



MEETING NOTICE AND AGENDA

Notice is hereby given that the Kaysville City Council will hold a regular council meeting on **Thursday, December 4, 2025**, starting at 7:00 PM in the **Council Chambers in Kaysville City Hall at 23 East Center Street, Kaysville, UT**. The meeting will be streamed on YouTube, and the link to the meeting will be posted on www.KaysvilleLive.com.

Public comments during the meeting are only taken for Action Items, "Call to the Public", or public hearings. **Those wishing to speak during these times must sign up in person before the meeting begins.** Comments may also be submitted to the City Council via email to publiccomment@kaysville.gov. Emailed comments will NOT be read aloud at the meeting.

CITY COUNCIL Q&A – 6:30 PM

The City Council will be available to answer questions or discuss any matters the public may have.

CITY COUNCIL MEETING – 7:00 PM

The agenda shall be as follows:

- 1) OPENING
 - a) Presented by Council Member Nate Jackson
- 2) CALL TO THE PUBLIC (3 MINUTE LIMIT, MUST SIGN UP IN PERSON)
- 3) DECLARATION OF ANY CONFLICTS OF INTEREST
- 4) CONSENT ITEMS
 - a) Approval of minutes from the November 5, 2025 Council work session
- 5) WORK ITEMS
 - a) Discussion on Adopting the Wildland Urban Interface Code as Required by Utah House Bill 48
 - b) Discussion of Updates to Kaysville's Water Conservation Plan
 - c) Discussion on Amending the 2022 General Plan to Include Water Use and Preservation as Required by Utah Code §10-20-404, "General Plan Preparation"
- 6) COUNCIL MEMBERS REPORTS
- 7) CITY MANAGER REPORT
- 8) ADJOURNMENT

Kaysville City is dedicated to a policy of non-discrimination in admission to, access to, or operations of its programs, services, or activities. If you need special assistance due to a disability, please contact the Kaysville City Offices at (801) 546-1235 at least 24 hours in advance of the meeting to be held.

I hereby certify that I posted a copy of the foregoing Notice and Agenda at Kaysville City Hall, Kaysville City website at www.kaysville.gov, and the Utah Public Notice website at www.utah.gov/pmn. Posted on November 26, 2025.

Annemarie Plaizier
City Recorder

KAYSVILLE CITY COUNCIL
WORK SESSION
NOVEMBER 5, 2025

Minutes of a special Kaysville City Council work session held on Wednesday, November 5, 2025, at 7:00 p.m. in Kaysville City Hall at 23 East Center Street, Kaysville, Utah.

Council Members present: Mayor Tamara Tran, Council Member John Adams, Council Member Mike Blackham, Council Member Abbigayle Hunt, Council Member Perry Oaks

Absent: Council Member Nate Jackson

Staff Present: City Manager Jaysen Christensen, Finance Director Maryn Nelson, Police Chief Sol Oberg, Community Development Director Melinda Greenwood, Power Department Director Brian Johnson, Fire Chief Paul Erickson, Public Works Director Josh Belnap, Parks and Recreation Director Cole Stephens, Information Systems Manager Ryan Judd, City Recorder Annemarie Plaizier, Val Starkey, Josh McBride

OPENING

Mayor Tran opened the work session by welcoming participants.

DISCUSSION ON THE STRATEGIC PLAN AND FUTURE PRIORITIES

City Manager Jaysen Christensen opened the discussion by outlining the purpose of the session, which was to evaluate long-term priorities related to a west-side fire station, improvements to the operations center, the future of the former library building, and employee compensation planning. He referenced the strategic planning work session held in February where the council and department heads considered priorities for the city. He cited the city's mission statement and the guiding documents shaping current policy—the Budget Mission and Objectives, the 2020 Strategic Plan, and the 2022 General Plan. He summarized the overarching themes identified in February's sessions, including maintaining long-lasting and reliable infrastructure, improving data-driven decision making and analysis, and enhancing the downtown area. Department heads met in September and added a fourth emphasis on developing and maintaining a well-trained, qualified and dedicated workforce.

Fire Chief Paul Erickson presented the first item, the priority of a west-side fire station, by reviewing NFPA 1710, the national standard establishing response benchmarks and minimum staffing requirements for career fire departments. Through a video demonstration and additional explanation, he described how fire growth timelines, required staffing levels, and response-time expectations influence operational readiness. The standard calls for dispatching at least 15 firefighters to a single-family structure fire, 28 to a small commercial or garden-apartment fire, and a minimum of 43 to a high-rise incident, with a four-person engine crew expected to arrive within four minutes based on recommended response benchmarks. Chief Erickson explained how total response time is calculated, including call-processing, turnout, and travel time, and noted that Kaysville's west-side responses currently average approximately 12 minutes—almost twice the

recommended benchmark. He also described limitations in sustaining interior attack operations, citing a recent Layton apartment fire where 48 firefighters were required and crews needed rotation after roughly 12 to 15 minutes, emphasizing the need for adequate staffing and timely backup.

Chief Erickson discussed how the site of a proposed west-side station could influence compliance with NFPA standards. A previously considered site near a church on 200 North on the west side of the city was dismissed in favor of city-owned property on Burton Lane, which would allow the department to meet coverage standards in four west-side zones rather than one. Presently, only about 40 percent of calls citywide meet required response benchmarks. In response to council questions, he estimated that a west-side station would likely raise compliance into the 80-percent range, although turnout-time improvements would remain essential. He also noted capacity challenges at the existing east-side station, where simultaneous calls routinely occur despite having eight personnel on duty. Mutual aid fills gaps but cannot serve as a long-term substitute for local coverage.

The chief then reviewed mutual-aid activity for the year, noting that Kaysville crews had responded to Farmington and Fruit Heights more than 300 times, while Farmington had responded to Kaysville approximately 38 times. Kaysville had also exchanged assistance with Layton, providing aid 41 times and receiving 69 times. He reiterated that the data reflected regional staffing conditions rather than criticism of neighboring agencies. He outlined how county fire chiefs jointly establish predefined response orders, known as “stacks,” and highlighted Kaysville’s practice of sending a single chief officer to fire incidents due to staffing limitations.

Chief Erickson next introduced preliminary cost projections for a west-side station. Council Member Blackham assisted in compiling estimates using current construction data, including figures from Layton’s recently completed station and information from the architect involved. The discussion emphasized significant escalation in construction and materials costs. Past benchmarks—such as station bays at roughly \$200 per square foot and living quarters at \$250 in Kaysville’s existing 25-year-old station—contrast sharply with recent numbers, including Syracuse’s facility, which reached approximately \$650 per square foot and increased from an initial \$9 million estimate to more than \$11 million at completion. The chief also noted that although Syracuse completed its building, due to budgeting constraints, they could not staff the new station fully, resulting in reduced staffing at another station. He reminded the council that earlier estimates for a Kaysville west-side station in 2018 were roughly \$3.2 million, but inflation has substantially altered projections. Council Member Blackham added that a formal needs assessment had not yet been conducted and it would be necessary to refine cost projections, likely requiring architectural engagement in the spring.

The council continued its discussion by examining staffing considerations for a potential west-side fire station. When asked whether constructing the building without the ability to staff it immediately would provide operational benefit, Chief Erickson explained that splitting the current eight-person crew between two stations would not resolve the city’s existing challenges, which include frequent double and triple calls and insufficient coverage. He stated that adding a second station without additional personnel would leave both facilities under-resourced and would not improve response capabilities. Council Member Oaks noted that the city’s reliance on existing staffing levels amounted to assuming ongoing risk, likening the fire and police departments to essential “insurance” for the community. Chief Erickson reviewed personnel cost projections, explaining that salary estimates shown in his presentation reflected top-scale compensation that

employees typically reach after approximately eight years of merit progression, and that benefit costs were calculated at roughly 35 percent of salary. Discussion then shifted to whether the council should continue exploring the station project and consider placing a funding question before voters.

Council Member Blackham expressed concern about the feasibility of placing a fire station bond measure on the ballot in the near term. He noted that the city's recent Truth-in-Taxation proposal did not pass, and that the coming fiscal year will require implementing the tax increase associated with the gymnasium partnership with the Davis School District. That arrangement is expected to require a bond of approximately \$10 million, with annual payments estimated between \$700,000 and \$800,000. Given these obligations, he cautioned that proposing a general obligation bond for a fire station during the same period would likely result in voter rejection.

Mayor Tran asked whether voter approval of a bond required the city to begin construction immediately. Jaysen Christensen explained that even with approval in the following year, construction would not begin for approximately two years due to necessary design and engineering work. Community Development Director Melinda Greenwood added that the schedule would also depend on whether the city intended to use bond proceeds to fund the engineering phase. The mayor asked whether the city must issue the bond within a set timeframe after voter approval, and Mr. Christensen noted that timing depends on how the bond language is drafted. Bond attorneys typically specify the effective date of the associated tax increase, and while the city could delay issuance of the bond itself, tax collection generally begins when the ballot language indicates.

Mr. Christensen presented cost estimates prepared by Zions Public Finance to illustrate the potential financial impact on homeowners. He emphasized that it would not be transparent to present only the construction cost—approximately \$16 million—without also addressing the annual operating cost of roughly \$2 million required to staff the station. Zions recommended structuring the ballot language so voters see both figures. Based on the city's average home value of \$690,000, the annual tax impact would be approximately \$114 for the building and \$195 for staffing, totaling about \$310 per household. He noted that while the city cannot advocate for a ballot measure, it can provide information to help residents understand the need, such as NFPA standards, response-time data, and systemwide impacts.

Council members discussed whether the fire station is an immediate need or whether it could follow a multi-year timeline given financial demands from existing commitments. Council Member Adams asked whether Farmington's planned station might reduce Kaysville's workload. Chief Erickson explained that because Farmington is relocating to the west side and delaying the staffing of its existing station, Kaysville will likely face increased call volume into Farmington and Fruit Heights. When Council Member Adams asked whether recovering service responsibility for Fruit Heights would help offset costs, the chief responded that Kaysville already responds frequently to the area and decisions should not be based on reimbursement alone.

The council then examined how other cities have financed similar projects, including Farmington's sale of surplus property. In response to a question from Council Member Blackham, Chief Erickson stated that Kaysville's police station bond will mature in 2031. Council Member Blackham reiterated his position that placing a fire station bond on the ballot in the upcoming year would likely fail, and that a failed measure could delay the project for many years.

Mr. Christensen acknowledged the concern but noted that many cities experience initial bond failures, only to see subsequent attempts succeed once residents become more familiar with the issue. He cautioned that presenting major projects in separate stages could create the appearance that the city is withholding information. Instead, presenting long-term needs comprehensively—such as the fire station, library building, and operations center—may help residents understand the broader picture. Council Member Blackham warned that doing so risks overwhelming voters with the scale of upcoming expenses. Mayor Tran agreed that residents benefit from transparency about long-term needs and stated that community education and honest discussion are essential even if the council elects not to place a bond question on the next ballot.

The council next discussed public outreach and communication related to major capital projects, particularly the proposed west-side fire station. Council Member Adams noted that a recurring theme from earlier strategic planning discussions was that the city does not always effectively convey information to residents. He recommended using more visually distinct printed materials—such as topic-specific mailers branded “Kaysville Fire Station Information”—similar to the pamphlets distributed during the 2021 paramedic service transition. He stated that such formats are more likely to capture attention than traditional letters. Chief Erickson agreed, recalling positive public response to similar efforts in the past. Council Member Adams suggested including a QR code linking to additional resources, such as explanatory slides, short videos, or a brief survey that could help gauge whether residents want the station placed on the ballot and whether they would support the associated tax impact.

Mr. Christensen noted that, according to the timeline prepared by Zions Public Finance, the city’s primary task in the near term is to educate the public, and that a final decision about a bond would not be required until late August. Staff and council members discussed examples from other cities, including Ogden City’s survey on police staffing that presented residents with specific service-level tradeoffs, which helped justify wage adjustments and address staffing shortages. Council Member Hunt expressed support for gathering resident input but also stated that she believed the west-side station had been postponed long enough and that, as a public-safety issue, it should be placed before voters despite other financial pressures.

Council Member Blackham restated his concern that placing a fire station bond on the ballot during the same period that the gym-related tax increase takes effect would likely result in failure. He cited historical experience with an earlier unsuccessful public-safety bond and emphasized that residents may feel overwhelmed when faced with multiple major expenses at once, including the fire station bond, the gym project, and needed work at the operations center. Council Member Hunt responded that resident views often shift as they gain understanding of operational conditions, pointing to how past public-safety facility needs became more widely accepted after residents learned more about them.

Chief Erickson stated that firefighters regularly receive questions from west-side residents and that staff feel the operational need for the station, but he also recognized the broader economic and political context. Mayor Tran suggested the possibility of using the next year or longer to conduct a structured public information campaign and then considering a later ballot year, such as 2027, instead of the next available election cycle. She noted that some residents already mistakenly believe the city has raised taxes multiple times, illustrating the importance of clear communication. Council Member Oaks observed that articulating how overlapping projects and costs fit together would be a substantial messaging challenge for both staff and the council.

Participants agreed that communication and transparency would be essential regardless of when a bond question is ultimately presented. Several members emphasized the importance of clearly explaining the combined capital and staffing costs, documenting the city's due diligence—including analysis of districting and other alternatives—and situating the fire station discussion within the broader context of other major needs such as the old library building and the operations center. Mr. Christensen added that if the city eventually pursues general obligation bonds for multiple facilities, combining them into a single proposal might prevent perceptions that the city is presenting projects in a piecemeal fashion, though further discussion would be required to determine priorities and sequencing.

Mr. Christensen introduced the next strategic priority, the Operations Center, explaining that the facility—constructed in 1991—no longer meets the needs of a city that has grown from approximately 14,000 to 34,000 residents. He noted that the building lacks adequate office space, resulting in staff working from converted storage rooms, portables, and repurposed maintenance areas. The facility also lacks a conference room and public lobby, requiring employees to travel to City Hall for meetings. In addition, the city's fuel island is out of compliance with state environmental regulations, and the Department of Environmental Quality has directed the city to replace it by January 1, 2027. Failure to do so would force all city vehicles to refuel at commercial stations. Mr. Christensen also emphasized the absence of covered storage on the site, which has led to accelerated deterioration of heavy equipment, vehicles, and transformers.

Public Works Director Josh Belnap and Parks and Recreation Director Cole Stephens outlined the differences between the original Operations Center concept and the current scaled-down proposal. The initial plan, estimated at roughly \$39 million in 2024, envisioned relocating the Recreation Department from the old fire station to a fully rebuilt campus. As construction costs escalated and broader financial pressures emerged, staff reassessed the project and shifted to a more modest renovation and expansion of the existing facility. The revised plan—which is estimated at \$5.4 million—would add approximately 7,000 square feet of office space, relocate the fuel island, and construct covered storage for equipment, plow trucks, and power department assets. Mr. Stephens noted that this approach would address immediate operational needs while preserving space on the site for a larger facility in the future if required.

Staff also reviewed the operational impacts of storing vehicles and equipment outdoors. Power Director Brian Johnson noted that a six-year-old bucket truck stored outside had already required about \$80,000 in weather-related compliance issues, whereas similar equipment stored indoors elsewhere has remained in service for more than twice as long without major issues. Comparable concerns apply to snowplows, transformers, and other high-value assets.

The council discussed potential financing options. Mr. Christensen stated that because the Operations Center primarily serves enterprise functions—particularly power, storm water, and water—most of the \$5.4 million cost could be funded using enterprise revenues through a lease-revenue bond rather than a general obligation bond. He explained that on a 20-year bond at an estimated 4 percent interest rate, annual payments would be approximately \$397,000, with enterprise funds covering the majority. Council Member Oaks asked whether only a relatively small portion—around \$100,000 per year—might need to be covered by the general fund. Mr. Christensen said that enterprise funds would likely cover most of the cost but noted that staff would evaluate whether enterprise revenues could fully absorb the payment. He explained that the city

plans to incorporate the project into its Waterworth utility models early next year to identify long-term rate impacts, as last year's modeling did not include the Operations Center.

Mr. Stephens stated that the project is already designed through the 50 percent construction-drawing stage, completed in May of the previous year, and could resume once the council provides direction. Council Member Oaks observed that the project may warrant higher prioritization because it could potentially move forward without a tax increase and because operational impacts are immediate. Mr. Christensen said that staff would return during upcoming budget work sessions with more detailed cost and rate analyses. The conceptual site plan was displayed, which shows the building expansion extending into the grassy area north of the existing structure rather than building upward or displacing other functions. The discussion reflected general agreement that the Operations Center requires modernization and that the scaled-down proposal may offer a practical and financially manageable path forward.

Mr. Christensen next introduced the former library building as another major strategic issue requiring direction, noting that the city has explored a wide range of public-private partnership concepts over several years—including a food hall—but none have been financially feasible. He explained that architects have shown limited interest in the project, though the firm preparing the downtown small area plan (GSBS) recently provided a preliminary estimate of roughly \$3 million as a placeholder for preserving the existing structure. Mayor Tran clarified that this estimate reflects retaining the building largely in its current form and questioned what long-term purpose such an investment would serve, given the lack of a defined use. While several council members acknowledged that the building carries heritage value for some residents and that concepts such as a city museum have been discussed, no consensus direction has emerged.

Council Member Oaks stated that although he originally supported preserving the building, he now struggles to justify the cost without a clear purpose and feels the council has delayed a decision for too long. He said he would personally support a legislative decision to demolish the structure rather than continue deferring action. Mayor Tran, who has also favored preservation, expressed similar frustration that despite extensive outreach to potential partners and donors, no viable option has developed. She said she would now be comfortable telling residents that the city has "tried everything" and that, absent a major donor contribution within a reasonable timeframe, the city may need to focus on other pressing capital needs. Council Member Adams emphasized that because the library is located in an historic part of the city and carries symbolic weight, he believes the final decision should rest with voters. He supported placing a general obligation bond on the ballot so residents could determine whether to fund preservation. He added that if substantial private donations emerged—such as half the project cost—the council could reassess, because the financial context would differ from a full public-funded preservation effort. Mayor Tran cautioned that moving forward with preservation after a failed bond could prompt public criticism.

The discussion then turned to potential future uses of the property were the building to be demolished. Ideas included selling the parcel for private development, creating a public plaza or open space with seasonal activities such as ice skating or roller skating, or retaining portions of the building's stone and architectural features to create a memorial honoring Kaysville service members. Josh Belnap and Council Member Blackham noted that salvaged stone and corbels from the building could be used for walkways, benches, or other features to maintain a connection to the site's history. Melinda Greenwood explained that a key reason the earlier food hall proposal was not viable was that the private partner would not own the underlying land and therefore would

not acquire a long-term asset.

Council members also discussed how the library question fits into broader ballot strategy. Several members stated that if the library were sent to voters, it should appear on the same ballot as the fire station bond so residents can weigh both needs together. However, they also acknowledged that the comparatively low cost of the library preservation bond—estimated by Mr. Christensen at about \$22.15 per year for the average home—could make it more appealing than the substantially larger fire station proposal, potentially resulting in the library passing while the fire station fails. Members agreed that such an outcome would create significant challenges. The group also discussed timing considerations and preliminary community feedback. Ms. Greenwood mentioned that early input from the downtown small area plan survey suggested a preference for eliminating the building, though more information would soon be available. Mayor Tran and others suggested using social media, informational videos, flyers, and QR-code-enabled surveys to inform residents that the building has been vacant for nearly a decade and to gather additional feedback before any ballot decision. Council Member Adams reiterated his view that both the fire station and the library issues are important enough to warrant voter consideration.

Mr. Christensen then requested a nonbinding straw poll on whether the council preferred targeting the 2026 or 2027 ballot and how the fire station and library questions should be sequenced. Council members expressed differing views: some, including Council Member Blackham, favored staggering the projects to avoid stacking multiple tax-related measures close to the implementation of the gym-related tax increase and other obligations; others, including Council Members Adams and Hunt, supported placing one or both questions on the 2026 ballot, or on consecutive years, emphasizing the value of voter input. The council concluded that no decisions would be made during the work session and that additional public outreach, data collection, and future discussions would be necessary before determining ballot timing and project sequencing.

A break was taken at 8:34 p.m., and the meeting reconvened at 8:42 p.m.

Mr. Christensen introduced the final strategic priority for the work session: developing a long-term employee compensation plan. He explained that each budget season the council and staff spend considerable time revisiting the same questions about new positions, merit increases, cost-of-living adjustments (COLA), and market adjustments. He suggested that a structured, multi-year compensation framework—similar to the city’s vehicle replacement plan—would be more efficient, reduce repetitive debates, and give both employees and the council clearer expectations. He emphasized that such a plan would not bind future councils but would establish general targets and principles. Mr. Christensen noted that when department heads met in September to refine strategic priorities, they identified employee planning as a key omission from the February retreat, and he reiterated that attracting and retaining high-quality employees is essential to delivering city services and fulfilling the mission to enhance quality of life for residents.

Mr. Christensen summarized themes from the department head discussion, stating that employees should be viewed as part of the city’s core infrastructure because service quality depends on their skills and continuity. He referenced prior efforts to keep pay within roughly 5 percent below market average and said there were concerns about whether that benchmark sends the right message to employees and residents. He highlighted the costs of turnover, including loss of institutional knowledge and the expense of recruiting and training replacements. He also observed that annual public debates about merit and COLA can be sensitive: employees watch these

meetings and may interpret comments as indications of how the council values their work. A consistent compensation policy, he argued, would help reduce uncertainty, improve transparency with the public, and avoid the optics of undervaluing staff.

Council Member Adams voiced strong support for adopting a structured plan, noting that the council spends significant time revisiting compensation issues even though outcomes rarely change. He said his primary concern is the use of the term “merit,” which he believes is not consistently tied to differentiated performance. He explained that subjective merit decisions are difficult for department heads to administer fairly without clear metrics. He described a model used in another jurisdiction where each department receives the total dollar amount needed to fund a uniform percentage increase, but the department head can allocate those dollars unevenly among employees—providing larger increases for high performers and smaller increases for others—while staying within the same overall budget. He asked whether a similar hybrid approach could be considered in Kaysville. Chief Erickson said he had used a comparable system as a civilian supervisor at Hill Air Force Base, where departments received 3–4 percent pools for distribution based on performance, and he felt it worked well there. Council Member Oaks noted that the Air Force has long used a similar approach for its civilian workforce.

