

1 **AMENDMENTS TO FIRE CODE**

2 2015 GENERAL SESSION

3 STATE OF UTAH

4 **Chief Sponsor: Michael S. Kennedy**

5 Senate Sponsor: _____

7 **LONG TITLE**

8 **General Description:**

9 This bill amends provisions of the State Fire Code Act.

10 **Highlighted Provisions:**

11 This bill:

- 12 ▶ modifies provisions relating to a person's right to appeal a fire code official's order,
13 decision, or determination; and
14 ▶ addresses the process for accounting for and securing a key to a key box that a state
15 fire official requires a person to install in accordance with the provisions of this bill.

16 **Money Appropriated in this Bill:**

17 None

18 **Other Special Clauses:**

19 None

20 **Utah Code Sections Affected:**

21 AMENDS:

22 **15A-5-202**, as last amended by Laws of Utah 2013, Chapters 199, 357 and last
23 amended by Coordination Clause, Laws of Utah 2013, Chapter 199

24 **15A-5-203**, as last amended by Laws of Utah 2013, Chapter 199

26 *Be it enacted by the Legislature of the state of Utah:*

27 Section 1. Section **15A-5-202** is amended to read:



28 **15A-5-202. Amendments and additions to IFC related to administration, permits,**
29 **definitions and general and emergency planning.**

30 (1) For IFC, Chapter 1, Scope and Administration:

31 (a) IFC, Chapter 1, Section 102.9, is amended by adding the following immediately
32 before the period: "on an emergency basis if:

33 (a) the facts known to the fire code official show that an immediate and significant
34 danger to the public health, safety, or welfare exists; and

35 (b) the threat requires immediate action by the fire code official.

36 (2) In issuing its emergency order, the fire code official shall:

37 (a) limit the order to require only the action necessary to prevent or avoid the danger to
38 the public health, safety, or welfare; and

39 (b) give immediate notice to the persons who are required to comply with the order,
40 that includes a brief statement of the reasons for the fire code official's order.

41 (3) (a) If the emergency order issued under this section will result in the continued
42 infringement or impairment of any legal right or interest of any party, the party shall have a
43 right to appeal the fire code official's order in accordance with IFC, Chapter 1, Section 108."

44 (b) IFC, Chapter 1, Section 105.6.16, Flammable and combustible liquids, is amended
45 to add the following section: "12. The owner of an underground tank that is out of service for
46 longer than one year shall receive a Temporary Closure Notice from the Department of
47 Environmental Quality and a copy shall be given to the AHJ."

48 (c) In IFC, Chapter 1, Section 108, a new Section 108.4, Notice of right to appeal, is
49 added as follows: "At the time a fire code official makes an order, decision, or determination
50 that relates to the application or interpretation of this chapter, the fire code official shall inform
51 the person affected by the order, decision, or determination of the person's right to appeal under
52 this section. Upon request, the fire code official shall provide a person affected by an order,
53 decision, or determination that relates to the application or interpretation of this chapter a
54 written notice that describes the person's right to appeal under this section."

55 [~~(c)~~] (d) IFC, Chapter 1, Section 109.3, Notice of violation, is amended as follows: On
56 line three, after the words "is in violation of this code," insert in the section the phrase "or other
57 pertinent laws or ordinances".

58 (2) For IFC, Chapter 2, Definitions:

59 (a) IFC, Chapter 2, Section 202, General Definitions, the following definition is added
60 for Ambulatory Surgical Center: "AMBULATORY SURGICAL CENTER. A building or
61 portion of a building licensed by the Utah Department of Health where procedures are
62 performed that may render patients incapable of self preservation where care is less than 24
63 hours."

64 (b) IFC, Chapter 2, Section 202, General Definitions, FOSTER CARE FACILITIES is
65 amended as follows: the word "Foster" is changed to the word "Child."

66 (c) IFC, Chapter 2, Section 202, General Definitions, Occupancy Classification,
67 Educational Group E, Day care facilities, is amended as follows: On line three delete the word
68 "five" and replace it with the word "four". On line four after the word "supervision" add the
69 words "child care centers."

