

**TITLE 5  
FIRE CODE**

**CHAPTERS :**

5-01 **FIRE LIMITS**

5-02 **FIRE CODE**

5-03 **FIRE DEPARTMENT**

**CHAPTER 5-01  
FIRE LIMITS**

**SECTIONS:**

**5-01-001-0001 FIRE PROTECTION; COUNTY ISLANDS**

**SECTION 5-01-001-0001 FIRE PROTECTION; COUNTY ISLANDS; AND OTHER SELECTED UNINCORPORATED PROPERTY**

- A. The Flagstaff Fire Department is hereby authorized, but not required, to enter into service agreements for the following areas not in the boundaries of the City, as recommended by the Fire Chief and approved by the City Manager:
1. Property surrounded by the City but not within the boundaries, i.e., County islands; or,
  2. Other unincorporated property as recommended by the Fire Chief and City Manager, and reviewed and approved by the City Council on a case-by-case basis. (Ord. 1765, 08/04/92; Ord. 2003-09, 05/20/03)
- B. The fire protection services described above shall be provided only on the following basis:
1. The fire protection services rate, beginning July 1, 2010, for fire districts and individual service contracts (including county islands), receiving services in Fiscal Year 2009-2010 under this ordinance, shall be based on the actual fire contract amount established in Fiscal Year 2009-2010 in addition to a surcharge of eighteen percent (18%) of the Fiscal Year 2009-2010 contract amount (the "Base Contract Rate").
  2. The City may, at its sole discretion, offer an alternative funding schedule to those Fire districts receiving fire protection services from the City in 2009-10. The purpose of this alternative funding schedule will be to distribute the 18% annual rate increase in 2010 over an ensuing contract period not to exceed five-years. It is intended that the annual increase will be equal to the total fees generated through the five-year contract period as if the eighteen percent (18%) increase were applied in 2010. In no instance shall the period allowed for the purpose of this funding alternative exceed a five (5) year timeframe.
  3. In addition to the eighteen percent (18%) contract increase, or the alternative multi-year increment, the Base Contract Rate shall be increased on an annual basis by an amount equal to the Consumer Price Index for all Urban Consumers using the U.S. City average ("CPI-U"). This rate shall be applied to all fire districts and individual contracts developed under this ordinance. In no event shall a Base Contract Rate be reduced in any subsequent year as a result of a decrease in the CPI-U.

4. For all new contracts established after the effective date of this ordinance, including fire districts, individual contracts, including county islands, the fire protection services rate shall be established using the City of Flagstaff primary and secondary property tax rate for the preceding fiscal year, per one hundred dollar (\$100.00) assessed value of the affected property, as established by the most recent Coconino County Property Appraiser's Office, plus eighteen percent (18%); this will then become the Base Contract Rate for those contracts.
- C. In the absence of a written contract, an implied contract shall exist between the City and the property owner which provides for reimbursement to the City at an hourly rate based on the Fire Department's current operating and maintenance budget, divided by the number of alarms for the preceding calendar year. The City shall have the ability to keep the existing rate in place when rate increases or decreases do not exceed ten percent (10%) and to round costs to the nearest whole number. A one hour minimum will be assessed for all but false alarms. The City may establish on an annual basis a reduced charge for a single unit response for emergency medical services ("EMS") incidents or other emergency responses not requiring a full complement of fire department response units.
    1. This rate may be applied to other Fire Department costs, such as hazardous materials response or other auxiliary services.
  - D. Costs associated with additional firefighting units (other than the primary responding units) necessary to control or contain events may be charged in the same manner provided in Section C. Extraordinary costs (costs greater than \$1,000.00 ), costs for equipment and supplies, and personnel costs necessary to maintain adequate City coverage may also be recovered on a cost basis.
  - E. In a collection action to recover the City's costs based upon the implied contract referred to in C. above, the City is authorized to utilize all equitable and legal remedies, including a lien upon the affected property as provided in the Arizona Revised Statutes. (Ord. 1447, 6-3-86)
  - F. There shall be no duty for the City of Flagstaff to respond to property in an unincorporated area not covered by a fire contract. However, if a threat exists to the City of Flagstaff or other contract properties; or if, when dispatched, the Fire Department is not certain of the status of the property, the Fire Department responders shall have the discretion to act in the interest of public safety.

(Ord. No. 1765, Amended, 08/04/92; Ord. No. 2003-09, 05/20/03; Ord. No. 2010-08, 03/16/10;) (Amended Ord. No. 2010-21, 10/05/2010)

CHAPTER 5-02  
FIRE CODE

SECTIONS:

- 5-02-001 FIRE CODE
- 5-02-002 REGULATIONS FOR THE USE OF CONSUMER FIREWORKS

**SECTION 5-02-001 FIRE CODE**

<u>5-02-001-0001</u>	ADOPTION OF 2006 INTERNATIONAL FIRE CODE
<u>5-02-001-0002</u>	BUREAU OF FIRE PREVENTION; ESTABLISHMENT, DUTIES
<u>5-02-001-0003</u>	SAVINGS CLAUSE
<u>5-02-001-0004</u>	VIOLATION AND PENALTIES
<u>5-02-001-0005</u>	AMENDMENTS

**SECTION 5-02-001-0001 ADOPTION OF 2006 INTERNATIONAL FIRE CODE**

There is hereby adopted by the City of Flagstaff for the purpose of prescribing regulations governing conditions hazardous to life and property from fire or explosion, that certain Code known as the 2006 International Fire Code, including the following appendices:

Appendix B - Fire-Flow Requirements For Buildings

Appendix C - Fire Hydrant Locations and Distribution providing for amendments, additions and deletions thereto and International Wildland Urban Interface Code (IWUIC), 2006 Edition, including the following appendices:

- Appendix A - General Requirements*
- Appendix B - Vegetation Management Plan*
- Appendix C - Fire Hazard Severity Form*
- Appendix D - Fire Danger Rating System*

providing for amendments, additions and deletions thereto of which not less than three (3) copies have been and now are on file in the office of the City Clerk of the City of Flagstaff, and the same which are hereby adopted and made part hereto by this reference as fully and completely as if fully herein set forth and from the date on which this Chapter should take effect.