Public Works Director Josh Belnap then described the challenges of applying performance differentiation in departments with limited promotional paths, such as public works, where most employees remain in maintenance worker positions for their entire careers. He explained that many employees share the same job classification and pay range, making it difficult to distinguish compensation between those who meet expectations and those who significantly exceed them when everyone receives the same annual increase. He said high performers can feel undervalued in that environment. Mr. Belnap emphasized that supervisors already address poor performance through coaching and, when necessary, separation, but he believed a better model is needed to recognize exceptional contributions. In response, Mr. Christensen shared his experience administering a performance-based pool system earlier in his career. He said that despite efforts to make it objective, employees perceived outcomes as subjective and dependent on which supervisor they had, leading to morale concerns. The city eventually returned to a standard step-based approach, which aligned with practices in other cities and provided predictability. He added that Kaysville regularly manages out underperforming employees, but that the vast majority—roughly 95 percent—are meeting expectations and earning their step or merit adjustments, making it difficult to implement truly performance-based pay in a non-quantitative municipal environment.

Council Member Adams clarified that his intent was not to avoid decisions but to reduce repeated annual council debates by having the council set an overall percentage (such as 3 percent) and then allow departments to determine internal distribution. Council Member Oaks noted that annual budget discussions are part of the council’s role but acknowledged that blending COLA and merit/step increases complicates matters, especially in years of high inflation. He and Council Member Adams agreed that the current “merit” label is closer to a longevity step than a performance tool, and that many employees value the predictability of step-like increases, particularly in long-tenured positions. Council Member Adams suggested giving department heads flexibility within the allocated amount, especially to provide more meaningful dollar increases to lower-wage employees, and asked department heads whether they would appreciate that discretion. Cole Stephens said such flexibility could be a useful motivator, while Mr. Belnap expressed interest in a model that balances recognition of exceptional work with the stability of a consistent structure. Council Member Elect Joshua McBride suggested a hybrid model,

guaranteeing a portion of the increase for all employees and allowing supervisors to allocate the remainder based on performance or specific needs.

Council Member Blackham described an evaluation system used by the Davis County Mosquito Abatement District, where employees and supervisors jointly define and weight job responsibilities at the start of the year. At year-end, performance against those self-identified responsibilities determines what portion of the available raise an employee receives. He noted that this approach ties pay more closely to documented expectations but requires detailed evaluation. He also reiterated his interest in the council setting the overall adjustment rate and leaving distribution to departments. Chief Erickson cautioned that reducing raises for individual employees is difficult when the city is already targeting compensation below market; cutting back on increases could widen that gap and affect competitiveness. Mayor Tran summarized the discussion, stating that the council wants to avoid politicizing compensation while preserving legislative oversight to prevent unchecked salary growth. She said there appeared to be consensus for staff to bring back a draft policy for discussion.

Mr. Christensen confirmed that staff would prepare a proposed compensation policy for future council consideration. He emphasized that the plan would function as a guiding framework rather than a binding rule, similar to the vehicle replacement plan, allowing future councils to adjust when fiscal conditions require. He thanked the council for their input and reiterated that the objective is to streamline the annual process, support recruitment and retention, and provide clarity for both employees and elected officials.

Mayor Tran then informally adjourned the meeting at 9:10 p.m.

CITY COUNCIL STAFF REPORT



MEETING DATE: December 4, 2025

TYPE OF ITEM: Work Items

PRESENTED BY: Fire Chief Paul Erickson

SUBJECT/AGENDA TITLE: Discussion on Adopting the Wildland Urban Interface Code as Required by Utah House Bill 48

EXECUTIVE SUMMARY:

- Questions regarding this agenda item may be directed to Fire Chief Paul Erickson or City Attorney Nic Mills.
- Wildland Urban Interface (WUI) is defined as the line, area, or zone where structures or other human development (including critical infrastructure that, if destroyed, would result in hardship to communities) meet or intermingle with undeveloped wildland or vegetative fuel.
- 2025's House Bill 48 requires municipalities, no later than December 31, 2025, to adopt the version of the International Wildland-Urban Interface Code adopted by the state. That version is the 2006 International WUI Code.
- It is expected that the state will adopt a newer version of the WUI Code in 2026. If it does, the city will then need to adopt that newer version.
- It is proposed that the 2003 International WUI Code be adopted by adding it to the list of adopted construction codes found in Code of Ordinances Kaysville City, Title 18, Building Regulations, Chapter 2 Standard Codes.

18-2-12 – Wildland Urban Interface Code.

The provisions of the current edition of the Wildland Urban Interface Code, as adopted by the State of Utah, are adopted.

City Council Options:

1) Move to Action with input, 2) Table

Staff Recommendation:

Move to Action with input

Fiscal Impact:

NA

ATTACHMENTS:

1. Proposed WUI Ordinance
2. 2006_Utah_Wildland_Standard
3. House Bill_0048

ORDINANCE 25-__-

AN ORDINANCE ENACTING TITLE 18, CHAPTER 2, SECTION 12 TO ADOPT THE WILDLAND URBAN INTERFACE CODE; PROVIDING FOR REPEALER; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, the State of Utah has adopted the Wildland Urban Interface Code (“WUI Code”) as part of the statewide fire code requirements; and

WHEREAS, state law requires all municipalities to adopt and enforce the WUI Code to promote consistency in public safety regulations; reduce wildfire risk, and protect lives, property, and natural resources; and

WHEREAS, Kaysville City has previously adopted certain uniform and standard building, fire, and safety codes; and

WHEREAS, adoption of the WUI Code will provide additional standards, requirements, and mitigation measures for development, construction, and maintenance within areas subject to increased wildfire risk within City limits; and

WHEREAS, the City Council finds that adopting the WUI Code is necessary and appropriate to protect public health, safety, and welfare, and is consistent with the City’s responsibility to implement and enforce state mandated fire and building codes.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF KAYSVILLE, UTAH:

SECTION I: Repealer. If any provisions of the City's Code previously adopted are inconsistent herewith they are hereby repealed.

SECTION II: Enactment. Title 18, Chapter 2, Section 12 shall be enacted to read as follows:

18-2-12 – Wildland Urban Interface Code

The provisions of the current edition of the Wildland Urban Interface Code, as adopted by the State of Utah, are adopted.

SECTION III: Severability. If any section, subsection, sentence, clause or phrase of this ordinance is declared invalid or unconstitutional by a court of competent jurisdiction, said portion shall be severed and such declaration shall not affect the validity of the remainder of this ordinance.

SECTION IV: Effective Date. This ordinance being necessary for the peace, health and safety of the City, shall become effective immediately upon posting.

PASSED AND ADOPTED by the City Council of Kaysville, Utah, this ____ day of _____, 20____.

ATTEST:

Tamara Tran, Mayor

Annemarie Plazier, City Recorder

APPROVED AS TO FORM:

City Attorney

2006 UTAH WILDLAND-URBAN INTERFACE CODE



2006 Utah Wildland-Urban Interface Code

First Printing: July 2006
Second Printing: October 2006
Third Printing: March 2007
Fourth Printing: February 2008
Fifth Printing: June 2008

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PREFACE

Introduction

Internationally, code officials recognize the need for a modern, up-to-date code addressing the mitigation of fire in the urban-wildland interface. The *International Wildland-Urban Interface Code*™, in this 2003 edition, is designed to bridge the gap between enforcement of the *International Building Code*® and *International Fire Code*® by mitigating the hazard of wildfires through model code regulations, which safeguard the public health and safety in all communities, large and small.

This comprehensive urban-wildland interface code establishes minimum regulations for land use and the built environment in designated urban-wildland interface areas using prescriptive and performance-related provisions. It is founded on data collected from tests and fire incidents, technical reports and mitigation strategies from around the world. This 2003 edition is fully compatible with all the *International Codes*™ (“I-Codes”™) published by the International Code Council® (ICC®), including the *International Building Code*®, *ICC Electrical Code*™, *International Energy Conservation Code*®, *International Existing Building Code*®, *International Fire Code*®, *International Fuel Gas Code*®, *International Mechanical Code*®, *ICC Performance Code*™, *International Plumbing Code*®, *International Private Sewage Disposal Code*®, *International Property Maintenance Code*®, *International Residential Code*® and *International Zoning Code*®.

The *International Wildland-Urban Interface Code* provisions provide many benefits, including the model code development process, which offers an international forum for fire safety professionals to discuss performance and prescriptive code requirements. This forum provides an excellent arena to debate proposed revisions. This model code also encourages international consistency in the application of provisions.

Development

This is the first edition of the *International Wildland-Urban Interface Code* (2003) and is the culmination of an effort initiated in 2001 by the ICC and the three statutory members of the International Code Council: Building Officials and Code Administrators International, Inc. (BOCA), International Conference of Building Officials (ICBO) and Southern Building Code Congress International (SBCCI). The intent was to draft a comprehensive set of regulations for mitigating the hazard to life and property from the intrusion of fire from wildland exposures and fire from adjacent structures, and preventing structure fires from spreading to wildland fuels. Technical content of the 2000 *Wildland-Urban Interface Code*, published by the International Fire Code Institute, was utilized as the basis for the development, followed by the publication of the 2001 Final Draft. This 2003 edition is based on the Final Draft, with changes approved in the 2002 ICC Code Development Process. A new edition such as this is promulgated every three years.

With the development and publication of the family of *International Codes* in 2000, the continued development and maintenance of the model codes individually promulgated by BOCA (“BOCA National Codes”), ICBO (“Uniform Codes”) and SBCCI (“Standard Codes”) was discontinued. The 2003 *International Codes*, as well as their predecessors—the 2000 *International Codes*—are intended to be the successor set of codes to those codes previously developed by BOCA, ICBO and SBCCI.

The development of a single family of comprehensive and coordinated *International Codes* was a significant milestone in the development of regulations for the built environment. The timing of this publication mirrors a milestone in the change in structure of the model codes, namely, the pending consolidation of BOCA, ICBO and SBCCI into the ICC. The activities and services previously provided by the individual model code organizations will be the responsibility of the consolidated ICC.

This code is founded on principles intended to mitigate the hazard from fires through the development of provisions that adequately protect public health, safety and welfare; provisions that do not unnecessarily increase construction costs; provisions that do not restrict the use of new materials, products or methods of construction; and provisions that do not give preferential treatment to particular types or classes of materials, products or methods of construction.

Adoption

The *International Wildland-Urban Interface Code* is available for adoption and use by jurisdictions internationally. Its use within a governmental jurisdiction is intended to be accomplished through adoption by reference in accordance with proceedings establishing the jurisdiction’s laws. At the time of adoption, jurisdictions should insert the appropriate information in provisions requiring specific local information, such as the name of the adopting jurisdiction. These locations are shown in bracketed words in small capital letters in the code and in the sample ordinance. The sample adoption ordinance on page v addresses several key elements of a code adoption ordinance, including the information required for insertion into the code text.

Maintenance

The *International Wildland-Urban Interface Code* is kept up-to-date through the review of proposed changes submitted by code enforcing officials, industry representatives, design professionals and other interested parties. Proposed changes are carefully considered through an open code development process in which all interested and affected parties may participate.

The contents of this work are subject to change both through the Code Development Cycles and the governmental body that enacts the code into law. For more information regarding the code development process, contact the Code and Standard Development Department of the International Code Council.

Although the development procedure of the *International Wildland-Urban Interface Code* assures the highest degree of care, ICC and the founding members of ICC—BOCA, ICBO and SBCCI—their members and those participating in the development of this code do not accept any liability resulting from compliance or noncompliance with the provisions, because ICC and its founding members do not have the power or authority to police or enforce compliance with the contents of this code. Only the governmental body that enacts the code into law has such authority.

Authority

The Division is required to establish minimum standards for a wildland fire ordinance and specify minimum standards for wildland fire training, certification and wildland fire suppression equipment in accordance with subsections 65A-8-6(3)(a) and 65A-8-6(3)(b). This requirement is promulgated under general rule-making authority of subsection 65A-1-4(2).

ORDINANCE

The *International Codes* are designed and promulgated to be adopted by reference by ordinance. Jurisdictions wishing to adopt the 2003 *International Wildland-Urban Interface Code* as an enforceable regulation for the mitigation of fire in the urban-wildland interface should ensure that certain factual information is included in the adopting ordinance at the time adoption is being considered by the appropriate governmental body. The following sample adoption ordinance addresses several key elements of a code adoption ordinance, including the information required for insertion into the code text.

Minimum Standards for Wildland Fire Ordinance

The division uses the *International Wildland-Urban Interface Code* as a basis for establishing the minimum standards discussed in this document. A county ordinance that at least meets the minimum standards should be in place by September 2006.

The Division incorporates by reference the 2003 *International Code Council Wildland-Urban Interface Code* as the minimum standard for wildland fire ordinance in conjunction with Utah requirements.

SAMPLE ORDINANCE FOR ADOPTION OF THE *INTERNATIONAL WILDLAND-URBAN INTERFACE CODE*

ORDINANCE NO. _____

An ordinance of the [JURISDICTION] adopting the 2003 edition of the *International Wildland-Urban Interface Code* as currently amended by the division of Forestry, Fire and State Lands, regulating and governing the mitigation of hazard to life and property from the intrusion of fire from wildland exposures, fire from adjacent structures and prevention of structure fires from spreading to wildland fuels in the [JURISDICTION]; providing for the issuance of permits and collection of fees therefor; repealing Ordinance No. _____ of the [JURISDICTION] and all other ordinances and parts of the ordinances in conflict therewith.

The [GOVERNING BODY] of the [JURISDICTION] does ordain as follows:

Section 1. 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 Wildland-Urban Interface Code*, 2003 edition, including Appendix Chapters [FILL IN THE APPENDIX CHAPTERS BEING ADOPTED], as published by the International Code Council, be and is hereby adopted as the Urban-Wildland Interface Code of the [JURISDICTION], in the State of [STATE NAME] for regulating and governing the mitigation of hazard to life and property from the intrusion of fire from wildland exposures, fire from adjacent structures and prevention of structure fires from spreading to wildland fuels 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 Urban-Wildland Interface 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 ordinance, with the additions, insertions, deletions and changes, if any, prescribed in Section 2 of this ordinance.

Section 2. The following sections are hereby revised:

Section 101.1. Insert: [NAME OF JURISDICTION]

Section 3. That Ordinance No. _____ of [JURISDICTION] entitled [FILL IN HERE THE COMPLETE TITLE OF THE ORDINANCE OR ORDINANCES IN EFFECT AT THE PRESENT TIME SO THAT THEY WILL BE REPEALED BY DEFINITE MENTION] and all other ordinances or parts of ordinances in conflict herewith are hereby repealed.

Section 4. That if any section, subsection, sentence, clause or phrase of this ordinance is, for any reason, held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this ordinance. The [GOVERNING BODY] hereby declares that it would have passed this ordinance, and each section, subsection, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses and phrases be declared unconstitutional.

Section 5. That nothing in this ordinance or in the *Wildland-Urban Interface Code* hereby adopted shall be construed to affect any suit or proceeding impending in any court, or any rights acquired, or liability incurred, or any cause or causes of action acquired or existing, under any act or ordinance hereby repealed as cited in Section 2 of this ordinance; nor shall any just or legal right or remedy of any character be lost, impaired or affected by this ordinance.

Section 6. That the JURISDICTION'S KEEPER OF RECORDS is hereby ordered and directed to cause this ordinance to be published. (An additional provision may be required to direct the number of times the ordinance is to be published and to specify that it is to be in a newspaper in general circulation. Posting may also be required.)

Section 7. That this ordinance and the rules, regulations, provisions, requirements, orders and matters established and adopted hereby shall take effect and be in full force and effect [TIME PERIOD] from and after the date of its final passage and adoption.

Section 8. Specific boundaries of natural or man-made features of wildland-urban interface areas shall be as shown on the wildland area interface map. The legal description of such areas is as described as follows: [INSERT LEGAL DESCRIPTION]

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CHAPTER 1

ADMINISTRATION

SECTION 101 GENERAL

101.1 Scope. The provisions of this code shall apply to the construction, alteration, movement, repair, maintenance and use of any building, structure or premises within the urban-wildland interface areas in this jurisdiction.

Buildings or conditions in existence at the time of the adoption of this code are allowed to have their use or occupancy continued, if such condition, use or occupancy was legal at the time of the adoption of this code, provided such continued use does not constitute a distinct danger to life or property.

Buildings or structures moved into or within the jurisdiction shall comply with the provisions of this code for new buildings or structures.

101.2 Objective. The objective of this code is to establish minimum regulations consistent with nationally recognized good practice for the safeguarding of life and property. Regulations in this code are intended to mitigate the risk to life and structures from intrusion of fire from wildland fire exposures and fire exposures from adjacent structures and to mitigate structure fires from spreading to wildland fuels.

The development and use of property in wildland-urban interface areas is a potential threat to life and property from fire and resulting erosion. Safeguards to prevent the occurrence of fires and to provide adequate fire-protection facilities to control the spread of fire in wildland-urban interface areas shall be in accordance with this code.

This code shall supplement the jurisdiction's building and fire codes, if such codes have been adopted, to provide for special regulations to mitigate the fire- and life-safety hazards of the wildland-urban interface areas.

101.3 Retroactivity. The provisions of the code shall apply to conditions arising after the adoption thereof, conditions not legally in existence at the adoption of this code, to conditions which, in the opinion of the code official, constitute a distinct hazard to life or property.

101.4 Additions or alterations. Additions or alterations may be made to any building or structure without requiring the existing building or structure to comply with all of the requirements of this code, provided the addition or alteration conforms to that required for a new building or structure.

Exception: Provisions of this code that specifically apply to existing conditions are retroactive. See Section 601.1 and Appendix A.

Additions or alterations shall not be made to an existing building or structure that will cause the existing building or structure to be in violation of any of the provisions of this code nor shall such additions or alterations cause the existing building or structure to become unsafe. An unsafe condition shall be deemed to have been created if an addition or alteration will cause the existing building or structure to become structurally

unsafe or overloaded; will not provide adequate access in compliance with the provisions of this code or will obstruct existing exits or access; will create a fire hazard; will reduce required fire resistance or will otherwise create conditions dangerous to human life.

101.5 Maintenance. All buildings, structures, landscape materials, vegetation, defensible space or other devices or safeguards required by this code shall be maintained in conformance to the code edition under which installed. The owner or the owner's designated agent shall be responsible for the maintenance of buildings, structures, landscape materials and vegetation.

SECTION 102 AUTHORITY OF THE CODE OFFICIAL

102.1 Powers and duties of the code official. The code official is hereby authorized to administer and enforce this code, or designated sections thereof, and all ordinances of the jurisdiction pertaining to designated wildland-urban interface areas. For such purposes, the code official shall have the powers of a law enforcement officer.

102.2 Interpretations, rules and regulations. The code official shall have the power to render interpretations of this code and to adopt and enforce rules and supplemental regulations to clarify the application of its provisions. Such interpretations, rules and regulations shall be in conformance to the intent and purpose of this code.

A copy of such rules and regulations shall be filed with the clerk of the jurisdiction and shall be in effect immediately thereafter. Additional copies shall be available for distribution to the public.

102.3 Liability of the code official. The code official charged with the enforcement of this code, acting in good faith and without malice in the discharge of the duties required by this code or other pertinent law or ordinance, shall not thereby be rendered personally liable for damages that may accrue to persons or property as a result of an act or by reason of an act or omission in the discharge of such duties. A suit brought against the code official or employee because of such act or omission performed by the code official or employee in the enforcement of any provision of such codes or other pertinent laws or ordinances implemented through the enforcement of this code or enforced by the code enforcement agency shall be defended by this jurisdiction until final termination of such proceedings, and any judgment resulting therefrom shall be assumed by this jurisdiction. The code enforcement agency or its parent jurisdiction shall not be held as assuming any liability by reason of the inspections authorized by this code or any permits or certificates issued under this code.

102.4 Other agencies. When requested to do so by the code official, other officials of this jurisdiction shall assist and coop-

erate with the code official in the discharge of the duties required by this code.

SECTION 103 COMPLIANCE ALTERNATIVES

103.1 Practical difficulties. When there are practical difficulties involved in carrying out the provisions of this code, the code official is authorized to grant modifications for individual cases on application in writing by the owner or a duly authorized representative. The code official shall first find that a special individual reason makes enforcement of the strict letter of this code impractical, the modification is in conformance to the intent and purpose of this code, and the modification does not lessen any fire protection requirements or any degree of structural integrity. The details of any action granting modifications shall be recorded and entered into the files of the code enforcement agency.

If the code official determines that difficult terrain, danger of erosion or other unusual circumstances make strict compliance with the vegetation control provisions of the code detrimental to safety or impractical, enforcement thereof may be suspended, provided that reasonable alternative measures are taken.

103.2 Technical assistance. To determine the acceptability of technologies, processes, products, facilities, materials and uses attending the design, operation or use of a building or premises subject to the inspection of the code official, the code official is authorized to require the owner or the person in possession or control of the building or premises to provide, without charge to the jurisdiction, a technical opinion and report. The opinion and report shall be prepared by a qualified engineer, specialist, laboratory or fire safety specialty organization acceptable to the code official and the owner and shall analyze the fire safety of the design, operation or use of the building or premises, the facilities and appurtenances situated thereon and fuel management for purposes of establishing fire hazard severity to recommend necessary changes.

103.3 Alternative materials or methods. The code official, in concurrence with approval from the building official and fire chief, is authorized to approve alternative materials or methods, provided that the code official finds that the proposed design, use or operation satisfactorily complies with the intent of this code and that the alternative is, for the purpose intended, at least equivalent to the level of quality, strength, effectiveness, fire resistance, durability and safety prescribed by this code. Approvals under the authority herein contained shall be subject to the approval of the building official whenever the alternate material or method involves matters regulated by the *International Building Code*.

The code official shall require that sufficient evidence or proof be submitted to substantiate any claims that may be made regarding its use. The details of any action granting approval of an alternate shall be recorded and entered in the files of the code enforcement agency.

