

IN THE COUNTY COURT OF THE STATE OF OREGON
FOR THE COUNTY OF YAMHILL
(Sitting for the Transaction of County Business)

In the Matter of an Ordinance }
Establishing a Fire Prevention } ORDINANCE NO. 18
Code for Yamhill County. }

This matter came on to be heard at this time before the Yamhill County Court at a special session, County Judge C. N. Teegarden and County Commissioners Guy Shumway and Morris Majors being present, and upon the recommendation of the Yamhill County Planning Commission that the governing body of the county enact an ordinance prescribing regulations governing conditions hazardous to life and property from fire; and

It appearing to the County Court that at a regular session of the Yamhill County Planning Commission held on the 22nd day of March, 1966, the said Planning Commission, after public hearing held on the matter, notice of which hearing was given as required by statute, has recommended to the County Court that the Fire Prevention Code, Abbreviated Edition, together with certain amendments, be adopted for the area of Yamhill County outside the boundaries of incorporated cities therein; and

It further appearing to the County Court, and the County Court so finds, that the said fire prevention code, as amended, does conform to the standards set forth in ORS 215.055, and the Court being fully advised in the premises,

IT IS HEREBY ORDAINED:

SECTION 1. Adoption of Fire Prevention Code.

There is hereby adopted by the Yamhill County Court for the purpose of prescribing regulations governing conditions hazardous to life and property from fire or explosion that certain code known

as the Fire Prevention Code, Abbreviated Edition, recommended by the American Insurance Association, being particularly the 1965 edition thereof and the whole thereof, save and except such portions as are hereinafter deleted, modified or amended, a copy of which is attached hereto, marked "Exhibit A, Ordinance No. 18", and made a part hereof, and from the date on which this ordinance shall take effect the provisions thereof shall be controlling in those areas within Yamhill County outside of incorporated cities.

SECTION 2. Enforcement.

In those areas in which there exists an organized rural fire protection district, the Fire Chief of that district shall be responsible for the enforcement of this ordinance.

In all other areas outside of incorporated cities the Yamhill County Sheriff shall be responsible for the enforcement of this ordinance.

SECTION 3. Definition.

Whenever the word "Municipality" is used it shall be held to mean Yamhill County, a political subdivision of the State of Oregon.

Whenever the words "Chief of the Fire Department" are used in the code hereby adopted it shall be held to mean the Fire Chief of any organized rural fire district in the areas in Yamhill County in which there is an organized rural fire district, and in all other areas it shall be held to mean the Yamhill County Sheriff.

SECTION 4. Modifications.

The Chief of the rural fire district in those areas in which there is an organized rural fire district, and the Yamhill County Sheriff in all other areas outside of the incorporated areas in Yamhill County shall have power to modify any of the provisions of the code hereby adopted upon application in writing by the owner or lessee, or his duly authorized agent, when there are practical

difficulties in the way of carrying out the strict letter of the code, provided that the spirit of the code shall be observed, public safety secured, and substantial justice done. The particulars of such modification when granted or allowed and the decision of the Chief of the rural fire district in those areas in which there is an organized rural fire district, and the Yamhill County Sheriff in all other areas outside of incorporated areas in Yamhill County thereon shall be entered upon the records of their respective department and a signed copy shall be furnished the applicant.

SECTION 5. Appeals.

Whenever the Chief of the rural fire district in those areas in which there is an organized rural fire district, and the Yamhill County Sheriff in all other areas outside of the incorporated areas in Yamhill County, shall disapprove an application or refuse to grant a permit applied for, or when it is claimed that the provisions of the code do not apply or that the true intent and meaning of the code have been misconstrued or wrongly interpreted, the applicant may appeal from the decision of the Chief of the rural fire district in those areas in which there is an organized rural fire district, and the Yamhill County Sheriff in all other areas outside of the incorporated areas in Yamhill County, to the Yamhill County Court within 30 days from the date of the decision appealed.

SECTION 6. Repeal of Conflicting Ordinances.

All former ordinances or parts thereof conflicting or inconsistent with the provisions of this ordinance or of the code hereby adopted are hereby repealed.

SECTION 7. Validity.

The Yamhill County Court hereby declares that should any section, paragraph, sentence, or word of this ordinance or of the code hereby adopted be declared for any reason to be invalid, it is the intent of the Yamhill County Court that it would have passed

all other portions of this ordinance independent of the elimination herefrom of any such portion as may be declared invalid.

SECTION 8. Date of Effect.

This ordinance shall be in force from and after the 7th day of April, 1966.

Passed this 4th day of May, 1966.

YAMHILL COUNTY COURT

/s/ C. N. TEEGARDEN
County Judge

ATTEST:

JACK BREWER
County Clerk

/s/ GUY SHUMWAY
County Commissioner

/s/ BERNICE PEARSON
Deputy

/s/ MORRIS MAJORS
County Commissioner