(See Ordinance Nos. 1883 and 2006; Ord. 1883, 09/19/95) (Ord. No. 1698, Amended, 07/16/91; Ord. No. 1883, Amended, 09/19/95; Ord. No. 2010-21, 10/05/10)

**SECTION 5-02-001-0002 BUREAU OF FIRE PREVENTION: ESTABLISHMENT, DUTIES:**

- A. The Fire Prevention Code shall be enforced by the Bureau of Fire Prevention.
- B. The Fire Chief of the City shall be in charge of the Bureau of Fire Prevention, and he may detail such members of the Fire Department as inspectors as shall from time to time be necessary.
- C. A report of the Bureau of Fire Prevention shall be made annually and transmitted to the City Manager. It shall contain all proceedings under this Code with such statistics as the Chief of the Fire Department may wish to include therein and recommendations of amendments to the Code. (Ord. 683, 3-29-66)

**SECTION 5-02-001-0003 SAVING CLAUSE**

Nothing in this Chapter or in the International Fire Code hereby adopted shall be construed to affect any suit or proceeding now pending in any court, or any

rights acquired, or liability incurred, or any cause or causes of action acquired or existing, under any act or ordinances replaced hereby. Nor shall any right or remedy of any character be lost, impaired, or affected by this Chapter.

**SECTION 5-02-001-0004 VIOLATION AND PENALTIES**

- A. Violations. It shall be unlawful for any person, firm or corporation to erect, construct, enlarge, alter, repair, move, improve, remove, convert, demolish, equip, use or maintain any building or property, or permit the same to be done in violation of this Code.
- B. Penalties. Any person, firm, or corporation violating any provision of this Code shall be deemed guilty of a misdemeanor, and upon conviction thereof, shall be punishable by a fine and/or imprisonment set forth by the governing laws of the jurisdiction. Each separate day or any portion thereof, during which any violation of this Code occurs or continues, shall be deemed to constitute a separate offense.

**SECTION 5-02-001-0005 AMENDMENTS**

The following provisions shall have the effect of either amending, adding to, or deleting from the International Fire Code, 2006 Edition:

CHAPTER 1, IFC, Administration

Amend Section 101.1, Title. To read:

These regulations shall be known as the Fire Code of The City of Flagstaff, hereinafter referred to as "this code."

Amend Section 104.6, Official Records, to read:

The fire code official shall keep official records as required by Sections 104.6.1 through 104.6.4. Such official records shall be retained as prescribed by state and city archival regulations.

Amend Section 105.6.2, Amusement Buildings, to read:

Amusement buildings or special event. An operational permit is required to operate an amusement building or special event.

Amend Section 105.6.30 Open Burning by deleting:

Exception: Recreational fires.

CHAPTER 3, IFC, General Precautions Against Fire

Amend Section 308.3.3, Location Near Combustibles, by adding:

Candles or other open flame devices shall not be left unattended. Open flames shall be extinguished when direct supervision is unavailable.

BBQ grills shall be for outdoor use only. BBQ grills may be used on open balconies if proper clearances from combustibles are maintained. For listed appliances, follow the manufacturer's instructions for

proper clearances. Instructions for listed grills must be kept on premises and be made available to the Fire Department. BBQ grills shall never be used directly under unprotected combustible construction. Units must be supported by sturdy, non-combustible construction. In the absence of manufacturer's instructions and for all unlisted appliances, clearances shall be maintained as follows: from the front, sides, floor, and rear of unit 36 inches.

Exception: A minimum of 6 inches may be allowed to the rear of BBQ grills equipped with a metal lid, as long as combustible construction does not exceed the horizontal plane of the unit, i.e. above the unit.

#### CHAPTER 5, IFC, Fire Service Features

Amend Section 503.1.2, Additional Access, by adding:

Approved secondary access shall be provided to all subdivisions and developments when fire access exceeds 1200 feet in length. Secondary access shall be provided for all developments that exceed 50 units/lots.

Amend Section 503.2.3 Surface. By adding:

Fire apparatus access roads shall be designed and maintained to support a minimum 80,000 pounds gross vehicle weight. A maintenance agreement for private roads or other fire access may be required showing the responsibility for roadway maintenance and snow plowing.

Amend Section 503.2.5 Dead Ends, by adding:

There shall be no parking or other obstructions in fire apparatus turnaround areas that would impair turning of apparatus. When parking or other design features are desired, the proper design must be approved. Accumulation of snow must also be accounted for to prevent winter time obstructions.

Amend Section 503.2.7 Grade. By adding:

The gradient for a fire apparatus access road shall not exceed 10 percent on straight sections of roadway and 5 percent side slope on turnarounds and curves.

Amend Section 503, Fire Apparatus Access Roads, by adding Section 503.7 as follows:

503.7 Modifications. When automatic fire sprinkler systems or other approved fire protection systems or features are installed, the specifications of this section may be modified at the discretion of the Chief, when in his opinion, fire fighting or rescue operations will not be impaired.