SECTION 104 APPEALS

104.1 General. To determine the suitability of alternative materials and methods and to provide for reasonable interpretations of the provisions of this code, there shall be and hereby is created a board of appeals consisting of five members who are qualified by experience and training to pass judgment on pertinent matters. The code official, building official and fire chief shall be ex officio members, and the code official shall act as secretary of the board. The board of appeals shall be appointed by the legislative body and shall hold office at their discretion. The board shall adopt reasonable rules and regulations for conducting its investigations and shall render decisions and findings in writing to the code official, with a duplicate copy to the applicant.

104.2 Limitations of authority. The board of appeals shall not have authority relative to interpretation of the administrative provisions of this code and shall not have authority to waive requirements of this code.

SECTION 105 PERMITS

105.1 General. When not otherwise provided in the requirements of the building or fire code, permits are required in accordance with Section 105.

105.2 Permits required. Unless otherwise exempted, no building or structure regulated by this code shall be erected, constructed, altered, repaired, moved, removed, converted or demolished unless a separate permit for each building or structure has first been obtained from the code official.

When required by the code official, a permit shall be obtained for the following activities, operations, practices or functions within an wildland-urban interface area:

1. Automobile wrecking yard;
2. Candles and open flames in assembly areas;
3. Explosives or blasting agents;
4. Fireworks;
5. Flammable or combustible liquids;
6. Hazardous materials;
7. Liquefied petroleum gases;
8. Lumberyards;
9. Motor vehicle fuel-dispensing stations;
10. Open burning;
11. Pyrotechnical special effects material;
12. Tents, canopies and temporary membrane structures;
13. Tire storage;
14. Welding and cutting operations; or
15. Other activities as determined by the code official.

105.3 Work exempt from permit. Unless otherwise provided in the requirements of the building or fire code, a permit shall not be required for the following:

1. One-story detached accessory buildings used as tool and storage sheds, playhouses and similar uses, provided the floor area does not exceed 120 square feet (11.15 m^2) and

the structure is located more than 50 feet (15 240 mm) from the nearest adjacent structure.

2. Fences not over 6 feet (1829 mm) high.

Exemption from the permit requirements of this code shall not be deemed to grant authorization for any work to be done in any manner in violation of the provisions of this code or any other laws or ordinances of this jurisdiction.

The code official is authorized to stipulate conditions for permits. Permits shall not be issued when public safety would be at risk, as determined by the code official.

105.4 Permit application. To obtain a permit, the applicant shall first file an application therefor in writing on a form furnished by the code enforcement agency for that purpose. Every such application shall:

1. Identify and describe the work, activity, operation, practice or function to be covered by the permit for which application is made.
2. Describe the land on which the proposed work, activity, operation, practice or function is to be done by legal description, street address or similar description that will readily identify and definitely locate the proposed building, work, activity, operation, practice or function.
3. Indicate the use or occupancy for which the proposed work, activity, operation, practice or function is intended.
4. Be accompanied by plans, diagrams, computation and specifications and other data as required in Section 106 of this code.
5. State the valuation of any new building or structure or any addition, remodeling or alteration to an existing building.
6. Be signed by the applicant or the applicant's authorized agent.
7. Give such other data and information as may be required by the code official.

105.5 Permit approval. Before a permit is issued, the code official, or an authorized representative, shall review and approve all permitted uses, occupancies or structures. Where laws or regulations are enforceable by other agencies or departments, a joint approval shall be obtained from all agencies or departments concerned.

105.6 Permit issuance. The application, plans, specifications and other data filed by an applicant for a permit shall be reviewed by the code official. If the code official finds that the work described in an application for a permit and the plan, specifications and other data filed therewith conform to the requirements of this code, the code official is allowed to issue a permit to the applicant.

When the code official issues the permit, the code official shall endorse in writing or stamp the plans and specifications APPROVED. Such approved plans and specifications shall not be changed, modified or altered without authorization from the code official, and all work regulated by this code shall be done in accordance with the approved plans.

105.7 Validity of permit. The issuance or granting of a permit or approval of plans, specifications and computations shall

not be construed to be a permit for, or an approval of, any violation of any of the provisions of this code or of any other ordinance of the jurisdiction. Permits presuming to give authority to violate or conceal the provisions of this code or other ordinances of the jurisdiction shall not be valid.

105.8 Expiration. Every permit issued by the code official under the provisions of this code shall expire by limitation and become null and void if the building, use or work authorized by such permit is not commenced within 180 days from the date of such permit, or if the building, use or work authorized by such permit is suspended or abandoned at any time after the work is commenced for a period of 180 days.

Any permittee holding an unexpired permit may apply for an extension of the time within which work may commence under that permit when the permittee is unable to commence work within the time required by this section for good and satisfactory reasons. The code official may extend the time for action by the permittee for a period not exceeding 180 days on written request by the permittee showing that circumstances beyond the control of the permittee have prevented action from being taken. No permit shall be extended more than once.

105.9 Retention of permits. Permits shall at all times be kept on the premises designated therein and shall at all times be subject to inspection by the code official or other authorized representative.

105.10 Revocation of permits. Permits issued under this code may be suspended or revoked when it is determined by the code official that:

1. It is used by a person other than the person to whom the permit was issued.
2. It is used for a location other than that for which the permit was issued.
3. Any of the conditions or limitations set forth in the permit have been violated.
4. The permittee fails, refuses or neglects to comply with any order or notice duly served on him under the provisions of this code within the time provided therein.
5. There has been any false statement or misrepresentation as to material fact in the application or plans on which the permit or application was made.
6. When the permit is issued in error or in violation of any other ordinance, regulations or provisions of this code.

The code official is allowed to, in writing, suspend or revoke a permit issued under the provisions of this code whenever the permit is issued in error or on the basis of incorrect information supplied, or in violation of any ordinance or regulation or any of the provisions of this code.

SECTION 106 PLANS AND SPECIFICATIONS

106.1 General. Plans, engineering calculations, diagrams and other data shall be submitted in at least two sets with each application for a permit. 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 li-

censed architect or engineer. The code official may require plans, computations and specifications to be prepared and designed by an architect or engineer licensed by the state to practice as such even if not required by state law.

Exception: Submission of plans, calculations, construction inspection requirements and other data, if it is found that the nature of the work applied for is such that reviewing of plans is not necessary to obtain compliance with this code.

106.2 Information on plans and specifications. Plans and specifications shall be drawn to scale upon substantial paper or cloth and shall be of sufficient clarity to indicate the location, nature and extent of the work proposed, and show in detail that it will conform to the provisions of this code and all relevant laws, ordinances, rules and regulations.

106.3 Site plan. In addition to the requirements for plans in the *International Building Code*, site plans shall include topography, width and percent of grade of access roads, landscape and vegetation details, locations of structures or building envelopes, existing or proposed overhead utilities, occupancy classification of buildings, types of ignition-resistant construction of buildings, structures and their appendages, roof classification of buildings, and site water supply systems.

106.4 Vegetation management plans. When utilized by the permit applicant pursuant to Section 502, vegetation management plans shall be prepared and shall be submitted to the code official for review and approval as part of the plans required for a permit. See Appendix B.

106.5 Fire protection plan. When required by the code official pursuant to Section 405, a fire protection plan shall be prepared and shall be submitted to the code official for review and approved as a part of the plans required for a permit.

106.6 Other data and substantiation. When required by the code official, the plans and specifications shall include classification of fuel loading, fuel model light, medium or heavy, and substantiating data to verify classification of fire-resistive vegetation.

106.7 Vicinity plan. In addition to the requirements for site plans, plans shall include details regarding the vicinity within 300 feet (91 440 mm) of property lines, including other structures, slope, vegetation, fuel breaks, water supply systems and access roads.

106.8 Retention of plans. One set of approved plans, specifications and computations shall be retained by the code official for a period of not less than 90 days from date of completion of the work covered therein; and one set of approved plans and specifications shall be returned to the applicant, and said set shall be kept on the site of the building, use or work at all times during which the work authorized thereby is in progress.

SECTION 107 INSPECTION AND ENFORCEMENT

107.1 Inspection.

107.1.1 General. All construction or work for which a permit is required by this code shall be subject to inspection by the code official and all such construction or work shall

remain accessible and exposed for inspection purposes until approved by the code official.

It shall be the duty of the permit applicant to cause the work to remain accessible and exposed for inspection purposes. Neither the code official nor the jurisdiction shall be liable for expense entailed in the removal or replacement of any material required to allow inspection.

Approval as a result of an inspection shall not be construed to be an approval of a violation of the provisions of this code or of other ordinances of the jurisdiction. Inspections presuming to give authority to violate or cancel the provisions of this code or of other ordinances of the jurisdiction shall not be valid.

A survey of the lot may be required by the code official to verify that the mitigation features are provided and the building or structure is located in accordance with the approved plans.

107.1.2 Authority to inspect. The code official shall inspect, as often as necessary, buildings and premises, including such other hazards or appliances designated by the code official for the purpose of ascertaining and causing to be corrected any conditions that could reasonably be expected to cause fire or contribute to its spread, or any violation of the purpose of this code and of any other law or standard affecting fire safety.

107.1.3 Reinspections. To determine compliance with this code, the code official may cause a structure to be reinspected. A fee may be assessed for each inspection or reinspection when such portion of work for which inspection is called is not complete or when corrections called for are not made.

Reinspection fees may be assessed when the approved plans are not readily available to the inspector, for failure to provide access on the date for which inspection is requested or for deviating from plans requiring the approval of the code official.

To obtain a reinspection, the applicant shall pay the reinspection fee as set forth in the fee schedule adopted by the jurisdiction. When reinspection fees have been assessed, no additional inspection of the work will be performed until the required fees have been paid.

107.2 Enforcement.

107.2.1 Authorization to issue corrective orders and notices. When the code official finds any building or premises that are in violation of this code, the code official is authorized to issue corrective orders and notices.

107.2.2 Service of orders and notices. Orders and notices authorized or required by this code shall be given or served on the owner, operator, occupant or other person responsible for the condition or violation either by verbal notification, personal service, or delivering the same to, and leaving it with, a person of suitable age and discretion on the premises; or, if no such person is found on the premises, by affixing a copy thereof in a conspicuous place on the door to the entrance of said premises and by mailing a copy thereof to such person by registered or certified mail to the person's last known address.

Orders or notices that are given verbally shall be confirmed by service in writing as herein provided.

107.3 Right of entry. Whenever necessary to make an inspection to enforce any of the provisions of this code, or whenever the code official has reasonable cause to believe that there exists in any building or on any premises any condition that makes such building or premises unsafe, the code official is authorized to enter such building or premises at all reasonable times to inspect the same or to perform any duty authorized by this code, provided that if such building or premises is occupied, the code official shall first present proper credentials and request entry; and if such building or premises is unoccupied, the code official shall first make a reasonable effort to locate the owner or other persons having charge or control of the building or premises and request entry.

If such entry is refused, the code official shall have recourse to every remedy provided by law to secure entry. Owners, occupants or any other persons having charge, care or control of any building or premises, shall, after proper request is made as herein provided, promptly permit entry therein by the code official for the purpose of inspection and examination pursuant to this code.

107.4 Compliance with orders and notices.

107.4.1 General compliance. Orders and notices issued or served as provided by this code shall be complied with by the owner, operator, occupant or other person responsible for the condition or violation to which the corrective order or notice pertains.

If the building or premises is not occupied, such corrective orders or notices shall be complied with by the owner.

107.4.2 Compliance with tags. A building or premises shall not be used when in violation of this code as noted on a tag affixed in accordance with Section 107.4.1.

107.4.3 Removal and destruction of signs and tags. A sign or tag posted or affixed by the code official shall not be mutilated, destroyed or removed without authorization by the code official.

107.4.4 Citations. Persons operating or maintaining an occupancy, premises or vehicle subject to this code who allow a hazard to exist or fail to take immediate action to abate a hazard on such occupancy, premises or vehicle when ordered or notified to do so by the code official shall be guilty of a misdemeanor.

107.4.5 Unsafe conditions. Buildings, structures or premises that constitute a fire hazard or are otherwise dangerous to human life, or which in relation to existing use constitute a hazard to safety or health or public welfare, by reason of inadequate maintenance, dilapidation, obsolescence, fire hazard, disaster damage or abandonment as specified in this code or any other ordinance, are unsafe conditions. Unsafe buildings or structures shall not be used. Unsafe buildings are hereby declared to be public nuisances and shall be abated by repair, rehabilitation, demolition or removal, pursuant to applicable state and local laws and codes.

SECTION 108 CERTIFICATE OF COMPLETION

No building, structure or premises shall be used or occupied, and no change in the existing occupancy classification of a building, structure, premise or portion thereof shall be made until the code official has issued a certificate of completion therefor as provided herein. The certificate of occupancy shall not be issued until the certificate of completion indicating that the project is in compliance with this code has been issued by the code official.

Issuance of a certificate of occupancy shall not be construed as an approval of a violation of the provisions of this code or of other pertinent laws and ordinances of the jurisdiction. Certificates presuming to give authority to violate or cancel the provisions of this code or other laws or ordinances of the jurisdiction shall not be valid.

CHAPTER 2

DEFINITIONS

SECTION 201 GENERAL

201.1 Scope. Unless otherwise expressly stated, the following words and terms shall, for the purposes of this code, have the meanings shown in this chapter.

201.2 Interchangeability. Words stated in the present tense include the future; words stated in the masculine gender include the feminine and neuter, and the singular number includes the plural and the plural the singular.

201.3 Terms defined in other codes. Where terms are not defined in this code and are defined in other *International Codes*, such terms shall have the meanings ascribed to them as in those codes.

201.4 Terms not defined. Where terms are not defined through the methods authorized by this section, such terms shall have their ordinarily accepted meanings such as the context implies.

SECTION 202 DEFINITIONS

ACCESSORY STRUCTURE. A building or structure used to shelter or support any material, equipment, chattel or occupancy other than a habitable building.

APPROVED. Approval by the code official as the result of review, investigation or tests conducted by the code official or by reason of accepted principles or tests by national authorities, or technical or scientific organizations.

BRUSH, SHORT. Low-growing species that reach heights of 1 to 3 feet. Sagebrush, snowberry and rabbitbrush are some varieties.

BRUSH, TALL. Arbor-like varieties of brush species and/or short varieties of broad-leaf trees that grow in compact groups or clumps. These groups or clumps reach heights of 4 to 20 feet. In Utah, this includes primary varieties of oak, maples, chokecherry, serviceberry and mahogany, but may also include other species.

BUILDING. Any structure used or intended for supporting or sheltering any use or occupancy.

BUILDING OFFICIAL. The officer or other designated authority charged with the administration and enforcement of the *International Building Code*, or the building official's duly authorized representative.

CERTIFICATE OF COMPLETION. Written documentation that the project or work for which a permit was issued has been completed in conformance with requirements of this code.

CODE OFFICIAL. The official designated by the jurisdiction to interpret and enforce this code, or the code official's authorized representative.

DEFENSIBLE SPACE. An area either natural or man-made, where material capable of allowing a fire to spread unchecked has been treated, cleared or modified to slow the rate and intensity of an advancing wildfire and to create an area for fire suppression operations to occur.

DRIVEWAY. A vehicular ingress and egress route that serves no more than two buildings or structures, not including accessory structures, or more than five dwelling units.

FIRE AREA. The floor area, in square feet (square meters), used to determine the adequate water supply.

FIRE CHIEF. The chief officer or the chief officer's authorized representative of the fire department serving the jurisdiction.

FIRE PROTECTION PLAN. A document prepared for a specific project or development proposed for the wildland-urban interface area. It describes ways to minimize and mitigate the fire problems created by the project or development, with the purpose of reducing impact on the community's fire protection delivery system.

FIRE WEATHER. Weather conditions favorable to the ignition and rapid spread of fire. In wildfires, this generally includes high temperatures combined with strong winds and low humidity.

FIRE-RESISTANCE-RATED CONSTRUCTION. The use of materials and systems in the design and construction of a building or structure to safeguard against the spread of fire within a building or structure and the spread of fire to or from buildings or structures to the wildland-urban interface area.

FLAME SPREAD RATING. As used herein refers to rating obtained according to tests conducted as specified by a nationally recognized standard.

FUEL BREAK. An area, strategically located for fighting anticipated fires, where the native vegetation has been permanently modified or replaced so that fires burning into it can be more easily controlled. Fuel breaks divide fire-prone areas into smaller areas for easier fire control and to provide access for fire fighting.

FUEL, HEAVY. Vegetation consisting of round wood 3 inches (76 mm) or larger in diameter. The amount of fuel (vegetation) would be 6 tons per acre or greater.

FUEL, LIGHT. Vegetation consisting of herbaceous and round wood less than $\frac{1}{4}$ inch (6.4 mm) in diameter. The amount of fuel (vegetation) would be $\frac{1}{2}$ ton to 2 tons per acre.

FUEL, MEDIUM. Vegetation consisting of round wood $\frac{1}{4}$ to 3 inches (6.4mm to 76 mm) in diameter. The amount of fuel (vegetation) would be 2 to 6 tons per acre.

FUEL MODIFICATION. A method of modifying fuel load by reducing the amount of nonfire-resistant vegetation or altering the type of vegetation to reduce the fuel load.

DEFINITIONS

FUEL MOSAIC. A fuel modification system that provides for the creation of islands and irregular boundaries to reduce the visual and ecological impact of fuel modification.

FUEL-LOADING. The oven-dry weight of fuels in a given area, usually expressed in pounds per acre (lb/a) (kg/ha). Fuel loading may be referenced to fuel size or timelag categories, and may include surface fuels or total fuels.

GREENBELT. A fuel break designated for a use other than fire protection.

HAZARDOUS MATERIALS. As defined in the *International Fire Code*.

HEAVY TIMBER CONSTRUCTION. As described in the *International Building Code*.

INSURANCE SERVICES OFFICE (ISO). An agency that recommends fire insurance rates based on a grading schedule that incorporates evaluation of fire fighting resources and capabilities.

LEGISLATIVE BODY. The governing body of the political jurisdiction administering this code.

LOG WALL CONSTRUCTION. A type of construction in which exterior walls are constructed of solid wood members and where the smallest horizontal dimension of each solid wood member is at least 6 inches (152 mm).

MULTILAYERED GLAZED PANELS. Window or door assemblies that consist of two or more independently glazed panels installed parallel to each other, having a sealed air gap in between, within a frame designed to fill completely the window or door opening in which the assembly is intended to be installed.

NONCOMBUSTIBLE. As applied to building construction material means a material that, in the form in which it is used, is either one of the following:

1. Material of which no part will ignite and burn when subjected to fire. Any material conforming to ASTM E 136 shall be considered noncombustible within the meaning of this section.
2. Material having a structural base of noncombustible material as defined in Item 1 above, with a surfacing material not over $\frac{1}{8}$ inch (3.2 mm) thick, which has a flame-spread rating of 50 or less. Flame-spread rating as used herein refers to rating obtained according to tests conducted as specified in ASTM E 84.

“Noncombustible” does not apply to surface finish materials. Material required to be noncombustible for reduced clearances to flues, heating appliances or other sources of high temperature shall refer to material conforming to Item 1. No material shall be classed as noncombustible that is subject to increase in combustibility or flame-spread rating, beyond the limits herein established, through the effects of age, moisture or other atmospheric condition.

NONCOMBUSTIBLE ROOF COVERING. One of the following:

1. Cement shingles or sheets.
2. Exposed concrete slab roof.
3. Ferrous or copper shingles or sheets.

4. Slate shingles.

5. Clay or concrete roofing tile.

6. Approved roof covering of noncombustible material.

SLOPE. The variation of terrain from the horizontal; the number of feet (meters) rise or fall per 100 feet (30 480 mm) measured horizontally, expressed as a percentage.

STRUCTURE. That which is built or constructed, an edifice or building of any kind, or any piece of work artificially built up or composed of parts joined together in some manner.

TREE CROWN. The primary and secondary branches growing out from the main stem, together with twigs and foliage.

UNENCLOSED ACCESSORY STRUCTURE. An accessory structure without a complete exterior wall system enclosing the area under roof or floor above.

WILDFIRE. An uncontrolled fire spreading through vegetative fuels, exposing and possibly consuming structures.

WILDLAND. An area in which development is essentially nonexistent, except for roads, railroads, power lines and similar facilities.

WILDLAND URBAN INTERFACE. The line, area or zone where structures or other human development (including critical infrastructure that if destroyed would result in hardship to communities) meet or intermingle with undeveloped wildland or vegetative fuel.

CHAPTER 3

WILDLAND-URBAN INTERFACE AREAS

SECTION 301

WILDLAND-URBAN INTERFACE

AREA DESIGNATIONS

301.1 Declaration. The legislative body shall declare the wildland-urban interface areas within the jurisdiction. The urban-wildland interface areas shall be based on the maps created in accordance with Section 301.

301.2 Mapping. In cooperation, the code official and the Division of Forestry, Fire and State Lands (FFSL) wildfire representative (per participating agreement between county and FFSL) will create or review Wildland-Urban Interface Area maps, to be recorded and filed with the clerk of the jurisdiction. These areas shall become effective immediately thereafter.

301.3 Review of wildland-urban interface areas. The code official and the FFSL wildfire representative shall reevaluate and recommend modification to the wildland-urban interface areas in accordance with Section 301.1 on a three-year basis or more frequently as deemed necessary by the legislative body.

CHAPTER 4

WILDLAND-URBAN INTERFACE AREA REQUIREMENTS

SECTION 401 GENERAL

401.1 Scope. Wildland-urban interface areas shall be provided with emergency vehicle access and water supply in accordance with this chapter.

401.2 Objective. The objective of this chapter is to establish the minimum requirements for emergency vehicle access and water supply for buildings and structures located in the wildland-urban interface areas.

401.3 General safety precautions. General safety precautions shall be in accordance with this chapter. See also Appendix A.

SECTION 402 APPLICABILITY

402.1 Subdivisions.

402.1.1 Access. New subdivisions, as determined by this jurisdiction, shall be provided with fire apparatus access roads in accordance with the *International Fire Code* and access requirements in accordance with Section 403.

402.1.2 Water supply. New subdivisions as determined by this jurisdiction shall be provided with water supply in accordance with Section 404.

402.2 Individual structures.

402.2.1 Access. Individual structures hereafter constructed or relocated into or within wildland-urban interface areas shall be provided with fire apparatus access in accordance with the *International Fire Code* and driveways in accordance with Section 403.2. Marking of fire protection equipment shall be provided in accordance with Section 403.5 and address markers shall be provided in accordance with Section 403.6.

