**JEFFERSON COUNTY FIRE AND EMS**

**RESOLUTION NO. 2022-23 #02**

**REPEALING FIRE CODE ORDINANCE AND ALL OTHER ORDINANCES OR PARTS OF ORDINANCES**

**WHEREAS,** Jefferson County Fire & EMS (herein after referred to as “District”) is a Rural Fire Protection District operating and existing under the provisions of ORS 478 et seq.; and

**WHERAS,** ORS 478.910 permits a Rural Fire Protection District the ability to adopt and repeal a fire protection code; and

**WHERAS**, ORS 476.060 appoints the Fire Chief of the District as an assistant to the State Fire Marshal in the enforcement of the State Fire Code; and

**WHERAS**, the District adopted the Oregon Fire Code by Ordinance most recently the seventh day of November 2016; and

**WHERAS**, it was a common belief within the Oregon Fire Service that the Oregon Fire Code was required to be adopted by local jurisdictions so the Oregon Fire Code could be enforced; and

**WHERAS**, the District recently learned through the Oregon State Fire Marshal’s Office that an agency adopting the Oregon Fire Code by Ordinance becomes responsible for all aspects of code enforcement, meaning the Oregon State Fire Marshal’s Office cannot enforce the Oregon Fire Code within the District; and

**WHERAS**, adopting the Oregon Fire Code by Ordinance requires training, education, and certification which is currently beyond our scope and level of expertise; and

**WHERAS**, if an agency adopts the Oregon Fire Code by Ordinance, they are required to have a local Appeals Board, which is a state function; and

**WHERAS**, the Oregon State Fire Marshal’s Office has advised the District to not adopt the Oregon Fire Code by ordinance for the reasons noted, and

Resolution No. 2022-23 #02

Date of adoption \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**WHERAS**, the District in accordance with ORS 198.510 to ORS 198.600 has presented and read for consideration an ordinance repealing the District’s Ordinance 2016-17 #01, and all other ordinances and parts of ordinances in conflict with this ordinance;

**NOW THEREFORE**, be it hereby resolved that by virtue of the power and authority vested in the Board of Directors of the Fire District by the provisions of ORS Chapter 478, this Resolution authorizes Ordinance No. 2022-01 repealing Fire Code Ordinances in conflict with this Ordinance, is hereby adopted with its effective date being 30 days from the date hereof.

Dated \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ 2022.

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

President/Board of Directors

Attest: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Secretary/Board of Directors

Approved as to form: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Attorney of Record

Resolution No. 2022-23-02

Date: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ 2022