

# **TOQUERVILLE CITY**

## **ORDINANCE 2026.XX**

AN ORDINANCE AMENDING TITLE 9, BUILDING REGULATIONS, CHAPTER 4, FIRE CODE ADOPTED, TO ADOPT THE UTAH WILDLAND-URBAN INTERFACE BUILDING CODE

### RECITALS

WHEREAS, the Utah Legislature adopted House Bill 48 (2025 General Session), effective January 1, 2026, which requires municipalities to adopt and enforce wildland-urban interface building code standards; and

WHEREAS, Utah Code § 65A-8-203 requires municipalities to adopt and enforce the Utah Wildland-Urban Interface Building Code for incorporated areas as a condition of eligibility for cooperative wildfire protection and state wildfire cost-sharing programs; and

WHEREAS, the Utah Wildland-Urban Interface Building Code has been adopted by the State of Utah as part of the State Construction Code pursuant to Utah Code § 15A-2-103; and

WHEREAS, Title 9, Building Regulations, Chapter 4, Fire Code Adopted, of the Toquerville Municipal Code establishes the City's adopted fire and related construction codes; and

WHEREAS, the City Council of the City of Toquerville finds that amending Title 9, Chapter 4 to adopt the Utah Wildland-Urban Interface Building Code is necessary to ensure compliance with state law and to reduce wildfire risk to life, property, and public safety within the City;

### ORDINANCE

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF TOQUERVILLE, UTAH, that Title 9, Building Regulations, Chapter 4, Fire Code Adopted, is hereby amended as set forth in the redline below, including the addition of a new Section 2:

#### 9-4-1: FIRE CODE ADOPTED:

There is hereby adopted as the fire code by the city, for the purpose of prescribing regulations governing conditions hazardous to life and protecting property from fire or explosion, that certain code known as the international fire code (IFC), 2012 edition, except to the extent it is hereinafter modified or amended by section 9-4-2 of this chapter, one copy of which has been and is now filed in the office of the city recorder for use and inspection by the public.

#### 9-4-2: WILDLAND-URBAN INTERFACE CODE ADOPTED:

There is hereby adopted the 2006 Utah Wildland-Urban Interface Code by the city. The Wildland-Urban Interface Code shall regulate and govern the mitigation of hazards to life and property from the intrusion of fire from wildland exposures.

The provisions of the Wildland-Urban Interface Code shall apply only within areas so designated and shall be administered and enforced in accordance with the City's adopted building and fire codes and applicable provisions of state law. The Wildland-Urban Interface map shall be maintained by the City and may be amended from time to time by resolution of the City Council.

| 9-4-32: AMENDMENTS TO CODE:

Any amendments to the international fire code shall be set forth in this section or as provided in subsection 9-1-2B of this title.

| 9-4-43: ENFORCEMENT:

The international fire code shall be enforced by the state fire marshal (fire marshal) and the Hurricane Valley fire district (fire district).

| 9-4-54: NEW MATERIAL, PROCESS OR OCCUPANCY MAY REQUIRE PERMIT:

The building inspector and the fire marshal and the fire district shall act as a committee (fire committee) to determine and specify, after giving affected persons an opportunity to be heard, any new materials, processes or occupancies, which shall require permits in addition to those now enumerated in the fire code. The fire marshal and the fire district shall post such list in a conspicuous place in his office and distribute copies thereof to interested persons.

| 9-4-65: APPEALS:

Whenever the fire committee shall disapprove an application, refuse to grant a permit for which application has been received, or when it is claimed that the provisions of the international fire code do not apply or that the true intent and meaning of the international fire code have been misconstrued or wrongly interpreted, the applicant may appeal the decision of the fire committee to the city council within thirty (30) days from the date of such decision.

| 9-4-76: PENALTY:

A. Violation; Classification: Any person who shall violate any of the provisions of the international fire code or fail to comply therewith, or who shall violate or fail to comply with any order thereunder, or who shall build in violation of any detailed statement of specifications or plans submitted and approved thereunder, or any certificate or permit issued thereunder, and from which no appeal has been taken, or who shall fail to comply with such an order as affirmed or modified by the city council or by a court of competent jurisdiction within the time fixed herein shall, severally for each and every such violation and noncompliance respectively, be guilty of a class B misdemeanor and, upon conviction, subject to penalty as provided in section 1-4-1 of this code. The imposition of one penalty for any violation shall not excuse the violation or permit it to continue. All persons shall be required to correct or remedy such violations or defects within a reasonable time, and when not otherwise specified, each ten (10) days that prohibited conditions are maintained shall constitute a separate offense.

B. Enforced Removal: The application of the above penalty shall not be held to prevent the enforced removal of the prohibited condition.

1. REPEALER. All ordinances, resolutions and policies of the City, or parts thereof, inconsistent herewith, are hereby repealed, but only to the extent of such inconsistency and only for the period of time this Ordinance remains effective. This Repealer shall not be construed as reviving any law, order, resolution or ordinance or part thereof.

2. SEVERABILITY. Should any provision, clause or paragraph of this Ordinance or the application thereof to any person or circumstance be declared by a court of competent jurisdiction

to be invalid, in whole or in part, such invalidity shall not affect the other provisions or applications of this Ordinance or the Toquerville City Code to which these amendments apply. The valid part of any provision, clause or paragraph of this Ordinance shall be given independence from the invalid provisions or applications and to this end the parts, sections and subsections of this Ordinance, together with the regulations contained therein, are hereby declared to be severable.

3. EFFECTIVENESS. This Ordinance shall become effective immediately upon approval by the City Council.

ADOPTED AND APPROVED BY THE TOQUERVILLE CITY COUNCIL this 21st day of January 2026, based upon the following vote:

Councilmember:

Joey Campbell	AYE	_____	NAE	_____	ABSTAIN	_____	ABSENT	_____
Todd Sands	AYE	_____	NAE	_____	ABSTAIN	_____	ABSENT	_____
Wayne Olsen	AYE	_____	NAE	_____	ABSTAIN	_____	ABSENT	_____
Valerie Preslar	AYE	_____	NAE	_____	ABSTAIN	_____	ABSENT	_____
Jenny Chamberlain	AYE	_____	NAE	_____	ABSTAIN	_____	ABSENT	_____

TOQUERVILLE CITY  
a Utah Municipal Corporation

Attest:

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Dan Catlin, Toquerville City Mayor

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Emily Teaters, Toquerville City Recorder