Amend Section 504.2 Maintenance of exterior doors and openings, by adding:

Exterior doors and openings required by this code or the building code shall be maintained readily accessible for emergency access by the

fire department. Exterior doors shall be supplied with an approved exterior handle.

Amend Section 505.1 Address Numbers, by adding:

Commercial address numbers shall be a minimum of 6 inches high with a minimum stroke width of 0.5 inch. When address numbers attached to buildings are insufficient to be seen from the street, additional numbers may be required at a location approved by the Chief. Approved identification shall also be provided on the rear door(s) at any location where access into the building may be difficult to determine.

Amend Section 508 Fire Protection Water Supplies, by adding Section 508.6, Modifications, as follows:

508.6 Modifications. When automatic fire sprinkler systems or other approved fire protection systems or features are installed, the specifications of this section may be modified at the discretion of the Chief, when in his opinion, fire fighting or rescue operations will not be impaired.

Amend Section 508.1 Required water supply, by adding:

When any portion of the facility or building protected is in excess of 300 feet from a water supply on a public street for commercial occupancies and 500 feet from a water supply for residential single family and duplex occupancies, as measured by an approved route around the exterior of the facility or building, on-site fire hydrants and mains capable of supplying the required fire flow shall be provided when required by the Chief.

Amend Section 508.2 Type of water supply, by adding 508.2.3, Water Supply, as follows:

508.2.3 Water Supply. Water supply for a major system component as described by the American Water Works Association must provide a continuous and uninterrupted supply of fire protection water through redundancy. Fire mains in excess of 1,000 feet in length or which have more than 3 hydrants affixed shall be looped to a second source of water. All fire mains hereafter constructed shall be a minimum of 8 inch diameter but in all cases shall be of sufficient size to adequately supply the required fire flow.

Amend Section 508.3 Fire Flow, by adding:

The method for determining fire flow requirements for buildings and subdivisions shall be Appendix B Fire Flow Requirements for Buildings.

## CHAPTER 6, IFC, Building Services and Systems

Amend Chapter 6 by adding Section 610 Apartment-Type Buildings, as follows:

Section 610.1 Apartment-Type buildings. Buildings or parts of buildings classified as R1 or R2 are required to utilize exterior wall coverings that have a minimum Class A Flame Spread Rating.

## CHAPTER 7, IFC, Fire-Resistance-Rated Construction

Amend Section 703 Fire-Resistance-Rated Construction. By adding:

Section 703.4 Roof Coverings. Roof coverings shall be non-combustible. Wood shake roof coverings are prohibited.

Exception: Wood shakes may be used as decorative accent coverings when approved by the Community Development Department and Fire Department. Historical buildings desiring to use wood shakes shall be treated on a case-by-case basis with review by both the Community Development Department and the Fire Department.

#### CHAPTER 9, IFC, Fire Protection Systems

Amend Section 903, Automatic Sprinkler Systems, by adding new Section 903.2.14, Other Sprinkler System Required Locations, as follows:

Section 903.2.14 Other Sprinkler System Required Locations. Notwithstanding the previously dictated required locations, automatic fire sprinkler systems shall also be required in:

1. Commercial buildings greater than 5,000 square feet.
2. Commercial buildings greater than three stories in height.
3. Buildings and structures within Traditional Neighborhood Districts.

When there are practical difficulties in complying with this provision, alternate methods and materials complying with the intent of the code may be considered by the code official. Refer to Section 104.8.

Amend Section 905, Standpipe Systems, by adding new Section 905.3.8, Other Standpipe Systems Required Locations, as follows:

Section 905.3.8 Other Standpipe Systems Required Locations. Notwithstanding the previously specified required locations, approved standpipe systems shall also be required in:

1. Commercial buildings greater than two stories in height.

#### CHAPTER 33, IFC, Explosives and Fireworks

Amend Section 3301.2.4 Financial responsibility, by deleting \_\_\_\_\_ and substituting "A \$1,000,000 bond in lieu of a \$100,000 bond."

Amend Section 3308, Fireworks Display, by adding new Section 3308.2.3, Permit Cancellations, as follows:

Section 3308.2.3 Permit Cancellations. Outdoor fireworks displays will not be permitted and any previously issued permits will be automatically rescinded when the Fire Danger Rating for the Flagstaff Area of the Coconino National Forest reaches Very High or greater.

#### INTERNATIONAL WILDLAND URBAN INTERFACE CODE (IWUIC)

#### CHAPTER 1, IWUIC, ADMINISTRATION

Amend Section 101.2 Scope. By adding:

When determining which conditions constitute a distinct danger to life or property, the Code Official may be guided by industry standards, individual site conditions, hazard ratings, risk assessments, basal area calculations, and/or tree densities determined to be effective in identifying and mitigating fire danger and/or protecting property.

In coordination with the Community Development Department, the provisions of this code shall be applied to all future developments to make properties FireWise prior to the application of resource protection standards found in the Land Development Code.

Amend Section 101.3, Objective, to read:

The unrestricted use of property in wildland-urban interface areas is a potential threat to life and property from fire, economic, and resulting environmental impacts. (Remainder unchanged)

Amend Section 102.1, Powers and Duties of the Code Official, by deleting the sentence:

"For such purposes, the code official shall have the powers of a law enforcement officer."

Amend Section 106.1, General, by deleting the sentence:

"When such plans are not prepared by an architect or engineer, the code official may require the applicant submitting such plans or other data to demonstrate that state law does not require that the plans be prepared by a licensed architect or engineer."

