ORDINANCE 06-16-10-C

AN ORDINANCE AMENDING TITLE 14 OF THE PAYSON CITY ORDINANCES ENTITLED "FIRE PROTECTION"

WHEREAS, Payson City owns and operates a municipal fire department; and

WHEREAS, the Payson City Council from time to time reviews and update its ordinances for the benefit of the community.

NOW THEREFORE, BE IT ORDAINED BY THE PAYSON CITY COUNCIL, that Title 14 be amended to read as follows:

See Attached Ordinance

This Ordinance shall take effect immediately upon its passage by Payson City Council and publication, and the same shall be published in the Payson Chronicle, a newspaper published in Payson City, and shall be recorded in the Ordinance book of Payson City, together with proof of publication thereof.

Passed by the Payson City Council this 16th day of July, 2010.

Richard D. Moore, Mayor

Attest:

Jeanette C. Wineteer, City Recorder

PAYSON CITY SEAL UTAH

CHAPTER 1 INTERNATIONAL FIRE CODE
CHAPTER 2 URBAN/WILDLAND INTERFACE REGULATIONS
CHAPTER 3 AUTOMATIC FIRE SPRINKLERS

CHAPTER 14.01
INTERNATIONAL FIRE CODE

(amended 12-10-85 & 5-7-86, repealed and re-enacted 8-18-99, amended 3-27-03, amended 06-16-10)

Sections:

14.01.10 Adoption of International Fire code.
14.01.015 Establishment of Fire Department, Composition of Department, Appointment of Chief.
14.01.020 Establishment and Duties of Bureau of Fire Prevention.
14.01.030 Definitions.
14.01.040 Establishment of Limits of Districts in Which Storage of Flammable or Combustible Liquids in Outside Aboveground Tanks is Prohibited.
14.01.050 Establishment of Limits in Which Storage of Liquefied Petroleum Gases is Prohibited.
14.01.060 Establishment of Limits of Districts in Which Storage of Explosives and Blasting Agents is to be Prohibited.
14.01.070 Establishment of Limits of Districts in Which the Storage of Stationary Tanks of Flammable Cryogenic Fluids are to be Prohibited.
14.01.080 Establishment of Limits of Districts in Which the Storage of Hazardous materials is to be Prohibited or Limited.
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14.01.100 Fire/Hazardous materials Emergency Expense Recovery.
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14.01.130 Penalties.
14.01.140 Repeal of Conflicting Ordinances.
14.01.150 Validity.
14.01.160 Fees.
14.01.170 Payson City Fire Department Level of Service Standard
14.01.180 Fire Protection

14.01.010 Adoption of International Fire Code.

That a certain document, of which is on file in the office of the Payson City Recorder's Office, being marked and designated as the International Fire Code, including Appendix Chapters B, C, D, H, I & J (see International Fire Code §F101.2.1, 2009 edition), as published by the International Code Council, be and is hereby adopted as the code of the Payson City for regulating and governing the safeguarding of life and property from fire and explosion hazards arising from the storage, handling and use of hazardous substances, materials and devices, and from conditions hazardous to life or property in the occupancy of buildings and premises in the Payson City and providing for the issuance of permits for hazardous uses or operations; and each and all of the regulations, provisions, conditions and terms of such International Fire Code, 2009 edition, published by the International Code Council, on file in the office of the City Recorder are hereby referred to, adopted and made a part hereof as if fully set out in this ordinance.

14.01.15 Establishment of Fire Department, Composition of Department, Appointment of Chief.

1. There is hereby established a Fire Department pursuant to section 10-8-55 Utah Code Annotated, for the purpose of enforcing the International Fire Code, procure fire engines, hooks, ladders, buckets, hose and other apparatus, organize fire engine and hook and ladder companies, prescribe duties, rules and regulations for the City of Payson, as set forth by the city council by resolution.

2. The Payson City Fire Department shall be under the supervision of the Fire Chief, who shall be an appointed position according to §2.2.20 Payson City Code. It shall be the duty of the Fire Chief to supervise, manage, operate, and maintain the fire department in accordance with the provisions of the Payson City Code and any other rules and regulations adopted by the City Council. The Fire Chief shall act as Fire Marshal until the Fire Marshal position is filled and after the position is filled, when the Fire Marshal is not available.

14.01.020 Establishment and Duties of Bureau of Fire Prevention.

1. The International Fire Code as adopted and amended herein shall be enforced by the bureau of fire prevention in the fire department of Payson City which is hereby established and which shall be operated under the supervision of the chief of the fire department.

2. The Fire Marshal in charge of the bureau of fire prevention shall be hired pursuant to Payson City Personnel Policy and shall be operated under the supervision of the Fire Chief.

14.01.030 Definitions.

1. Wherever the word "jurisdiction" is used in the International Fire Code, it is Payson City, Utah.

2. "Fire Marshal" is the chief of the bureau of fire prevention.

3. "Fire department" or "bureau of fire prevention" means the Payson City fire department;

4. A "hazardous materials release" means a sudden and unexpected release of any substance that, because of its quantity, concentration or physical, chemical or infectious characteristics, presents a direct and immediate threat to public safety or the environment, and requires immediate action to mitigate the threat.

5. "Expenses" means all costs incurred for the response, containment and/or removal and disposal of hazardous materials on initial remedial action. It includes, but is not necessarily limited to, the actual labor costs of government and other personnel including workers compensation benefits, fringe benefits, administrative overhead, and any costs of equipment, equipment operation, materials, disposal and any contract labor or materials.

14.01.040 Establishment of Limits of Districts in Which Storage of Flammable or Combustible Liquids in Outside Above Ground Tanks is Prohibited.

The limits referred to in Section 3404.2.9.6.1 and 3406.2.4.4 of the International Fire Code in which the storage of flammable or combustible liquids is restricted are hereby established as follows:

The storage of flammable or combustible liquids is prohibited in all residential zones except R-1-A. Quantities in a residential setting shall not exceed amount necessary for maintenance and operation of equipment. Containers less than 60 gallons are allowed with approved storage. Containers greater than 60 gallons require a permit.

14.01.050 Establishment of Limits in which Storage of Liquefied Petroleum Gas is Prohibited.

The limits referred to in Section 3804.2 of the International Fire Code, in which storage of liquefied petroleum gas is restricted, are hereby established as follows:

The storage of liquefied petroleum gas is prohibited in all zones. In residential zones, containers less than 125 gallons are allowed with approved storage. Containers greater than 125 gallons require a permit. Containers greater than 500 gallons are not allowed in residential zones.