402.2.2 Water supply. Individual structures hereafter constructed or relocated into or within wildland-urban interface areas shall be provided with a conforming water supply in accordance with Section 404.

Exceptions:

1. Structures constructed to meet the requirements for the class of ignition-resistant construction specified in Table 503.1 for a nonconforming water supply.
2. Buildings containing only private garages, carports, sheds and agricultural buildings with a floor area of not more than 600 square feet (56 m²).

SECTION 403 ACCESS

403.1 Restricted access. Where emergency vehicle access is restricted because of secured access roads or driveways or where immediate access is necessary for life-saving or fire-fighting purposes, the code official is authorized to require a key box to be installed in an accessible location. The key box shall be of a type approved by the code official and shall contain keys to gain necessary access as required by the code official.

403.2 Driveways. Driveways shall be provided when any portion of an exterior wall of the first story of a building is located more than 150 feet (45 720 mm) from a fire apparatus access road. Driveways shall provide a minimum unobstructed width of 12 feet (3658 mm) and a minimum unobstructed height of 13 feet 6 inches (4115 mm). Driveways in excess of 150 feet (45 720 mm) in length shall be provided with turnarounds. Driveways in excess of 200 feet (60 960 mm) in length and less than 20 feet (6096 mm) in width shall be provided with turnouts in addition to turnarounds.

A driveway shall not serve in excess of five dwelling units.

Driveway turnarounds shall have inside turning radii of not less than 30 feet (9144 mm) and outside turning radii of not less than 45 feet (13 716 mm). Driveways that connect with a road or roads at more than one point may be considered as having a turnaround if all changes of direction meet the radii requirements for driveway turnarounds.

Driveway turnouts shall be an all-weather road surface at least 10 feet (3048 mm) wide and 30 feet (9144 mm) long. Driveway turnouts shall be located as required by the code official.

Vehicle load limits shall be posted at both entrances to bridges on driveways and private roads. Design loads for bridges shall be established by the code official.

403.3 Fire apparatus access road. When required, fire apparatus access roads shall be all-weather roads with a minimum width of 20 feet (6096 mm) and a clear height of 13 feet 6 inches (4115 mm); shall be designed to accommodate the loads and turning radii for fire apparatus; and have a gradient negotiable by the specific fire apparatus normally used at that location within the jurisdiction. Dead-end roads in excess of 150 feet (45 720 mm) in length shall be provided with turnarounds as approved by the code official. An all-weather road surface shall be any surface material acceptable to the code official that would normally allow the passage of emergency service vehicles to protect structures and wildlands within the jurisdiction.

403.4 Marking of roads. Approved signs or other approved notices shall be provided and maintained for access roads and driveways to identify such roads and prohibit the obstruction thereof or both.

All road identification signs and supports shall be of noncombustible materials. Signs shall have minimum 4-inch-high (102 mm) reflective letters with $\frac{1}{2}$ inch (12.7 mm) stroke on a contrasting 6-inch-high (152 mm) sign. Road identification signage shall be mounted at a height of 7 feet (2134 mm) from the road surface to the bottom of the sign.

403.5 Marking of fire protection equipment. Fire protection equipment and fire hydrants shall be clearly identified in a manner approved by the code official to prevent obstruction.

403.6 Address markers. All buildings shall have a permanently posted address, which shall be placed at each driveway entrance and be visible from both directions of travel along the road. In all cases, the address shall be posted at the beginning of construction and shall be maintained thereafter, and the address shall be visible and legible from the road on which the address is located.

Address signs along one-way roads shall be visible from both the intended direction of travel and the opposite direction.

Where multiple addresses are required at a single driveway, they shall be mounted on a single post, and additional signs shall be posted at locations where driveways divide.

Where a roadway provides access solely to a single commercial or industrial business, the address sign shall be placed at the nearest road intersection providing access to that site.

403.7 Grade. The gradient for fire apparatus access roads and driveways shall not exceed the maximum approved by the code official. It will be up to the code official to ascertain the standard based on local fire equipment grade not to exceed 12 percent.

SECTION 404 WATER SUPPLY

404.1 General. When provided in order to qualify as a conforming water supply for the purpose of Table 503.1, an approved water source shall have an adequate water supply for the use of the fire protection service to protect buildings and structures from exterior fire sources or to suppress structure fires within the wildland-urban interface area of the jurisdiction in accordance with this section.

404.2 Water sources. The point at which a water source is available for use shall be located not more than 1,000 feet (305 m) from the building and be approved by the code official. The distance shall be measured along an unobstructed line of travel.

Water sources shall comply with the following:

1. Man-made water sources shall have a minimum usable water volume as determined by the adequate water supply needs in accordance with Section 404.5. This water source shall be equipped with an approved hydrant. The water level of the water source shall be maintained by rainfall, water pumped from a well, water hauled by a tanker, or by seasonal high water of a stream or river. The design, construction, location, water level maintenance, access, and access maintenance of man-made water sources shall be approved by the code official.
2. Natural water sources shall have a minimum annual water level or flow sufficient to meet the adequate water supply needs in accordance with Section 404.5. This wa-

ter level or flow shall not be rendered unusable because of freezing. This water source shall have an approved draft site with an approved hydrant. Adequate water flow and rights for access to the water source shall be ensured in a form acceptable to the code official.

404.3 Draft sites. Approved draft sites shall be provided at all natural water sources intended for use as fire protection for compliance with this code. The design, construction, location, access and access maintenance of draft sites shall be approved by the code official.

The pumper access point shall be either an emergency vehicle access area alongside a conforming access road or an approved driveway no longer than 150 feet (45 720 mm). Pumper access points and access driveways shall be designed and constructed in accordance with all codes and ordinances enforced by this jurisdiction. Pumper access points shall not require the pumper apparatus to obstruct a road or driveway.

404.4 Hydrants. All hydrants shall be designed and constructed in accordance with nationally recognized standards. The location and access shall be approved by the code official.

404.5 Adequate water supply. Adequate water supply shall be determined for purposes of initial attack and flame front control by the local jurisdiction. NFPA 1142 may be used as a reference.

404.6 Fire department. The water system required by this code can only be considered conforming for purposes of determining the level of ignition-resistant construction (see Table 503.1).

404.7 Obstructions. Access to all water sources required by this code shall be unobstructed at all times. The code official shall not be deterred or hindered from gaining immediate access to water source equipment, fire protection equipment or hydrants.

404.8 Identification. Water sources, draft sites, hydrants and fire protection equipment shall be clearly identified in a manner approved by the code official to identify location and to prevent obstruction by parking and other obstructions.

404.9 Testing and maintenance. Water sources, draft sites, hydrants and other fire protection equipment required by this code shall be subject to periodic tests as required by the code official. Code official shall establish a periodic testing schedule. Costs are to be covered by the water provider. All such equipment installed under the provisions of this code shall be maintained in an operative condition at all times and shall be repaired or replaced where defective. Additions, repairs, alterations and servicing of such fire protection equipment and resources shall be in accordance with approved standards. Mains and appurtenances shall be installed in accordance with NFPA 24. Water tanks for private fire protection shall be installed in accordance with NFPA 22. The costs are to be covered by the water provider.

404.10 Reliability.

404.10.1 Objective. The objective of this section is to increase the reliability of water supplies by reducing the exposure of vegetative fuels to electrically powered systems.

404.10.2 Clearance of fuel. Defensible space shall be provided around water tank structures, water supply pumps and pump houses in accordance with Section 603.

404.10.3 Standby power. Stationary water supply facilities within the wildland-urban interface area dependent on electrical power supplied by power grid to meet adequate water supply demands shall provide functional standby power systems in accordance with the ICC *Electrical Code* to ensure that an uninterrupted water supply is maintained. The standby power source shall be capable of providing power for a minimum of two hours.

Exceptions: When approved by the code official, a standby power supply is not required where the primary power service to the stationary water supply facility is underground or there is an on-site generator.

SECTION 405 FIRE PROTECTION PLAN

405.1 Purpose. The plan is to provide a basis to determine overall compliance with this code, for determination of Ignition Resistant Construction (IRC) (see Table 503.1) and for determining the need for alternative materials and methods.

405.2 General. When required by the code official, a fire protection plan shall be prepared and approved prior to the first building permit issuance or subdivision approval.

405.3 Content. The plan shall be based upon a site-specific wildfire risk assessment that includes considerations of location, topography, aspect, flammable vegetation, climatic conditions and fire history. The plan shall address water supply, access, building ignition and fire-resistance factors, fire protection systems and equipment, defensible space and vegetation management.

405.4 Cost. The cost of fire protection plan preparation and review shall be the responsibility of the applicant.

405.5 Plan retention. The fire protection plan shall be retained by the code official.

CHAPTER 5

SPECIAL BUILDING CONSTRUCTION REGULATIONS

SECTION 501 GENERAL

501.1 Scope. Buildings and structures shall be constructed in accordance with the *International Building Code* and this code.

Exceptions:

1. Accessory structures not exceeding 120 square feet (11 m²) in floor area when located at least 50 feet (15 240 mm) from buildings containing habitable spaces.
2. Agricultural buildings at least 50 feet (15 240 mm) from buildings containing habitable spaces.

501.2 Objective. The objective of this chapter is to establish minimum standards to locate, design and construct buildings and structures or portions thereof for the protection of life and property, to resist damage from wildfires, and to mitigate building and structure fires from spreading to wildland fuels. The minimum standards set forth in this chapter vary with the critical fire weather, slope and fuel type to provide increased protection, above the requirements set forth in the *International Building Code*, from the various levels of hazards.

SECTION 502 FIRE HAZARD SEVERITY

The fire hazard severity of building sites for all buildings hereafter constructed, modified or relocated into wildland-urban

interface areas shall be established in accordance with Appendix C.

The fire hazard severity is allowed to be reduced by implementing a vegetation management plan in accordance with Appendix B.

SECTION 503 IGNITION-RESISTANT CONSTRUCTION

503.1 General. Buildings and structures hereafter constructed, modified or relocated into or within wildland-urban interface areas shall meet the construction requirements in accordance with Table 503.1. Class 1, Class 2 or Class 3 ignition-resistant construction shall be in accordance with Sections 504, 505 and 506, respectively.

SECTION 504 CLASS 1 IGNITION-RESISTANT CONSTRUCTION

504.1 General. Class 1 ignition-resistant construction shall be in accordance with Section 504.

504.2 Roof covering. Roofs shall have a Class A roof covering or a Class A roof assembly. 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.

TABLE 503.1
IGNITION-RESISTANT CONSTRUCTION^a

DEFENSIBLE SPACE ^c	FIRE HAZARD SEVERITY					
	Moderate Hazard		High Hazard		Extreme Hazard	
	Water Supply ^b		Water Supply ^b		Water Supply ^b	
	Conforming ^d	Nonconforming ^e	Conforming ^d	Nonconforming ^e	Conforming ^d	Nonconforming ^e
Nonconforming	IR 2	IR 1	IR 1	IR 1 N.C.	IR 1 N.C.	Not Permitted
Conforming	IR 3	IR 2	IR 2	IR 1	IR 1	IR 1 N.C.
1.5 x Conforming	Not Required	IR 3	IR 3	IR 2	IR 2	IR 1

a. Access shall be in accordance with Section 402.

b. Subdivisions shall have a conforming water supply in accordance with Section 402.1.

IR 1 = Ignition-resistant construction in accordance with Section 504.

IR 2 = Ignition-resistant construction in accordance with Section 505.

IR 3 = Ignition-resistant construction in accordance with Section 506.

N.C. = Exterior walls shall have a fire-resistance rating of not less than 1-hour and the exterior surfaces of such walls shall be noncombustible. Usage of log wall construction is allowed.

c. Conformance based on Section 603.

d. Conformance based on Section 404.

e. A nonconforming water supply is any water system or source that does not comply with Section 404, including situations where there is no water supply for structure protection or fire suppression.

504.3 Protection of eaves. Eaves and soffits shall be protected on the exposed underside by materials approved for a minimum of 1-hour fire-resistance-rated construction. Fascias are required and must be protected on the backside by materials approved for a minimum of 1-hour fire-resistance-rated construction or 2-inch (51 mm) nominal dimension lumber.

504.4 Gutters and downspouts. Gutters and downspouts shall be constructed of noncombustible material.

504.5 Exterior walls. Exterior walls of buildings or structures shall be constructed with materials approved for a minimum of 1-hour fire-resistance-rated construction on the exterior side or constructed with approved noncombustible materials.

Exception: Heavy timber or log wall construction.

Such material shall extend from the top of the foundation to the underside of the roof sheathing.

504.6 Unenclosed underfloor protection. Buildings or structures shall have all underfloor areas enclosed to the ground with exterior walls in accordance with Section 504.5.

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.

504.7 Appendages and projections. Unenclosed accessory structures attached to buildings with habitable spaces and projections, such as decks, shall be a minimum of 1-hour fire-resistance-rated construction, heavy timber construction or constructed of approved noncombustible materials.

When the attached 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.

504.8 Exterior glazing. Exterior windows, window walls and glazed doors, windows within exterior doors, and skylights shall be tempered glass, multilayered glazed panels, glass block or have a fire protection rating of not less than 20 minutes.

504.9 Exterior doors. Exterior doors shall be approved noncombustible construction, solid core wood not less than $1\frac{3}{4}$ inches thick (45 mm), or have a fire protection rating of not less than 20 minutes. Windows within doors and glazed doors shall be in accordance with Section 504.8.

Exception: Vehicle access doors.

504.10 Vents. Attic ventilation openings, foundation or underfloor vents, or other ventilation openings in vertical exterior walls and vents through roofs shall not exceed 144 square inches (0.0929 m²) each. Such vents shall be covered with noncombustible corrosion-resistant mesh with openings not to exceed $\frac{1}{4}$ inch (6.4 mm).

Attic ventilation openings shall not be located in soffits, in eave overhangs, between rafters at eaves, or in other overhang areas. Gable end and dormer vents shall be located at least 10 feet (3048 mm) from property lines. Underfloor ventilation openings shall be located as close to grade as practical.

504.11 Detached accessory structures. Detached accessory structures located less than 50 feet (15 240 mm) from a building containing habitable space shall have exterior walls constructed with materials approved for a minimum of 1-hour fire-resistance-rated construction, heavy timber, log wall construction or constructed with approved noncombustible materials on the exterior side.

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.

See Section 504.2 for roof requirements.

SECTION 505 CLASS 2 IGNITION-RESISTANT CONSTRUCTION

505.1 General. Class 2 ignition-resistant construction shall be in accordance with Section 505.

505.2 Roof covering. Roofs shall have at least a Class A roof covering, Class B roof assembly or an approved noncombustible 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.

505.3 Protection of eaves. Combustible eaves, fascias and soffits shall be enclosed with solid materials with a minimum thickness of $\frac{3}{4}$ inch (19 mm). No exposed rafter tails shall be permitted unless constructed of heavy timber materials.

505.4 Gutters and downspouts. Gutters and downspouts shall be constructed of noncombustible material.

505.5 Exterior walls. Exterior walls of buildings or structures shall be constructed with materials approved for a minimum of 1-hour fire-resistance-rated construction on the exterior side or constructed with approved noncombustible materials.

Exception: Heavy timber or log wall construction.

Such material shall extend from the top of the foundation to the underside of the roof sheathing.

505.6 Unenclosed underfloor protection. Buildings or structures shall have all underfloor areas enclosed to the ground, with exterior walls in accordance with Section 505.5.

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.

505.7 Appendages and projections. Unenclosed accessory structures attached to buildings with habitable spaces and projections, such as decks, shall be a minimum of 1-hour fire-re-

sistance-rated construction, heavy timber construction or constructed with approved noncombustible materials.

When the attached 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 505.5.

505.8 Exterior glazing. Exterior windows, window walls and glazed doors, windows within exterior doors, and skylights shall be tempered glass, multilayered glazed panels, glass block or have a fire-protection rating of not less than 20 minutes.

505.9 Exterior doors. Exterior doors shall be approved noncombustible construction, solid core wood not less than $1\frac{3}{4}$ -inches thick (45 mm), or have a fire protection rating of not less than 20 minutes. Windows within doors and glazed doors shall be in accordance with Section 505.8.

Exception: Vehicle access doors.

505.10 Vents. Attic ventilation openings, foundation or underfloor vents or other ventilation openings in vertical exterior walls and vents through roofs shall not exceed 144 square inches (0.0929 m^2) each. Such vents shall be covered with noncombustible corrosion-resistant mesh with openings not to exceed $\frac{1}{4}$ inch (6.4 mm).

Attic ventilation openings shall not be located in soffits, in eave overhangs, between rafters at eaves, or in other overhang areas. Gable end and dormer vents shall be located at least 10 feet (3048 mm) from property lines. Underfloor ventilation openings shall be located as close to grade as practical.

505.11 Detached accessory structures. Detached accessory structures located less than 50 feet (15 240 mm) from a building containing habitable space shall have exterior walls constructed with materials approved for a minimum of 1-hour fire-resistance-rated construction, heavy timber, log wall construction, or constructed with approved noncombustible material on the exterior side.

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 505.5 or underfloor protection in accordance with Section 505.6.

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.

See Section 505.2 for roof requirements.

SECTION 506

CLASS 3 IGNITION-RESISTANT CONSTRUCTION

506.1 General. Class 3 ignition-resistant construction shall be in accordance with Section 506.

506.2 Roof covering. Roofs shall have at least a Class A roof covering, Class C roof assembly or an approved noncombustible 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.

506.3 Unenclosed underfloor protection. Buildings or structures shall have all underfloor areas enclosed to the ground with exterior walls.

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.

506.4 Vents. Attic ventilation openings, soffit vents, foundation or underfloor vents or other ventilation openings in vertical exterior walls and vents through roofs shall not exceed 144 square inches (0.0929 m^2) each. Such vents shall be covered with noncombustible corrosion-resistant mesh with openings not to exceed $\frac{1}{4}$ inch (6.4 mm).

SECTION 507

REPLACEMENT OR REPAIR OF ROOF COVERINGS

The roof covering on buildings or structures in existence prior to the adoption of this code that are replaced or have 25 percent or more 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.

CHAPTER 6

FIRE PROTECTION REQUIREMENTS

SECTION 601 GENERAL

601.1 Scope. The provisions of this chapter establish general requirements for new and existing buildings, structures and premises located within wildland-urban interface areas.

601.2 Objective. The objective of this chapter is to establish minimum requirements to mitigate the risk to life and property from wildland fire exposures, exposures from adjacent structures and to mitigate structure fires from spreading to wildland fuels.

SECTION 602 AUTOMATIC FIRE SPRINKLER SYSTEMS DELETED

SECTION 603 DEFENSIBLE SPACE

603.1 Objective. Provisions of this section are intended to modify the fuel load in areas adjacent to structures to create a defensible space.

603.2 Fuel modification. In order to qualify as a conforming defensible space for individual buildings or structures on a property, fuel modification shall be provided within a distance from buildings or structures as specified in Table 603.2. For all other purposes, the fuel modification distance shall not be less than 30 feet (9144 mm) or to the property line, whichever is less. Distances specified in Table 603.2 shall be measured on a horizontal plane from the perimeter or projection of the building or structure as shown in Figure 603.2. Distances specified in Table 603.2 may be modified by the code official because of a

site-specific analysis based on local conditions and the fire protection plan.

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

Trees are allowed within the defensible space, provided the horizontal distance between crowns of adjacent trees and overhead electrical facilities or unmodified fuel is not less than 10 feet (3048 mm). Deadwood and litter shall be regularly removed from trees.

Where ornamental vegetative fuels or cultivated ground cover, such as green grass, ivy, succulents or similar plants are used as ground cover, they are allowed to be within the designated defensible space, provided they do not form a means of transmitting fire from the native growth to any structure.

TABLE 603.2
REQUIRED DEFENSIBLE SPACE

WILDLAND-URBAN INTERFACE AREA	FUEL MODIFICATION DISTANCE (feet)
Moderate hazard	30
High hazard	50
Extreme hazard	100

For SI: 1 foot = 304.8 mm.

603.3 Community fuel modification zones. Fuel modification zones to protect new communities shall be provided when required by the code official in accordance with Section 603, in order to reduce fuel loads adjacent to communities and structures.

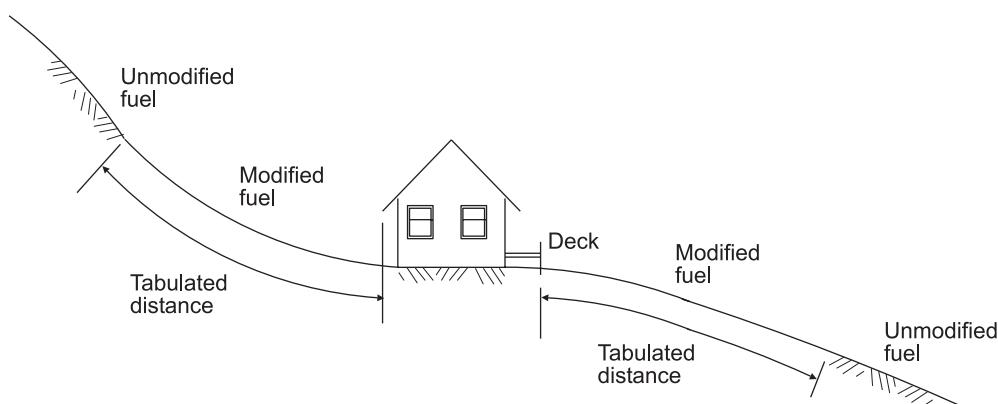


FIGURE 603.2
MEASUREMENTS OF FUEL MODIFICATION DISTANCE

603.3.1 Land ownership. Fuel modification zone land used to protect a community shall be under the control of an association or other common ownership instrument for the life of the community to be protected.

603.3.2 Fuel modification zone plans. Fuel modification zone plans shall be approved prior to fuel modification work and shall be placed on a site grading plan shown in plan view. An elevation plan shall also be provided to indicate the length of the fuel modification zone on the slope. Fuel modification zone plans shall include, but not be limited to the following:

1. Plan showing existing vegetation.
2. Photographs showing natural conditions prior to work being performed.
3. Grading plan showing location of proposed buildings and structures, and set backs from top of slope to all buildings or structures.

