

**TOOELE COUNTY
ORDINANCE 2020-22**

AN ORDINANCE (1) AMENDING SECTION 5-11-2, PROCEDURES FOR TAX LIENS WITHOUT A JUDGMENT, (2) AMENDING SECTION 6-18-3, ADOPTION OF INTERNATIONAL FIRE CODE, (3) ENACTING SECTION 6-18-11, AUTOMATIC FIRE SPRINKLER SYSTEMS, AND (4) ENACTING SECTION 6-20-19, FIRE BREAKS, OF THE TOOELE COUNTY CODE (UPDATING AND ESTABLISHING FIRE CODES)

WHEREAS, in an effort to limit and control wildfires, the Tooele County Commission recognizes the need to update the Tooele County Code to ensure that State recommended standards for fire codes are being followed; and

WHEREAS, the County Fire Warden has recommended various amendments which will update our current codes to the standards recommended by the State Fire Marshal.

NOW, THEREFORE, BE IT ORDAINED BY THE LEGISLATIVE BODY OF TOOELE COUNTY, UTAH AS FOLLOWS:

SECTION I – SECTION AMENDED. Section 5-11-2, *Procedures for Tax Liens Without a Judgment*, of Chapter 11, *Tax Liens and Recovery Cost Methods*, of the Tooele County Code is hereby amended to read as attached hereto, which attachment is, by this reference, made a part hereof.

SECTION II – SECTION AMENDED. Section 6-18-3, *Adoption of International Fire Code*, of Chapter 18, *Miscellaneous Provisions*, of the Tooele County Code is hereby amended to read as attached hereto, which attachment is, by this reference, made a part hereof.

SECTION III – SECTION ENACTED. Section 6-18-11, *Automatic Fire Sprinkler Systems*, of Chapter 18, *Miscellaneous Provisions*, of the Tooele County Code is hereby enacted to read as attached hereto, which attachment is, by this reference, made a part hereof.

SECTION IV – SECTION ENACTED. Section 6-20-19, *Fire Breaks*, of Chapter 20, *Wildfire Protection Standards*, of the Tooele County Code is hereby enacted to read as attached hereto, which attachment is, by this reference, made a part hereof.


SECTION V – REPEALER. Ordinances and resolutions in conflict herewith are hereby repealed to the extent of such conflict.


SECTION VI – EFFECTIVE DATE. This ordinance shall become effective fifteen (15) days after its passage, provided it has been published, or at such publication date if more than fifteen (15) days after passage.

IN WITNESS WHEREOF the Tooele County Commission, which is the legislative body of Tooele County, passed, approved and enacted this ordinance this 4th day of August 2020.

ATTEST:


TOOELE COUNTY COMMISSION:


Marilyn K. Gillette, Clerk


TOM TRIPP, Chairman



APPROVED AS TO FORM:


SCOTT A. BROADHEAD
Tooele County Attorney

Commissioner Milne voted aye
Commissioner Thomas voted aye
Commissioner Tripp voted aye

TOOELE COUNTY CODE
TITLE 5
ADMINISTRATIVE CODE ENFORCEMENT HEARING PROGRAM

CHAPTER 11
TAX LIENS AND RECOVERY COST METHODS

5-11-2. Procedures for tax liens without a judgment.

(1) Once the County has taken an enforcement action with penalties or abated a property for garbage, unlicensed/inoperative vehicles, refuse, nuisance weeds, or unsightly or deleterious objects or structures, the ordinance enforcement administrator shall prepare three copies of the itemized statement of costs incurred in the removal and destruction of the violations and deliver them to the county treasurer within ten days after completion of the work of removing the violations.

(2) The ordinance enforcement administrator shall send, by certified mail to the property owner's last known address, a copy of the itemized statement of costs informing him or her that a code enforcement tax lien is being recorded for the amount of actual costs of abatement. Payment shall be due within 20 calendar days from the date of mailing.