14.01.060 Establishment of Limits of Districts in Which Storage of Explosives and Blasting Agents is to be Prohibited.

The limits referred to in Section 3301.2.3 of the International Fire Code, in which storage of explosives and blasting agents is prohibited, are hereby established as follows:

The storage of explosive and blasting agents is prohibited in all zones except the general and central commercial and the professional office zone.

14.01.070 Establishment of Limits of Districts in Which the Storage of Stationary Tanks of Flammable Cryogenic Fluids are to be Prohibited.

The limits referred to in Section 3204.3.1 of the International Fire Code in which the storage of flammable cryogenic fluids in stationary containers is prohibited, are hereby established as follows:

The storage of flammable cryogenic fluids in stationary containers is prohibited in all residential zones.

14.01.080 Establishment of Limits of Districts in Which the Storage of Hazardous Materials is to be Prohibited or Limited.

The limits referred to in Section 2701.1 of the International Fire Code in which the storage of hazardous materials is prohibited or limited is hereby established as follows:

The storage of hazardous materials is prohibited in all residential zones.

14.01.090 Amendments to the International Fire Code.

The International Fire Code is amended and changed in the following respects:

1. 104.9.3 Automatic Fire Sprinklers may be used as an alternate to modifications, alternate materials, and methods .

2. Subsection 503, "Required Access", is amended by adding the following text to the end of the subsection:

No source of access from land adjoining a property to be developed shall be considered unless there is obtained the irrevocable and unobstructed right to use the same.

3. Subsection 503.4 "Obstruction of Fire Apparatus Access Roads", is amended by adding subsections503.4.1, 503.4.2 and 503.4.3 as follows:

503.4.1 No owner or lessee of the land, or proprietor, partner, officer, director, manager, or agent of any business or other activity carried on upon the land shall, after receiving notice thereof, permit or otherwise allow, and no person shall cause any activity, practice, or condition to occur or exist, or continue to exist, upon said land which shall lessen, obstruct, or impair the access required to be maintained by this Code.

503.4.2 If, in the judgment of the Chief, it is necessary to prohibit vehicle parking along private access ways in order to keep them clear and unobstructed, he may require the owner, lessee, or other person in charge of the premises to paint the curbs red, install signs, or give other appropriate notice to the effect that parking is prohibited by the Fire Department. It shall, thereafter, be unlawful for such owner, lessee, or other person in charge to fail to install and maintain in good condition the form of notice prescribed. When such areas are marked or signed, as provided herein, no person shall park or leave standing a vehicle adjacent to any such curb marking or contrary to such sign.

503.4.3 Any vehicle stopped, standing, or parked so as to obstruct any fire apparatus access road or posted fire lane is hereby declared to be a nuisance. Any vehicle declared to be a nuisance by the provisions of this ordinance may be summarily abated by removing such vehicle by or under the direction or at the request of the Fire Chief, Fire Marshal, Firefighter, or a police officer of the City to a place of storage within the City by means of towing or otherwise.

4. Subsection 508.2, "Type of Water Supply", is amended by adding subsections 508.2.1 as follows:

508.2.1 Fire hydrants are to be installed so that the sidewalk flange is a minimum of two (2) inches above the finished grade or sidewalk. The distance from the center of the outlets to the finished grade shall be no less than 18 inches.

508.2.2 Concrete pads. Each fire hydrant shall have a concrete pad measuring six (6) feet by six (6) feet four (4) inches thick. The top of the concrete pad shall be at the bury line or lower. The measurement from the caps to the concrete must be 18 inches or more. Post Indicator Valves (PIV) require one (1) foot by one (1) foot concrete pad to protect PIV and electrical.

5. Subsection 505, "Premises Identification", is amended by adding subsection 505.1.2 as follows:

505.1.2 Construction indemnification. An approved sign shall be posted on all buildings, which have a lightweight roof construction. The sign shall be a letter "T", six inches high, constructed of a reflective material. The sign shall be posted on the front door area of the building, at least four feet from the ground.

505.1.3 Residential Backlighting. All house address numbers shall be illuminated or lit in order for emergency personnel to locate the appropriate address. The sign shall be a letter "T", at least six (6) inches in height minimum. Numbers must be posted by the front door area, garage door area, or area approved by the Fire Chief.

505.1.4 Flag lots are required to have a lit address at the access or driveway entrance to the city road. The sign shall be a letter "T", at least six (6) inches in height minimum.

14.01.100 Fire/Hazardous Materials Emergency Expense Recovery.

1. Recovery Authorization and Procedure. This City is hereby empowered to recover expenses from any person whose intentional or negligent act caused the City and or assisting agencies to incur any expenses directly associated with responding to an intentionally or negligently caused fire/hazardous materials emergency, regardless of whether or not such person actually caused the fire/hazardous materials emergency. These expenses shall be collected as follows:

a) The City shall investigate and determine the person or entity responsible for causing or creating the hazardous materials release and notify the responsible party in person or by mail of the City's determination of responsibility and the amount of costs and expenses incurred by the City of Payson to be recovered in responding to the hazardous materials release .
b) The notice shall specify that the determined responsible party may appeal the City's determination, in writing, to the City Manager, who may designate a hearing officer to hear the appeal.
c) Any appeal must be filed, in writing, with the City Manager not more than fifteen (15) days from the date

the notice was received by the determined responsible party.

d) In the event the determined responsible party appeals the determination, the hearing officer shall hold a hearing to consider any issues raised by the appeal. Both the appealing party and the City shall be entitled to present evidence in support of their respective positions to the hearing officer.

e) Following the hearing, the hearing officer shall make a recommendation to the City Manager, who shall issue a final decision assessing responsibility and expenses.

2. Payment Does Not Admit Liability. The payment of expenses determined owing under this chapter does not constitute an admission of liability or negligence in any legal action for damages.