## CHAPTER 2, IUWIC, DEFINITIONS

Amend Section 202, Definitions, by adding the following definitions:

FIRE RESISTIVE VEGETATION is those plants that burn at a relatively low intensity, slow rates of spread, and with short flame lengths. Characteristics include:

1. Growth with little or no accumulation of dead vegetation (either on the ground or standing upright)
2. Non-resinous plants (ex: flowers or aspen trees)
3. Low volume of total vegetation (ex: grass vs. brush)
4. Plants with high live fuel moisture (large amount of water in relation to their dry weight)
5. Drought tolerant plants
6. Stands without ladder fuels (plants without small, fine branches and limbs or adjacent shorter plants that create a ready-avenue for fire to move upward from the ground to the top of the vegetation)

7. Plants requiring little maintenance
8. Plants with woody stems and branches that require prolonged heating to ignite

FOREST STEWARDSHIP PLAN is a comprehensive land-management plan that includes all lands within the city boundary, as well as any parcels or areas served by an emergency response/suppression contract.

HAZARDOUS FUELS are weeds, grass, needles, straw, brush, trees, vines, wood chips, firewood, or other vegetation - living or dead - that a) if ignited, will present a risk to life or property, or b) if left in it's current or natural state, will create an impediment to access, pose a threat to improvements, infrastructure, or public safety, or may cause a fire to ignite.

VEGETATION MANAGEMENT is a plan or operational activity, described below, that is undertaken by property owners at their own discretion or directed/approved by the Code Official designed or required to reduce wildfire threat, promote environmental sustainability, public welfare, and/or community well-being.

1. Debris Disposal - Removal of cut, dead, dying, and/or downed vegetation or other combustible materials, including flammable landscaping plants.
2. Marking - Designating trees or other vegetation, by location, paint, flagging, or other identification system, that are to be either removed or retained.
3. Prescribed Fire - The planned use of fire under specific environmental conditions to achieve forest management or community protection objectives. Used to reduce hazardous fuel levels, control unwanted vegetation, recycle nutrients, favor desired vegetation, and improve visibility and wildlife habitat.
4. Selective Tree Thinning - The periodic removal of individual trees or groups of trees to reduce threat of wildfire, improve individual tree vigor and forest health, or achieve other desired objectives.

#### CHAPTER 3, IWUIC, WILDLAND-URBAN INTERFACE AREAS

Amend Section 301.1 Scope. To read:

The provisions of this chapter provide methodology to establish and record wildland-urban interface areas based on the following findings of fact: high temperatures, low relative humidity, breezy/windy conditions, low fuel moistures, weather-related ignition potential, human-related ignition potential, historical fire data, natural fire-adapted ecosystem, ember lofting and carrying potential, tree densities, crown closure, ladder fuels, surface fuels, and other fire risk factors.

#### CHAPTER 5, IWUIC, SPECIAL BUILDING CONSTRUCTION REGULATIONS

Amend Table 502.1 Fire Hazard Severity. To read:

TABLE 502.1  
FIRE HAZARD SEVERITY

FUEL MODEL <sup>b</sup>	CRITICAL FIRE WEATHER FREQUENCY								
	< 1 Day <sup>a</sup>			2 to 7 days <sup>a</sup>			> 8 days <sup>a</sup>		
	Slope (%)			Slope (%)			Slope (%)		
	≤ 10	11-20	≥ 30	≤ 10	11-20	≥ 30	10	11-29	≥ 30
Light fuel	M	M	M	M	M	M	M	M	H
Medium fuel	M	M	H	H	H	H	M	H	E
Heavy fuel	H	H	H	H	E	E	H	E	E

a. Days per annum

~~b.~~ When required by the code official, fuel classification shall be based on the historical fuel type for the area.

E = Extreme hazard.

H = High hazard.

M = Moderate hazard.

Amend Section 504.2, Roof Covering, as follows:

Roofs shall have a non-combustible roof covering. For roof coverings where the profile allows a space between the roof covering and roof decking, the space at the eave ends shall be firestopped to preclude entry of flames or embers.

Amend Section 504.3, Protection of Eaves, to read as follows:

Eaves and soffits shall be protected on the exposed underside by materials approved as non-combustible or heavy timber/log construction.

Amend Section 504.5, Exterior Walls, to read as follows:

Exterior walls of buildings or structures shall be constructed with approved materials having a minimum Class A Flame Spread Rating or heavy timber/log construction.

Amend Section 504.6, Unenclosed Underfloor Protection by deleting:

Exception: Complete enclosure may be omitted where the underside of all exposed floors and all exposed structural columns, beams and supporting walls are protected as required for exterior 1-hour fire-resistance-rated construction or heavy timber construction.

Amend Section 504.7, Appendages and Projections, to read:

Unenclosed accessory structures with habitable spaces and projections, such as decks, shall be constructed with approved noncombustible or limited-combustible materials or heavy timber/log construction. Approved noncombustible or limited-combustible materials shall be those approved by the Flagstaff Fire Department as a result of approved fire tests.

Amend Section 504.10, Vents, by changing 1/4 inch to 1/8 inch.

Amend Section 504.10 Vents, by adding:

Exception: Vents installed with compliant mesh and located on fascia or soffits as far from the exterior wall as practical and as approved by the Code Official. Vent size may exceed 144 square inches (0.0929 m<sup>2</sup>) when approved by the Code Official.