SECTION 604 MAINTENANCE OF DEFENSIBLE SPACE

604.1 General. Defensible spaces required by Section 603 shall be maintained annually, or as necessary in accordance with Section 604.

604.2 Modified area. Nonfire-resistant vegetation or growth shall be kept clear of buildings or structures, in accordance with Section 603, in such a manner as to provide a clear area for fire suppression operations.

604.3 Responsibility. Persons owning, leasing, controlling, operating or maintaining buildings or structures are responsible for maintenance of defensible spaces. Maintenance of the defensible space shall include modifying or removing nonfire-resistant vegetation and keeping leaves, needles and other dead vegetative material regularly removed from roofs of buildings and structures.

604.4 Trees. Individual trees and/or small clumps of trees or brush crowns, extending to within 10 feet (3048 mm) of any structure, shall be pruned to maintain a minimum horizontal clearance of 10 feet (3048 mm). Tree crowns within the defensible space shall be pruned to remove limbs located less than 6 feet (1829 mm) above the ground surface adjacent to the trees.

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).

Deadwood and litter shall be regularly removed from trees.

SECTION 605 SPARK ARRESTERS

Chimneys serving fireplaces, barbecues, incinerators or decorative heating appliances in which solid or liquid fuel is used, shall be provided with a spark arrester. Spark arresters shall be constructed of woven or welded wire screening of 12 USA standard gage wire (0.1046 inch) (2.66 mm) having openings not exceeding $\frac{1}{2}$ inch (12.7 mm).

The net free area of the spark arrester shall not be less than four times the net free area of the outlet of the chimney.

SECTION 606

LIQUEFIED PETROLEUM GAS INSTALLATIONS

606.1 General. The storage of LP-gas and the installation and maintenance of pertinent equipment shall be in accordance with the *International Fire Code* or, in the absence thereof, recognized standards.

606.2 Location of containers. LP-gas containers shall be located within the defensible space in accordance with the *International Fire Code*.

SECTION 607

STORAGE OF FIREWOOD AND COMBUSTIBLE MATERIALS

Firewood and combustible material shall not be stored in unenclosed spaces beneath buildings or structures, or on decks or under eaves, canopies or other projections or overhangs. When required by the code official, storage of firewood and combustible material stored in the defensible space shall be located a minimum of 30 feet (9144 mm) from structures and separated from the crown of trees by a minimum horizontal distance of 15 feet (4572 mm).

Firewood and combustible materials not for consumption on the premises shall be stored so as to not pose a hazard. See Appendix A.

APPENDIX A

GENERAL REQUIREMENTS (optional)

SECTION A101 GENERAL

A101.1 Scope. The provisions of this appendix establish general requirements applicable to new and existing properties located within urban-wildland interface areas.

A101.2 Objective. The objective of this appendix is to provide necessary fire-protection measures to reduce the threat of wildfire in an urban-wildland interface area and improve the capability of controlling such fires.

SECTION A102 VEGETATION CONTROL

A102.1 General. Vegetation control shall comply with this section.

A102.2 Clearance of brush or vegetative growth from roadways. The code official is authorized to require areas within 10 feet (3048 mm) on each side of portions of fire apparatus access roads and driveways to be cleared of nonfire-resistant vegetation growth.

Exception: Single specimens of trees, ornamental vegetative fuels or cultivated ground cover, such as green grass, ivy, succulents or similar plants used as ground cover, provided they do not form a means of readily transmitting fire.

A102.3 Clearance of brush and vegetative growth from electrical transmission and distribution lines.

A102.3.1 General. Clearance of brush and vegetative growth from electrical transmission and distribution lines shall be in accordance with Section A102.3.

Exception: Section A102.3 does not authorize persons not having legal right of entry to enter on or damage the property of others without consent of the owner.

A102.3.2 Support clearance. Persons owning, controlling, operating or maintaining electrical transmission or distribution lines shall have an approved program in place that identifies poles or towers with equipment and hardware types that have a history of becoming an ignition source, and provides a combustible free space consisting of a clearing of not less than 10 feet (3048 mm) in each direction from the outer circumference of such pole or tower during such periods of time as designated by the code official.

Exception: Lines used exclusively as telephone, telegraph, messenger call, alarm transmission or other lines classed as communication circuits by a public utility.

A102.3.3 Electrical distribution and transmission line clearances.

A102.3.3.1 General. Clearances between vegetation and electrical lines shall be in accordance with Section A102.3.3.

A102.3.3.2 Trimming clearance. At the time of trimming, clearances not less than those established by Table A102.3.3.2 shall be provided. The radial clearances shown below are minimum clearances that shall be established, at time of trimming, between the vegetation and the energized conductors and associated live parts.

TABLE A102.3.3.2
MINIMUM CLEARANCES BETWEEN VEGETATION
AND ELECTRICAL LINES AT TIME OF TRIMMING

LINE VOLTAGE	MINIMUM RADIAL CLEARANCE FROM CONDUCTOR (feet)
2,400-72,000	4
72,001-110,000	6
110,001-300,000	10
300,001 or more	15

For SI: 1 foot = 304.8 mm.

Exception: The code official is authorized to establish minimum clearances different than those specified by Table A102.3.3.2 when evidence substantiating such other clearances is submitted to and approved by the code official.

A102.3.3.3 Minimum clearance to be maintained. Clearances not less than those established by Table A102.3.3.3 shall be maintained during such periods of time as designated by the code official. The site-specific clearance achieved, at time of pruning, shall vary based on species growth rates, the utility company-specific trim cycle, the potential line sway due to wind, line sag due to electrical loading and ambient temperature and the tree's location in proximity to the high voltage lines.

Exception: The code official is authorized to establish minimum clearances different than those specified by Table A102.3.3.3 when evidence substantiating such other clearances is submitted to and approved by the code official.

TABLE A102.3.3.3
MINIMUM CLEARANCES BETWEEN VEGETATION AND
ELECTRICAL LINES TO BE MAINTAINED

LINE VOLTAGE	MINIMUM CLEARANCE (inches)
750-35,000	6
35,001-60,000	12
60,001-115,000	19
115,001-230,000	30.5
230,001-500,000	115

For SI: 1 inch = 25.4 mm.

A102.3.3.4 Electrical power line emergencies. During emergencies, the utility shall perform the required work to the extent necessary to clear the hazard. An emergency

can include situations such as trees falling into power lines, or trees in violation of Table A102.3.3.3.

A102.4 Correction of condition. The code official is authorized to give notice to the owner of the property on which conditions regulated by Section A102 exist to correct such conditions. If the owner fails to correct such conditions, the legislative body of the jurisdiction is authorized to cause the same to be done and make the expense of such correction a lien on the property where such condition exists.

SECTION A103 ACCESS RESTRICTIONS

A103.1 Restricted entry to public lands. The code official is authorized to determine and publicly announce when urban-wildland interface areas shall be closed to entry and when such areas shall again be opened to entry. Entry on and occupation of urban-wildland interface areas, except public roadways, inhabited areas or established trails and campsites that have not been closed during such time when the urban-wildland interface area is closed to entry, is prohibited.

Exceptions:

1. Residents and owners of private property within urban-wildland interface areas and their invitees and guests going to or being on their lands.
2. Entry, in the course of duty, by peace or police officers, and other duly authorized public officers, members of a fire department and members of the Wildland Firefighting Service.

A103.2 Trespassing on posted private property.

A103.2.1 General. When the code official determines that a specific area within an urban-wildland interface area presents an exceptional and continuing fire danger because of the density of natural growth, difficulty of terrain, proximity to structures or accessibility to the public, such areas shall be restricted or closed until changed conditions warrant termination of such restriction or closure. Such areas shall be posted in accordance with Section A103.2.2.

A103.2.2 Signs. Approved signs prohibiting entry by unauthorized persons and referring to this code shall be placed on every closed area.

A103.2.3 Trespassing. Entering and remaining within areas closed and posted is prohibited.

Exception: Owners and occupiers of private or public property within closed and posted areas; their guests or invitees; authorized persons engaged in the operation and maintenance of necessary utilities such as electrical power, gas, telephone, water and sewer; and local, state and federal public officers and their authorized agents acting in the course of duty.

A103.3 Use of fire roads and defensible space. Motorcycles, motor scooters and motor vehicles shall not be driven or parked on, and trespassing is prohibited on, fire roads or defensible space beyond the point where travel is restricted by a cable, gate or sign, without the permission of the property owners. Vehicles shall not be parked in a manner that obstructs the entrance to a fire road or defensible space.

Exception: Public officers acting within their scope of duty.

Radio and television aerials, guy wires thereto, and other obstructions shall not be installed or maintained on fire roads or defensible spaces, unless located 16 feet (4877 mm) or more above such fire road or defensible space.

A103.4 Use of motorcycles, motor scooters, ultralight aircraft and motor vehicles. Motorcycles, motor scooters, ultralight aircraft and motor vehicles shall not be operated within urban-wildland interface areas, without a permit by the code official, except on clearly established public or private roads. Permission from the property owner shall be presented when requesting a permit.

A103.5 Tampering with locks, barricades, signs and address markers. Locks, barricades, seals, cables, signs and address markers installed within urban-wildland interface areas, by or under the control of the code official, shall not be tampered with, mutilated, destroyed or removed.

Gates, doors, barriers and locks installed by or under the control of the code official shall not be unlocked.

SECTION A104 IGNITION SOURCE CONTROL

A104.1 General. Ignition sources shall be in accordance with Section A104.

A104.2 Objective. Regulations in this section are intended to provide the minimum requirements to prevent the occurrence of wildfires.

A104.3 Clearance from ignition sources. Clearance between ignition sources and grass, brush or other combustible materials shall be maintained a minimum of 30 feet (9144 mm).

A104.4 Smoking. When required by the code official, signs shall be posted stating NO SMOKING. No person shall smoke within 15 feet (4572 mm) of combustible materials or nonfire-resistant vegetation.

Exception: Places of habitation or in the boundaries of established smoking areas or campsites as designated by the code official.

A104.5 Equipment and devices generating heat, sparks or open flames. Equipment and devices generating heat, sparks or open flames capable of igniting nearby combustibles shall not be used in urban-wildland interface areas without a permit from the code official.

Exception: Use of approved equipment in habitated premises or designated campsites that are a minimum of 30 feet (9144 mm) from grass-, grain-, brush- or forest-covered areas.

A104.6 Fireworks. Fireworks shall not be used or possessed in urban-wildland interface areas.

Exception: Fireworks allowed by the code official under permit in accordance with the *International Fire Code* when not prohibited by applicable local or state laws, ordinances and regulations.

The code official is authorized to seize, take, remove or cause to be removed fireworks in violation of this section.

A104.7 Outdoor fires.

A104.7.1 General. No person shall build, ignite or maintain any outdoor fire of any kind for any purpose in or on any urban-wildland interface area, except by the authority of a written permit from the code official.

Exception: Outdoor fires within inhabited premises or designated campsites where such fires are in a permanent barbecue, portable barbecue, outdoor fireplace, incinerator or grill and are a minimum of 30 feet (9144 mm) from any combustible material or nonfire-resistive vegetation.

A104.7.2 Permits. Permits shall incorporate such terms and conditions that will reasonably safeguard public safety and property. Outdoor fires shall not be built, ignited or maintained in or on hazardous fire areas under the following conditions:

1. When high winds are blowing,
2. When a person 17 years old or over is not present at all times to watch and tend such fire, or
3. When a public announcement is made that open burning is prohibited.

A104.7.3 Restrictions. No person shall use a permanent barbecue, portable barbecue, outdoor fireplace or grill for the disposal of rubbish, trash or combustible waste material.

A104.8 Incinerators, outdoor fireplaces, permanent barbecues and grills. Incinerators, outdoor fireplaces, permanent barbecues and grills shall not be built, installed or maintained in urban-wildland interface areas without approval of the code official.

Incinerators, outdoor fireplaces, permanent barbecues and grills shall be maintained in good repair and in a safe condition at all times. Openings in such appliances shall be provided with an approved spark arrestor, screen or door.

Exception: When approved by the code official, unprotected openings in barbecues and grills necessary for proper functioning.

A104.9 Reckless behavior. The code official is authorized to stop any actions of a person or persons if the official determines that the action is reckless and could result in an ignition of fire or spread of fire.

A104.10 Planting vegetation under or adjacent to energized electrical lines. No vegetation shall be planted under or adjacent to energized power lines that, at maturity, shall grow within 10 feet (3048 mm) of the energized conductors.

SECTION A105 CONTROL OF STORAGE

A105.1 General. In addition to the requirements of the *International Fire Code*, storage and use of the materials shall be in accordance with Section A105.

A105.2 Hazardous materials. Hazardous materials in excess of 10 gallons (37.8 L) of liquid, 200 cubic feet (5.66 m³) of gas, or 10 pounds (4.54 kg) of solids require a permit and shall comply with nationally recognized standards for storage and use.

A105.3 Explosives. Explosives shall not be possessed, kept, stored, sold, offered for sale, given away, used, discharged, transported or disposed of within urban-wildland interface areas, except by permit from the code official.

A105.4 Combustible materials.

A105.4.1 General. Outside storage of combustible materials such as, but not limited to, wood, rubber tires, building materials or paper products shall comply with the other applicable sections of this code and this section.

A105.4.2 Individual piles. Individual piles shall not exceed 5,000 square feet (465 m²) of contiguous area. Piles shall not exceed 50,000 cubic feet (1416 m³) in volume or 10 feet (3048 mm) in height.

A105.4.3 Separation. A clear space of at least 40 feet (12192 mm) shall be provided between piles. The clear space shall not contain combustible material or nonfire-resistive vegetation.

SECTION A106 DUMPING

A106.1 Waste material. Waste material shall not be placed, deposited or dumped in urban-wildland interface areas, or in, on or along trails, roadways or highways or against structures in urban-wildland interface areas.

Exception: Approved public and approved private dumping areas.

A106.2 Ashes and coals. Ashes and coals shall not be placed, deposited or dumped in or on urban-wildland interface areas.

Exceptions:

1. In the hearth of an established fire pit, camp stove or fireplace.
2. In a noncombustible container with a tightfitting lid, which is kept or maintained in a safe location not less than 10 feet (3048 mm) from nonfire-resistive vegetation or structures.
3. Where such ashes or coals are buried and covered with 1 foot (305 mm) of mineral earth not less than 25 feet (7620 mm) from nonfire-resistive vegetation or structures.

SECTION A107 PROTECTION OF PUMPS AND WATER STORAGE FACILITIES

A107.1 General. The reliability of the water supply shall be in accordance with Section A107.

A107.2 Objective. The intent of this section is to increase the reliability of water storage and pumping facilities and to protect such systems against loss from intrusion by fire.

A107.3 Fuel modification area. Water storage and pumping facilities shall be provided with a defensible space of not less than 30 feet (9144 mm) clear of nonfire-resistive vegetation or growth around and adjacent to such facilities.

Persons owning, controlling, operating or maintaining water storage and pumping systems requiring this defensible

space are responsible for clearing and removing nonfire-resistant vegetation and maintaining the defensible space on the property owned, leased or controlled by said person.

A107.4 Trees. Portions of trees that extend to within 30 feet (9144 mm) of combustible portions of water storage and pumping facilities shall be removed.

A107.5 Protection of electrical power supplies. When electrical pumps are used to provide the required water supply, such pumps shall be connected to a standby power source to automatically maintain electrical power in the event of power loss. The standby power source shall be capable of providing power for a minimum of two hours in accordance with the ICC *Electrical Code*.

Exception: A standby power source is not required where the primary power service to pumps are underground as approved by the code official.

SECTION A108 LAND USE LIMITATIONS

A108.1 General. Temporary fairs, carnivals, public exhibitions and similar uses must comply with all other provisions of this code in addition to enhanced ingress and egress requirements.

A108.2 Objective. The increased public use of land or structures in urban-wildland interface areas also increases the potential threat to life safety. The provisions of this section are intended to reduce that threat.

A108.3 Permits. Temporary fairs, carnivals, public exhibitions or similar uses shall not be allowed in a designated urban-wildland interface area, except by permit from the code official.

Permits shall incorporate such terms and conditions that will reasonably safeguard public safety and property.

A108.4 Access roadways. In addition to the requirements in Section 403, access roadways shall be a minimum of 24 feet (7315 mm) wide and posted NO PARKING. Two access roadways shall be provided to serve the permitted use area.

When required by the code official to facilitate emergency operations, approved emergency vehicle operating areas shall be provided.

APPENDIX B

VEGETATION MANAGEMENT PLAN

Vegetation management plans shall be submitted to the code official for review and approval as part of the plans required for a permit. Vegetation management plans shall describe all actions that will be taken to prevent a fire from being carried toward or away from the building. 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 in-

clude 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. A plan for maintaining the proposed fuel-reduction measures.

To be considered a fuel modification for purposes of this code, continuous maintenance of the clearance is required.

UTAH FIRE RESISTIVE SPECIES

*Adapted from "Utah Forest Facts: Firewise Plants for Utah Landscapes"
Utah State University Extension, 2002*

Grasses

Agropyron cristatum (Crested Wheatgrass)
Agropyron smithii (Western Wheatgrass)
Buchloe dactyloides (Buffalograss)
Dactylis glomerata (Orchardgrass)
Festuca cinerea and other species (Blue Fescue)
Lolium species (Rye Grass)
Poa pratensis (Kentucky Bluegrass)
Poa secunda (Sandberg Bluegrass)

Herbaceous Perennials

Achillea clavennae (Silvery Yarrow)
Achillea filipendulina (Fernleaf Yarrow)
Achillea - other species & hybrids (Yarrow)*
Aquilegia - species & hybrids (Columbine)
Armeria maritima (Sea Pink, Sea Thrift)
Artemisia stelleriana (Beach Wormwood, Dusty Miller)
Artemisia - other species & hybrids (Various names)*
Bergenia - species & hybrids (Bergenia)
Centranthus ruber (Red Valerian, Jupiter's Beard)
Cerastium tomentosum (Snow-in-summer)
Coreopsis auriculata var. *Nana* (Dwarf Mouse Ear Coreopsis)
Coreopsis – other perennial species (Coreopsis)
Delosperma nubigenum (Hardy Ice Plant)
Dianthus plumarius & others (Pinks)
Erigeron hybrids (Fleabane)*
Gaillardia X grandiflora (Blanket Flower)
Geranium cinereum (Hardy Geranium)
Geranium sanguineum (Bloody Cranesbill, Bloodred Geranium)

Geranium species (Geranium)

Hemerocallis species (Daylily)
Heuchera sanguinea (Coral Bells, Alum Root)
Iberis sempervirens (Evergreen Candytuft)
Iris species & hybrids (Iris)
Kniphofia species & hybrids (Red-hot Poker)
Lavandula species (Lavender)
Leucanthemum X superbum (Shasta Daisy)
Limonium latifolium (Sea-lavender, Statice)
Linum species (Flax)
Liriope spicata (Lily-turf)
Lupinus species & hybrids (Lupine)*
Medicago sativus (Alfalfa)
Oenothera species (Primrose)
Papaver species (Poppy)
Penstemon species & hybrids (Penstemon)
Perovskia atriplicifolia (Russian Sage, Azure Sage)
Potentilla nepalensis (Nepal Cinquefoil)
Potentilla tridentata (Wineleaf Cinquefoil)
Potentilla verna (*tabernaemontani*) (Spring Cinquefoil; Creeping Potentilla)
Potentilla – other non-shrubby species & hybrids (Cinquefoil, Potentilla)*
Salvia species & hybrids (Salvia, Sage)*
Sedum species (Stonecrop, Sedum)
Sempervivum tectorum (Hen and Chicks)
Stachys byzantina (Lamb's Ear)
Yucca filamentosa (Yucca)

continued

Shrubs and Woody Vines

Atriplex species (Saltbush)
Ceanothus americanus (New Jersey Tea)
Ceanothus ovatus & others (Ceanothus)
Cistus species (Rock-rose)
Cotoneaster dammeri (Bearberry Cotoneaster)
Cotoneaster horizontalis (Rockspray or Rock Cotoneaster)
Cotoneaster – other compact species (Cotoneaster)
Hedera helix (English Ivy)
Lonicera species & hybrids (Honeysuckle)
Mahonia repens (Creeping Oregon Grape)
Parthenocissus quinquefolia (Virginia Creeper)
Prunus besseyi (Sand Cherry)
Purshia tridentata (Bitterbrush, Antelope Bitterbrush)
Pyracantha species (Firethorn, Pyracantha)
Rhamnus species (Buckthorn)
Rhus trilobata (Skunkbush Sumac)
Rhus – other species (Sumac)
Ribes species (Currant, Gooseberry)
Rosa rugosa & other hedge roses (Rugosa Rose)
Shepherdia canadensis (Russet Buffaloberry)
Syringa vulgaris (Lilac)
Vinca major (Large Periwinkle)
Vinca minor (Dwarf Periwinkle, Common Periwinkle)

Trees

Acer species (Maple)
Betula species (Birch)
Cercis canadensis (Eastern Redbud)
Populus tremuloides (Quaking Aspen)
Populus – other species (Poplar, Cottonwood)
Salix species (Willow)

* *Plants or groups of plants marked with an asterisk (*) can become weedy in certain circumstances, and may even be noxious weeds with legal restrictions against their planting and cultivation. Check with your local Extension office or State Department of Agriculture for information on noxious weeds in your area.*

Note: Some of the listed plants may not be considered “water-wise” or drought-tolerant for arid climates.

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Wildland Urban Interface Modifications

2025 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Casey Snider

Senate Sponsor: Michael K. McKell

LONG TITLE

General Description:

This bill addresses efforts to oversee wildfire risks associated with wildland urban interface property.

Highlighted Provisions:

This bill:

- defines terms;
- requires counties to take certain actions related to wildland urban interface property, including assessing a fee;
- directs the fee to be retained by a county and deposited into the Wildland-urban Interface Prevention, Preparedness, and Mitigation Fund;
- addresses insuring wildland urban interface property;
- imposes notice requirements related to insuring wildland urban interface property;
- requires counties and municipalities to adopt the wildland urban interface building code standards;
- permits the Division of Forestry, Fire, and State Lands (division) to choose not to cover parts of local governments under certain circumstances;
- directs the division to establish a program for wildland urban interface coordinators to evaluate, using a triage scale, high risk wildland urban interface property;
- addresses actions related to evaluating the high risk wildland urban interface property;
- provides for a database to be accessed by certain insurers related to evaluating high risk wildland urban interface property;
- authorizes rulemaking;
- addresses liability; and
- makes technical changes.

