



BRIAN HEAD TOWN

ORDINANCE NO. 19-006

AN ORDINANCE REPEALING TITLE 8, CHAPTER 1.4 RESIDENTIAL AUTOMATIC FIRE SPRINKLER REQUIREMENT FROM THE BRIAN HEAD TOWN CODE.

WHEREAS, in 2007, the Brian Head Town Council adopted Ordinance No. 07-006, requiring all residential homes over 3,000 square feet of living space to install residential automatic fire sprinklers; and,

WHEREAS, The Brian Head Town has adopted the International Code by State mandate and in 2010, the exception identified in state mandate was removed due to the reasoning that Brian Head Town qualifies as a Wildland Urban Interface Community; and,

WHEREAS, The Town Council determined the residential automatic fire sprinkler requirement was an undue burden on the homeowner financially and did not have the impact it was originally intended for; and,

WHEREAS, The Town Council determined the Wildland Urban Interface Code which focuses on defensible space to prevent the spread of fire would be an option that would have a greater impact on the community; and,

WHEREAS, The Town Council desires to ensure the public's health, safety and welfare by repealing the residential automatic fire sprinkler code.

NOW THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF BRIAN HEAD, UTAH that the Residential Automatic Fire Sprinkler Requirement, Title 4.8.1 of the Brian Head Town Code is hereby repealed:

Section 1: 8-1-4: RESIDENTIAL AUTOMATIC FIRE SPRINKLER REQUIREMENT:

A. The town requires automatic fire sprinklers shall be installed in all new one- and two-family and townhouse buildings over three thousand (3,000) square feet in size of defined living space (garage is excluded from defined living space) in accordance with section 903.3.1 of the international building code currently adopted by the state code commission.

B. In areas not served by the town culinary water services, NFPA standard 1142 for water supplies for rural firefighting shall apply.

C. Any one- and two-family dwelling and townhouse that is difficult to locate or access, as determined by the authority having jurisdiction, shall be required to follow the guidelines as set forth in NFPA standard 1142, regardless of the size of the building. (Ord. 10-003, 4-13- 2010, eff. 4-13-2010)

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SECTION 2. Effective Date. Upon this Ordinance being adopted by the Brian Head Town Council of Iron County, Utah, all provisions of this ordinance shall be repealed the Brian Head Town Code, Title 8, Chapter 1.4 (Residential Automatic Fire Sprinkler Requirement).

SECTION 3. Conflict. To the extent of any conflict between other Town, County, State, or Federal ordinances or regulations, and this ordinance, the more restrictive is deemed to be controlling.

SECTION 4. Severability Clause. If any section, subsection, sentence, clause, phrase, or portion of this ordinance is for any reason, held invalid or unconstitutional by any court or competent jurisdiction, such portions shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions of this ordinance.

PASSED AND ADOPTED BY THE BRIAN HEAD TOWN COUNCIL OF BRIAN HEAD TOWN, IRON COUNTY, UTAH this 24th day of Jun 2019 with the following vote.

Town Council Vote:

Mayor Clayton Calloway	Aye
Council Member Larry Freeberg	Absent
Council Member Lynn Mulder	Aye
Council Member Shad Hunter	Aye
Council Member Kelly Marshall	Aye

BRIAN HEAD TOWN

Attest:

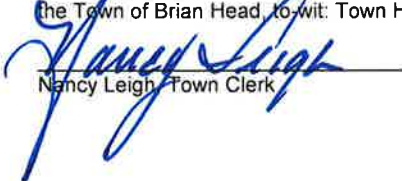

Mayor Clayton Calloway


Nancy Leigh, Town Clerk



CERTIFICATE OF PASSAGE AND POSTING

I hereby certify that the above Ordinance is a true and accurate copy, including all attachments, of the Ordinance passed by the Town Council on the 24th day of June 2019, and have posted a complete copy of the ordinance in three conspicuous places within the Town of Brian Head, to-wit: Town Hall, Post Office and the Mall.


Nancy Leigh, Town Clerk

Ordinance No. _____