

ORDINANCE NO. 1523

**AN ORDINANCE AMENDING CANBY MUNICIPAL CODE CHAPTER
8.16: FIRE PREVENTION CODE.**

WHEREAS, Chapter 8.16 of the Canby Municipal Code contains the Fire Prevention Code for the City of Canby; and

WHEREAS, the Canby Fire District has proposed changes to Chapter 8.16 so it is current.

NOW, THEREFORE, THE CITY OF CANBY ORDAINS AS FOLLOWS:

Section 1. Chapter 8.16 of the Canby Municipal Code is amended to read as noted. All other sections, shall remain in full force and effect as they presently appear.

§ 8.16.010 Adoption of Fire Code.

There is adopted by the City Council, for the purpose of prescribing regulations governing conditions hazardous to life and property from fire or explosion, that certain code known as the State of Oregon ~~2004~~ Fire Code Amendments based on ~~2003~~ International Fire Code, save and except those portions of the code as are deleted, modified or amended in this chapter. Not fewer than 3 copies of the Fire Code as adopted in this section, are to be kept on file in the office of the city's Fire Department, and 1 copy of the Fire Code shall be kept on file in the office of the Building Official as a part of this chapter. The State of Oregon ~~2004~~ Fire Code Amendments based on International Fire Code are adopted by reference as if the same were fully set out at length in this chapter; and from the effective date of this chapter shall take effect, and the provisions thereof shall be controlling within the limits of the city.

§ 8.16.020 Establishment and duties of Bureau of Fire Prevention.

A. The Fire and Life Safety Code shall be enforced by the Bureau of Fire Prevention in the Fire Department of the city, which is established and which shall be operated under the supervision of the Chief of the Fire Department.

B. The Chief of the Fire Department may detail members of the Fire Department as inspectors as shall from time to time be necessary.

§ 8.16.030 Definitions.

For the purpose of this chapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

Chief of the Bureau of Fire (Prevention) shall mean either Fire Chief or Fire Marshal.

Corporation Counsel, whenever used in the Fire and Life Safety Code, shall mean the attorney for the city.

Jurisdiction, whenever used in the Fire and Life Safety Code, shall mean the City of Canby, Clackamas County, State of Oregon.

§ 8.16.040 Storage of flammable or combustible liquids in outside, aboveground tanks; where prohibited.

A. The outside, aboveground storage of flammable or combustible liquids, as defined in the Fire and Life Safety Code, is prohibited in all areas of the city which are zoned for commercial development.

B. The development of new bulk plants for flammable or combustible liquids, as defined in the Fire and Life Safety Code, is prohibited in all areas of the city which are zoned for residential or commercial development.

§ 8.16.050 Bulk storage of liquefied petroleum gases; restrictions.

The limits referred to in the Fire and Life Safety Code, in which bulk storage of liquefied petroleum gas is restricted, are established as including all areas of the city which are zoned for commercial development.

§ 8.16.060 Storage of explosives and blasting agents; where prohibited.

The storage of explosives and blasting agents, as defined in the Fire and Life Safety Code, is prohibited in all areas of the city which are zoned for residential or commercial development.

§ 8.16.070 Penalty.

A. 1. Any person who shall violate any provision of this chapter, including the Fire and Life Safety Code adopted by reference, or who shall fail to comply therewith; who shall violate or fail to comply with any order made thereunder; who shall build in violation of any detailed statement of specification or plans submitted and approved hereunder, or any certificate or permit issued thereunder and from which no appeal has been taken; or who shall fail to comply with an order as affirmed or modified by the City Council or by a court of competent jurisdiction within the time fixed herein, shall severally for each and every violation and noncompliance, respectively, be guilty of a misdemeanor punishable by a fine of not less than \$100 nor more than \$500.

2. The imposition of 1 penalty for any violation shall not excuse the violation or permit it to continue; and all these persons shall be required to correct or remedy the violations or defects within a reasonable time.

3. When not otherwise specified, each 10 days that prohibited conditions are maintained or permitted to exist shall constitute a separate offense.

B. The application of the penalties prescribed in the foregoing paragraph shall not be held to prevent the enforced removal of prohibited conditions.

§ 8.16.080 Nonliability for damages.

The adoption of the Fire and Life Safety Code, ~~1994 edition~~ and any amendments thereto as the fire code for the city shall not be construed to hold the city, its officers, agents or employees responsible for any damage to persons or property by reason of the inspection or reinspection authorized by the Fire and Life Safety Code, or for failure to inspect or reinspect on a permit issued or denied for use of any equipment for which a permit is required.

SUBMITTED to the Canby City Council and read the first time at a regular meeting thereof on Wednesday, April 15, 2020, and ordered posted in three (3) public and conspicuous places in the City of Canby as specified in the Canby City Charter and scheduled for second reading before the City Council for final reading and action at a regular meeting thereof on Wednesday, May 6, 2020, commencing at the hour of 7:00 PM in the Council Meeting Chambers located at 222 NW 2nd Avenue, 1st Floor, Canby, Oregon.



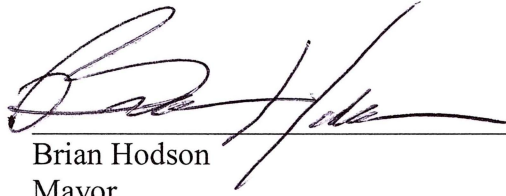
Melissa Bisset, CMC

City Recorder

PASSED on second and final reading by the Canby City Council at a regular meeting thereof on the 6th day of May 2020, by the following vote:

YEAS 6

NAYS 0



Brian Hodson
Mayor

ATTEST:



Melissa Bisset, CMC
City Recorder

AFFIDAVIT OF POSTING

STATE OF OREGON)
)
County of Clackamas) ss:
)
CITY OF CANBY)

I, Melissa Bisset, being first duly sworn, depose and say that I am the City Recorder for the City of Canby, Clackamas County, Oregon, a City duly incorporated under and by virtue of the laws of the State of Oregon.

That on the 15th day of April, 2020 the Council for said City of Canby held a Regular City Council Meeting, at which meeting Ordinance No. 1523 was read for the first time and passed by the vote of said Council and was then and there ordered posted in at least three (3) public and conspicuous places in said City for a period of five (5) days prior to the second reading and final vote on said Ordinance, as provided in Section 2 of Chapter 8 of the Charter of the City of Canby, and

Thereafter, on the 15th day of April, 2020, I personally posted said Ordinance in the following three (3) conspicuous places, all within the said City of Canby, to wit:

- 1. Canby Civic Building – Front Doors
- 2. Canby Post Office
- 3. City of Canby Web Page

That since said posting on the date aforesaid, the said Ordinance will remain posted in the said three (3) public and conspicuous places continuously for the period of five (5) days and until the very 6th day of May, 2020.

Melissa Bisset
Melissa Bisset, City Recorder

Subscribed and sworn to before me this 22nd day of April, 2020.

Erin Elizabeth Burckhard
Notary Public For Oregon
My Commission Expires: 9/4/2022