28 **Money Appropriated in this Bill:**

29 None

30 **Other Special Clauses:**

31 This bill provides a special effective date.

32 **Utah Code Sections Affected:**33 **AMENDS:**34 **15A-5-203**, as last amended by Laws of Utah 2024, Chapters 21, 38135 **63G-7-201**, as last amended by Laws of Utah 2023, Chapters 34, 105, 259, 329, 452, and
36 45637 **65A-8-203**, as last amended by Laws of Utah 2024, Chapter 7738 **65A-8-215**, as last amended by Laws of Utah 2024, Chapter 7739 **ENACTS:**40 **17-16-22**, Utah Code Annotated 195341 **31A-22-1310**, Utah Code Annotated 195342 **65A-8-401**, Utah Code Annotated 195343 **65A-8-402**, Utah Code Annotated 195344 **65A-8-403**, Utah Code Annotated 195346 *Be it enacted by the Legislature of the state of Utah:*47 Section 1. Section **15A-5-203** is amended to read:48 **15A-5-203 . Amendments and additions to IFC related to fire safety, building,
49 and site requirements.**

50 (1) For IFC, Chapter 5, Fire Service Features:

51 (a) In IFC, Chapter 5, a new Section 501.5, Access grade and fire flow, is added as
52 follows: "An authority having jurisdiction over a structure built in accordance with
53 the requirements of the International Residential Code as adopted in the State
54 Construction Code, may require an automatic fire sprinkler system for the structure
55 only by ordinance and only if any of the following conditions exist:
56 (i) the structure:57 (A) is located in an urban-wildland interface area as provided in the Utah
58 Wildland Urban Interface Code adopted as a construction code under the State
59 Construction Code; and60 (B) does not meet the requirements described in Utah Code, Subsection 65A-8-203
61 (4)[(a)] (f) and Utah Administrative Code, R652-122-1300, Minimum

Standards for County Wildland Fire Ordinance;

- (ii) the structure is in an area where a public water distribution system with fire hydrants does not exist as required in Utah Administrative Code, R309-550-5, Water Main Design;
- (iii) the only fire apparatus access road has a grade greater than 10% for more than 500 continual feet;
- (iv) the total floor area of all floor levels within the exterior walls of the dwelling unit exceeds 10,000 square feet; or
- (v) the total floor area of all floor levels within the exterior walls of the dwelling unit is double the average of the total floor area of all floor levels of unsprinkled homes in the subdivision that are no larger than 10,000 square feet.
- (vi) Exception: A single family dwelling does not require a fire sprinkler system if the dwelling:
 - (A) is located outside the wildland urban interface;
 - (B) is built in a one-lot subdivision; and
 - (C) has 50 feet of defensible space on all sides that limits the propensity of fire spreading from the dwelling to another property."

(b) In IFC, Chapter 5, Section 506.1, Where Required, is deleted and rewritten as follows: "Where access to or within a structure or an area is restricted because of secured openings or where immediate access is necessary for life-saving or fire-fighting purposes, the fire code official, after consultation with the building owner, may require a key box to be installed in an approved location. The key box shall contain keys to gain necessary access as required by the fire code official. For each fire jurisdiction that has at least one building with a required key box, the fire jurisdiction shall adopt an ordinance, resolution, or other operating rule or policy that creates a process to ensure that each key to each key box is properly accounted for and secure."

(c) In IFC, Chapter 5, a new Section 507.1.1, Isolated one- and two-family dwellings, is added as follows: "Fire flow may be reduced for an isolated one- and two-family dwelling when the authority having jurisdiction over the dwelling determines that the development of a full fire-flow requirement is impractical."

(d) In IFC, Chapter 5, a new Section 507.1.2, Pre-existing subdivision lots, is added as follows:

"507.1.2 Pre-existing subdivision lots

The requirements for a pre-existing subdivision lot shall not exceed the requirements

96 described in Section 501.5."

97 (e) In IFC, Chapter 5, Section 507.5.1, here required, a new exception is added: "3. One
98 interior and one detached accessory dwelling unit on a single residential lot."

99 (f) IFC, Chapter 5, Section 510.1, Emergency responder communication coverage in
100 new buildings, is amended by adding: "When required by the fire code official,
101 unless the new building is a public school as that term is defined in Section
102 53G-9-205.1 or a private school, then the fire code official shall require," at the
103 beginning of the first paragraph.

104 (2) For IFC, Chapter 6, Building Services and Systems:

105 (a) IFC, Chapter 6, Section 604.6.1, Elevator key location, is deleted and rewritten as
106 follows: "Firefighter service keys shall be kept in a "Supra-Stor-a-key" elevator key
107 box or similar box with corresponding key system that is adjacent to the elevator for
108 immediate use by the fire department. The key box shall contain one key for each
109 elevator, one key for lobby control, and any other keys necessary for emergency
110 service. The elevator key box shall be accessed using a 6049 numbered key."

111 (b) IFC, Chapter 6, Section 606.1, General, is amended as follows: On line three, after
112 the word "Code", add the words "and NFPA 96".

113 (c) IFC, Chapter 6, Section 607.2, a new exception 5 is added as follows: "5. A Type 1
114 hood is not required for a cooking appliance in a microenterprise home kitchen, as
115 that term is defined in Utah Code, Section 26B-7-401, for which the operator obtains
116 a permit in accordance with Section 26B-7-416."

117 (3) IFC, Chapter 7, Fire and Smoke Protection Features, Section 702.5, is deleted.

118 Section 2. Section **17-16-22** is enacted to read:

119 **17-16-22 . Wildland urban interface evaluation and fees.**

120 (1) As used in this section:

121 (a) "County officer" means the same as that term is defined in Section 17-16-21.

122 (b) "High risk wildland urban interface property" means the same as that term is defined
123 in Section 65A-8-401.

124 (c) "Wildland urban interface" means the same as that term is defined in Section
125 65A-8-401.

126 (d) "Wildland urban interface coordinator" means the same as that term is defined in
127 Section 65A-8-401.

128 (2) If evaluation of high risk wildland urban interface property is assigned to a county under
129 Section 65A-8-402:

130 (a) the county shall enter into a cooperative agreement with the Division of Forestry,
131 Fire, and State Lands, in accordance with Subsection 65A-8-203(2)(a), which
132 agreement shall address compliance with this Subsection (2) for evaluation and
133 classification of high risk wildland urban interface property; and
134 (b) a county officer shall require that a wildland urban interface coordinator representing
135 the county annually evaluate high risk wildland urban interface property within the
136 county in accordance with Section 65A-8-402.

137 (3) Beginning January 1, 2026, a county officer shall:

138 (a) annually assess a fee:
139 (i) against the property owner of high risk wildland urban interface property within
140 the incorporated and unincorporated portions of the county; and
141 (ii) in the amount set by the Division of Forestry, Fire, and State Lands under Section
142 65A-8-402; and
143 (b)(i) after retaining a portion of the fee under Subsection (3)(b)(ii), transmit the fee
144 assessed under Subsection (3)(a) to the Division of Forestry, Fire, and State Lands
145 for deposit into the Wildland-urban Interface Prevention, Preparedness, and
146 Mitigation Fund created in Section 65A-8-215; and
147 (ii) retain that portion of the fee assessed under Subsection (3)(a) necessary to pay
148 costs incurred by the county in implementing this section, which the county may
149 include in the county's annual accounting of wildfire prevention, preparedness,
150 mitigation actions, and associated costs for purposes of Subsection
151 65A-8-203(4)(c).

152 (4) A county may hold a political subdivision lien on high risk wildland urban interface
153 property for a fee that is past due by following the procedures in Sections 17B-1-902
154 and 17B-1-902.1, as if the county is a special district.

155 Section 3. Section **31A-22-1310** is enacted to read:

156 **31A-22-1310 . Insuring wildland urban interface property.**

157 (1) As used in this section:

158 (a) "High risk wildland urban interface property" means the same as that term is defined
159 in Section 65A-8-401.
160 (b) "Wildland urban interface" means the same as that term is defined in Section
161 65A-8-401.
162 (c) "Wildland urban interface property and casualty insurer" means an insurer that issues
163 property or casualty insurance for wildland urban interface property.

164 (2)(a) For purposes of determining whether property is high risk wildland urban
165 interface property, a wildland urban interface property and casualty insurer may only
166 use the boundary provided in the wildfire risk assessment mapping tool maintained
167 by the Division of Forestry, Fire, and State Lands in accordance with Subsection
168 65A-8-203(8) to determine whether the property is high risk wildland urban interface
169 property.

170 (b) A wildland urban interface property and casualty insurer may use additional fire
171 hazard data, beyond the wildfire risk assessment mapping tool described in
172 Subsection (2)(a), in connection with setting a rate for, or the underwriting of, high
173 risk wildland urban interface property if the wildland urban interface property and
174 casualty insurer's use of additional fire hazard data is in compliance with:
175 (i) the boundary determination made in Subsection (2)(a); and
176 (ii) this title and department rules made in accordance with Title 63G, Chapter 3,
177 Utah Administrative Rulemaking Act.

178 (c) If a property is determined not to be high risk wildland urban interface in accordance
179 with Subsection (2)(a), this Subsection (2) does not apply to the use of fire hazard
180 data in connection with rate setting or underwriting of the property.

181 (d) This Subsection (2) does not restrict the use of data or underwriting tools in
182 determining risks that are unrelated to fire risk.

183 (3)(a) If an owner of property located within the wildland urban interface files a
184 complaint with the department asserting that a wildland urban interface property and
185 casualty insurer has violated, or is violating, this section, the department may
186 investigate the wildland urban interface property and casualty insurer to determine
187 whether a violation has occurred or is occurring.

188 (b) If after an investigation under this Subsection (3) the department finds that a
189 wildland urban interface property and casualty insurer has violated or is violating this
190 section, the department may:
191 (i) issue prohibitory, mandatory, and other orders as necessary to secure compliance
192 with this section; and
193 (ii) impose penalties against the wildland urban interface property and casualty
194 insurer in accordance with Section 31A-2-308.

195 (4) In addition to complying with relevant requirements of Section 31A-21-303, if due to
196 risks of wildfire a wildland urban interface property and casualty insurer:
197 (a) cancels or nonrenews property and casualty insurance covering wildland urban

198 interface property, the wildland urban interface property and casualty insurer shall
199 include in the notice of cancellation or nonrenewal the facts on which the wildland
200 urban interface property and casualty insurer's decision is based with reasonable
201 precision; and

202 (b) increases the premium by more than 20% of the previous term's premium for
203 property and casualty insurance covering wildland urban interface property, after
204 receipt of a request for the information by the insured the wildland urban interface
205 property and casualty insurer shall provide the insured the facts on which the
206 wildland urban interface property and casualty insurer's decision is based with
207 reasonable precision.

208 (5) Subsections (1) through (4) apply on and after January 1, 2026.

209 (6) This section does not:

210 (a) create a cause of action for an act or failure to act under this section against:
211 (i) the state;
212 (ii) the department;
213 (iii) the Division of Forestry, Fire, and State Lands;
214 (iv) an officer, consultant, or employee of the department or Division of Forestry,
215 Fire, and State Lands;
216 (v) a wildland urban interface coordinator, as defined in Section 65A-8-401; or
217 (vi) a county;
218 (b) waive governmental immunity in accordance with Subsection 63G-7-201(5); or
219 (c) create a cause of action against a wildland urban interface property and casualty
220 insurer for use in accordance with Subsection (2)(a) of the boundary provided in the
221 wildfire risk assessment mapping tool maintained by the Division of Forestry, Fire,
222 and State Lands in accordance with Subsection 65A-8-203(8).

223 Section 4. Section **63G-7-201** is amended to read:

224 **63G-7-201 . Immunity of governmental entities and employees from suit.**

225 (1) Except as otherwise provided in this chapter, each governmental entity and each
226 employee of a governmental entity are immune from suit for any injury that results from
227 the exercise of a governmental function.
228 (2) Notwithstanding the waiver of immunity provisions of Section 63G-7-301, a
229 governmental entity, its officers, and its employees are immune from suit:
230 (a) as provided in Section 78B-4-517; and
231 (b) for any injury or damage resulting from the implementation of or the failure to

232 implement measures to:

233 (i) control the causes of epidemic and communicable diseases and other conditions
234 significantly affecting the public health or necessary to protect the public health as
235 set out in Title 26A, Chapter 1, Local Health Departments;

236 (ii) investigate and control suspected bioterrorism and disease as set out in Sections
237 26B-7-316 through 26B-7-324;

238 (iii) respond to a national, state, or local emergency, a public health emergency as
239 defined in Section 26B-7-301, or a declaration by the President of the United
240 States or other federal official requesting public health related activities, including
241 the use, provision, operation, and management of:

242 (A) an emergency shelter;

243 (B) housing;

244 (C) a staging place; or

245 (D) a medical facility; and

246 (iv) adopt methods or measures, in accordance with Section 26B-1-202, for health
247 care providers, public health entities, and health care insurers to coordinate among
248 themselves to verify the identity of the individuals they serve.

249 (3)(a) A governmental entity, its officers, and its employees are immune from suit, and
250 immunity is not waived, for any injury if the injury arises out of or in connection
251 with, or results from:

252 (i) a latent dangerous or latent defective condition of:

253 (A) any highway, road, street, alley, crosswalk, sidewalk, culvert, tunnel, bridge,
254 or viaduct; or

255 (B) another structure located on any of the items listed in this Subsection (3)(a)(i);
256 or

257 (ii) a latent dangerous or latent defective condition of any public building, structure,
258 dam, reservoir, or other public improvement.

259 (b)(i) As used in this Subsection (3)(b):

260 (A) "Contaminated land" means the same as that term is defined in Section
261 11-58-102.

262 (B) "Contamination" means the condition of land that results from the placement,
263 disposal, or release of hazardous matter on, in, or under the land, including any
264 seeping or escaping of the hazardous matter from the land.

265 (C) "Damage" means any property damage, personal injury, or other injury or any

266 loss of any kind, however denominated.

267 (D) "Environmentally compliant" means, as applicable, obtaining a certificate of
268 completion from the Department of Environmental Quality under Section
269 19-8-111 following participation in a voluntary cleanup under Title 19, Chapter
270 8, Voluntary Cleanup Program, obtaining an administrative letter from the
271 Department of Environmental Quality for a discrete phase of a voluntary
272 cleanup that is conducted under a remedial action plan as defined in Section
273 11-58-605, or complying with the terms of an environmental covenant, as
274 defined in Section 57-25-102, signed by an agency, as defined in Section
275 57-25-102, and duly recorded in the office of the recorder of the county in
276 which the contaminated land is located.

277 (E) "Government owner" means a governmental entity, including an independent
278 entity, as defined in Section 63E-1-102, that acquires an ownership interest in
279 land that was contaminated land before the governmental entity or independent
280 entity acquired an ownership interest in the land.

281 (F) "Hazardous matter" means hazardous materials, as defined in Section 19-6-302,
282 hazardous substances, as defined in Section 19-6-302, or landfill material, as
283 defined in Section 11-58-102.

284 (G) "Remediation" means the same as that term is defined in Section 11-58-102.

285 (ii)(A) A government owner and the government owner's officers and employees
286 are immune from suit, and immunity is not waived, for any claim for damage
287 that arises out of or in connection with, or results from, contamination of
288 contaminated land.

289 (B) A government owner's ownership of contaminated land may not be the basis
290 of a claim against the government owner for damage that arises out of or in
291 connection with, or results from, contamination of contaminated land.

292 (iii) Subsection (3)(b)(ii) does not limit or affect:

293 (A) the liability of a person that placed, disposed of, or released hazardous matter
294 on, in, or under the land; or
295 (B) a worker compensation claim of an employee of an entity that conducts work
296 on or related to contaminated land.

297 (iv) Immunity under Subsection (3)(b)(ii)(A) is not affected by a government owner's
298 remediation of contaminated land if the government owner is environmentally
299 compliant.

300 (4) A governmental entity, its officers, and its employees are immune from suit, and
301 immunity is not waived, for any injury proximately caused by a negligent act or
302 omission of an employee committed within the scope of employment, if the injury arises
303 out of or in connection with, or results from:

304 (a) the exercise or performance, or the failure to exercise or perform, a discretionary
305 function, whether or not the discretion is abused;

306 (b) except as provided in Subsections 63G-7-301(2)(j), (3), and (4), assault, battery,
307 false imprisonment, false arrest, malicious prosecution, intentional trespass, abuse of
308 process, libel, slander, deceit, interference with contract rights, infliction of mental
309 anguish, or violation of civil rights;

310 (c) the issuance, denial, suspension, or revocation of, or the failure or refusal to issue,
311 deny, suspend, or revoke, any permit, license, certificate, approval, order, or similar
312 authorization;

313 (d) a failure to make an inspection or making an inadequate or negligent inspection;

314 (e) the institution or prosecution of any judicial or administrative proceeding, even if
315 malicious or without probable cause;

316 (f) a misrepresentation by an employee whether or not the misrepresentation is negligent
317 or intentional;

318 (g) a riot, unlawful assembly, public demonstration, mob violence, or civil disturbance;

319 (h) the collection or assessment of taxes;

320 (i) an activity of the Utah National Guard;

321 (j) the incarceration of a person in a state prison, county or city jail, or other place of
322 legal confinement;

323 (k) a natural condition on publicly owned or controlled land;

324 (l) a condition existing in connection with an abandoned mine or mining operation;

325 (m) an activity authorized by the School and Institutional Trust Lands Administration or
326 the Division of Forestry, Fire, and State Lands;

327 (n) the operation or existence of a trail that is along a water facility, as defined in Section
328 73-1-8, stream, or river, regardless of ownership or operation of the water facility,
329 stream, or river, if:

330 (i) the trail is designated under a general plan adopted by a municipality under
331 Section 10-9a-401 or by a county under Section 17-27a-401;

332 (ii) the trail right-of-way or the right-of-way where the trail is located is open to
333 public use as evidenced by a written agreement between:

334 (A) the owner or operator of the trail right-of-way or of the right-of-way where the
335 trail is located; and

336 (B) the municipality or county where the trail is located; and

337 (iii) the written agreement:

338 (A) contains a plan for operation and maintenance of the trail; and

339 (B) provides that an owner or operator of the trail right-of-way or of the
340 right-of-way where the trail is located has, at a minimum, the same level of
341 immunity from suit as the governmental entity in connection with or resulting
342 from the use of the trail;

343 (o) research or implementation of cloud management or seeding for the clearing of fog;

344 (p) the management of flood waters, earthquakes, or natural disasters;

345 (q) the construction, repair, or operation of flood or storm systems;

346 (r) the operation of an emergency vehicle, while being driven in accordance with the
347 requirements of Section 41-6a-212;

348 (s) the activity of:

349 (i) providing emergency medical assistance;

350 (ii) fighting fire;

351 (iii) regulating, mitigating, or handling hazardous materials or hazardous wastes;

352 (iv) an emergency evacuation;

353 (v) transporting or removing an injured person to a place where emergency medical
354 assistance can be rendered or where the person can be transported by a licensed
355 ambulance service; or

356 (vi) intervening during a dam emergency;

357 (t) the exercise or performance, or the failure to exercise or perform, any function
358 pursuant to Title 73, Chapter 10, Board of Water Resources - Division of Water
359 Resources;

360 (u) an unauthorized access to government records, data, or electronic information
361 systems by any person or entity;

362 (v) an activity of wildlife, as defined in Section 23A-1-101, that arises during the use of
363 a public or private road;

364 (w) a communication between employees of one or more law enforcement agencies
365 related to the employment, disciplinary history, character, professional competence,
366 or physical or mental health of a peace officer, or a former, current, or prospective
367 employee of a law enforcement agency, including any communication made in

368 accordance with Section 53-14-103; or
369 (x) providing or failing to provide information under Section 53-27-102 or Subsection
370 41-1a-213(6), (7), or (8), 53-3-207(4), or 53-3-805(5).

371 (5) The following are immune from suit, and immunity is not waived for an action or
372 failure to act within the scope of duties or employment, if the injury arises out of, in
373 connection with, or results from the implementation of Section 17-16-22 to the extent it
374 addresses evaluating and classifying high risk wildland urban interface property, Section
375 31A-22-1310, or Title 65A, Chapter 8, Part 4, Wildland Urban Interface Property:
376 (a) the Division of Forestry, Fire, and State Lands;
377 (b) an officer, employee, or consultant of the Division of Forestry, Fire, and State Lands;
378 (c) a county;
379 (d) a wildland urban interface coordinator, as defined in Section 65A-8-401;
380 (e) the Insurance Department; or
381 (f) an officer, employee, or consultant of the Insurance Department.

382 Section 5. Section **65A-8-203** is amended to read:

383 **65A-8-203 . Cooperative fire protection agreements with eligible entities.**

384 (1) As used in this section:
385 (a) "Eligible entity" means:
386 (i) a county, a municipality, or a special service district, special district, or service
387 area with:
388 (A) wildland fire suppression responsibility as described in Section 11-7-1; and
389 (B) wildland fire suppression cost responsibility and taxing authority for a specific
390 geographic jurisdiction; or
391 (ii) upon approval by the director, a political subdivision established by a county,
392 municipality, special service district, special district, or service area that is
393 responsible for:
394 (A) providing wildland fire suppression services; and
395 (B) paying for the cost of wildland fire suppression services.
396 (b) "Fire service provider" means a public or private entity that fulfills the duties of
397 Subsection 11-7-1(1).
398 (2)(a) The governing body of any eligible entity may enter into a cooperative agreement
399 with the division to receive financial and wildfire management cooperation and
400 assistance from the division, as described in this part.
401 (b) A cooperative agreement shall last for a term of no more than five years and be

renewable if the eligible entity continues to meet the requirements of this chapter.

(3)(a) The state shall assume an eligible entity's cost of suppressing catastrophic wildfire as defined in the cooperative agreement if the eligible entity has entered into, and is in full compliance with, a cooperative agreement with the division, as described in this section.