Amend Section 504.11, Detached Accessory Structures, by deleting:

When the detached structure is located and constructed so that the structure or any portion thereof projects over a descending slope surface greater than 10 percent, the area below the structure shall have all underfloor areas enclosed to within 6 inches (152 mm) of the ground, with exterior wall construction in accordance with Section 504.5 or underfloor protection in accordance with Section 504.6.

Exception: The enclosure may be omitted where the underside of all exposed floors and all exposed structural columns, beams and supporting walls are protected as required for exterior 1-hour fire-resistance-rated construction or heavy-timber construction.

Amend Section 505.2, Roof Covering, to read:

Roofs shall have a non-combustible roof covering. For roof coverings where the profile allows a space between the roof covering and roof decking, the space at the eave ends shall be firestopped to preclude entry of flames or embers.

Amend Section 505.3, Protection of Eaves, to read as follows:

Combustible eaves, fascias, and soffits shall be enclosed with solid material with a minimum thickness of 1/2 inch.

Amend Section 505.5, Exterior Walls, to read as follows:

Exterior walls of buildings or structures shall be constructed with approved materials having a minimum Class B Flame Spread Rating or heavy timber/log construction.

Exception: Exterior walls protected with a non-combustible wainscoting extending a minimum 4 feet above adjoining grades, or fire resistive vegetation/landscaping provided for a distance of a minimum of 30 feet adjoining the wall.

Amend Section 505.6, Unenclosed Underfloor Protection, by deleting:

Exception: Complete enclosure may be omitted where the underside of all exposed floors and all exposed structural columns, beams and supporting walls are protected as required for exterior 1-hour fire-resistance-rated construction or heavy timber construction.

Amend Section 505.7, Appendages and Projections, to read as follows:

Unenclosed accessory structures with habitable spaces and projections, such as decks, shall be constructed with approved noncombustible or limited-combustible materials or heavy timber/log construction. Approved noncombustible or limited-combustible materials shall be those approved by the Flagstaff Fire Department as a result of approved fire tests.

Amend Section 505.10, Vents, by changing 1/4 inch to 1/8 inch.

Amend Section 505.10, Vents, by adding:

Exception: Vents installed with compliant mesh and located on fascia or soffits as far from the exterior wall as practical and as approved by the Code Official. Vent size may exceed 144 square inches (0.0929 m<sup>2</sup>) when approved by the Code Official.

Amend Section 505.11, Detached Accessory Structures, by deleting:

When the detached structure is located and constructed so that the structure or any portion thereof projects over a descending slope surface greater than 10 percent, the area below the structure shall have all underfloor areas enclosed to within 6 inches (152 mm) of the ground, with exterior wall construction in accordance with Section 504.5 or underfloor protection in accordance with Section 504.6.

Exception: The enclosure may be omitted where the underside of all exposed floors and all exposed structural columns, beams and supporting walls are protected as required for exterior 1-hour fire-resistance-rated construction or heavy-timber construction.

Amend Section 506.2, Roof Covering, to read:

Roofs shall have a non-combustible roof covering. For roof coverings where the profile allows a space between the roof covering and roof decking, the space at the eave ends shall be firestopped to preclude entry of flames or embers.

Amend Section 506.3, Unenclosed Underfloor Protection, by deleting:

Exception: Complete enclosure may be omitted where the underside of all exposed floors and all exposed structural columns, beams and supporting walls are protected as required for exterior 1-hour fire-resistance-rated construction or heavy timber construction.

Amend Section 506.4, Vents, by changing 1/4 inch to 1/8 inch.

Amend Section 506.4, Vents, by adding:

Vents shall be installed with compliant mesh and located on fascia or soffits as far from the exterior wall as practical and as approved by the Code Official.

Amend Section 507.1, General, to read:

The roof covering on buildings or structures in existence prior to the adoption of this code that are replaced or have more than a 10 foot by 10 foot section replaced in a 12-month period shall be replaced with a roof covering required for new construction based on the type of ignition-resistant construction specified in accordance with Section 503.

Amend Section 603.2, Fuel Modification, to read:

Defensible space shall be required on new structures and subdivisions within the Wildland-Urban Interface containing a moderate, high or extreme fire danger rating.

In order to qualify as a conforming defensible space for the purposes of this code, fuel modification shall be provided for an entire property or development as prescribed by a vegetation management plan approved by the Code Official using best management practices and industry standards. When approving a vegetation management plan, the Code Official may be guided by individual site conditions, hazard ratings, risk assessments, basal area calculations, and/or tree densities determined to be effective in identifying and mitigating fire danger and/or protecting property.

Persons owning, leasing, controlling, operating or maintaining buildings, structures, or property requiring defensible spaces are responsible for modifying or removing non-fire-resistive vegetation on the property owned, leased or controlled by said person.

Amend Section 604.4, Trees, to read:

Trees adjacent to any structure shall be allowed to remain in place when in conformity to the approved vegetation management plan. Tree crowns shall be required to be pruned to remove limbs located less than 6 feet (1829 mm) above the ground surface or no more than one-third of the live crown when required by the vegetation management plan.

Portions of tree crowns that extend within 10 feet (3048 mm) of the outlet of a chimney shall be pruned to maintain a minimum horizontal clearance of 10 feet (3048 mm). At no time may tree crowns or limbs extend into the vertical plane of a chimney outlet. Tree limbs shall not touch roof coverings at any time.

Deadwood and litter shall be regularly removed from trees and the surrounding area.

Hazard trees, as determined by the Code Official, shall be removed. When determining hazard trees, the Code Official may be guided by industry standards, individual site conditions, hazard ratings, risk assessments, basal area calculations, and/or tree densities determined to be effective in identifying and mitigating fire danger and/or protecting property. Trees that are in such a position that they may fall endangering life or property are determined to be hazard trees.