3. Action to Recover Expenses.

a) Subsequent to a final decision of the City Manager, pursuant to this Section, and upon certification of expenses by the Fire Chief to the City Manager, the City Manager may authorize the City Treasurer to recover the expenses directly associated with responding to a fire/hazardous materials emergency from those persons determined by the City Manager to have directly or indirectly caused the emergency expenses.

b) In the event the person(s) determined to be responsible for the payment of intentional or negligently caused fire/hazardous materials emergency expenses fail(s) to make payment to the City and/or assisting agencies within thirty (30) days after a determination of any appeal to the City Manager, or thirty (30) days from the deadline for appeal in the event no appeal is filed, the City and/or assisting agency may initiate legal action to recover from the determined responsible person(s) the expenses determined to be owing including the reasonable attorney's fees and costs of such recovery.

4. Section 5: Expenses of other responding entities.

a) In the event that personnel and equipment from other political subdivisions, agencies or cooperative entities shall respond to assist with the hazardous materials release, then Payson City shall recover costs and expenses incurred by such other political subdivisions, agencies or cooperative entities as part of Payson City cost recovery efforts.

b) Upon recovery of costs and expenses from the responsible party, Payson City is authorized to reimburse such other political subdivisions, agencies or cooperative entities for their actual costs incurred in responding to the hazardous materials release.

c)

14.01.110 Appeals.

Whenever the Fire Marshal rejects an application or refuses to grant a permit applied for, or when it is claimed that the provisions of the code do not apply or that the true intent and meaning of the code have been misconstrued or wrongly interpreted, the applicant may appeal from the decision of the Fire Marshal to the Board of Appeals within 30 days from the date of the decision of the Fire Marshal.

14.01.120 New Materials, Processes or Occupancies Which May Require Permits.

The Fire Marshal shall determine and specify, after giving affected persons an opportunity to be heard, any new materials, processes or occupancies for which permits are required in addition to those now enumerated in the International Fire Code.

14.01.130 Penalties.

1. Any person who violates any of the provisions of the International Fire Code as adopted and amended herein or fails to comply therewith, or who violates or fails to comply with any order made there under, or who builds in violation of any detailed statement of specifications or plans submitted and approved there under, or any certificate or permit issued there under, and from which no appeal has been taken, or who fails to comply with such an order as affirmed or modified by the Board of Appeals or by a court of competent jurisdiction, within the required time, shall severally for each and every such violation and noncompliance, respectively, be guilty of a class B misdemeanor, punishable by a fine of not more than $1,000.00 or by imprisonment for not more than six (6) months or by both such fine and imprisonment. The imposition of one penalty for any violation shall not excuse the violation or permit it to continue; and all such persons shall be required to correct or remedy such violations or defects within a reasonable time; and when not otherwise specified, each day that prohibited conditions are maintained shall constitute a separate offense.

2. The application of the above penalty shall not be held to prevent the enforced removal of prohibited conditions.

14.01.140 Repeal of Conflicting Ordinances.

All former ordinances or parts thereof conflicting or inconsistent with the provisions of this ordinance or of the International Fire Code as adopted and amended herein are hereby repealed.

14.01.150 Validity.

The City Council hereby declares that should any section, paragraph, sentence or word of this ordinance or of the

International Fire Code as adopted and amended herein be declared for any reason to be invalid, it is the intent of Payson City that it would have passed all other portions of this ordinance independent of the elimination here from of any such portion as may be declared invalid.

14.01.160 Fees.

The fees and charges which may be imposed under the provisions of this Chapter shall be as determined and established by resolution by the City Council from time to time and on file in the office of the City Recorder.

14.01.170 Payson City Fire Department Level of Service Standards

1. **Emergency Response Time.**

The PCFD has established the acceptable emergency response time as eight (8) minutes or less within Payson City. An acceptable response time to larger scale development may actually be less, as determined by the PCFD. (It must be realized that prevailing weather conditions, general topography, geographical diversities, and unusual traffic conditions may inhibit district response times at any time of year.)

2. **Level of Service.**

a) In order to comply with an acceptable level of service standard, a developer may be required to provide appropriate fire protection infrastructure, including facilities, apparatus, and equipment for the PCFD to comply with the appropriate level of service standard. In addition, approved fire sprinkler and suppression systems may be required by Payson City Fire Department in conjunction with other appropriate mitigation measures, which must be approved by the PCFD, to comply with the required level of service standard.

b) All new homes that are required to have automatic sprinkler protection shall comply with the National Fire Protection Association (N.F.P.A.) 13D requirements, modified as follows:
   i. Provide fire sprinklers in all living areas, garages, and mechanical (furnace) rooms.
   ii. Sprinklers may be omitted from attic or crawl spaces not used for storage (except over attic mounted furnaces, showers, and under overhead garage doors).
   iii. An exposure hazard is based on low foliage within 20 feet and trees in excess of 20 feet high within 100 feet of the building.
   iv. Sprinkler covered decks and walkways greater than 4 feet wide as exposure hazards with quick response heads spaced 10 feet on center.
   v. Eves of structure to be protected with heads 10 feet on center where exposure hazard is present.
   vi. Attic vents shall be protected when an exposure is present.
   vii. The system calculations shall be based on a minimum of four flowing quick-response sprinklers hydraulically calculated to provide flows in accordance with manufacture specifications for the sprinklers. Calculations shall be based on 80% of the available flow at the base of the riser.
   viii. The use of anti-freeze loop systems is allowed when an acceptable back-flow prevention assembly is provided. Using either an approved expansion tank or relief valve shall relieve anti-freeze loops. Drilled clapper valves are not permitted.
   ix. An Inspector's Test Valve is required upstream of the anti-freeze loop check valve.
   x. Automatic sprinkler systems shall be provided with an indicating control valve accessible to the fire department.
   xi. A reduction in required fire flow of up to 75 percent, as approved, is allowed when the building is provided with an approved automatic fire extinguishing system in accordance with 903 of the International Fire Code and when an adequate vegetation clearance in accordance with Section 14.02.050 (vegetation) is maintained. Fire flow shall be determined by the Fire Chief, but in no case may be reduced to less than one thousand hundred (1000) gallons per minute.
   xii. Approval of any system shall be based on a final inspection and receipt of a hydrostatic and flushing certificates conducted by the installer.

14.02.020 Fire Protection

1. **Site Plan.**

Where buildings are to be used for residential, industrial, commercial, multi-family, or mixed commercial/residential purposes, building and site plans must be approved by the Fire Chief prior to issuance of the building permit.

