

## Fire Code Ordinance 10-02 Q&A

**Q:** If the State of Oregon already adopts the 2010 Oregon Fire Code, why do cities and counties served by TVF&R need to pass a resolution approving this TVF&R Ordinance?

**A:** ORS 478.910 requires a fire district board to adopt their fire prevention code in accordance with ORS 198.510 to 198.600. Following adoption by TVF&R's Board, ORS 478.924 further mandates that any city or county within the district must also approve the fire code by resolution. If not adopted in a city or county, a legal uncertainty would exist about which agency has jurisdiction over fire code enforcement, plan review services, application of local amendments, appeals board proceedings, and more.

**Q:** Why did TVF&R adopt a new fire code ordinance? What's wrong with the existing one?

**A:** Nothing is wrong, *per se*, with our current fire code ordinance. The International Code Council develops and publishes a new edition of the International Fire Code every three years, which is subsequently adopted by the Oregon Office of State Fire Marshal. In order for TVF&R to maintain exempt fire district status with the State of Oregon, we are required by OAR 837-039-0015 to adopt regulations that are consistent with minimum state fire code standards. This is nearly identical to the process by which the state adopts other construction codes, such as building, mechanical, plumbing, etc.

**Q:** What is "Exempt Status?"

**A:** TVF&R is an Exempt Jurisdiction per OAR 837, Division 39, meaning that, in the opinion of the State Fire Marshal, we have enacted adequate regulations generally conforming to state and national standards concerning fire prevention, fire safety measures, and building construction requirements for safety. We also provide reasonable enforcement of those regulations.

Exempt status allows TVF&R to maintain local control and local delivery of all services related to fire code compliance within our Fire District, including required input on construction plans, providing fire code enforcement and assistance, fire safety inspections of commercial buildings, and more. If TVF&R were not an Exempt Jurisdiction, the State Fire Marshal's Office, headquartered in Salem, would have jurisdiction over fire code enforcement. We believe that fire code services are best delivered at the local level, where TVF&R is able to provide the highest degree of customer service to our local government partners, residents, and business community.

**Q:** Why does TVF&R have local amendments to the Fire Code?

**A:** State law allows local fire districts to modify the fire code as deemed appropriate. There are two amendments in this Ordinance, both targeting the significant problem of false automatic alarms in our region. Nearly 1 in 10 emergency calls for TVF&R are false alarms dispatched by automatic alarm systems at commercial occupancies - resulting in a huge cost to our taxpayers. False alarms take emergency crews out of service, so they are unavailable for true emergencies, and responding to thousands of false alarms puts them on the road unnecessarily, adding to the risk to our community.

The first amendment of the fire code requires that alarm monitoring companies attempt to verify the accuracy of alarms in commercial buildings prior to retransmitting to 911 centers, a precaution already taken in household alarm systems. This has no impact on the design or construction of buildings – it only impacts how alarm signals are handled by the offsite alarm monitoring companies.

The second amendment eliminates a firefighting water flow credit given for alarm systems. Given the poor reliability of alarm systems, we no longer believe it is prudent to trade firefighting water supply for unreliable alarm systems. This credit was rarely used, so the amendment should have little impact on our construction or design communities.