

**AN ORDINANCE TO ESTABLISH A FIRE DISTRICT WITHIN THE CITY OF [NAME OF JURISDICTION]**

**AN ORDINANCE NO.** \_\_\_\_\_

An ordinance to amend the [name of jurisdiction] code of ordinances; being an ordinance to amend the ordinance adopting certain technical building codes and as to which the city of [NAME OF JURISDICTION], [STATE NAME], has elected to enforce; to establish the legislative findings of the city council of the city of [NAME OF JURISDICTION] that demonstrate a need for a fire district; to establish a fire district within the city of [NAME OF JURISDICTION] to establish a map of said fire district; to provide for certain building restrictions within the fire district; to provide certain exceptions to the building restrictions; to provide when the fire district provisions are applicable to existing buildings or to new buildings within the fire district; to provide when the fire district restrictions are applicable to buildings located partially within the fire district; to provide for other exceptions to the restrictions within the fire district; to repeal conflicting ordinances; to provide for severability; to provide an effective date; and for other purposes.

**WHEREAS**, the City Council of the City of [NAME OF JURISDICTION], [STATE NAME], on [DATE OF ADOPTION] adopted certain standard codes and technical regulations, elected to enforce said codes, and adopted certain administrative procedures as to said codes;

**WHEREAS**, based upon the legislative findings of the City Council of the City of [NAME OF JURISDICTION], as shown within this ordinance, the City Council finds that it is appropriate to establish a fire district within the City of [NAME OF JURISDICTION], [STATE NAME] due to the access to the buildings in the downtown area being hindered by a narrow street network that negatively impacts access emergency vehicles, and other factors as outlined within this ordinance; and

**NOW, THEREFORE, BE IT ORDAINED** as follows:

**SECTION 1. AMENDMENT TO THE CODE OF THE CITY OF [NAME OF JURISDICTION] REGARDING BUILDING REGULATIONS.**

This ordinance shall amend the Building Code Ordinance and all ordinances which deal with standards for construction of buildings and structures within the City of [NAME OF JURISDICTION], [STATE NAME], and adding in their entirety new Sections which shall read as follows:

**Section 150.1. Legislative Findings.**

The City Council makes the legislative determination that it is in the best interest of the public welfare and safety of the City, that a fire district area be established for the downtown area of the City of [NAME OF JURISDICTION], [STATE NAME]. The International Building Code, within Appendix D of said code, provides that it is optional for the governing authority to adopt the fire district provisions of Appendix D, but the City Council makes the legislative findings and determination that a fire district is appropriate for the downtown area due to:

1. The density of development of the downtown area would call for greater fire protection;
2. The topography of the downtown district is such that firefighting abilities are hampered by the slope of the natural terrain;
3. The access to the buildings in the downtown area is hindered by a narrow street network that negatively impacts access by emergency vehicles.

Due to these legislative findings, the City of [NAME OF JURISDICTION], [STATE NAME], by and through its City Council, finds that it is appropriate to create a fire district for the downtown area with a population density of more than 5,000 persons per square mile, according to the latest federal decennial census and as provided hereinafter.

## **Section 150.2. General.**

Section 150.2.1. Scope. The fire district shall include such territory or area as outlined in this ordinance. Whenever, in such ordinance creating and establishing a fire district, reference is made to the fire district, it shall be construed to mean the fire district designated and referred to in this ordinance.

Section 150.2.2. Mapping. The fire district complying with the provisions of Section 150.31.1 shall be shown on a map that shall be available to the public. This map can be that portion of the City of **[NAME OF JURISDICTION]** Zoning Map and which designates the Central Business District (CBD) area of the City under said zoning map.

Section 150.2.3. Establishment of area. For the purpose of this code, the fire district shall include that territory or area as described on the City of **[NAME OF JURISDICTION]** Zoning Map as CBD with a population density of more than 5,000 persons per square mile, according to the latest federal decennial census and as provided hereinafter.

Section 150.2.4. Adoption of Technical Building Code. That a certain document, three (3) copies of which are on file in the office of the **[TITLE OF JURISDICTION'S KEEPER OF RECORDS]** of **[NAME OF JURISDICTION]**, being marked and designated as the International Building Code, 2015 edition, Appendix D as published by the International Code Council, be and is hereby adopted as the Building Code of the **[JURISDICTION]**, in the State of **[STATE NAME]** for regulating and governing the conditions and maintenance of all property, buildings and structures; by providing the standards for supplied utilities and facilities and other physical things and conditions essential to ensure that structures are safe, sanitary and fit for occupation and use; and the condemnation of buildings and structures unfit for human occupancy and use and the demolition of such structures as herein provided; providing for the issuance of permits and collection of fees therefor; and each and all of the regulations, provisions, penalties, conditions and terms of said Building Code on file in the office of the **[JURISDICTION]** are hereby referred to, adopted, and made a part hereof, as if fully set out in this legislation, with the additions, insertions, deletions and changes, if any, prescribed in Section 2 of this ordinance.

Section 150.2.5. The following sections are hereby revised:

Insert: **[DATE OF ISSUANCE]**