



# House of Representatives *State of Utah*

UTAH STATE CAPITOL COMPLEX • 350 STATE CAPITOL  
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January 25, 2011

Madam Speaker:

The Business and Labor Committee reports a favorable recommendation on **H.B. 187**, STATE FIRE CODE APPEALS, by Representative M. Morley, with the following amendments:

*1. Page 2, Line 36 through Page 3, Line 60:*

- 36       (4) ~~{(a) At the time or before a fire chief or officer inspects a single-family~~  
          residence;  
37       the fire chief or officer shall provide the owner or builder of the single-family  
          residence a  
38       written notice that states in at least 14-point font: "Decisions relative to this  
          inspection are  
39       subject to review by the chief executive officer of the county, city, or town in which  
          this  
40       single-family residence is located and appeal under the International Fire Code."  
41       ~~{(b)}~~    (a)    Subject to Subsection (4) ~~{(c)}~~    (b) , a county, city, or  
          town shall, by ordinance, provide for  
42       review of an inspection conducted by the county's, city's, or town's fire chief or officer for a  
43       single-family residence within 30 days of the notice of the fire code compliance  
          inspection .  
44       ~~{(c)}~~    (b)    Upon request by a person who owns or is building a single-family  
          residence, a chief  
45       executive officer of the county, city, or town in which is located the single-family  
          residence, or  
46       the chief executive officer's designee, shall, with reasonable diligence, review an  
          inspection  
47       described in Subsection (4) ~~{(b)}~~    (a)    to determine whether the inspection  
          constitutes a fair  
48       administration of the State Fire Code.  
49       ~~{(d)}~~    (c)    A review described in this section:  
50       (i) is separate and unrelated to an appeal under the International Fire Code;  
51       (ii) may not be used to review a matter that may be brought by appeal under the  
52       International Fire Code;



53        (iii) may not result in the waiver or modification of a State Fire Code requirement or  
54        standard; and  
55        (iv) does not prohibit a person from bringing an appeal under the International Fire  
56        Code.  
57        ~~{(e)}~~    (d)    A person who seeks a review described in this Subsection (4) may  
             not be prohibited  
58        by preclusion, estoppel, or otherwise from raising an issue or bringing a claim in an appeal  
59        under the International Fire Code on the grounds that the person raised the issue or  
             brought the  
60        claim in the review described in this section.

Respectfully,

James A. Dunnigan  
Committee Chair

Voting: 14-0-0

3 HB0187.HC1.WPD 1/25/11 3:21 pm bhowe/BRH PO/BRH

Bill Number



HB0187

Action Class



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Action Code



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