70 (d) IFC, Chapter 2, Section 202, General Definitions, Occupancy Classification,
71 Educational Group E, Five or fewer children is amended as follows: On line one the word
72 "five" is deleted and replaced with the word "four" in both places.

73 (e) IFC, Chapter 2, Section 202, General Definitions, Occupancy Classification,
74 Educational Group E, Five or fewer children in a dwelling unit, the word "five" is deleted and
75 replaced with the word "four" in both places.

76 (f) IFC, Chapter 2, Section 202, General Definitions, Occupancy Classification,
77 Educational Group E, a new section is added as follows: "Child Day Care -- Residential
78 Certificate or a Family License. Areas used for child day care purposes with a Residential
79 Certificate R430-50 or a Family License, as defined in Utah Administrative Code, R430-90,
80 Licensed Family Child Care, may be located in a Group R-2 or R-3 occupancy as provided in
81 Residential Group R-3, or shall comply with the International Residential Code in accordance
82 with Section R101.2."

83 (g) IFC, Chapter 2, Section 202, General Definitions, Occupancy Classification,
84 Educational Group E, a new section is added as follows: "Child Care Centers. Areas used for
85 Hourly Child Care Centers, as defined in Utah Administrative Code, R430-60, Child Care
86 Center as defined in Utah Administrative Code, R430-100, or Out of School Time Programs,
87 as defined in Utah Administrative Code, R430-70, may be classified as accessory
88 occupancies."

89 (h) IFC, Chapter 2, Section 202, General Definitions, Occupancy Classification,

90 Institutional Group I, Group I-1, is amended as follows: On line 8 add "Type I" in front of the
91 words "Assisted living facilities".

92 (i) IFC, Chapter 2, Section 202, General Definitions, Occupancy Classification,
93 Institutional Group I, Five or fewer persons receiving care is amended as follows: On line four
94 after "International Residential Code" the rest of the section is deleted.

95 (j) IFC, Chapter 2, Section 202, General Definitions, Occupancy Classification,
96 Institutional Group I, Group I-2, is amended as follows:

97 (i) On line three delete the word "five" and insert the word "three".

98 (ii) On line six the word "foster" is deleted and replaced with the word "child".

99 (iii) On line 10, after the words "Psychiatric hospitals", add the following to the list:

100 "both intermediate nursing care and skilled nursing care facilities, ambulatory surgical centers
101 with five or more operating rooms, and Type II assisted living facilities. Type II assisted living
102 facilities with five or fewer persons shall be classified as a Group R-4. Type II assisted living
103 facilities with at least six and not more than 16 residents shall be classified as a Group I-1
104 facility".

105 (k) IFC, Chapter 2, Section 202, General Definitions, Occupancy Classification,
106 Institutional Group I, Group I-4, Day care facilities, Classification as Group E, is amended as
107 follows:

108 (i) On line two delete the word "five" and replace it with the word "four".

109 (ii) On line three delete the words "2 1/2 years or less of age" and replace with the
110 words "under the age of two".

111 (l) IFC, Chapter 2, Section 202, General Definitions, Occupancy Classification,
112 Institutional Group Care I, Group I-4, Day care facilities, Five or fewer occupants receiving
113 care in a dwelling unit, is amended as follows: On lines one and two the word "five" is deleted
114 and replaced with the word "four".

115 (m) IFC, Chapter 2, Section 202, General Definitions, Occupancy Classification,
116 Residential Group R-3, the words "and single family dwellings complying with the IRC" are
117 added after the word "Residential occupancies".

118 (n) IFC, Chapter 2, Section 202, General Definitions, Occupancy Classification,
119 Residential Group R-3, Care facilities within a dwelling, is amended as follows: On line three
120 after the word "dwelling" insert "other than child care".

