

Wasatch County Fire District

Resolution 24-03

WILDLAND-URBAN INTERFACE CODE – ENFORCEMENT POLICY

A. Purpose and Scope

The purpose of this Enforcement Policy is to set forth the means that the Fire District may use to enforce compliance with applicable requirements of the Wildland-Urban Interface Code (“WUIC”). This Enforcement Policy will apply to the entire service area of the Fire District, but may be applied differently in different jurisdictions based on the laws of those jurisdictions.

B. Authority.

Wasatch County has formally adopted the UWIC, [and has designated the chief of the Fire District as the fire code official.] *See* Wasatch County Code 14.01.04(5) and 15.02.01. The UWIC authorizes the [code official] to administer both the UWIC and ordinances of the jurisdiction pertaining to designated wildland-urban interface areas.

C. Enforcement Mechanisms

Pursuant to the UWIC, the Wasatch County Code, and other applicable state and local laws, the Fire District may employ any of the following mechanisms to obtain compliance with the UWIC:

1. **Landscape Bonds.** If a home is ready for occupancy, except for the installation of UWIC-compliant landscaping, during a time of year in which planting is impractical, the Fire District may allow the owner to post a bond or provide funds to secure the owner’s obligation to complete the landscaping within a certain time period.
2. **Notices of Partial Compliance.** The Fire District may issue a Notice of Partial Compliance to the owner of property that is not compliant with the UWIC. Such Notices shall identify the name, location, date of inspection to verify existing compliance with existing vegetation, explanation of incomplete installation as per plans with specific references to applicable codes, and the date by which the violation must be corrected. In addition, the Notice of Partial Compliance must include information regarding the appeal process. Notices of Partial Compliance must be served in accordance with the UWIC.
3. **Recording Notices of Violation.** If a property remains out of compliance or the Fire District has not been contacted to perform a re-inspection following the expiration of the date set forth in the Notice of Partial Compliance / Bond Agreement, the Fire District may record the Notice of Violation in the official records of the Wasatch County Recorder, in accordance with Wasatch County Code 14.01.08(2)(j).

4. **Forfeiture.** When an owner has posted a landscape bond or provided funds as described above and fails to complete the required landscaping in the time period permitted by the bond agreement and has not contacted the Fire District for an inspection, the Fire District may declare the security to be forfeited to the Fire District.
5. **Civil Penalties.** The Fire District may assess a fine of \$750 per day, per violation of the UWIC. Unpaid fines will constitute a valid lien on the property on a parity with and collected at the same time and same manner as general county taxes that are a lien on the property.
 - a. The foregoing enforcement mechanisms are not exclusive. The Fire District may seek to compel performance with the UWIC in any manner allowed by applicable law. Moreover, the foregoing enforcement mechanisms may be exercised individually or collectively, in any order or manner deemed reasonable and necessary under the circumstances.

D. Appeal Process

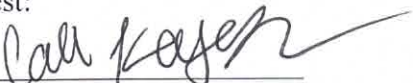
A property owner may appeal enforcement actions taken by the Fire District pursuant to this Enforcement Policy.

1. **Notice of Appeal.** The notice of appeal must be in writing and delivered to the Fire District. It shall state: "Appeal", and shall include the name of the appellant, a description of the property or project at issue, the action that is being appealed, the basis for which the appellant claims the Fire District has wrongfully or incorrectly applied the UWIC and shall provide all supporting evidence and arguments the appellant has supporting their claim. Upon receipt of an appeal, an appeal will be conducted in the same manner as an appeal of a land use decision in the applicable jurisdiction.
2. **Time.** Appeals must be mailed, or hand delivered to the Fire District no later than ten calendar days after the action or decision of the Fire District being appealed.

APPROVED and PASSED this 8 th day of October, 2023.

By: 

Attest:

By: 

Cali Keyes
Administrative Assistant