



BRIAN HEAD TOWN

ORDINANCE NO. 19-011

AN ORDINANCE REINSTATING A PORTION OF THE RESIDENTIAL AUTOMATIC FIRE SPRINKLER REQUIREMENT AS TITLE 8, CHAPTER 1.4 OF 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 amended by ordinance No. 10-003; and,

WHEREAS, The Brian Head Town 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was an undue burden on the homeowner financially and did not have the impact it was originally intended for and repealed the code in its entirety by adopting ordinance number 19-006 on June 24, 2019; and,

WHEREAS, The Town Council determined that a limited portion of the residential fire sprinkler requirement should be reinstated as Title 8, chapter 1.4 of the Town Code; 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 a limited portion of Ordinance No. 10-003, Residential Automatic Fire Sprinkler Requirement be reinstated as Title 4.8.1 of the Brian Head Town Code as follows:

Section 1:

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

- A. The town requires automatic fire sprinklers shall be installed in any new one- and two-family and townhouse buildings that are unsafe to access by public safety personnel and apparatus, as determined by the Public Safety Director, in accordance with section 903.3.1 of the International Building Code currently adopted by the State Code Commission.
- B. Safety of access to buildings will be determined by the Public Safety Director according to the following standards:
 - i. Proximity of public water system.
 - ii. Slope and/or condition of access road
 - iii. Slope, length and/or condition of private driveway access
 - iv. Size of the structure (over 10,000 square feet).

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- v. Any combination of the above factors that result in a determination by the Public Safety Director that fire suppression activities would result in unusually high danger for public safety personnel.

SECTION 2. Effective Date. Upon this Ordinance being adopted by the Brian Head Town Council of Iron County, Utah.

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 26th day of August 2019 with the following vote.

Town Council Vote:

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

BRIAN HEAD TOWN


Mayor Clayton Calloway

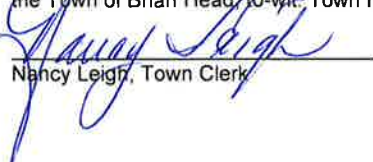
Attest:


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 26th day of August 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