

Representative David Ure proposes the following substitute bill:

FIRE OFFICIALS AUTHORITY

2006 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: David Ure

Senate Sponsor: _____

LONG TITLE

General Description:

This bill modifies a provision of the Public Safety Code relating to fire protection.

Highlighted Provisions:

This bill:

► prohibits state and local fire protection officials from imposing a fire prevention or protection requirement on residential structures unless the requirement is explicitly imposed by state statute or local ordinance.

Monies Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

AMENDS:

53-7-106, as last amended by Chapter 25, Laws of Utah 2001

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

Section 1. Section **53-7-106** is amended to read:

53-7-106. Adoption of fire code.



(1) A fire code promulgated by a nationally recognized code authority and adopted by the Utah Fire Prevention Board pursuant to Section 53-7-204 is the state fire code, to which cities, counties, fire protection districts, and the state shall adhere in safeguarding life and property from the hazards of fire and explosion.

(2) (a) The legislative body of a political subdivision may make ordinances that are more restrictive in its fire code requirements than the state fire code, in order to meet the public safety needs of the political subdivision.

(b) The legislative body of a political subdivision shall provide to the Utah Fire Prevention Board one copy of each ordinance enacted under Subsection (2)(a).

(c) The state fire marshal shall keep an indexed copy of the ordinances.

(d) Copies of the ordinances are available from the state fire marshal on request.

(3) (a) As used in this Subsection (3), "fire official" means:

(i) the state fire marshal; or

(ii) an official:

(A) of a county, city, town, special district, or other political subdivision of the state that provides fire prevention or protection service; and

(B) who is authorized by law to enforce applicable provisions of law relating to fire prevention or protection.

(b) Notwithstanding any provision of an applicable fire code, a fire official may not impose a requirement on residential structures for fire prevention or protection purposes, unless the requirement is explicitly imposed by state statute or county or municipal ordinance.