

**CITY OF GARIBALDI
ORDINANCE NO. 293**

**AN ORDINANCE ADOPTING THE 2003 EDITION OF THE
INTERNATIONAL FIRE CODE AND THE 2004 OREGON FIRE CODE
AMENDMENTS WITH MODIFICATIONS, AND REPEALING ORDINANCE
NOS. 22 AND 214.**

THE CITY OF GARIBALDI ORDAINS AS FOLLOWS:

Section 1. That a certain document which is on file in the office of the Recorder of Garibaldi, being marked and designated as the *International Fire Code*, 2003 edition, including the *2004 Oregon Fire Code Amendments* as published by the International Code Council, is hereby adopted as the Fire Code of the City of Garibaldi, in the State of Oregon 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 as herein provided; providing for the issuance of permits and collection of fees therefore; and each and all of the regulations, provisions, penalties, conditions and terms of said Fire Code on file in the office of the City of Garibaldi are hereby referred to, adopted, and made a part hereof, as if fully set out in this ordinance, with the additions, insertions, deletions and changes, if any, prescribed in Section 2 of this ordinance.

Section 2. That the following sections are hereby revised.

- A. Section 101.1. Insert "City of Garibaldi"
- B. Section 109.3. Insert "... shall be guilty of a Garibaldi Fire Code violation, punishable by a fine set by Garibaldi Penalties Ordinance No. 254."
- C. Section 111.4. Insert "... shall be liable to a fine set by Garibaldi Penalties Ordinance No. 254."

Section 3. That the geographic limits referred to in certain sections of the 2003 International Fire Code are hereby established as follows.

- A. Section 3204.3.1.1. Storage of flammable cryogenic fluids in storage containers outside buildings is prohibited within the city limits.
- B. Section 3404.2.9.5.1. Storage of Class III liquids in above ground tanks outside of residential buildings shall be allowed if the size does not exceed 300 gallons. Any tank that exceeds 300 gallons is not allowed.
- C. Section 3406.2.4.4. Storage of Class I, II and III flammable liquids in above ground tanks exceeding 300 gallons shall be allowed only in Water Dependent Development (WD-1), Waterfront Development Support (WD-2) and Commercial (C-1) within the city limits. The size of the tank for storage of Class I flammable liquids shall be no greater than 1,000

gallons. The size of the tank for storage of the Class III flammable liquids shall be no greater than 2,000 gallons.

- D. Section 3804.2. Bulk storage of liquefied petroleum gas will be allowed with a maximum water capacity of 2,000 gallons. Bulk storage above 300 gallons to 2,000 gallons shall only be allowed in Water Dependent Development (WD-1), Waterfront Development Support (WD-2) and Commercial (C-1) within the city limits. Any storage of 300 gallons or less for residential heating of liquefied petroleum gas is allowed but must comply with Chapter 38 of the *International Fire Code*.
- E. Section 3301. Any storage or use of explosives or fireworks shall comply fully with Chapter 33 of the International Fire Code. Transportation of such explosives or fireworks are limited only to US 101. The transportation of explosives on any other city streets is prohibited.

Section 4. That Ordinance No. 214 Adopting the 1991 Edition of the *Uniform Fire Code* with Modifications and Ordinance No. 22 Adopting Fire Prevention and Protection and all other ordinances or parts of ordinances in conflict herewith are hereby repealed.

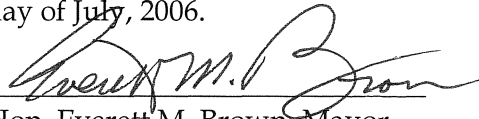
Section 5. That if any section, subsection, sentence, clause or phrase of this ordinance is, for any reason, held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this ordinance. The City of Garibaldi hereby declares that it would have passed this ordinance, and each section, subsection, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses and phrases be declared unconstitutional.

Section 6. That nothing in this ordinance or in the Fire Code hereby adopted shall be construed to affect any suit or proceeding impending in any court, or any rights acquired, or liability incurred, or any cause or causes of action acquired or existing, under any act or ordinance hereby repealed as cited in Section 2 of this ordinance; nor shall any just or legal right or remedy of any character be lost, impaired or affected by this ordinance.

Section 7. EMERGENCY CLAUSE: Whereas, the peace, health and safety of the people of the City of Garibaldi is involved; therefore, an emergency is declared to exist and this ordinance shall be in full force and effect immediately upon its adoption by the City Council and approval by the Mayor.

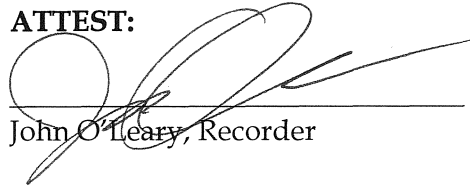
ADOPTED BY A READING OF TITLE TWICE ONLY by the Council this 17th day of July, 2006.

APPROVED by the Mayor this 21st day of July, 2006.



Hon. Everett M. Brown, Mayor

ATTEST:



John O'Leary, Recorder