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13.1 Purpose

Huntsville Town has been annexed into the Weber Fire District – Fire Protection Area, and thereby adopts the following fire codes in compliance with those of Weber Fire District.

13.2 Adoption of Fire Prevention Code

The International Fire Code, published by the International Fire Code Institute including the Appendices as adopted with modifications by Weber County, and printed as a code in book form is hereby adopted as the Fire Prevention Code of Huntsville Town and by this reference is made a part of this Title to the same extent and effect as though said code were set forth herein in full. The edition to be used will be adopted by resolution of the Huntsville Town Council.

13.3 Code of Open Burning – Definitions

Agricultural burning means open burning in rural areas, essential to agricultural operations, including the growing of crops, the raising of fowl, animals or bees, when conducted on the premises where produced.

Air contaminant means any particulate matter or any gas, vapor, suspended solid or any combination thereof, excluding steam and water vapors.

Air contaminant source means any and all sources of emission of air contaminants whether privately or publicly owned or operated.

Air pollution means the presence in the ambient air of one or more contaminants in such quantities, or characteristics and under conditions and circumstances, and of a duration sufficient to cause or contribute to injury to human, plant, or animal life or health or to property or which unreasonably interfere with the employment of life or use of property, as determined by the standards, rules and regulations adopted by the Weber County Air Conservation Committee.

Appropriate authority or Authorized local authority means the Weber-Morgan County Health Department; a city, county or combination fire department; or other local agency duly designated by appropriate authority, with approval of State Division of Health, as the agency to issue permits for open burning under regulations of the State Division of Health and other lawfully adopted ordinances, codes or regulations not in conflict therewith.

Atmosphere means the air that envelopes or surrounds the earth and includes all spaces outside of buildings, stacks or exterior ducts.

Clearing index means a number indicating the predicted rate of clearance of ground level pollutants from a given area. This number is calculated by the National Weather Service, from daily measurements of temperature lapse rates and wind speeds and directions from ground level to 10,000 feet.

Developed areas means commercial or residential buildings and extends to their property lines.

Emission means the act of discharging, into the atmosphere, an air contaminant or an effluent so discharged into the atmosphere.

Garbage means all putrescible animal and vegetable matter resulting from the handling, preparation, cooking and consumption of food, including wastes attendant thereto.

Heavy fuel oil means a petroleum product or similar material with a boiling range higher than diesel fuel.

Household waste means any solid or liquid material normally generated by a family in a residence in the course of ordinary day-to-day living; including, but not limited to, garbage, paper products, rags, leaves and garden trash.

Open burning means any burning of combustible materials passing through a chimney or stack.

Recreational fires are campfires which can be safely confined to a fire ring no larger than eight (8) feet in diameter. Anyone planning a fire larger than this will be required to obtain a special permit. Bonfires, fires built to burn Christmas trees, rally fires and similar fires are prohibited.

Refuse means any solid waste, including garbage and trash.

Salvage operation means any business, trade or industry engaged in whole or part in salvaging or reclaiming and product or material including, but not limited to, metals, chemicals, shipping containers or drums.

Trash means solids not considered to be highly flammable or explosive; including, but not limited to, clothing, rags, leather, plastic, rubber, floor coverings, excelsior, tree leaves, yard trimmings and other similar materials.

Waste means all solid, liquid or gaseous material, including, but not limited to, garbage, trash, household waste, construction or demolition debris, or other refuse, including that resulting from the prosecution of any business, trade or industry.

13.4 Community Waste Disposal

No open burning shall be done at sites used for disposal of community trash, garbage or other waste except when authorized for a specific period of time by the Weber County Air Conservation Committee on the basis of justifiable circumstances reviewed and weighed in terms of pollution effects and other relevant considerations at an appropriate hearing following written application.

13.5 General Prohibitions

The setting, building, maintaining, attending, or using a fire, campfire, stove fire, of any kind, either open flame, smoldering, or any other heat source used for cooking, warming, aesthetics and/or lighting is hereby prohibited except in conformity with the provisions of Sections 13.5-A, 13.6, and 13.7 of this Title.

