AN ORDINANCE AMENDING SECTIONS 8.04.010, 8.04.017 AND ADDING SECTION 8.04.018 OF THE LOGAN MUNICIPAL CODE REGARDING THE INTERNATIONAL FIRE CODE AND FIREWORKS AND OTHER IGNITION SOURCE RESTRICTIONS

WHEREAS, the state legislature has granted general welfare power to the City Council, independent, apart from, and in addition to, its specific grants of legislative authority, which enables the City of Logan to pass ordinances as are necessary and proper to provide for the safety, promote the prosperity, improve the peace and good order, comfort, and convenience of the City and its inhabitants, and for the protection of property in the City; and

WHEREAS, the City of Logan wishes to incorporate an updated edition of the International Fire Code; and

WHEREAS, the state legislature passed HB217 Second Substitute which requires action of the legislative body of a municipality prior to the prohibition of certain uses of fireworks and other ignition sources; and

WHEREAS, the City Council has determined that the following ordinance is in the City’s best interest;

NOW THEREFORE, BE IT ORDAINED BY THE MUNICIPAL COUNCIL OF THE CITY OF LOGAN, UTAH, AS FOLLOWS:

SECTION 1:

8.04.010: INTERNATIONAL FIRE CODE ADOPTED:

A. There is adopted by the city for the purpose of prescribing regulations governing conditions hazardous to life and property from fire, hazardous materials or explosion, that certain code known as the City adopts the 2012 edition of the international fire code.

1. The following appendices from the 2012 edition of the international fire code, latest edition, are adopted by the city as guidelines only:

a. Appendix A - board of appeals.

b. Appendix B - fire flow requirements.

c. Appendix C - fire hydrant locations and distributions.

d. Appendix D - fire department access roads.

e. Appendix E - hazardous categories.
B. The foregoing fire code is published by the International Code Council, being particularly the 2012 edition thereof and the whole thereof, except such portions which are specifically excepted by this section. One three (3) copies of which have had been and are now shall be filed in the office of the clerk of the city recorder, one copy shall be filed in the city library and one copy shall be filed at the fire department for examination by the public and the same are adopted and incorporated as fully as if set out at length herein, and from the effective date hereof, the provisions thereof shall be controlling within the limits of the city.

8.04.017: DEFINITIONS:

Wherever the following terms are used in the international fire code, they shall have the meanings set out in this section:

CORPORATION COUNSEL: The attorney for the city.

JURISDICTION: The city.

WILDLAND URBAN INTERFACE AREA: The line, area, or zone where structures or other human development meet or intermingle with undeveloped wildland or land being used for an agricultural purpose.

8.04.018 FIREWORKS AND OTHER IGNITION SOURCE RESTRICTIONS

A. When hazardous environmental conditions necessitate controlled use of any ignition source, including fireworks, lighters matches, sky lanterns, and smoking materials, a fire code official may issue an order prohibiting or restricting the use of any ignition source in mountainous, brush-covered, or forest-covered areas or the wildland urban interface area.

B. An order issued under this section shall be filed with the City Recorder’s Office and published in a manner reasonably calculated to give notice to the general public. The order shall describe the prohibitions or restrictions and the areas in which they are applicable.

SECTION 2: Effective Date. This ordinance shall become effective upon publication.
PASSED BY THE LOGAN MUNICIPAL COUNCIL, STATE OF UTAH, THIS 27
DAY OF June, 2013.
AYES: Ward, Jensen, Daines, Quayle
NAYS: NIX
ABSENT: Olson

Holly Daines

ATTEST:
/s/ Teresa Harris, City Recorder

PRESENTATION TO MAYOR

The foregoing ordinance was presented by the Logan Municipal Council to the
Mayor for approval or disapproval this 27 day of June, 2013.

Holly Daines

/s/ Holly Daines, Chair

MAYOR’S APPROVAL OR DISAPPROVAL

The foregoing ordinance is hereby approved this 27 day of July, 2013.

Randy Watts

/s/ Randy Watts, Mayor
ORDER OF THE CITY OF LOGAN FIRE CHIEF
13-01

FIREWORKS RESTRICTIONS

Due to current and forecasted weather conditions coupled with extremely dry conditions and heavy loading of vegetation, it is determined by the Logan City Fire Chief that hazardous environmental conditions necessitate controlled use of fireworks.

Therefore under the authority of Logan Municipal Code Title 8, Chapter 4 and in accordance with state law, the City of Logan Fire Chief/ Fire Code Official hereby orders that the use, igniting, or displaying of fireworks of any type and the following exempt explosives; sparklers, model rockets, flare guns, snakes or glow worms defined in Utah Code Ann. §53-7-202 is prohibited in the following areas:

1- The Wildland Urban Interface Area which has been defined as:
   a. All properties North of Highway 89 and East of 1200 East.
   b. All properties South of Highway 89 and East of 600 East.

2- Any mountainous, brush-covered, or forested areas not defined above.

3- Any undeveloped wildland or land being used for agricultural purposes.

This order shall be in effect for the period of July 1, 2013 to July 31, 2013. Violators of this order are subject to criminal prosecution pursuant to Logan Municipal Code §8.04.050.

Jeff Peterson
City of Logan Fire Chief

Dated: 6-28-2013
Legal Notice Logan Municipal Council

LEGAL NOTICE
LOGAN MUNICIPAL COUNCIL

SUMMARY OF AN ORDINANCE passed by the Logan Municipal Council, Logan, Utah is as follows:

ORD.13-50 An ordinance was adopted and approved June 27, 2013 amending Sections 8.04.010, 8.04.017 and adding Section 8.04.018 if the Logan Municipal Code regarding the International Fire Code, Fireworks and other Ignition Source Restrictions.

This ordinance is effective immediately upon publication. Full text of the ordinance may be reviewed at the Office of the Logan City Recorder, City Hall, 290 North 100 West, Logan, Utah during regular business hours.

Teresa Harris,
City Recorder

Publication Date: June 29, 2013

STATE OF UTAH  
COUNTY OF CACHE, ss

On this 2nd day of July, A.D. 2013 personally appeared
before me Monica Christensen who being first being duly sworn, deposes and says that
she is the Assistant to the Finance Director of the Cache Valley Publishing Co., publishers of The Herald Journal
a daily newspaper published in Logan City, Cache County Utah, and that the
Legal Notice, a copy of which is hereto attached was published in said
newspaper for 1 issue(s) and that said notice also published on utahlegals.com
on the same days(s) as publication in said newspaper.

Commencing on the following days:
06/29/2013

_________________________________________, Assistant to the Finance Director

Subscribed and sworn to before me on this 2nd day of July, A.D. 2013

_________________________________________, Notary Public

Commissioned in the State of Utah

My Commission expires August 1, 2015

LEGAL NOTICE
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Teresa Harris,
City Recorder
Publication Date: June 29, 2013