#### APPENDIX A, IWUIC, GENERAL REQUIREMENTS

Delete Section A103.4, Use of Motorcycles, Motor Scooters, Ultra Light Aircraft and Motor Vehicles.

Amend Section A104.4, Smoking, by adding the following sentence:

Smoking may be prohibited in the wildland-urban interface by the Code Official during periods of Very High or greater fire danger as determined by the Coconino National Forest.

Amend Section A104.5 Equipment and devices generating heat, sparks or open flames, by adding:

Equipment and devices generating heat, sparks or open flames may be prohibited in the wildland-urban interface by the Code Official during periods of Very High or greater fire danger as determined by the Coconino National Forest.

Amend Section A104.6, Fireworks, by adding:

Fireworks issued under permit by the Fire Department will be prohibited in the wildland-urban interface by the Code Official during periods of Very High or greater fire danger as determined by the Coconino National Forest.

Amend Section A104.7.1 Outdoor fires, Exception, to read:

Exception: Outdoor fires within inhabited premises or designated campsites where such fires are in a permanent barbecue, portable barbecue, outdoor fireplace, incinerator, grill, or any other outdoor fire appliance listed for such purposes and are a minimum of 15 feet (9144 mm) from any combustible material or non fire-resistive vegetation.

Amend Section A107.3, Fuel Modification area, by deleting:

Of not less than 30 feet (9144 mm).

Amend Section A107.4, Trees, to read:

Hazard trees, as determined by the Code Official, shall be removed.

Portions of trees that extend to within 30 feet (9144 mm) of combustible portions of water storage and pumping facilities shall be removed unless permitted to remain under a vegetation management plan approved by the Code Official.

Tree crowns within the defensible space shall be pruned to remove limbs located less than 6 feet (1829) mm) or one-third of the canopy height above the ground surface adjacent to the trees.

Portions of trees that extend within 10 feet (3048 mm) of the outlet of a chimney shall be pruned to maintain a minimum horizontal clearance of 10 feet (3048 mm).

#### APPENDIX B, IWUIC, VEGETATION MANAGEMENT PLAN

Amend Section B101.2, Plan content, to read:

Vegetation management plans shall describe all action that will be taken to prevent a surface fire from extending vertically and a canopy or crown fire from extending across a piece of property. Vegetation management practices shall be maintained regularly or at least annually. A vegetation management plan shall include at least the following information:

1. A copy of the site plan.
2. Methods and timetables for controlling, changing or modifying areas on the property. Elements of the plan shall include fuel reduction to include removal of slash, snags, vegetation that may grow into overhead electrical lines, other ground fuels, ladder fuels and dead trees, and the thinning of live trees.
3. Methods to be used to provide for ecosystem sustainability, specifically methods to provide for age and size class distribution over the areas of the property.
4. A plan for maintaining the proposed fire protection measures.

APPENDIX C, IWUIC, FIRE HAZARD SEVERITY FORM

Amend Appendix C, Fire Hazard Severity Form, to read:

**APPENDIX C – 1**  
**FLAGSTAFF FIRE DEPARTMENT**  
**WILDLAND FIRE HAZARD SEVERITY ASSESSMENT FORM**  
**Building Construction Requirements**

*For Use on non-developed Properties following Hazard Fuel (Defensible Space) Work*  
**\*\* When utilized, replaces Table 502.1 \*\***

Name: \_\_\_\_\_  
 Address: \_\_\_\_\_ Date: \_\_\_\_\_  
 Assessor: \_\_\_\_\_ Phone: \_\_\_\_\_

Element	Points	Score	Comments
<b>A. Means of Access</b>			
1. Ingress and Egress			
a. Two or more roads in/out	0	_____	_____
b. One road in/out	7	_____	_____
2. Road Width			
a. greater/equal to 24 feet	0	_____	_____
b. greater/equal to 20 feet & less than 24 feet	2	_____	_____
c. less than 20 feet	7	_____	_____
3. All-season road condition			
a. Surfaced road, grade less than 5%	0	_____	_____
b. Surfaced road, grade greater than 5%	2	_____	_____
c. Non-surfaced road, grade less than 5%	5	_____	_____
d. Non-surfaced road, grade greater than 5%	7	_____	_____
e. Other than all-season	10	_____	_____
<b>B. Topography – within 300 feet of property center-point</b>			
1. Slope less than 5%	1	_____	_____
2. Slope 6% to 19%	4	_____	_____
3. Slope greater than 20%	10	_____	_____
<b>C. Water Source Availability</b>			
1. Conforming	0	_____	_____
2. Nonconforming	10	_____	_____

**Total for HOME**      **0**

**RESULTS**

<u>Construction Requirements</u>	<u>Total Points</u>
Ignition Resistant Construction (IR) 3	Less than 20
Ignition Resistant Construction (IR) 2	21-29
Ignition Resistant Construction (IR) 1	Greater than 30

Remarks: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

**APPENDIX C – 2**  
**FLAGSTAFF FIRE DEPARTMENT**  
**WILDLAND FIRE HAZARD SEVERITY ASSESSMENT FORM**  
**Property Maintenance**

Name: \_\_\_\_\_  
 Address: \_\_\_\_\_ Date: \_\_\_\_\_  
 Assessor: \_\_\_\_\_ Phone: \_\_\_\_\_

