

ORDINANCE NO. 573

AN ORDINANCE TO PROVIDE FOR ADOPTION OF A UNIFORM FIRE CODE AND TO PROVIDE FOR THE RECURRING AUTOMATIC ADOPTION OF AMENDMENTS AND CHANGES THERETO:

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF POLSON, MONTANA

WHEREAS, The City of Polson is authorized to adopt a fire code and a plan for the enforcement of a fire code, all pursuant to Section 50-61-103(2), M.C.A.; and,

WHEREAS, the City of Polson desires to adopt the Uniform Fire Code, 1997 Edition, including Appendix chapters and Appendix Standards as adopted by the Montana Department of Justice, ARM 23.7.301 et seq., and as the same may be altered or amended from time to time, together with provisions unique to the City of Polson, and,

WHEREAS, the City of Polson desires to adopt standards and methods of enforcement of the Uniform Fire Code and the City additions thereto, together to be known as the Polson Fire Code; and,

WHEREAS, the City of Polson has caused notice to be published pursuant to law of the intended adoption at least 15 days before final action thereon, and made the Uniform Fire Code available at City Hall for inspection by the public.

NOW, THEREFORE:

1. The foregoing are part and parcel of this Ordinance and not mere recitals.
2. The Uniform Fire Code, together with the Appendices and Administrative Code of Montana provisions set forth above, is hereby adopted and its terms applicable to every structure within the corporate limits of the City of Polson.
3. This Ordinance, together with the Appendices and Administrative Rules referenced herein, shall be known as the Polson Fire Code.
4. The automatic adoption by the City of Polson of a new or amended Uniform Fire Code shall become effective ninety days following the date of notification by the Department of Justice of its adoption of such new codes.
5. That Section 9.18, Fireworks, and 9.20, Explosives, of the Polson Municipal Code are explicitly repealed.
6. The City of Polson shall establish a procedure and delegate authority as required to provide for the issuance of permits for activities set forth in the Polson Fire Code as adopted herein requiring permits.
7. The Chief of the Polson Fire Department shall enforce the provisions of the within Polson Fire Code in addition to his other duties as outlined at Section 2.26 of the Polson Municipal Code.
8. The Chief of the Polson Fire Department is empowered to appoint another person to enforce the provisions of the Polson Fire Code so long as that designee meets appropriate qualifying standards.
9. The Fire Chief or his duly appointed designee shall have the power at all reasonable hours to enter into all buildings and upon all premises within the corporate limits of the City of Polson to determine whether the building and premises conform to the Polson Fire Code.
10. The Fire Chief shall prepare and submit to the Department of Justice a Polson Fire Code inspection policy for approval thereat.
11. In case of violations of the the Polson Fire Code, the following procedure shall apply:
 - a. If the inspection reveals a violation that cannot immediately be corrected, then the inspector shall serve a written notice pursuant to all requirements of Section 50-61-115(2), M.C.A., on the party whose duty it is to maintain the safety of the property, which notice is sufficient if served upon the owner of record by certified mail, return receipt requested, to the last known address, or personally left with the owner or any adult on the

premises. The said notice shall state the deficiency in writing and the time within which it may be remedied, but in no case more than 90 days.

- b. In the event the deficiency is not cured within the time allotted in the Notice thereof the inspector shall place the notice in the hands of the City Attorney for prosecution of the violation.
- c. Failure to comply with the Polson Fire Code shall be a misdemeanor, punishable by a fine of not less than \$50, each day's noncompliance following the date for compliance stated in the notice constituting an additional violation of the Polson Fire Code, and in addition the City may bring a civil action to enjoin further violations and prevent occupancy of any structure in violation until compliance has been had.

REPEALING CLAUSE: All ordinances or parts of ordinances in conflict herewith are hereby repealed.

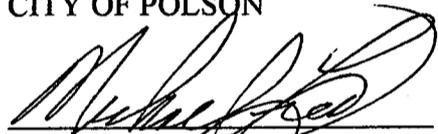
FIRST READING: August 7, 2000.

SECOND READING: September 5, 2000.

NOW THEREFORE, it is resolved that the subject Ordinance shall become effective on October 5, 2000.

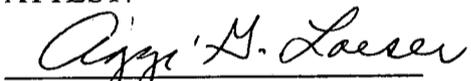
PASSED AND ADOPTED THIS 5th day of September, ~~7th~~ of August, 2000.

CITY OF POLSON



Mike Lies, Mayor

ATTEST:



Aggi Loeser, City Clerk

Minneapolis, MN
Insert this side