2. **Gates**

a) The location of all posts for gates on private driveways and roads will be four feet wider than the approved road width. All gates shall be located at least fifteen (15) feet from the right-of-way as approved by PCFD and shall open inward, allowing a vehicle to stop while not obstructing traffic on major or minor roads. Should gates be electronically operated, a receiver shall be installed that will permit emergency services access with a transmitter (Siren Operated System) and a Knox Key System. If the gate can be locked, a lock box

approved by PCFD will be located on the exterior side of the gate to provide for emergency equipment access to the property through the gate. If gates are electronic they must have an emergency release so that PCFD has the ability to easily disable the gate or provide back up power supply.

3. **Fire Control Room**
The location of the fire control room shall be approved by the Fire Marshal. All buildings with a fire sprinkler system shall provide a fire control room which provides access from the outside of the building to the fire sprinkler riser. Emergency lighting, remote fire alarm panel, heater, and other items deemed necessary by the Fire Marshal shall be located inside the room.

Chapter 14.2
Urban/Wildland Interface Regulations

In addition to International Fire Code, the following shall be required in designated urban/wildland areas as described in 14.02.100 below.

14.02.010	**Administration**
14.02.020	**Reserved**
14.02.030	**Reserved**
14.02.040	**Development in Wildfire Hazard Areas**
14.02.050	**Vegetation**
14.02.060	**Water Supply**
14.02.070	**Fire Hydrants**
14.02.080	**Structural Design and Construction**
14.02.090	**Roads**
14.02.100	**Location of Urban/Wildland Interface Area**

14.02.010 Administration

1. **Definitions**

a) **Aspect.** The dominant cardinal direction that a lands surface faces.
b) **Automatic Fire Extinguishing System.** Is an approved system of devices and equipment, which automatically detects a fire and discharges an approved fire-extinguishing agent onto or in the area of the fire.
c) **Classification of Roof Coverings.** Whenever the term "Classification of Roof Covering" is used it shall be held to refer to the classification of a covering established by the International Building Code 1507 (IBC). The two classifications of roof coverings allowed in the Urban/Wildland Interface are as follows:
   i. **Class A.** These roof coverings are effective against severe fire exposures. Under such exposures, roof coverings of this class are not readily flammable, afford a fairly high degree of fire protection to the roof deck, do not slip from position and pose no flying brand hazard.
   ii. **Class B.** These roof coverings are effective against moderate fire exposures. Under such exposures, roof coverings of this class are not readily flammable, afford a moderate degree of fire protection to the roof deck, do not slip from position and pose no flying brand hazard.
d) **Cluster.** The term "Cluster" is used to refer to developments of not less than five separate contiguous building lots or sites. Each cluster shall be so designed as to provide that each building site within the cluster shall contain a location for a single-family structure, which meets the standards of the IBC.
e) **Construction.** For use in this section, "Construction" means the erection, building, enlargement, alteration, repairing or moving of a structure. This term also applies to the wiring, piping, heating, cooling, ventilation, refrigeration, sanitation or transportation of fixtures and equipment therein, as well as to the excavation, filling or paving of land.
f) **Cul-de-sac.** Road designed to remain permanently closed at one end, terminated by a vehicular turnaround.
g) **Defensible Space.** Is an area either natural or man-made, where material capable of allowing a fire spread unchecked has been treated, cleared or modified to slow the rate and intensity of an advancing wildfire and to create an area for fire suppression operations to occur
h) **Development.** The Term "Development" shall be construed to include any manmade change to improved or unimproved real estate, including but not limited to paving, excavation, drilling operations, storage of equipment or materials, or landscaping.
i) **Driveway.** Is a vehicular ingress and egress route that serves no more than two buildings or structures, not including accessory structures, or more than five structure units.
j) **Fire flow.** Continuous, uninterrupted supply of water for fire suppression over and above the quantity needed for normal maximum domestic demands.
k) **Fire-resistant Vegetation.** Plants such as grasses, shrubs, forbs, and trees that do not readily ignite and burn when subjected to fire because of the inherent physiological characteristics of the species such as heat content, chemical composition, moisture content, fuel arrangement, and fuel loading.
l) **Fuel.** Vegetation, debris, or other substances that will support combustion.
m) **Fuel Breaks.** A change in fuel continuity, type of fuel, or degree of flammability of fuel in a strategically

located parcel or strip of land to reduce or hinder the rate of fire spread.

n) **Island.** Grouping of native brush and/or trees from five to ten plants within the grouping. Not to exceed 30 feet at the longest axis separated from other islands by at least fifty (50) feet Trees within the island will have the lower branches pruned up to four feet above the ground with domestic grasses, domestic flowers or bare ground as the only allowed ground cover. Island will have a minimum of thirty (30) feet to nearest inhabitable structure and twenty (20) feet to uninhabitable structures.

o) **Small Island.** Grouping of native brush and/or trees from one to five plants within the grouping. Not to exceed twenty (20) feet at the longest axis separated from other islands by at least 30 feet Trees within the island will have the lower branches pruned up to four feet above the ground with domestic grasses, domestic flowers or bare ground as the only allowed ground cover. Small Islands will have a minimum of twenty (20) feet to nearest inhabitable and uninhabitable structure.

p) **Urban/Wildland Interface.** Any area where development and heavily forested or brush land remaining in a relatively natural state meet. Specifically, the land, which meets these criteria, is identified in 14.02.100 of this title.

2. **Permits**

a) **Requirement.** Section 105 of the International Fire Code, which provides for the issuance of permits. No new building or structure shall commence construction nor be occupied until a Fire Safety Permit has been issued by the Fire Chief stating the conditions under which the building has been approved in accordance with the provisions of this ordinance. All requests or applications for a building permit within the Urban/Wildland Interface area shall be deemed to be a concurrent request for a Fire Safety Permit providing certification by the Fire Chief that the provisions of this ordinance are being met.

b) **Conditions of permits.** No building permit for sites within the Urban/Wildland Interface area shall be issued until a fire Safety Permit is approved and issued by the Fire Chief. All construction and use of the premises shall be in accord with such conditions as may be attached to the Fire Safety Permit.

3. **Practical Difficulties**

The Fire Chief may authorize or reject alternative standards to any of the provisions of this code upon application in writing by the owner, lessee or a duly authorized representative. Where there are practical difficulties in the way of carrying out of the provisions of this code, provided that the spirit of the code shall be complied with, public safety secured and substantial justice done. A notice of authorization or rejection of any proposed alternative standard shall be made in writing to the person making the application.