(b) A county or municipality that is not covered by a cooperative agreement with the division, as described in this section, shall be responsible for wildland fire costs within the county or municipality's jurisdiction, as described in Section 65A-8-203.2.

(4) To enter into a cooperative agreement with the division, the eligible entity shall:

[(a) if the eligible entity is a county, adopt and enforce on unincorporated land a wildland fire ordinance based upon minimum standards established by the division or Uniform Building Code Commission;]

[(b)] (a) require that the fire department or equivalent fire service provider under contract with, or delegated by, the eligible entity on unincorporated land meet minimum standards for wildland fire training, certification, and suppression equipment based upon nationally accepted standards as specified by the division;

[(c)] (b) invest in prevention, preparedness, and mitigation efforts, as agreed to with the division, that will reduce the eligible entity's risk of catastrophic wildfire;

[(d)] (c)(i) file with the division an annual accounting of wildfire prevention, preparedness, mitigation actions, and associated costs;

(ii) meet the eligible entity's participation commitment by making direct payments to the division; or

(iii) do a combination of Subsections [(4)(d)(i) and (ii)] (4)(c)(i) and (ii);

[(e)] (d) return the financial statement described in Subsection (6), signed by the chief executive of the eligible entity, to the division on or before the date set by the division;[and]

[(f)] (e) if the eligible entity is a county, have a designated fire warden as described in Section 65A-8-209.1[-] ;

(f) subject to Subsection (9), adopt and enforce the wildland urban interface building standards, as defined in Section 65A-8-401, if the eligible entity is a:

(i) county for purposes of an unincorporated area within the county; or

(ii) municipality for an incorporated area within a county; and

(g) if the eligible entity is a county, comply with Section 17-16-22.

(5)(a) The state forester may execute a cooperative agreement with the eligible entity.

436 (b) The division shall make rules, in accordance with Title 63G, Chapter 3, Utah
437 Administrative Rulemaking Act, governing the:
438 (i) cooperative agreements described in this section;
439 (ii) manner in which an eligible entity shall provide proof of compliance with
440 Subsection (4);
441 (iii) manner by which the division may revoke a cooperative agreement if an eligible
442 entity ceases to meet the requirements described in this section;
443 (iv) accounting system for determining suppression costs;
444 (v) manner in which the division shall determine the eligible entity's participation
445 commitment; and
446 (vi) manner in which an eligible entity may appeal a division determination.

447 (6)(a) The division shall send a financial statement to each eligible entity participating in
448 a cooperative agreement that details the eligible entity's participation commitment for
449 the coming fiscal year, including the prevention, preparedness, and mitigation actions
450 agreed to under Subsection (4)[(e)] (b).
451 (b) Each eligible entity participating in a cooperative agreement shall:
452 (i) have the chief executive of the eligible entity sign the financial statement, or the
453 legislative body of the eligible entity approve the financial statement by
454 resolution, confirming the eligible entity's participation for the upcoming year; and
455 (ii) return the financial statement to the division, on or before a date set by the
456 division.
457 (c) A financial statement shall be effective for one calendar year, beginning on the date
458 set by the division, as described in Subsection (6)(b).

459 (7)(a) An eligible entity may revoke a cooperative agreement before the end of the
460 cooperative agreement's term by:
461 (i) informing the division, in writing, of the eligible entity's intention to revoke the
462 cooperative agreement; or
463 (ii) failing to sign and return its annual financial statement, as described in
464 Subsection (6)(b), unless the director grants an extension.
465 (b) An eligible entity may not revoke a cooperative agreement before the end of the term
466 of a signed annual financial statement, as described in Subsection (6)(c).

467 (8)(a) The division shall develop and maintain a wildfire risk assessment mapping tool
468 that is online and publicly accessible.
469 (b)[(f)] The division shall analyze [adding an additional high-risk category] and

470 establish by rule, made in accordance with Title 63G, Chapter 3, Utah
471 Administrative Rulemaking Act, boundaries for high risk wildland urban interface
472 property and what constitutes wildland urban interface property that is not high
473 risk within the wildfire risk assessment mapping tool described in Subsection
474 (8)(a):

475 [(A)] (i) using a scientific assessment; and

476 [(B)] (ii) that is focused on the risk to dwellings within the wildland[-] urban interface
477 area.

478 [((ii) The division shall report the results of the division's analysis under this
479 Subsection (8)(b) to the Natural Resources, Agriculture, and Environment Interim
480 Committee by no later than the 2024 November interim meeting of that committee.)]

481 (c) With regard to the categories used within the wildfire risk assessment mapping tool
482 described in Subsection (8)(a), the division may adjust the assessment for
483 participation commitments if the adjustment is based on the Consumer Price Index
484 for All Urban Consumers as published by the Bureau of Labor Statistics of the
485 United States Department of Labor, in accordance with a formula established by the
486 division by rule made in accordance with Title 63G, Chapter 3, Utah Administrative
487 Rulemaking Act.

488 (9)(a) If the state under Section 15A-2-103 adopts an edition of the Utah Wildland
489 Urban Interface Code, issued by the International Code Council, with the alternatives
490 or amendments approved by the division, as a wildland urban interface building
491 standard that may be adopted by a local compliance agency:

492 (i) for purposes of an unincorporated area within a county, the county shall adopt and
493 enforce the wildland urban interface building standard described in this
494 Subsection (9)(a); and

495 (ii) for purposes of an incorporated area within a county, the relevant municipality
496 shall adopt and enforce the wildland urban interface building standard described
497 in this Subsection (9)(a).

498 (b) If a county or municipality fails to comply with Subsections (4)(f) and (9)(a), the
499 division may choose to not pay costs of the county or municipality under a
500 cooperative agreement executed under this section.

501 (c)(i) If the state adopts a different wildland urban interface building standard than
502 was previously adopted under Section 15A-2-103, a county or municipality has
503 two years from the date the state adopts the different wildland urban interface

504 building standard to adopt the appropriate wildland urban interface building
505 standard.

506 (ii) If a county or municipality fails to adopt the appropriate wildland urban interface
507 building standard within the time period described in Subsection (9)(c)(i), the
508 division may choose to not pay costs of the county or municipality under a
509 cooperative agreement executed under this section beginning two years from the
510 day on which the state adopts the different wildland urban interface building
511 standard and until such time as the county or municipality adopts the appropriate
512 wildland urban interface building standard.

513 Section 6. Section **65A-8-215** is amended to read:

514 **65A-8-215 . Wildland-urban interface fire prevention, preparedness, and**
515 **mitigation.**

516 (1) As used in this section:

517 (a) "Prevention, preparedness, and mitigation fund" means the Wildland-urban Interface
518 Prevention, Preparedness, and Mitigation Fund created in this section.
519 (b) "Suppression fund" means the Wildland Fire Suppression Fund created in Section
520 65A-8-204.
521 (c) "Wildland-urban interface" means the zone where structures and other human
522 development meets, or intermingles with, undeveloped wildland.

523 (2)(a) There is created an expendable special revenue fund known as the
524 "Wildland-urban Interface Prevention, Preparedness, and Mitigation Fund."

525 (b) The prevention, preparedness, and mitigation fund shall consist of:
526 (i) interest and earnings from the investment of money from the prevention,
527 preparedness, and mitigation fund;
528 (ii) money received as direct payment from cooperative wildfire system participation
529 commitments;
530 (iii) money appropriated by the Legislature;[and]
531 (iv) money transferred to the prevention, preparedness, and mitigation fund under
532 Section 63J-1-314[.] ; and
533 (v) fees deposited into the prevention, preparedness, and mitigation fund under
534 Section 17-16-22.

535 (c) The division shall administer the prevention, preparedness, and mitigation fund to:
536 (i) pay costs of prevention and preparedness efforts on wildland-urban interface
537 within the state, as defined by the division by rule made in accordance with Title

63G, Chapter 3, Utah Administrative Rulemaking Act, including costs of an eligible entity that has entered into a cooperative agreement, as described in Section 65A-8-203;

- (ii) issue fire department assistance grants, which in the aggregate may not exceed 10% of the money in the prevention, preparedness, and mitigation fund each fiscal year; and
- (iii) in cases of catastrophic need as determined by the state forester, pay costs that could be paid from the suppression fund under Section 65A-8-204

(d) Disbursements from the prevention, preparedness, and mitigation fund may only be made upon written order of the state forester or the state forester's authorized representative.

(3)(a) The division may by rule, made in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, establish criteria for community wildfire preparedness plans addressing wildland-urban interface. The criteria shall require action that is:

- (i) qualitative and quantitative; and
- (ii) leads to reduced wildfire risk.

(b) An eligible entity, as defined in Section 65A-8-203, shall agree to implement prevention, preparedness, and mitigation actions identified in a community wildfire preparedness plan addressing wildland-urban interface that is approved by the division.

Section 7. Section **65A-8-401** is enacted to read:

Part 4. Wildland Urban Interface Property

65A-8-401 . Definitions.

As used in this section:

(1) "High risk wildland urban interface property" means property located within the boundary of high risk wildland urban interface as designated by the wildfire risk assessment tool in Subsection 65A-8-203(8)(a) and defined by rule made in accordance with Subsection 65A-8-402(5)(a).

(2) "Triage scale" means a scale with three classifications adopted by the division to evaluate and classify property located within the wildland urban interface as to what actions are needed to prepare the property for fire.

(3) "Wildland urban interface" means the same as that term is defined in Section 65A-8a-102.

572 (4) "Wildland urban interface building standards" means the edition of the Utah Wildland
573 Urban Interface Code adopted under Section 15A-2-103.
574 (5) "Wildland urban interface coordinator" means a representative of the division or a
575 county who evaluates and classifies wildland urban interface property in accordance
576 with Section 65A-8-402.
577 (6) "Wildland urban interface property and casualty insurer" means the same as that term is
578 defined in Section 31A-22-1310.

579 Section 8. Section **65A-8-402** is enacted to read:

580 **65A-8-402 . Evaluation of wildland urban interface property -- Fee amounts --**

581 **Rulemaking.**

582 (1)(a) The division shall establish a program under which a wildland urban interface
583 coordinator evaluates and classifies high risk wildland urban interface property using
584 a triage scale.
585 (b) The wildland urban interface coordinator shall be:
586 (i) a representative of the division; or
587 (ii) if the evaluation and classification is assigned to a county, a representative of the
588 county.
589 (c) At the beginning of each calendar year, the division shall determine whether to
590 assign evaluation and classification under this section of high risk wildland urban
591 interface property to a county.
592 (2) After completing the evaluation and classification under this section, the wildland urban
593 interface coordinator shall inform a property owner of property described in Subsection
594 (1)(a) of:
595 (a) the classification assigned to the property described in Subsection (1)(a) under the
596 triage scale;
597 (b) the fee the property owner shall pay under Section 17-16-22; and
598 (c) resources from the division or county that the property owner may access to bring the
599 property described in Subsection (1)(a) to the first or second classification by
600 applying wildland urban interface building standards.
601 (3) As part of the program established under this section, the division:
602 (a) may provide resources to a property owner described in Subsection (2)(b) to
603 facilitate the property owner bringing the property described in Subsection (1)(a) to
604 the first or second classification under the triage scale; and
605 (b) beginning on January 1, 2028, shall develop and maintain a database that may be

606 accessed by a wildland urban interface property and casualty insurer to learn the
607 classification under the triage scale for any portion of high risk wildland urban
608 interface property to be covered by the wildland urban interface property and casualty
609 insurer.

610 (4)(a) The division shall annually set a fee amount that is based on the square footage of
611 a structure within the high risk wildland urban interface to pay for the costs
612 associated with the implementation of this part to be assessed and collected by a
613 county in accordance with Section 17-16-22.

614 (b) The division may tier the fee amount to account for what level on the triage scale a
615 property is assigned by a wildland urban interface coordinator.

616 (5) The division may make rules, in accordance with Title 63G, Chapter 3, Utah
617 Administrative Rulemaking Act, to:

- 618 (a) define high risk wildland urban interface property and wildland urban interface
619 property that is not high risk as provided in Subsection 65A-8-203(8)(b);
- 620 (b) establish the criteria used to evaluate and classify property located within high risk
621 wildland urban interface property;
- 622 (c) create a process by which the division and counties communicate classifications
623 assigned to property described in Subsection (1)(a);
- 624 (d) create a process for communicating to a property owner the information described in
625 Subsection (2);
- 626 (e) establish how the division may provide resources under Subsection (3);
- 627 (f) create a process for a wildland urban interface property and casualty insurer to learn
628 the classification described in Subsection (3)(b); and
- 629 (g) establish how the fee amount described in Subsection (4) is set.

630 Section 9. Section **65A-8-403** is enacted to read:

631 **65A-8-403 . Liability.**

632 This part does not create a cause of action against the state, the division, an officer,
633 employee, or consultant of the division, a county, or a wildland urban interface coordinator for
634 an act or failure to act under this part and does not waive governmental immunity in
635 accordance with Subsection 63G-7-201(5).

636 Section 10. **Effective Date.**

637 This bill takes effect on January 1, 2026.

CITY COUNCIL STAFF REPORT



MEETING DATE: December 4, 2025

TYPE OF ITEM: Work Items

PRESENTED BY: Josh Belnap - Public Works Director

SUBJECT/AGENDA TITLE: Discussion of Updates to Kaysville's Water Conservation Plan

EXECUTIVE SUMMARY:

In accordance with the State's Water Conservation Plan Act, the City is required to update and adopt a water conservation plan every 5 years. The Public Works Director has drafted this new plan from scratch to provide more in-depth data and context regarding Kaysville's water usage.

The City is unique from most other communities in that (with very few exceptions) it does not directly provide irrigation water to its residents and businesses. Because anywhere between 65% and 80% of overall water usage along the Wasatch Front is outdoor irrigation, the City has a conservation plan that is also unique. The regional goals for our area are an overall reduction in total usage of over 20%, and trying to achieve a usage of 200 gallons per person per day per year (GPCD). Since water conservation is largely focused on being more efficient and responsible with outdoor usage, our goals are significantly different from cities who provide and oversee both drinking and irrigation water.

The plan details the City's current conservation efforts, and goals of an overall usage reduction of nearly 10% and a GPCD goal of 61. This plan works in conjunction with the General Plan Water Element, but it is a separate document that is required by the State.

City Council Options:

1) Move to action with input, 2) Table

Staff Recommendation:

Move to action with input

Fiscal Impact:

NA

ATTACHMENTS:

1. 2025 Kaysville Water Conservation Plan



Water Conservation Plan

2025

Prepared by:
Josh Belnap, PE
Public Works Director

1. Purpose

The Kaysville City 2025 Water Conservation Plan has been prepared to comply with the most current version of the Utah Water Conservation Plan Act, which requires water retailers to file a water conservation plan with the Utah Board of Water Resources, and update that plan every five years. This update outlines Kaysville City's current water conservation efforts and presents its current conservation goals.

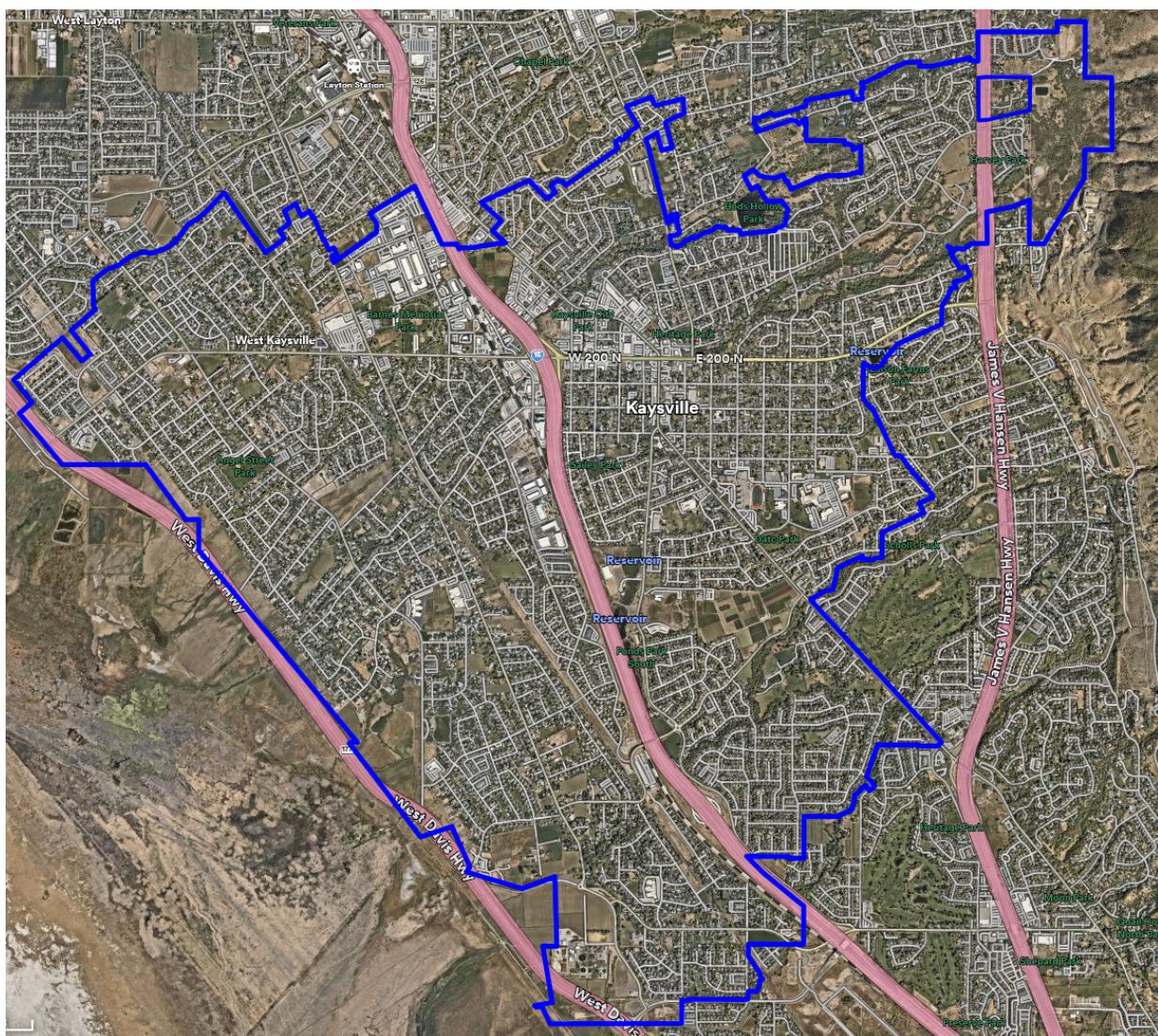
As the State of Utah continues to experience significant growth, Kaysville City is increasingly aware of the need to maintain its water supply and level-of-service for current residents, while helping identify the service capacity for future growth. Kaysville City's staff and City Council are committed to decreasing the City's per capita water use, as detailed in this Water Conservation Plan.

2. System Profile

2.1 City Info

Kaysville City (The City), located within Davis County, was first settled in 1850, and first incorporated in 1868. The City covers an area of approximately 11 square miles and is situated at the foot of the Wasatch Mountain Range, adjacent to Farmington City (to the South), Fruit Heights City (to the East) and Layton City (to the North). Figure 2-1 shows the current City boundary in red (north is up).

Figure 2-1
Kaysville City Water Service Boundary



2.2 Current Source, Connections and Usage

Kaysville City is a retail culinary water provider for 9,409 overall connections and 32,860 residents. The City's culinary water system is "consecutive", as 100% of the culinary water it distributes is purchased from the Weber Basin Water Conservancy District (WBWCD). Kaysville is somewhat unique in that approximately 94% of properties in Kaysville are served by both culinary water (delivered by Kaysville City) and secondary irrigation (delivered by one of three independent irrigation companies). The City is frequently referred to as a "bedroom community" as roughly 96% of properties are residential, as detailed in Table 2-1.

Table 2-1
Culinary Water Connection Types (2024)

Connection Type	# of Connections	% of Total Connections	Usage by Connection Type (Ac-ft)
Residential	8,988	95.4%	1,873
Commercial	277	3%	255
Institutional	143	1.5%	129
Industrial	1	0.01%	3
Unmetered	0		0
Total volume of usage in 2024: 2,258 Ac-ft			
Total volume delivered by WBWCD in 2024: 2,485 Ac-ft			

Table 2-2
GPCD by Connection Type (2024)

Connection Type	GPCD
Residential	50.88
Commercial	6.91
Institutional	3.50
Industrial	0.07
Total	61.35

Kaysville's connections are served by meters on an AMI network, meaning data is collected in real time and automatically transmitted to City servers. The meters have an estimated lifespan of 20 years, and the City's staff can monitor the usage data almost daily to identify potential anomalies or meter issues. Meter issues are repaired as they are identified, and all new construction is required to receive an AMI enabled meter from the City prior to obtaining a certificate of occupancy.

Kaysville City has 2 separate culinary contracts with WBWCD. The primary contract is for 2,500 Acre-Feet per year, and the additional contract amount is for another 286 Acre-Feet, totaling 2,786 Acre-Feet per year. To provide additional cushion on these two amounts, the City utilizes a portion of its water rights to exchange surface water with Weber Basin. This exchange results in a one-to-one credit on the City's end of year billing, meaning that for every gallon of surface water diverted to Weber Basin, WBWCD then credits the City's bill by one gallon. This volume varies each year, but the 5-year average is 433 Acre-Feet per year. Assuming an average of 400 Acre-Feet per year, this translates to a potential source capacity of 3,186 Acre-Feet per year.