121 (o) IFC, Chapter 2, Section 202, General Definitions, Occupancy Classification,
122 Residential Group R-3, a new section is added as follows: "Child Care. Areas used for child
123 care purposes may be located in a residential dwelling unit when all of the following conditions
124 are met:

125 1. Compliance with Utah Administrative Code, R710-8, Day Care Rules, as enacted
126 under the authority of the Utah Fire Prevention Board;

127 2. Use is approved by the Utah Department of Health under the authority of the Utah
128 Code, Title 26, Chapter 39, Utah Child Care Licensing Act, and in any of the following
129 categories:

130 1.1. Utah Administrative Code, R430-50, Residential Certificate Child Care; or

131 1.2. Utah Administrative Code, R430-90, Licensed Family Child Care; and

132 3. Compliance with all zoning regulations of the local regulator."

133 (p) IFC, Chapter 2, Section 202, General Definitions, RECORD DRAWINGS, the
134 definition for "RECORD DRAWINGS" is modified by deleting the words "a fire alarm
135 system" and replacing them with "any fire protection system".

136 Section 2. Section **15A-5-203** is amended to read:

137 **15A-5-203. Amendments and additions to IFC related to fire safety, building, and**
138 **site requirements.**

139 (1) For IFC, Chapter 5, Fire Service Features:

140 (a) In IFC, Chapter 5, a new Section 501.5, Access grade and fire flow, is added as
141 follows: "An authority having jurisdiction over a structure built in accordance with the
142 requirements of the International Residential Code as adopted in the State Construction Code,
143 may require an automatic fire sprinkler system for the structure only by ordinance and only if
144 any of the following conditions exist:

145 (i) the structure:

146 (A) is located in an urban-wildland interface area as provided in the Utah Wildland
147 Urban Interface Code adopted as a construction code under the State Construction Code; and

148 (B) does not meet the requirements described in Utah Code, Subsection
149 [65A-8-203\(3\)\(a\)](#) and Utah Administrative Code, R652-122-200, Minimum Standards for
150 Wildland Fire Ordinance;

151 (ii) the structure is in an area where a public water distribution system with fire

152 hydrants does not exist as required in Utah Administrative Code, R309-550-5, Water Main
153 Design;

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

156 (iv) (A) the water supply to the structure does not provide at least 500 gallons fire flow
157 per minute for a minimum of 30 minutes, if the total square foot living space of the structure is
158 equal to or less than 5,000 square feet;

159 (B) the water supply to the structure does not provide at least 750 gallons per minute
160 fire flow for a minimum of 30 minutes, if the total square foot living space exceeds 5,000
161 square feet, but is equal to or less than 10,000 square feet; or

162 (C) the water supply to the structure does not provide at least 1,000 gallons per minute
163 fire flow for a minimum of 30 minutes, if the total square foot living space exceeds 10,000
164 square feet."

165 (b) In IFC, Chapter 5, Section 506.1, Where Required, is deleted and rewritten as
166 follows: "Where access to or within a structure or an area is restricted because of secured
167 openings or where immediate access is necessary for life-saving or fire-fighting purposes, the
168 fire code official, after consultation with the building owner, may require a key box to be
169 installed in an approved location. The key box shall contain keys to gain necessary access as
170 required by the fire code official. For each county or municipality that has at least one building
171 with a required key box, the county or municipal legislative body shall adopt an ordinance that
172 creates a process to ensure that each key to each key box is properly accounted for and secure."

173 (c) In IFC, Chapter 5, a new Section 507.1.1, Isolated one- and two-family dwellings,
174 is added as follows: "Fire flow may be reduced for an isolated one- and two-family dwelling
175 when the authority having jurisdiction over the dwelling determines that the development of a
176 full fire-flow requirement is impractical."

177 (d) In IFC, Chapter 5, a new Section 507.1.2, Pre-existing subdivision lots, is added as
178 follows "Total water supply requirements shall not exceed the fire flows described in Section
179 501.5(iv) for the largest one- or two-family dwelling, protected by an automatic fire sprinkler
180 system, on a subdivision lot platted before December 31, 1980, unless the municipality or
181 county in which the lot is located provides the required fire flow capacity."

