

ORDINANCE NO. 2153

AN ORDINANCE ADOPTING THE 2010 OREGON FIRE CODE AND AMENDING
CHAPTER 8 OF THE BEND CODE TO BECOME TITLE VIII

Findings

- A. The City is required to implement the state fire code, and may make minor amendments in adopted the state fire code.
- B. The state fire code has been recently amended, and the City Council wishes to implement the state fire code in the City with minor amendments.

THE CITY OF BEND ORDAINS AS FOLLOWS:

- Section 1. Bend Code Chapter 8 is amended to become Bend Code Title VIII and shall read as shown in the attached Exhibit A.
- Section 2. Bend Code Title VIII as added by this ordinance shall be effective 30 days after passage of this ordinance. The existing Chapter 8 will continue to govern actions occurring prior to the effective date of this ordinance.

Read for the first time the 3rd day of November, 2010.

Read for the second time the 17th day of November, 2010.

Approved by roll call vote the 17th day of November, 2010.

YES: 7 NO: 0

Authenticated by the Mayor the 17th day of November, 2010.



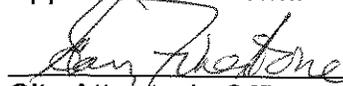
Kathie Eckman, Mayor

ATTEST:



Patricia Stell, City of Bend Recorder

Approved as to form:



City Attorney's Office

TITLE VIII – FIRE PROTECTION

CHAPTER 8.10 ADOPTION OF FIRE CODE

8.10.010 Adoption of and Amendment to the 2010 Oregon Fire Code

- (1) The 2010 Oregon Fire Code, including Appendices B, C, D, J, K, L and M (the “Fire Code”) is adopted as fire protection regulations within the City with the following amendment (deleted material shown by ~~strikethrough~~, new material shown in **bold**):

Appendix B Section B104.2 Area Separation. Portions of buildings which are separated by one or more four-hour area separation walls constructed in accordance with the Oregon Structural Specialty Code, without openings and, ~~provided~~ **when required**, with a 30-inch parapet, are allowed to be considered as separate fire-flow calculation areas.

- (2) The “fire code official” for the City is the Fire Chief or designee.

8.10.015 Additional Standards

The City adopts the additional standards supplementing the 2010 Oregon Fire Code set out in the “2010 City of Bend Fire Standards.” The 2010 City of Bend Fire Standards shall be applied and enforced in the same manner as the 2010 Oregon Fire Code. The fire code official may make technical amendments to the 2010 City of Bend Fire Standards by publishing notice of the amendments on the City’s website.

8.10.020 Fire Prevention Division

The fire prevention division is established within the Fire Department under the direction of jurisdiction of the fire code official to implement, administer and enforce the Fire Code and this Chapter. The fire code official may appoint a deputy fire code official and other officers, inspectors and employees.

8.10.030 Limits and Exceptions on Storage of Regulated Materials

- (1) All limits on storage of hazardous and combustible materials, including but not limited to, liquefied petroleum gases, compressed natural gases, explosives, and flammable cryogen liquids, established in the Fire Code shall apply within the City, except as provided in Subsections 2 through 8. All references to Tables and Sections are references to provisions in the Fire Code.
- (2) Materials may be stored in excess of the limits imposed by Tables 2703.1.1 (1-4), Section 2703, Section 3004, Section 3804.2, and Section 3204 in General Industrial Zones in locations that are not in heavily populated or congested areas. Any material stored in tanks must be in tanks approved by the Fire Official.

- (3) Materials may be stored in excess of the limits imposed Table 2703.1.1 (1-4) in Light Industrial Zones in an approved tank with an individual capacity of 3,000 gallons or less and an aggregate capacity of 6,000 gallons or less on each property.
- (4) Combustible liquids used solely for heating may be stored in excess of the limits imposed by Tables 2703.1.1 (1-4) in approved tanks not greater than 550 gallons.
- (5) Flammable and Combustible liquids used solely for emergency equipment may be stored in approved tanks in excess of the limits imposed by Tables 2703.1.1(1-4) but not exceeding the limits imposed in Chapter 6.
- (6) Flammable and Combustible liquids in excess of the limits imposed by Tables 2703.1.1 (1-4) may be stored in approved tanks not exceeding 1,000 gallons in business areas not heavily populated or congested.
- (7) Limited amounts of nonmass-detonating explosives as defined in Section 3301.8.1.2 and 3301.8.1.3 are allowed in areas that are not heavily populated or congested if approved in writing by the Fire Code Official and stored and used within the scope of nationally recognized standards.
- (8) Amounts of hazardous material in excess of the limits in Section 2703 may be stored in Light Industrial Zones not heavily populated or congested. Limited amounts of hazardous materials in excess of the limits imposed by Section 2703 may stored in Commercial areas not heavily populated or congested if approved in writing by the Fire Code Official and stored and used within the scope of nationally recognized standards.

8.10.040 Appeals

Appeals of any decision of the Fire Code Official may be appealed by filing a written appeal with the City Recorder within 10 days of the decision. The City Manager will decide the appeal based on the written appeal document and any written response from the Fire Code Official. The City Manager's decision may be appealed to the Regional Appeal Advisory Board under ORS 479.180 within 10 days from the date of the City Manager's decision.

8.10.050 Enforcement

Violation of any provision of the Fire Code or this Chapter, or any order or permit issued under the Fire Code or this Chapter is a Class A civil infraction. Each day that a violation remains is a separate infraction. The civil infraction remedy is in addition to any other legal or equitable remedy.