- A. Exemptions. The following persons are exempt from the provisions of Section 13.5 of this Title:
1. Persons with a permit or contract authorizing the otherwise prohibited act at a specific location.
 2. Authorized federal, state or local officers, or members of an organized rescue or firefighting force in the performance of official duty, when authorized by the appropriate governmental authority.
 3. Persons who use portable stoves, lanterns, and/or tent heaters, using gas, jellied petroleum or pressurized liquid fuel, located either in the outdoors or within an enclosed recreational vehicle, tent or trailer unless posted as closed to such use.
 4. Persons who build, maintain, attend or use camp fires located within facilities permanently constructed or administered by Huntsville Town or other governmental entity (unless posted as closed) in improved campgrounds, picnic areas, or other permanently improved places of habitation, where the County, State or Federal authority has constructed facilities such as, but not limited to permanent fire rings, picnic tables, toilets, and/or culinary water systems.

13.6 Permissible Burning - Without Permit

Except as prohibited by Section 13.4, and when not prohibited by other laws or by other officials having jurisdiction and provided that a nuisance is not created, the following types of open burning are permissible without the necessity of securing a permit:

- A. In devices for the primary purpose of preparing food such as outdoor grills and fireplaces.
- B. Campfires and fires used solely for recreational purposes where such fires are under the control of a responsible person.
- C. Indoor fireplaces.
- D. Properly operated industrial flares combustion of flammable gases.

13.7 Permissible Burning - With Permit – Exemptions

Except as prohibited by Section 13.5, and when not prohibited by other laws or other officials having jurisdiction and when a nuisance is not created, the types of open burning listed as A, B, C, D, and E below are permissible (1) under the terms of individual permits issued by authorized Weber Fire District under a "Clearing Index" system approved and coordinated by the Utah State Division of Health, or (2) when specifically exempted by the Weber County Air Conservation Committee, following written application and appropriate hearing. Application under (2) may be made by a political subdivision of the state, as well as by any individual citizen.

- A. Open burning of tree cuttings and slash in forest areas where the cuttings accrue from pulping, lumbering and similar operations, but excluding waste from sawmill operations such as sawdust and scrap lumber.
- B. Open burning of solid or liquid fuels or structures for removal of hazards or eyesores or for fireman training purposes when conducted under the direct control and supervision of organized fire departments.
- C. Open burning, in remote areas, of highly explosive or other dangerous material, for which there is no other known practical method of disposal.
- D. Open burning for special purposes, or under unusual circumstances when approved by the Department following formal request therefore.
- E. Agricultural burning, including on-premise orchard prunings, field stubble, weeds and open burning to clear irrigation ditches.

13.8 Burning Permits

The Weber County Health Officer or other official designated by the governing bodies of Weber County shall establish a procedure for issuance of burning permits under the terms of the Code of Open Burning Regulation. Said official shall also devise a method of visual determination of any violations of the code of Open Burning Regulations and shall institute appropriate enforcement procedures as necessary.

13.9 Director of Fireworks

Huntsville Town requires professional direction to manage and use fireworks during the annual Huntsville Town Fourth of July or other Huntsville Town Council designated celebration. The Huntsville Town Fireworks Director shall be appointed by resolution of the Huntsville Town Council and must have experience in the conduct of fireworks shows and be duly licensed as a Fireworks Operator by the Office of the State Fire Marshall of the State of Utah. He may appoint staff as needed. The Huntsville Town Fireworks Director will be responsible to obtain a fireworks permit from the Weber Fire District.

Huntsville Town will pay \$1.00 a year to the Huntsville Town Fireworks Director and each of his appointed staff.

13.10 Penalties

Any person, firm or Corporation who shall violate any of the provisions of this ordinance shall be guilty of a Class B misdemeanor, and upon conviction shall be punished as provided by the laws of the State of Utah for Class B misdemeanors. In addition thereto, such person may be enjoined from continuing such violations. Each day upon which such a violation occurs shall constitute a separate violation.

This Building Codes Ordinance shall take effect upon approval by the Huntsville Town Council.

PASSED and ADOPTED this 3rd day of August 2006.

Mayor, James C. McKay

ATTEST:

Dated this 3rd day of August 2006.

Clerk/Recorder, Gail Ahlstrom

| Vote of the Town Council | yea | nay |
|--------------------------|----------------|-----|
| Council Member Gault | ___ | ___ |
| Council Member Sorenson | <u>excused</u> | ___ |
| Council Member Stevenson | ___ | ___ |
| Council Member Truett | <u>excused</u> | ___ |
| Mayor McKay | ___ | ___ |