2.3 Projected Future Usage

Future City usage is estimated by utilizing current usage data and population projections. A standard residential housing unit is the basic unit used for calculating demand on the system, and each residential connection is considered 1 Equivalent Residential Connection (ERC), while all other connection types are some percentage of an ERC (high water users like restaurants would typically count for more than 1 ERC). Based on the most recent 2024 usage data the City submitted to the State, the Division of Water Rights (DWRI) estimates that the total number of ERC's for Kaysville is 10,838.94. Using this value with the City's 5-year average volume purchased from WBWCD, the current level of service (LOS) for Kaysville City is calculated as:

$$\frac{2,436.15 \text{ Acre - Feet}}{\text{Year}} \div 10,838.94 \text{ ERC's} = \text{LOS of } \frac{0.225 \text{ Acre - Feet}}{\text{ERC}}$$

Carrying this analysis forward, the DWRI estimated the 2024 population of Kaysville to be 32,860, which helps provide an assumed population per ERC of:

$$\frac{32,860 \text{ People}}{10,838.94 \text{ ERC's}} = \frac{3.03 \text{ People}}{\text{ERC}}$$

The City population in 2060 is estimated to be 44,313, which is then divided by the population per ERC to then estimate the number of ERC's in the year 2060:

$$\frac{44,313}{3.03} = 14,616.74 \text{ ERC's}$$

The above calculated values are finally used to establish the 2060 estimated source need for Kaysville City (in order to maintain LOS):

$$\frac{0.225 \text{ Acre - Feet}}{\text{ERC}} \times 14,616.74 \text{ ERC's} = 3,289 \text{ Acre - Feet}$$

It is estimated that by 2060, the City will need an estimated source capacity of 3,289 Acre-Feet, which equates to a future deficit of 503 Acre-Feet, when compared to the 2 Weber Basin Contracts (this deficit does not account for the Weber Basin Exchange volume).

It should be noted that the calculations above are based on volumes purchased from WBWCD, and are not based on the usage of the City's customers. To provide context to the difference between volume purchased from WBWCD and volume used by customers at metered connections, we will use the data from 2024. In 2024, the City purchased 2,486 Acre-Feet from WBWCD. In that same year, the City sold 2,259 Acre-Feet to its customers. That means there was 227 Acre-Feet of water that we purchased from Weber Basin that wasn't sold to customers, which is discussed in section 4 ("Water Loss") of this report.

2.4 Water Rights

While the City does not currently have any alternative water source (aside from WBWCD) to supply its drinking water system, the City does have some water rights of varying status, and as the WBWCD exchange volume varies based on precipitation, temperatures etc, the City is currently looking at acquiring additional underground water rights for use with future wells. Table 2-3 summarizes the City's existing rights (these are separate from the WBWCD Contract volumes).

Table 2-3
Water Rights (2024)

Water Right #	Flow (cfs)	Estimated Quantity (Ac-Ft)
31-501	0.402	291.048
31-704	0.16	115.84
31-2217	3.17	1,142
31-760	0.0246	17.81
31-1037	0.0265	19.19
31-1733	0.0401	29.032
31-1735	0.054	39.1

2.5 Irrigation

As mentioned in section 2.2, irrigation water for the vast majority of Kaysville City is served by one of 3 independent pressure irrigation companies – 1) Davis and Weber Counties Canal Company, 2) Hights Creek Irrigation, and 3) Benchland Irrigation. In addition to the pressure providers, there are also a handful of properties in Kaysville that still use ditch water for irrigation (mostly agricultural uses) and are served by the Kaysville Irrigation Company (not affiliated with the City). Any locations not served by one of the aforementioned irrigation companies are instead served by Kaysville City drinking water for irrigation, utilizing backflow protections. At current time, the City has about 320 commercial connections using culinary to irrigate small landscaped areas at these businesses, and approximately 130 residential connections utilizing culinary for irrigating their yards.

The City does have shares in some of the irrigation companies mentioned above, as detailed in Table 2-4. These shares are tied to a use at specific properties.

Table 2-4
Irrigation Water Shares (2023)

Company	# of shares	Equivalent Quantity (Ac-Ft)
Kaysville Irrigation Co	808	2,424
Davis and Weber	261	1,566
Hights Creek	156	156

3. Billing

As adopted by Kaysville City Council, the City uses a tiered rate structure, as seen in Table 3-1.

Table 3-1
2025 Culinary Water Rates

Connection Size (in)	Base Connection Charge (per month)
¾ to 1	\$28.18
1 ½	\$36.23
2	\$43.13
3	\$60.95
4	\$74.18
6	\$115.58
Use of Culinary for irrigation will increase base charge by 10%	

Usage Rates in Addition to Base Charge (per 1,000 gallons)	
Residential	
0-3,000 gallons	\$0.58
3,001 – 6,000 gallons	\$0.85
6,001 – 9,000 gallons	\$1.27
9,001 – 12,000 gallons	\$2.91
12,001 – 15,000 gallons	\$3.63
15,001 – 18,000 gallons	\$4.39
18,001 gallons and up	\$5.52
Commercial	
0-3,000 gallons	\$0.58
3,001 – 6,000 gallons	\$0.85
6,001 – 9,000 gallons	\$1.27
9,001 gallons and up	\$2.91

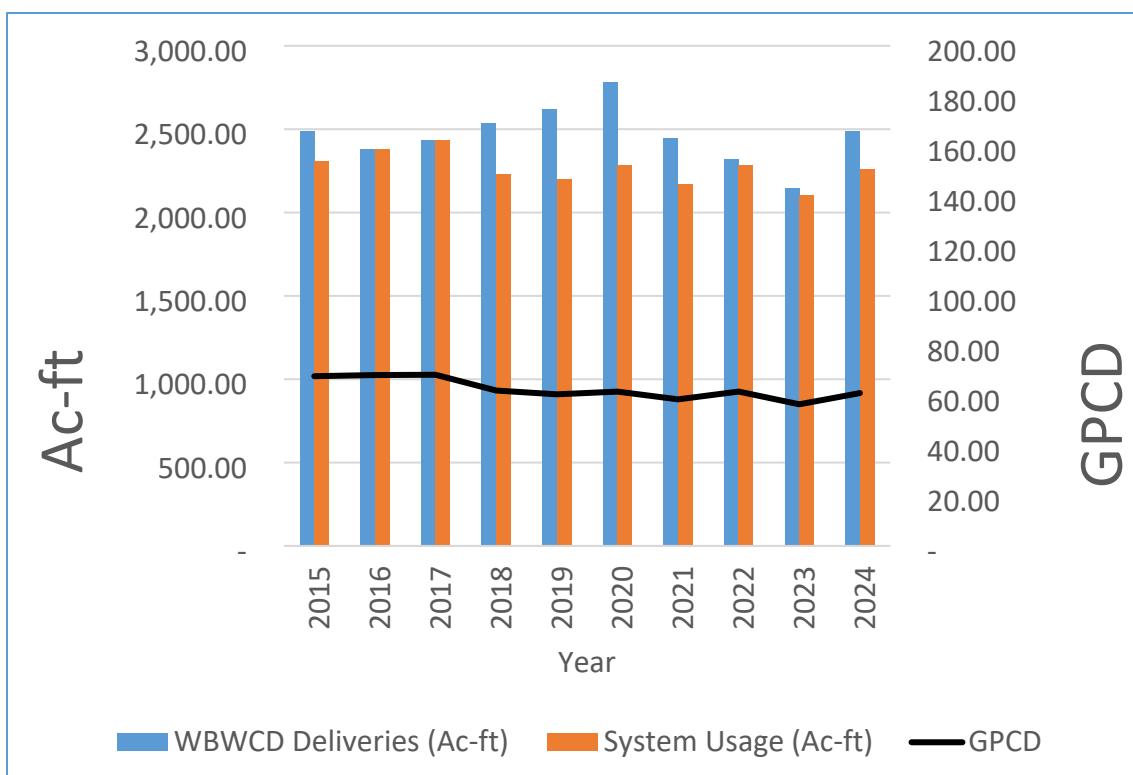
4. System Water Loss

Kaysville has a combined 8.5 million gallons worth of storage capacity in its 6 underground tanks. By accounting for this storage, and estimating the volume of water in the systems piping between the tanks and the individual meters (an estimated additional 2.3 million gallons), we can utilize our WBWCD vs usage data to estimate our system water loss. In 2023 and 2024 there was a combined 67 million gallons of water not accounted for by retail sales, and by factoring out the volume of water occupying the storage tanks and piping system, these losses are attributed to water circulation efforts (water flushed from hydrants to maintain sufficient water quality) and to water leaks. The majority of the losses each year are from flushing, and the usage numbers from 2024 especially support that. Of the 67 million gallons lost between 2023 and 2024, 63.3 million occurred during 2024 alone. The summer of 2024 presented significant water quality issues in the deliveries the City received from Weber Basin, requiring City crews to spend significantly more time than normal flushing hydrants to try and increase circulation and maintain water quality, and it is estimated that in that year over 59 million gallons of the 63.3 million gallons lost were due to flushing.

Due to the tiered rates, and as rates are different for the type of connection, it is impossible to ascertain the exact financial impact of the losses. However, as the vast majority of water use is indoor and residential in nature, if we assume \$0.58 per 1,000 gallons, the 2024 flushing from the Weber Basin water quality issues cost the City approximately \$36,000 in lost revenue.

Figure 4-1 details the annual WBWCD delivery volumes as compared with the City's usage volumes from 2015 to current. This figure also details the GPCD during that same timeframe.

Figure 4-1
Annual System Usage vs WBWCD Purchases



5. Water Conservation

5.1 Current Efforts

A summary of the City's current conservation efforts, and a summary of each, is listed below:

- Existing Code: The following ordinances have been effective in Kaysville City since before the 2019 Water Conservation Plan:
 - **9-4-6** and **9-6-4**: Prohibits the waste of culinary and secondary water both through unrepairs leaks or wastefully flowing appliances and faucets.
 - **Efficacy:** Low impact normally, especially as enforcement of this is difficult. However, it has supported enforcement efforts in isolated instances when irrigation equipment is damaged and wasting water. This has allowed the City to, in very few instances, compel owners to make repairs that would have otherwise remained unrepairs.
 - **9-4-10** and **9-6-9**: Establishes the authority of the City Council to specially regulate or restrict culinary and secondary water use during declared water shortages.
 - **Efficacy:** Low impact normally, except for times of special circumstance or need.
 - **9-6-1**: Requires all residential properties to utilize pressure irrigation instead of flood irrigation to maximize irrigation efficiency.
 - **Efficacy:** Significant impact as no flood irrigation is utilized for landscaping, and the finite volumes of the City's WBWCD culinary contract water are not exhausted on landscaping.
- Code changes: Since the 2019 Water Conservation Plan the City has amended and enacted the following:
 - **9-4-17**: Except for agricultural zones, in line with WBWCD recommendations, irrigation is prohibited between the hours of 10 am and 6 pm.
 - **Efficacy:** Moderate impact. This amendment has provided an opportunity to publish online and mail out to all residents this requirement as well as other resources from the State and WBWCD. See Figure 5-1 for the most recent conservation/outreach flier mailed to all properties in Kaysville and also kept at the information desks at City Facilities.

Figure 5-1
Water Flier

Water Info, Restrictions & Backflow Regulations

SOME WATERING MAY BE DONE BETWEEN 10 AM AND 6 PM, BUT ONLY IF DONE BY HAND AND SUPERVISED AT ALL TIMES.



- Early shutoff of secondary irrigation/agricultural water in mid-September. Culinary water **CAN NOT** be connected to an irrigation system to substitute for the loss of secondary irrigation water.
- Never leave a running hose unattended.
- Wait to water until the temperatures are in the upper 70s for several consecutive days.
- Hose Bib Vacuum Breakers are required anytime a hose is connected to a faucet on your home to help prevent contamination of the City water system.
- All irrigation should adhere to the applicable watering restrictions, including limitations on landscaping.

Utah Code Kaysville Code Conservation Tips

No outside use of culinary or secondary water shall be allowed between the hours of 10:00 AM and 6:00PM

WHERE PRESSURE IRRIGATION IS AVAILABLE, NO CONNECTION OF AN IRRIGATION SYSTEM TO A CULINARY WATER SERVICE SHALL BE ALLOWED.



- **9-4-19:** Authority also provided to the Public Works Director to enact additional restrictions as necessary in times of drought or when special conservation is needed.
 - **Efficacy:** Little impact to regular usage, but significant impact in situations like WBWCD shutting down their feeds for repairs.
- **17-5-1:** Adoption of water efficient landscaping standards. The chapters within this title explicitly declare support of conservation efforts from the State as well as WBWCD. These standards allow residents to utilize landscaping materials and plants that utilize less water, but that were not previously allowed in some instances, and in addition to conservation impacts, this title made residents eligible to access rebates through WBWCD.
 - **Efficacy:** Since its adoption, the practices allowed and the rebates available have been directly responsible for over 200 properties removing parkstrip turf, and nearly 2 dozen properties retrofitting previous landscaping with xeriscaping.
- Practices identified in the City's 2019 Water Conservation Plan:
 - **Encourage conservation through tiered rates.** Especially for the relatively few users (400 out of 9,400) of culinary water for irrigation to conserve water and utilize water efficient landscaping.
 - **Efficacy:** Moderate impact. A combination of tiered rates discouraging overwatering and advertising educational resources from the State and WBWCD seem to have visible impacts on watering practices and landscaping in these properties.
 - **Community education and outreach.** As previously mentioned, the City mailed out the flier in Figure 5-1 in June 2022 and then held a public open house in August of 2022.

Representatives from WBWCD and the USU Botanical Center attended and with City staff were able to visit with and educate attendees on rebates, new landscape standards, and other best practices. This flier is still distributed at City facilities, and the City also includes conservation info and resources in its annual Consumer Confidence Report that is mailed to all residents. In addition, the City has an FAQ page regarding rebates and landscaping on the City website, found here: <https://www.kaysville.gov/faq.aspx?qid=171>.

- **Efficacy:** Moderate to High impact. The City feels that the various educational efforts have been the source of much of the public knowledge about conservation efforts and opportunities, as well as the cause for most of the “flip your strip” projects undertaken thus far.
- **Resident portal.** In 2023, the City purchased a license to the web-based portal “MyMeter.” This portal provides a resident with the ability to view and track their water usage, and to help to avoid unnecessary costs, and avoid potential damages from otherwise unknown leaks.
 - **Efficacy:** Low impact currently. The portal is still relatively new, and the take rate is currently just at 3.5% of existing users. The City is trying to push this out to residents and will continue to do so.
- **Resident notification.** In Summer of 2025 City staff began reaching out to residents east of Highway 89 that reside in the only neighborhoods in Kaysville that utilize culinary water for irrigation. Staff had started to analyze the usage in these neighborhoods from meter data, and used that data to compare summer usage with winter usage (winter usage would not include irrigation volumes). Staff then put together individual letters to each resident informing them of their patterns of usage, how those volumes could likely be reduced and detailing the potential financial savings associated with conservation, as well as detailing to them how to sign up for the City’s MyMeter portal.
 - **Efficacy:** Unknown, but potential high impact.
- **Support irrigation companies in the pursuit of metering projects.** The City has submitted letters of support on 3 different occasions for irrigation companies pursuing funding for secondary metering. In addition, the City also directly applied for COVID relief funds (ARPA) from the State on behalf of one irrigation company that did not meet the application requirements.
 - **Efficacy:** Low impact currently, but likely to eventually result in high impact. Meters are still being installed by the various companies, but impacts are anticipated as these entities eventually transition to billing according to the usage of each property.
- **Kaysville City upgrading all culinary connections to AMI capable meters.** In 2019, the City started replacing all existing meters with new AMI meters that could more accurately track usage, and do so in real time. This took 2 years, and cost roughly \$2.5 million.
 - **Efficacy:** Moderate to high impact. Previously all meter data was generated by visually observing the reading on all +9,000 connections, and writing down the reading. The AMI meters have increased the accuracy of the meter data, and has

also made the data available to residents. In 2022, the City invested \$100,000 in a resident portal that would allow residents to monitor their usage.

- **City parks irrigated with Culinary water.** Since the 2019 Water Conservation Plan, 4 City Parks have been converted from secondary irrigation to utilizing culinary for irrigation (protected by a backflow assembly). The intent is to obviously still irrigate the parks, but the irrigation would help increase circulation in the western extents of the system, thus decreasing the amount of water “lost” to hydrant flushing. These parks are on metered connections.
 - **Efficacy:** Very high impact. As seen in figure 4-1, the percentage of water “lost” (the difference between purchased and system usage) and the overall water purchased from WBWCD began to decline from the time the first parks were converted in 2020. As mentioned previously, there was a spike in 2024, which is mostly attributed to water quality problems in the WBWCD feed, but overall, this appears to have a significant impact.
- **Leak detection.** In 2021, the City purchased an acoustic leak detection kit. This kit is periodically deployed to look for potential issues proactively. Leaks, regardless of method of detection, are always repaired immediately.
 - **Efficacy:** High impact. Identifying and repairing leaks immediately saves water, and limits the risk of damages.
- **Infrastructure upgrades.** In the last 5 years, the City has expended over \$6 million on other system upgrades to assist with water quality efforts. These include a new 1 million gallon storage tank, 2 new pumphouses, 4 permanent structures for analyzing and boosting system chlorine residuals, installing above ground sampling stations at 40 locations throughout the City, automating all tank control valves to maximize tank turnover, and installing mixing devices in all storage tanks to avoid stratification. Similar to culinary irrigation in parks, increased water quality can help decrease the amount of water lost to flushing. In addition, the City has undertaken 4 large replacement projects since the 2019 Water Conservation Plan on system segments prone to frequent leaks.
 - **Efficacy:** Moderate to high impact. Impacts would be similar to the culinary irrigation in parks, but the City needs to increase the frequency of replacement projects on aging pipes. Areas that were not problematic at the time of the 2019 WCP are now experiencing several leaks per year, and some of the gains made are offset by these additional leaks.
- **Water rates.** In 2024, the City purchased a license to the online platform “Waterworth” to help evaluate system needs, operating costs, inflation etc. In 2022, the City Council instituted a 5% increase to help encourage conservation during the drought period, and most recently instituted an additional 15% increase to rates. As part of the recent rate increase, the City has also applied a 10% increase to the monthly base charge for all connections that utilize culinary for irrigation.
 - **Efficacy:** Low impact. As so little of our water is used for irrigation, we don’t typically see rates impacting usage, as volumes are relatively low compared to some providers with higher volumes of culinary being used for irrigation. As the

recent changes are so new, it is unknown what impact the 10% increase on culinary irrigation users is.

- **Conservation funding for projects on City-owned properties.** In 2025, the Kaysville City Parks Department received approval from the City Council to adopt an ongoing annual budget dedicated to decreasing irrigation usage and increasing irrigation efficiency for City-owned properties.
 - **Efficacy:** Moderate impact. The initial budget number is \$20,000 per year to support projects like removing unnecessary turf and more efficient irrigation systems. The first project undertaken has already resulted in a 60% reduction in usage at City Hall. Impacts from individual properties may be relatively small, but when viewed in comparison to the overall number of City-owned properties, the impact is more substantial.

5.2 Goals and Future/Ongoing Efforts

As previously stated, the City does not directly provide secondary irrigation for 95% of connections, so the GPCD figure for the City is already far lower than the Weber River Regional goal of 200 GPCD - for 2024, the Kaysville GPCD was **61.35**. As the City attempts to understand how this compares to others who provide for both culinary and irrigation needs, the City frequently uses a very conservative ratio to explain the relationship of culinary volumes as compared to irrigation volumes, and that ratio is 65% of water use is irrigation and 35% is culinary/indoor use, however actuals may be closer to 80% irrigation and 20% indoor use. With the vast majority of the City's supply being for indoor use, applying the 35% to the regional goals would equate to an overall reduction goal of 7%, and a GPCD goal of 70 GPCD.

Using this as a guide, and seeking further improvement, the City coordinated with WBWCD to establish a Kaysville specific reduction goal of 10%, and a GPCD goal of 60.

To support this goal, the City will undertake the following:

- **More frequent and stringent evaluation of tiered rates.** With the acquisition of the Waterworth platform, going forward the City will evaluate rates on an annual basis. Specifically, rates will be evaluated to determine the effect of rates on conservation and usage.
- **Replace aging infrastructure.** The vast majority of water lost to leaks is caused by aging infrastructure. The City is currently working on a strategic master plan that will, among other things, help with long range planning and budgeting to aggressively pursue water line replacement projects. Each leak can produce between 10,000 and 100,000 gallons of lost water, and in 2024, the City responded to over 250 emergency leaks. It is estimated that these leaks are responsible for about 10,000,000 gallons a year.
- **Education and outreach.** The City will continue posting, providing and mailing information to residents/businesses multiple times per year. The City will continue 1) mailing out conservation resources once a year to residents, 2) providing other written information to the public at City facilities and to developers, and 3) post conservation info and resources online and on social media at least once a year.

- **Targeted outreach.** The City will monitor meter usage City-wide and look for signs of overwatering or leaks on private property. The City will reach out individually to these connections and help identify inefficiencies or needed repairs.
- **Turf replacement.** The City will continue encouraging property owners to install water efficient landscaping in existing landscaped areas. The City has adopted ordinances to allow more water efficient landscaping options and make various rebates available for such removals. The City will also continue to evaluate and pursue conservation opportunities on City owned projects.
- **Landscaping Agreements.** Any new developments that will utilize culinary for irrigation will require agreements recorded with the property(ies) to restrict landscaping to water efficient options.
- **Additional culinary for irrigation at City properties.** The City will identify in its master plan what additional City properties can be converted to culinary irrigation to improve circulation/water quality, thus reducing the volume of hydrant flushing necessary each summer. It is estimated that, historically, flushing has been responsible for as much as 40 million gallons of annual water loss.

CITY COUNCIL STAFF REPORT



MEETING DATE: December 4, 2025

TYPE OF ITEM: Work Items

PRESENTED BY: Melinda Greenwood, Community Development Director

SUBJECT/AGENDA TITLE: Discussion on Amending the 2022 General Plan to Include Water Use and Preservation as Required by Utah Code §10-20-404, "General Plan Preparation"

EXECUTIVE SUMMARY:

City staff and consultants will present information on amending the 2022 General Plan to comply with the State's requirement to include a Water Use and Preservation Element in each General Plan. For specific details, you can read Utah State Code [10-20-404](#), which outlines all the requirements for the water conservation element.

Additional information can also be found by visiting the [Division of Water Resources website](#).

The City received a \$15,000 reimbursement grant from the Utah Division of Drinking Water to offset the costs associated with the project. For the City to receive reimbursement, the Council must adopt the amendments to the General Plan by the end of 2025. This project is tentatively scheduled to go to the Planning Commission for a public hearing and a recommendation on December 11, 2025. The item would then be presented to the City Council at the December 18, 2025, meeting for action.

City Council Options:

N/A

Staff Recommendation:

N/A

Fiscal Impact:

N/A

ATTACHMENTS:

None