, run by Sen. T. Weiler proposes to give the Fire Prevention Board rule making authority to address proper destruction of confiscated explosives. A bill regarding School Security Locks has also been opened by Sen. Weiler which will seek to allow certain after-market door locking devices in schools. Chief Deputy Black assisted him with creating some language for the bill but advised that the fire service would oppose the bill. There is an amendment for food trucks that has been opened by Sen. Deidre Henderson, though it is unclear what the issue/language of that bill will be. The inspection stickers for food trucks are now available at the State Fire Marshal’s Office and can be accessed through Mr. Jon Ritchie. Training to do those inspections will be available the following week at Winter Fire School. Board Member Poulsen asked about any Tier II Retirement changes and the Inter-Facility ambulance transport issue(s) and if there is any more information. Marshal Porter stated that both of those are just discussion points at the present time – there have been a series

of informal meetings with cities/counties, law enforcement and fire service looking at potential costs savings regarding retirement and the ambulance transport issue is regarding the transport fees (see HB 99 which will require medical transport for behavioral health issues).

**Item #7** on the agenda was an appeal requested by the Guillermo Antonio Oviedo, of the Church of Jesus Christ of Latter-Day Saints, Concerning a decision made by South Davis Metro Fire involving the alarm system at the Bountiful Tabernacle. Chief Deputy Ted Black addressed the Board to explain the current issue. Originally an appeal regarding the requirement of visual alarms was extensively reviewed however that is not the real issue at hand. The real issue is whether a full fire alarm system is required in an existing “A” occupancy building. Deputy Black feels that it is clear that the intent of the code is to allow partial systems in non-required environments and that it is important to note that the code does not refer to existing systems, but rather existing buildings. The only requirement that he has found regarding an existing building is that they must maintain the existing level of fire protection. Thus where the Church has decided not to put visual fire alarms in certain rooms during the retrofit of the system, he is of the opinion that they are in compliance with the code. Thus the question that must be resolved is whether a partial system in an existing building is acceptable according to the International Fire Code. Fire Marshal Casey Vorwaller, from South Davis Metro Fire, addressed the Board along with Mr. Greg Jones from PCI who did the third party review of the plans. He stated that their position on the interpretation of the code is that the alarm system in existing buildings needs to be compliant with the current code, including visual alarm notification, when upgrading or replacing the existing system. Mr. Jones stated that it is important to note that there is nothing from the existing system that is being reused, it is going to be a complete new system throughout. Marshal Vorwaller said that though he personally doesn’t agree with the requirements for the visual notifications, he has to enforce the code as he interprets it. Mr. Oviedo addressed the Board. He stated that he agreed with the Deputy Fire Marshal and 907.1, and that they are upgrading and providing smoke detectors and visual notifications to improve the life safety of the building in some select areas but not all of the areas that are being required as is their right as the building owner. Deputy Fire Chief Dave Powers from South Davis Metro Fire addressed the Board and explained that their agency wished for this issue to be decided by the Board is that they feel it is a significant issue that will impact the entire State of Utah. Layton City Fire Marshal Doug Bitton addressed the Board and said he just wanted clarification for the record that this issue is regarding type “A” occupancies only. Mr. Oviedo stated that the Church has been proactive in trying to increase the protection and life safety of its occupants and that by requiring these additions to the system it would be very costly and would significantly discourage them from making these improvements. Board Member Miller asked if any of the old system would still be utilized. Mr. Oviedo stated that it would be a completely new system. Marshal Vorwaller stated that he is in complete support of increasing the life safety of the building but that as an AHJ he does not feel he has the authority to waive the requirements as he interprets them. Chief Deputy Black stated that this is a difficult issue to interpret and apply but that the ultimate intent of the code is to improve life safety. There was more discussion from the Board regarding the issue of whether it is a completely new system or partial existing system. It was agreed by most Board Members as well as the position of the State Fire Marshal’s Office that the improvement to the life safety of the building was significant and that the interpretation of the code should take that into consideration. Motion was made by Vice Chair Humphreys the Board accept this system as a partial non-required system that improves the level of life safety in the existing building, motion seconded by Board Member Poulsen, motion carried with Chair

Newberg opposed. Vice Chair Humphreys made a further motion to direct the Fire Marshals Association of Utah Code Committee to review this issue and bring their findings to the Board. Motion seconded by Board Member Miller, motion carried.

**Item #8** on the agenda was potential motion to close the meeting for consideration of Item 7 on the agenda. No closed session was necessary at this time.

**Item #9** on the agenda was action by the Board concerning the Appeal requested by the Guillermo Antonio Oviedo, of the Church of Jesus Christ of Latter-Day Saints, Concerning a decision made by South Davis Metro Fire involving the alarm system at the Bountiful Tabernacle. This item has already been addressed.

**Item #10** on the agenda was Old Business. There was no Old Business.

**Item #11** on the agenda was New Business. Board Member Cottam addressed the Board and announced, as the State Forester, that Brett Osler will now be the Division of Forestry, Fire and State Lands new permanent State Fire Management Officer.

**Item #12** on the agenda was that the next Board Meeting March 13, 2018, beginning 8:30 A.M., South Salt Lake City Hall, Council Chambers, 220 East Morris Avenue (2430 South), South Salt Lake City, Utah 84115. Motion made to adjourn the meeting made by Board Member Poulsen, meeting adjourned.