<b>PROPERTY</b>	<b>Points</b>	<b>Score</b>	<b>Comments</b>
<b>A. Vegetation</b> – Predominate over entire property			
1. <b>Light</b> (grasses, forbs, scattered brush, etc.)	5	_____	_____
2. <b>Medium</b> (brush, open pine stands, limited ladder fuels)	10	_____	_____
3. <b>Heavy</b> (dense brush/timber, abundant ladder fuels and/or downed/dead material)	20	_____	_____
<b>B. Additional Rating Factors (rate all that apply)</b>	<b>N</b>	<b>Y</b>	
1. Topographical features that adversely affect wildland fire behavior ( <i>chimneys, steep slopes, etc.</i> )	0	5	_____
2. Area has history or evidence of high fire occurrence ( <i>campfires, children, arson, etc.</i> )	0	5	_____
3. Non-conforming water supply	0	5	_____
<b>Total for PROPERTY</b>	<b>0</b>		

**STRUCTURE**

<b>A. Driveway Access</b>			
1. Length			
a. Less than/equal to 100 feet with turnaround or park on/work from street	0	_____	_____
b. Greater than 100 feet with turnaround	2	_____	_____
c. Less than/equal to 100 feet with no turnaround or unable to park on/work from street	5	_____	_____
d. Greater than 100 feet with no turnaround	7	_____	_____
2. Width: <i>as influenced by cut-bank, vegetation, drop-off, etc.</i>			
a. Greater than 20 ft. or able to park on street/not block access	0	_____	_____
b. Less than 19 ft., or unable to park on street/hot block access	10	_____	_____
<b>B. Roof Covering</b>			
1. Non-combustible	0	_____	_____
2. Combustible	20	_____	_____
<b>C. Building Construction</b>			
1. Materials (predominate)			
a. Non-combustible siding, eaves, deck, or ground fire unable to contact structure	0	_____	_____
b. Fire-resistive siding and deck or ground fire likely to contact structure	3	_____	_____
c. Combustible siding and deck or ground fire likely to contact structure	10	_____	_____
2. Location: <i>Building setback relative to slopes of 30% or more</i>			
a. No such slope present	0	_____	_____
b. Greater/equal to 50 feet	2	_____	_____
c. Less than 50 feet	5	_____	_____
<b>D. Additional Rating Factors (rate all that apply)</b>	<b>N</b>	<b>Y</b>	
1. Fire-prone landscaping with 50 ft. of structure	0	5	_____
2. Flammable materials stored under deck or adjacent to structure	0	5	_____
3. Needles/leaves accumulated on roof	0	5	_____
<b>Total for STRUCTURE</b>	<b>0</b>		

**INDIVIDUAL HAZARD TREE(S)**

<b>A. Healthy and Safety (rate all that apply)</b>			
1. Dead or dying	1	_____	_____
2. Damaged	1	_____	_____
3. Adjacent to street/road, structure, fence, wires, yard, etc.	1	_____	_____
4. Interfering with electrical wires, visibility, etc.	1	_____	_____
<b>Total for INDIVIDUAL HAZARD TREES</b>	<b>0</b>		

**RESULTS**

	<u>Property</u>	<u>Structure</u>	<u>Individual Hazard Trees(s)</u>
<b>No Action Needed:</b>	5 or less	5 or less	0
<b>Action Recommended:</b>	6 – 13	6 – 29	1
<b>Action Required (Sec 107)</b>	14 or more	30 or more	2 or more

Remarks: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

(Amended Ord. No. 2010-21, 10/05/10)

**SECTION 5-02-002 REGULATIONS FOR THE USE OF CONSUMER FIREWORKS**

<u>5-02-002-0001</u>	Definitions
<u>5-02-002-0002</u>	Consumer fireworks prohibited; exceptions
<u>5-02-002-0003</u>	Sale of Fireworks.
<u>5-02-002-0004</u>	Posting of signs by persons engaged in the sale of fireworks; civil penalty.
<u>5-02-002-0005</u>	Authority to enforce violations of this article; means of enforcement.
<u>5-02-002-0006</u>	Liability for emergency responses related to use of fireworks; definitions
<u>5-02-002-0007</u>	Penalty.

**Section 5-02-002-0001 Definitions**

The following words, terms and phrases, when used in this article, have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

*Consumer firework* means those fireworks defined by Arizona Revised Statutes Section 36-1601.

*Display firework* means those fireworks defined by Arizona Revised Statutes Section 36-1601.

*Fireworks* means any combustible or explosive composition, substance or combination of substances, or any article prepared for the purpose of producing a visible or audible effect by combustion, explosion, deflagration or detonation, that is a consumer firework, display firework or permissible consumer firework as defined by Arizona Revised Statute Section 36-1601.

*Novelty items* means federally deregulated novelty items that are known as snappers, snap caps, party poppers, glow worms, snakes, toy smoke devices, sparklers, and certain toys as defined in Arizona Revised Statute 36-1601.

*Permissible consumer fireworks* means those fireworks as defined by Arizona Revised Statute Section 36-1601 that may be sold within the City even where the use of those items has been prohibited.

*Supervised public display* means a monitored performance of display fireworks open to the public and authorized by permit by the Fire Department.

**Section 5-02-002-0002 Consumer fireworks prohibited; exceptions**

- A. The use, discharge or ignition of consumer fireworks within the City of Flagstaff is prohibited.
- B. Nothing in this section or article shall be construed to prohibit the use, discharge or ignition of novelty items or the occurrence of a supervised public display of fireworks.
- C. Permits may be granted by the Fire Department for conducting a properly supervised public display of fireworks. Every such public display of

fireworks shall be of such character and so located, discharged or fired, only after proper inspection and in a manner that does not endanger persons, animals, or property. A permit shall not be issued, and may be revoked, during time periods of High Fire Danger warnings. The Fire Department has authority to impose conditions on any permits granted.