182 (e) In IFC, Chapter 5, Section 510.1, Emergency Responder Radio Coverage in New

183 Buildings, is amended by adding: "When required by the fire code official," at the beginning of
184 the first paragraph.

185 (2) For IFC, Chapter 6, Building Services and Systems:

186 (a) In IFC, Chapter 6, Section 605.11.3.3.1, Access, is deleted and rewritten as follows:

187 "There shall be a minimum three foot wide (914 mm) clear perimeter around the edges of the
188 roof."

189 (b) In IFC, Chapter 6, Section 605.11.3.3.2, Pathways, is deleted and rewritten as
190 follows: "The solar installation shall be designed to provide designated pathways. The
191 pathways shall meet the following requirements:

192 1. The pathway shall be over areas capable of supporting the live load of fire fighters
193 accessing the roof.

194 2. The centerline axis pathways shall be provided in both axes of the roof. Centerline
195 axis pathways shall run where the roof structure is capable of supporting the live load of fire
196 fighters accessing the roof.

197 3. Smoke and heat vents required by Section 910.2.1 or 910.2.2 of this Code, shall be
198 provided with a clear pathway width of not less than three feet (914 mm) to vents.

199 4. Access to roof area required by Section 504.2 or 1009.16 of this Code, shall be
200 provided with a clear pathway width of not less than three feet (914 mm) around access
201 opening and at least three feet (914 mm) clear pathway to parapet or roof edge."

202 (c) In IFC, Chapter 6, Section 605.11.3.2, Residential Systems for One and Two
203 Family Dwellings, is deleted and rewritten as follows: "Access to residential systems for one
204 and two family dwellings shall be provided in accordance with Sections 605.11.3.2.1 through
205 605.11.3.2.4.

206 Exception: Reduction in pathways and clear access width shall be permitted where
207 shown that a rational approach has been used and that such reductions are warranted when
208 approved by the Fire Code Official."

209 (d) In IFC, Chapter 6, Section 605.11.3.3.3, Smoke Ventilation, is deleted and
210 rewritten as follows: "The solar installation shall be designed to meet the following
211 requirements:

212 1. Arrays shall be no greater than 150 feet (45.720 mm) by 150 feet (45.720 mm) in
213 distance in either axis in order to create opportunities for fire department smoke ventilation

214 operations.

215 2. Smoke ventilation options between array sections shall be one of the following:

216 2.1. A pathway six feet (1829 mm) or greater in width.

217 2.2. A three foot (914 mm) or greater in width pathway and bordering roof skylights or
218 smoke and heat vents when required by Section 910.2.1 or Section 910.2.2 of this Code.

219 2.3. Smoke and heat vents designed for remote operation using devices that can be
220 connected to the vent by mechanical, electrical, or any other suitable means, shall be protected
221 as necessary to remain operable for the design period. Controls for remote operation shall be
222 located in a control panel, clearly identified and located in an approved location."

223 (e) In IFC, Chapter 6, Section 607.4, Elevator Key Location, is deleted and rewritten as
224 follows: "Firefighter service keys shall be kept in a "Supra-Stor-a-key" elevator key box or
225 similar box with corresponding key system that is adjacent to the elevator for immediate use by
226 the fire department. The key box shall contain one key for each elevator, one key for lobby
227 control, and any other keys necessary for emergency service. The elevator key box shall be
228 accessed using a 6049 numbered key."

229 (f) In IFC, Chapter 6, Section 609.1, General, is amended as follows: On line three,
230 after the word "Code", add the words "and NFPA 96".

231 (3) For IFC, Chapter 7, Fire-Resistance-Rated Construction, IFC, Chapter 7, Section
232 703.2, is amended to add the following: "Exception: In Group E Occupancies, where the
233 corridor serves an occupant load greater than 30 and the building does not have an automatic
234 fire sprinkler system installed, the door closers may be of the friction hold-open type on
235 classrooms' doors with a rating of 20 minutes or less only."

Legislative Review Note
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Office of Legislative Research and General Counsel