4. **Appeals**

a) Section 108 of the International Fire Code set forth the process for appeals.

b) Any appeals shall be filed no later than thirty (30) days from the date of the decision appealed. (Ordinance No. 14-01-110)

5. **Enforcement**

a) Section 106 of the International Fire Code set forth the inspection and enforcement.

b) The Fire Chief or his designee may conduct inspections to determine compliance with this ordinance at the time of building permit inspections or at the request of the owner of the property. The Fire Chief or designee may also conduct inspections based on the request of other property owner, lessee, City official or employee who has reasonable cause to believe that a potential fire hazard exists in violation of the provisions of this ordinance.

c) The Fire Chief or his designee will publish periodic notices to remind residents of the provisions of this ordinance and will make available information on the provisions of the ordinance, as well as guidance on fire-resistant vegetation and suitable landscaping.

d) Nothing in this ordinance may be construed to prevent enforcement under the provisions of the current edition of the International Fire Code as adopted by Payson City and the State of Utah.

14.02.040 Development in Wildfire Hazard Areas

1. **Hazard Severity Scale.**

a) All proposed new development within the Urban/Interface or Sensitive Lands within Payson City will be analyzed and rated on wildfire risks using the Fire Hazard Severity Scale developed by the State of Utah, Division of Forestry, Fire, and State Lands (Table 1). All of these factors can vary from development to development. The composite score will categorize the hazard level of the proposed development as moderate, high or extreme (Table 2). Once a proposed development has been classified as to its hazard level, development standards for each level can be used by Payson City and the Payson City Fire Department for fire protection and wildfire prevention measures. This

rating will be submitted to Fire Chief with the Sketch Plan or in conjunction with a Specially Planned Area Plan application, as required by the Fire Chief or as otherwise required in the processing of development permits for any proposed development. The rating scale is based on five separate factors:

i. **Slope** - Displayed in percent; calculated by measuring the vertical distance and horizontal distance for a given area; and dividing the vertical by the horizontal.
ii. **Aspect** - The dominant cardinal direction that a lands surface faces.
iii. **Weather** – Measured by number of critical fire weather days per year for a given area.
iv. **Fire Department Response Time** - Measured in minutes it takes the nearest responsible fire agency to respond to a fire in a given area.
v. **Type of Vegetation** - Categorized by fuel types. Rates of spread, resistance to control, and potential to cause structural damage are the criteria for rating severity.
vi. **Vegetation Density** - Considered the total combustible vegetation, which may be available as a fuel for wildfire.

Table 1

WILDFIRE HAZARD SEVERITY SCALE					
Rating	Slope	Aspect	Weather	FDRT	Vegetation
1	≤10	N	≤1	≤15	Pinyon-Juniper
2	20	E	3	30	Grass & Sagebrush
3	30	Level	5	45	Hardwoods
4	45	W	7	60	Mountain Brush
5	≥60	S	≥9	60≥	Softwoods

Table 2

WILDFIRE HAZARD CLASSIFICATION TABLE		
Rating	Hazard	Classification
5 to 11	Moderate	1
12 to 18	High	2
19 to 25	Extreme	3

2. **Compliance.**

a) Certification of compliance with adopted service levels and standards of the Payson City Fire Department, including the payment of fees, shall occur prior to final approval of any development.

3. **Plat Note Required.**

a) Each final development plat for a development in an area designated Urban/Interface on the Land Use Plan Maps or zoned Sensitive Land (SL) shall include the following note on the plat. A Conditional Use or Low Impact Permit issued for development in these areas shall include, as a condition of approval, the requirement that the applicant acknowledge in writing ("Memorandum of Understanding") the following:

The property owner acknowledges that he/she is building in a location that is far removed from the primary Payson City service areas. As such, the property is on notice that there is limited access, infrastructure, and public services in the area. Some services, which include, but are not limited, to garbage collection and school bus service may not be provided or may be required to locate in certain areas. Emergency response times may be longer than it is in more accessible areas and access by emergency vehicles may be impossible at times due to snow and road conditions. The owner understands and acknowledges that there may be infrastructure in these remote locations that does not meet adopted City infrastructure standards. It is the intention of Payson City to attempt to continue to provide the existing variety, scale, and frequency of public services and infrastructure for all existing and new development in these remote areas of Payson City. It is not the intention of Payson City to increase the variety, scale and frequency of public services and infrastructure or to provide urban levels of service and infrastructure in these areas. By this notice, the
property owner assumes the risk of occupancy as outlined above and is hereby provided notice that there are no anticipated changes in the levels of service of infrastructure by Payson City, nor does the property owner expect changes beyond those identified herein.

14.02.050 Vegetation

1. **Fuel Breaks**

a) Hazardous fuels in the form of native vegetation will be cleared around structures and around the perimeter of the development to assist in wildfire prevention measures. This fuel break is not intended as complete vegetation clearing firebreak. Fuel breaks must be in place prior to occupancy of the structure.
b) Fuel breaks consist and shall be maintained as follows:
i. Annual grasses within 30 feet of structures shall be mowed to 4 inches or less.
ii. Ground litter shall be removed annually:
iii. Over mature, dead, and dying trees shall be evaluated as to the potential to ignite and carry fire. The applicant may be required to remove such vegetation.

c) Fuel breaks may contain individual tree specimens, ornamental plants, or other similar vegetation used as ground cover, provided they will not provide a means of transmitting wildfire from native vegetation to structures.

d) Fire resistive vegetation will be planted in fuel break areas to prevent undue soil erosion.

e) Steep terrain, cleared or leveled slopes will be stabilized immediately following construction. Developers and lot owners may be required to construct retaining walls, water bars, check dams, terraces, or other forms of physical means of soil erosion control. The final plat will need to indicate a maintained fuel break easement dedicated for the benefit of Payson City Fire Department and will be shown around the perimeter of the development. Fuel breaks must be maintained by the landowners and shall be included in the project Condition Covenants and Regulations (CC&R's) and Development Agreement (DA) and monitored by the respective Homeowner's Association and Payson City Fire Department. The CC&R's or DA for the development will include enforcement measures and maintenance requirements for the Homeowner's Association to budget for and provide fuel break maintenance services around the perimeter of the development boundary.

f) The following chart identifies fuel break clearing limits around structures and development perimeters based on the wildfire hazard rating:

Type	Moderate	High	Extreme
Structures	30 Feet	50 Feet	100 Feet
Development Perimeters	None	75 Feet	100 Feet