(3) Upon receipt of the itemized statement of costs, the county treasurer shall record a code enforcement tax lien against the property.

(4) The failure of any person with a financial interest in the property to actually receive the notice of the lien shall not affect the validity of the lien or any proceedings taken to collect the outstanding costs of abatement.

TITLE 6
PUBLIC SAFETY

CHAPTER 18
MISCELLANEOUS PROVISIONS

6-18-3. Adoption of International Fire Code.

(1) The 2018 edition of the International Fire Code, as well as appendix B: Fire-Flow Requirements for Buildings, Appendix C: Fire Hydrant Locations and Distribution, and Appendix D: Fire Apparatus Access Roads, published by the International Code Council, is hereby adopted as part of the Tooele County Code to be used as the standard in Tooele County. All future amendments to the aforementioned code and appendices are to be immediately included within the provisions of this section without further action of the County Legislative Body.

(2) Persons who violate provisions of the International Fire Code shall be guilty of a class C misdemeanor.

6-18-11. Automatic Fire Sprinkler Systems.

- (1) Automatic fire sprinkler systems shall be required if any of the following conditions exist:
- (a) the structure:
 - 1) is located in an urban-wildland interface area as provided in the Utah Wildland Urban Interface Code adopted as a construction code under the State Construction Code, and
 - 2) does not meet the requirements described in Utah Code, Subsection 65A-8-203(4)(a) and Utah Administrative Code, R652-122-1300, Minimum Standards for County Wildland Fire Ordinance;
 - (b) the structure is in an area where a public water distribution system with fire hydrants does not exist as required in Utah Administrative Code, R309-550-5, Water Main Design;
 - (c) the only fire apparatus access road has a grade greater than 10% for more than 500 continual feet;
 - (d) the total floor area of all floor levels within the exterior walls of the dwelling unit exceeds 10,000 square feet; or
 - (e) the total floor area of all floor levels within the exterior walls of the dwelling unit is double the average of the total floor area of all floor levels of unsprinkled homes in the subdivision that are no larger than 10,000 square feet.
- (2) An exception exists for single family dwellings if the dwelling:
- (a) is located outside the wildland urban interface;
 - (b) is built in a one-lot subdivision; and
 - (c) has 50 feet of defensible space on all sides that limits the propensity of fire spreading from the dwelling to another property.

**CHAPTER 20
WILDFIRE PROTECTION STANDARDS**

6-20-19. Fire breaks.

- (1) It shall be unlawful for any person, firm, or corporation owning, occupying, or otherwise exercising control over real property in Tooele County to allow, permit, cause, or maintain property with:
- (a) uniform and continuous fire prone vegetation such as weeds, grass, combustible brush or non-manicured trees, and/or non-fire resistant landscaping in excess of six inches in height located:
 - (i) within 15 feet of any road or manmade fire break intended to stop or slow the spread of a vegetation fire;
 - (ii) on any parcel smaller than one acre where such vegetation would pose a fire risk to neighboring properties or any structure(s); or
 - (iii) on any parcel one acre or larger, within 30 feet of a property line where such vegetation would pose a fire risk to neighboring properties or any structure(s).

(2) Non-compliance with this ordinance may be subject to Title 5 Chapter 3, Abatement, as well as Title 5 Chapter 11, Tax Liens and Recovery Cost Methods.

(3) The following are exempt from this Fire Break Code:

(a) Agricultural practices in an agricultural protection zone, including any agricultural activity or operation conducted using sound agricultural practices, unless that activity or operation bears a direct relationship to public health or safety; or

(b) Remote and isolated properties with a minimum of one-mile separation between their property line and another developed property.

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(c) the only fire apparatus access road has a grade greater than 10% for more than 500 continual feet;

(d) the total floor area of all floor levels within the exterior walls of the dwelling unit exceeds 10,000 square feet; or

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(ii) on any parcel smaller than one acre where such vegetation would pose a fire risk to neighboring properties or any structure(s); or

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