

**53-7-204 Duties of Utah Fire Prevention Board -- Unified Code Analysis Council -- Local administrative duties.**

- (1) The board shall:
  - (a) administer the state fire code as the standard in the state;
  - (b) subject to the state fire code, make rules in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act:
    - (i) establishing standards for the prevention of fire and for the protection of life and property against fire and panic in any:
      - (A) publicly owned building, including all public and private schools, colleges, and university buildings;
      - (B) building or structure used or intended for use as an asylum, a mental hospital, a hospital, a sanitarium, a home for the elderly, an assisted living facility, a children's home or day care center, or any building or structure used for a similar purpose; or
      - (C) place of assemblage where 50 or more persons may gather together in a building, structure, tent, or room for the purpose of amusement, entertainment, instruction, or education;
    - (ii) establishing safety and other requirements for placement and discharge of display fireworks on the basis of:
      - (A) the state fire code; and
      - (B) relevant publications of the National Fire Protection Association;
    - (iii) establishing safety standards for retail storage, handling, and sale of class C common state approved explosives;
    - (iv) defining methods to establish proof of competence to place and discharge display fireworks, special effects fireworks, and flame effects;
    - (v) deputizing qualified persons to act as deputy fire marshals, and to secure special services in emergencies;
    - (vi) implementing Section 15A-1-403;
    - (vii) setting guidelines for use of funding;
    - (viii) establishing criteria for training and safety equipment grants for fire departments enrolled in firefighter certification; and
    - (ix) establishing ongoing training standards for hazardous materials emergency response agencies;
  - (c) recommend to the commissioner a state fire marshal;
  - (d) develop policies under which the state fire marshal and the state fire marshal's authorized representatives will perform;
  - (e) provide for the employment of field assistants and other salaried personnel as required;
  - (f) prescribe the duties of the state fire marshal and the state fire marshal's authorized representatives;
  - (g) establish a statewide fire prevention, fire education, and fire service training program in cooperation with the Board of Regents;
  - (h) establish a statewide fire statistics program for the purpose of gathering fire data from all political subdivisions of the state;
  - (i) establish a fire academy in accordance with Section 53-7-204.2;
  - (j) coordinate the efforts of all people engaged in fire suppression in the state;
  - (k) work aggressively with the local political subdivisions to reduce fire losses;
  - (l) regulate the sale and servicing of portable fire extinguishers and automatic fire suppression systems in the interest of safeguarding lives and property;

- (m) establish a certification program for persons who inspect and test automatic fire sprinkler systems;
  - (n) establish a certification program for persons who inspect and test fire alarm systems;
  - (o) establish a certification for persons who provide response services regarding hazardous materials emergencies;
  - (p) in accordance with Section 15A-1-403, report to the Business and Labor Interim Committee; and
  - (q) jointly create the Unified Code Analysis Council with the Uniform Building Code Commission in accordance with Section 15A-1-203.
- (2) The board may incorporate in its rules by reference, in whole or in part:
- (a) the state fire code; or
  - (b) subject to the state fire code, a nationally recognized and readily available standard pertaining to the protection of life and property from fire, explosion, or panic.
- (3) The following functions shall be administered locally by a city, county, or fire protection district:
- (a) issuing permits, including open burning permits pursuant to Sections 11-7-1 and 19-2-114;
  - (b) creating a local board of appeals in accordance with the state fire code; and
  - (c) subject to the state fire code and the other provisions of this chapter, establishing, modifying, or deleting fire flow and water supply requirements.

Amended by Chapter 14, 2011 General Session