2. **Vegetation Manipulation**

a) **Notification.** The Payson Fire Chief shall be notified, in writing, and a site plan submitted for approval before development or construction of any structure commences so that vegetation can be evaluated and clearance around structure(s) can be determined.

b) **Minimum Requirements.** Notwithstanding Sections 503.5, 603.6, and 603.8.3 of the International Fire Code and unless otherwise specified by the Fire Chief, minimum vegetation clearance will be as follows:

c) **Clusters.** Each cluster shall be located to provide a firebreak of a width of 100 feet or more, depending on topography and fuels, constructed around the development. This area shall be free of all dead and downed material. Nature trees within the break shall be pruned up to a minimum of six (6) feet above the ground so that no limbs are contiguous with ground fuels. The remaining ground vegetation shall be trimmed not to exceed six (6) inches in height.

d) **Structures.** Vegetation shall be cleared and maintained to a maximum of four (4) inches in height within thirty (30) feet of the structure and a maximum of eighteen (18) inches from thirty (30) to fifty (50) feet. Areas beyond fifty (50) feet shall be determined by the Fire Chief.

e) **Trees.** Trees within fifty (50) feet of a structure shall comply with the following:

i. Canopies shall be a minimum of ten (10) feet apart.

ii. Canopies shall not be permitted to extend within ten (10) feet for under eaves, decks, or balconies or chimney openings.

iii. Trees within fifty (50) feet of a structure shall be pruned to a height of ten (10) feet above the ground, trees less than thirty five (35) feet in height shall have the lower half pruned.

iv. All trees within fifty (50) feet of a structure shall be kept free of dead or dying materials.

v. Trees must be at least twenty (20) feet away from structures (measured at the base), or at least thirty (30) feet from other vegetation, non-deciduous shrubs and native brush: exceptions will be islands and small islands. Islands will have a minimum separation of thirty (30) feet from trees and structures and small islands will have a minimum separation of twenty (20) feet from trees and structures. Trees will have the lower branches pruned up to four (4) feet above the ground and grasses will be maintained by standard 4 below.

g) **Native Brush.** Native species, such as scrub oak and other indigenous vegetation, may not be within fifty (50) feet of any structures unless such vegetation is grouped into islands not more than thirty (30) feet on their longest axis. Such islands must be kept free of any dead vegetative material in accordance with Section (e) above and must be at least 30 feet from other trees, shrubs or brush unless protected by an automated sprinkler system. Islands must be at least thirty (30) feet from any structures or ten (10) feet if served by an automatic sprinkler system approved by the Fire Chief or designee. Native grasses must be removed, replaced with fire resistant species or maintained at a height not to exceed six (6) inches unless protected by an automatic sprinkler system.

h) **Shrubs.** Shrubs may be used for ornamental plantings against the walls or foundations of structures if an automatic sprinkler or other irrigation system is installed, maintained, and approved by the Fire Chief.

i) **Dead Vegetative Material.** All dead vegetative material shall be removed and remain clear within fifty (50) feet of any structure.

j) **Propane Fuel Tanks.** Notwithstanding Section 3807.3 of the International Fire Code, ground vegetation around tanks shall be maintained no higher than 4 inches for a minimum of ten (10) foot radius. Trees and

brush shall be trimmed maintaining a minimum of three (3) feet above the propane tank.

k) **Fire Hydrants.** Notwithstanding Section 507.5.4 of the International Fire Code, vegetation or other obstructions shall be maintained below four (4) inches in height. Clearance shall be provided three (3) feet on both sides of the hydrant and extend to the roadway.

l) **Disposal of Flammable Vegetation and Fuels.** Disposal, including chipping, burying, or removal to an approved landfill shall be completed prior to final inspection of a building permit. Open burning of these materials is prohibited.

3. **Recreational Fires**

a) Notwithstanding Section 307 of the International Fire Code, recreational open fires shall be located a minimum of twenty five (25) feet from a structure of combustible material unless contained in an approved barbecue pit located a minimum of twenty five (25) feet for combustible foliage, walls, or roofs. An opening in the overhead canopy shall be provided to prevent the pyrolysis of the foliage.

b) The pile of fuel to be burned in the fire area for recreational fires shall not be larger than 3' in diameter and 2' high.

c) A garden hose connected to a water supply or other approved fire-extinguishing equipment shall be readily available for use at recreational fires.

d) Recreational fires are required to be constantly attended by a person knowledgeable in the use of the fire-extinguishing equipment. The attendant shall supervise the burning material until the fire has been extinguished.

14.02.060 Water Supply

1. **Clustering of Homes.**

Clustering of homes should be considered and may be beneficial in rural and lower density developments. Clustering allows for reduced infrastructure of roads, driveways and water and sanitary sewer systems when compared with sprawl developments. Clustering may promote the visual integrity of development as viewed from within the development. The construction of a central community water system is encouraged to provide more effective water resources in case of wildfire. If clustering of homes is not achievable in rural developments, individual wells, storage tanks and fire suppression systems for each individual lot may be reviewed and considered by the PCFD. Water supply and water infrastructure shall be in place and serviceable prior to any combustible construction Begins.

2. **Community System to Serve All Lots with a Central System**

a) **Fire Hydrants.** Fire hydrants will be installed in accordance with Payson Fire Department requirements. Fire hydrant spacing will be a maximum of five hundred (500) feet between hydrants, except in minor development where the restriction shall be a maximum of one hundred fifty (150) feet from any structure but no less than fifty (50) feet from the structure unless otherwise approved by PCFD.

b) **Fire Flow Requirements.** The fire flow requirement for rural residential development of five or more building lots or structures will be a minimum of one thousand (1000) gallons per minute.

3. **Water Storage**

a) Water storage is required for any building lot or structure that is not connected to the Payson City Water Distribution System. Furthermore, water storage will be required for any areas that PCFD believes are a high risk fire area or where water distribution may not be adequate.

b) Water storage for Fire Fighting Use. Water storage will be provided to support the required minimum fire flows of:

   i. Up to 3,600 square feet residential need 1,000 gallons per minute for duration of two hours.
   ii. Up to 3,600 square feet all others need 1,500 gallons per minute for duration of two hours.
   iii. 3,600 to 4,800 square feet need 1,750 gallons per minute for duration of two hours.
   iv. 4,801 to 6,200 square feet need 2,000 gallons per minute for duration of two hours.
   v. 6,201 to 7,700 square feet need 2,250 gallons per minute for duration of two hours.
   vi. This requirement is in addition to domestic water use that is figured for daily use. The largest home will be used to determine fire flow requirements for development.