- D. Failure to comply with any permit requirements issued by the Fire Department is a criminal offense constituting a class three misdemeanor.
- E. Fireworks may not be combined, altered or manipulated in any way outside of the intended use that, in the opinion of the Fire Department, increases the potential for fire damage or personal injury.

**Section 5-02-002-0003 Sale of Fireworks**

- A. No person shall sell or permit or authorize the sale of permissible consumer fireworks to a person who is under sixteen years of age.
- B. No person shall sell or permit or authorize the sale of permissible consumer fireworks in conflict with state law.
- C. No person shall furnish permissible consumer fireworks to a person who is under sixteen years of age.
- D. No person who is under sixteen years of age shall possess permissible consumer fireworks.
- E. Permits and fees shall be required for the construction, erection, or operation of a business that sells consumer fireworks.

**Section 5-02-002-0004 Posting of signs by persons engaged in the sale of consumer fireworks; civil penalty**

- A. Prior to the sale of permissible consumer fireworks, every person engaged in such sales shall prominently display signs indicating the following:
  - 1. The use of fireworks, except novelty items as defined by City Code, including permissible consumer fireworks is prohibited.
  - 2. Consumer fireworks authorized for sale under state law may not be sold to persons under the age of 16.
- B. Signs required under this section shall be placed at each cash register and in each area where consumer fireworks are displayed for sale.
- C. The Fire Department shall develop regulations concerning the size and color of the required signs and shall develop a model sign. The required sign regulations and model sign shall be posted on the City's website and filed with the City Clerk's office.
- D. Any person engaged in the sale of consumer fireworks shall provide a written notice to each individual who purchases consumer fireworks. Such notice shall inform the purchaser that the use, discharge, or ignition of consumer fireworks within the City of Flagstaff is prohibited. The notice shall also inform the purchaser of the key requirements and prohibitions contained in this ordinance. The Fire Department shall develop regulations

concerning the size and content of the required notice and shall develop a model notice.

- E. Any person engaged in the sale of consumer fireworks shall require each purchaser of consumer fireworks to sign a registry indicating the name, address and age of the purchaser.
- F. Failure to comply with subparts A, B, D and E of this section is a criminal offense constituting a class three misdemeanor.

**Section 5-02-002-0005 Authority to enforce violations of this article; means of enforcement**

- A. A City police officer, or the City attorney may issue criminal complaints to enforce this article.
- B.. Any person authorized pursuant to this section to issue a civil complaint may also issue a notice of violation specifying actions to be taken and the time in which they are to be taken to avoid issuance of a civil or criminal complaint.
- C. A City fire official may issue Fire Code or permit violations to enforce this article.

**Section 5-02-002-0006 Liability for emergency responses related to use of fireworks; definitions**

- A. A person who uses, discharges or ignites permissible consumer fireworks, fireworks or anything that is designed or intended to rise into the air and explode or to detonate in the air or to fly above the ground, is liable for the expenses of any emergency response that is required by such use, discharge or ignition. The fact that a person is convicted or found responsible for a violation(s) of this article is prima facie evidence of liability under this section.
- B. The expenses of an emergency response are a charge against the person liable for those expenses pursuant to subpart A of this section. The charge constitutes a debt of that person and may be collected proportionately by the public agencies, for-profit entities or not-for-profit entities that incurred the expenses. The person's liability for the expense of an emergency response shall be the amount set forth in existing City ordinances for a single incident. The liability imposed under this section is in addition to and not in limitation of any other liability that may be imposed.
- C. For the purposes of this section:
  - 1. "Expenses of an emergency response" means reasonable costs directly incurred by public agencies, for-profit entities or not-for-profit entities that make an appropriate emergency response to an incident.
  - 2. "Reasonable costs" includes the costs of providing police, fire fighting, rescue and emergency medical services at the scene of an incident and the salaries of the persons who respond to the incident.

**Section 5-02-002-0007 Penalty**

The penalty for violating any prohibition or requirement imposed by this article is a class three misdemeanor unless another penalty is specifically provided for.

Ord. No. 2010-38, 11/02/10)

**CHAPTER 5-03  
FIRE DEPARTMENT**

**SECTIONS:**

5-03-001-0001      **ARSON INVESTIGATORS**

**SECTION 5-03-001-0001      ARSON INVESTIGATORS**

- A.     The Fire Chief of the City may designate members of the Fire Department as arson investigators pursuant to Arizona Revised Statutes section 9-500.01, who shall, while engaged in arson investigations in this State, possess and may exercise law enforcement powers of peace officers of this State.
  
- B.     The primary duty of said arson investigators shall be the investigation, detection and apprehension of persons who have violated or are suspected of violating any provision of Arizona Revised Statutes, title 13, chapter 17, relating to crimes of arson.
  
- C.     Any individual designated as an arson investigator shall have law enforcement training under the provisions of Arizona Revised Statutes, section 41-1822.
  
- D.     This Section shall not be construed as granting any powers of peace officers of this State to arson investigators other than those powers necessary for the investigation, detection and apprehension of persons who have violated, or are suspected of violating any provision of Arizona Revised Statutes, title 13, chapter 17, relating to crimes of arson.

(Ord. 1233, 11-16-82) (Revised, Ord. 2010-21, 10/5/2010)