4. **Water Source**

a) Indoor sources may be required if utilities are not connected to Payson City services or if the Fire Chief determines it is needed. Source(s) must be capable of providing 800 G.P.D./equivalent residential connections for indoor use. The water supplier must possess, and provide to Payson City, documentation granting legal right to the required amount of water.

b) Water Supply to Lots. The water service line shall be at least 1 1/2 inches in diameter to provide adequate flow and pressure to satisfy fire sprinkler demands.

c) Water Line Burial. Water lines shall be buried a minimum of four (4) feet deep unless elevation dictates

deeper burial.

5. **Individual Water Systems on Each Lot**

a) **Water Storage.** All structures may be required to have a water storage system for fire fighting purposes. Water storage to be within a tank(s) as dictated by NFPA 22, as water reserves, exclusive of storage for domestic, irrigation and fire sprinkler system use. The amount or required water storage is based upon the useable floor area of the structure, including attached garages. The amount of required water storage is 5,000 gallons of water storage for every 2,000 square feet of useable floor area, or fraction there of.

b) **Water Source.** An exterior fire suppression dry standpipe system will be designed and constructed at the time of home construction to provide PCFD the ability to use the water storage for external fires.

c) Dry Hydrants/Draft Site. The dry hydrant/draft site will be provided at all individual water systems intended for fire protection use. The design, construction, location, access and access maintenance of the dry hydrant/draft site must be approved by PCFD. The dry hydrant/draft site must have emergency vehicle access designed and constructed in accordance with Section 509 of the IFC. The dry hydrant/draft site must be clearly identified in a manner approved by the PCFD to identify the location and to prevent obstruction by parking and other obstructions. The dry hydrant/draft site is also subject to periodic tests such that the system is operative at all times.

6. **Water Systems.**

a) Central or community water systems shall include appropriately located fire hydrants and be capable of generating adequate flows to meet the Insurance Service Office Fire System Grading Standards, American Water Works Association, Payson City Standards, and International Fire Code. The minimum fire flow shall be at least one thousand (1000) gallons per minute for a period of two hours or as required by the Payson City Fire Department.

14.02.070 Fire Hydrants

1. **Standards**

a) Each fire hydrant shall be installed in accordance with the recommendations of the Payson Fire Chief and Payson City Development Standards.

b) Fire hydrants, water line sizes, water storage for fire protection, and minimum flow for fire protection shall be determined by using the standards Appendix B of the Internal Fire Code and the Insurance Services Office which are known as the Fire System Grading Standards. In no case shall minimum fire flow be less than one thousand gallons per minute for a period of two (2) hours, unless otherwise permitted herein.

14.02.080 Structural Design and Construction

1. **Roof**

a) The materials used on a pitched roof shall compliment the building design and encourage compatibility with the surrounding environment. The color of materials on a flat roof shall blend with the color of surrounding vegetation. Primary and closely related colors are not permitted.

b) The following materials are prohibited on any roof:

i. **Reflective materials.** The color and slope of metal roofs shall be carefully considered since steeper slopes may increase reflectivity.

ii. **Roof Colors.** Any bright colored or highly visible material.

iii. **Roof materials.** Roof materials on any structure shall be constructed with the minimum of U.L. listed Class A fire rated roofing materials. Examples may include asphalt shingles, tile roofing material, metal roofing material, sheet iron, and other appropriate materials, provided, however, roofing materials on any structure unit in a Mountain/Remote area designated on the Land Use Plan Map or any area containing a high or extreme wildfire hazard rating shall have a roofing material that carries the minimum of a U.L. listed Class A fire rating. Development CC&R's shall reflect the type of building materials required for use and specifies materials that are prohibited.

iv. **Roof coverings.** Non-combustible roof coverings are required on all new structures. Roof coverings shall be constructed of UL listed Class A materials in accordance with Section 1507 of the International Building Code. No wood roof coverings are permitted in the Urban Interface area. When one-half or more of existing non-conforming roof coverings need replacement, the entire roof shall be brought into compliance with this title.

2. **Vents, Overhangs, and Stilt Construction**

a) **Vents.** Vents shall be screened with a corrosion resistant, noncombustible wire mesh with the mesh not to exceed nominal ¼ inch in size.

b) **Combustible Projections.** Combustible projections 10" or more and wood decks shall be protected as follows:

i. Materials specified in (iv) 1,2,3, or 4 applied on the underside of the exposed edge or in the case of a deck, constructing a wall around this perimeter using the aforementioned materials, or;
ii. The use of heavy timber in compliance with the provisions of the code, or;
iii. An approved outside sprinkler system on the underside of the projection or deck.

c) **Stilt Construction.** Stilts supporting structures shall be constructed of noncombustible materials. The underside of decks and structures with stilt foundations shall be enclosed with noncombustible or fire rated materials.

3. **Exterior Vertical Walls.** Exterior vertical walls shall be constructed of:

a) Concrete masonry, or;
b) Brick veneer not less than three (3) inches in thickness, or;
c) Cement plaster in compliance with the exterior finish requirements of the International Building Code, or;
d) Any non-combustible material meeting the intent of this code and approved by the Fire chief and Building Official.
e) Combustible log cabins are permitted but shall be constructed of a minimum eight (8) inch diameter logs.

4. **Glazed Openings.** All glazed openings that face concentrations of vegetative fuels within thirty (30) feet of the openings shall be provided with closeable, solid exterior shutters. Double pane or safety glass shall be used on down-slope windows.

5. **Chimney and Flues**

a) **Chimneys and Stovepipes.** Any solid or liquid fuel-burning appliance must have spark arresters or screens equipped on stovepipes and chimney outlets.
b) **Outlet Screen.** Every chimney, flue, or vent shall be provided with an approved spark arrester consisting of 12-gauge welded or woven wire mesh not exceeding ½ inch.
c) **Construction.** In accordance with 603.6, of the International Fire Code, chimney outlets shall be constructed with at least ten (10) feet clearance from all vegetation and obstructions.

6. **Screening.**

a) In areas designated Mountain/Remote or in any area with a high or extreme wildfire hazard rating, the exterior openings from the roof, attic, eaves, and floor areas will be screened to reduce the chance of flying embers entering a structure.

14.02.090 Roads

1. **Access**

a) All developments in the Urban/Wildland Interface area shall have more than one access route, which provides simultaneous access for emergency equipment and civilian evacuation. The design of access routes shall take into consideration traffic circulation and provide for looping of roads as required to ensure at least two access points. Looped roads with a single access are not allowed.
b) **Exceptions.** Where terrain features or other physical obstacles make provision of a second access impractical, a single access may be approved by the Fire Chief.
c) **Specifications.** All roads shall conform to the Payson City Development Code.
d) **Clearance of Brush and Vegetation from Roadways.** The Fire Chief is authorized to require areas within 10 feet on each side of the portions of fire apparatus roads and driveways to be cleared of non fire-resistive vegetation growth.

2. **Addresses**

Specifications. Notwithstanding Section 503.3 of the International Fire Code and 14.01.090.6, each premise must have approved numbers or addresses, a minimum of 6 inches in size placed in such a position as to be plainly visible, backlit, and legible from the road fronting the property. Numbers shall contrast with their background. Numbers and their positions shall be suited for visibility in all seasons.

3. **Grades**

Road Infrastructure Design. See Payson City Design Guidelines and Standards.

4. **Driveways**

a) The maximum grade of any driveway shall not exceed ten (10) percent. The minimum width of any driveway shall be twelve (12) feet. Twelve (12) percent grades may be allowed for short distances not to exceed two hundred fifty (250) feet when approved by PCFD. Where possible, driveways shall parallel the slope to lessen site impact. Driveways must also conform to the requirements of Payson City Design Guidelines and Standards.
b) A driveway may provide access to one or more structure units, but not more than five (5) structures.

c) All driveways, whether or not locked, must provide a PCFD approved turn-around for emergency vehicles where the driveway meets the building pad, and every 200 feet when longer driveways occur.
d) Driveways in excess of two hundred (200) feet and less than twenty (20) feet wide must provide turnout(s). Driveway turnouts must be an all weather road surface, ten (10) feet wide and thirty (30) feet long. Driveway turnouts to be located as required by PCFD. A turnout shall be designed and constructed at a minimum every four hundred (400) feet along the driveway length.
e) Notwithstanding Section 503.4 of the International Fire Code, all driveways shall provide a minimum unobstructed width of twelve (12) feet (excluding shoulders) and minimum unobstructed vertical clearance of thirteen (13) feet six (6) inches.
f) Turnarounds are required on driveways. If a hammerhead/ "T" are used, the top of the "T" shall be a minimum of sixty (60) feet in length and shall be within fifty (50) feet of the building or structure.

5. **Cul-de-sac**

a) The maximum length of a cul-de-sac on a rural designated road shall be as follows, unless other lengths are approved by PCFD. The length of these cul-de-sacs shall be based on the wildfire hazard rating of the surrounding area.

Wildfire Hazard Rating	Maximum Length
Moderate	1,200 Feet
High	900 Feet
Extreme	500 Feet

b) Public roads having a cul-de-sac shall not be less than one hundred twenty (120) feet in diameter, unless otherwise approved by the Fire Chief.
c) A hammerhead cul-de-sac design may be allowed in certain instances.
d) All cul-de-sacs must include signage indicating that the road is a dead end road within 50 feet of the outlet. In addition. Two signs will be placed on the connecting road indicating that the "Next Turn is a Dead End Road."

6. **Road Base Specifications**

a) Vehicle load limits shall be posted at both entrances to bridges when required by the Fire Chief.
b) All roads shall include compacted road base, covered with either concrete or asphalt material, with the exception of emergency access roads, which may be compacted gravel or road base. Roads must meet all applicable Payson City design standards.
c) All road surfaces must be capable of providing all-weather year-round access.

7. **Traffic Control and Street Signs**

a) All roads will have designated road names and signs shall be installed at each major road intersection. All lots and/or home sites will be visibly signed with street addresses and numbered as such or at the beginning of the driveway. Emergency access roads shall be clearly identified.
b) All roads shall be named or numbered in accord with the City's addressing system and road identification signs shall be installed in accordance with City standards and specifications. All permitted structures for residential, commercial and industrial uses shall post addresses prior to occupancy.

8. **Obstructions**

a) Obstructions on Private Roads. Notwithstanding Section 503.4 of the International Fire Code, at the time of design of the development, it shall be the responsibility of the Homeowner's Associations to designate snow storage. The Homeowner's Associations shall maintain private roads clear of ice, snow and other obstructions the full width of the minimum required width to allow for two-way traffic and access of emergency vehicles at all times.

14.02.100 Location of Urban/Wildland Interface Area

1. **Urban/Wildland Interface Area.**
500 Feet
a) The territory included within the Urban/Wildland Interface Area, to which the terms of this title shall apply to all areas above the Strawberry Highline Canal or in any other part of Payson City where the Fire Chief deems it necessary.

CHAPTER 14.03
AUTOMATIC FIRE SPRINKLERS

14.03.010 The Payson City Fire Department, hereby finds and determines that under certain conditions, an automatic fire sprinkler system shall be installed in structures built in accordance with the requirements of the International Residential Code, as adopted in the State of Utah Construction Code when any of the following sections apply.

1. The structure is located in an urban-wildland interface area as provided in:

a) The Utah Wildland Urban Interface Code adopted as a construction code under the State Construction Code; and does not meet the requirements described in Utah Code, Subsection 65A-8-203(3)(a) and Utah Administrative Code, R652-122-200, Minimum Standards for Wildland Fire Ordinance.
b) Title 14.2 Urban/Wildland Interface Regulations.

2. The structure is in an area where a public water distribution system with fire hydrants does not exist as required in Utah Administrative Code, R309-550-5, Water Main Design and appendix B of the International Fire Code.

3. The only fire apparatus access road has a grade greater than 10% for more than 500 continual feet.

4. The water supply to the structure does not provide at least 500 gallons fire flow per minute for a minimum of 30 minutes, if the total square foot living space of the structure is equal to or less than 5,000 square feet.

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

6. The water supply to the structure does not provide at least 1,000 gallons per minute fire flow for a minimum of 30 minutes, if the total square foot living space exceeds 10.000 square feet.

7. Fire Sprinklers may be used as an alternate to modifications, alternate materials, and methods in one and two single family dwellings or any other building covered in the International Residential Code.