HOUSE BILL NO. 282

Introduced: 01/18/83

Referred to Committee on Local Government: 01/18/83

Hearing: 2/8/83

Report: 02/21/83, Do Pass, As Amended

2nd Reading: 02/22/83, Do Pass 3rd Reading: 02/23/83, Do Pass

Transmitted to Senate: 02/23/83

Rereferred to Committee on Local Government: 3/1/83

Hearing: 3/17/83
Report: 03/21/83, Be Not Concurred In. Report Adopted.

Bill Killed

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	House Bill NO. 282	
INTRODUCED BY	Kacka Malt J. Hannad	Ream

A BILL FOR AN ACT ENTITLED: "AN ACT ALLOWING THE TRUSTEES

OF A RURAL FIRE DISTRICT TO ADOPT FIRE CODES AND RULES,

CONDUCT FIRE SAFETY INSPECTIONS, ISSUE FIRE SAFETY PERMITS,

AND CHARGE A FEE FOR ISSUANCE OF A PERMIT; ESTABLISHING A

FIRE SAFETY FUND FOR RURAL FIRE DISTRICTS EXERCISING FIRE

SAFETY PERMIT AUTHORITY; AMENDING SECTION 7-33-2105, MCA;

AND PROVIDING AN EFFECTIVE DATE."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

Section 1. Section 7-33-2105, MCA, is amended to read:

"7-33-2105. Powers and duties of trustees — fire

codes — penalty. (1) The trustees shall prepare and adopt
suitable bylaws.

- (2) The trustees shall have the authority to provide adequate and standard firefighting apparatus, equipment, housing, and facilities for the protection of the district. They shall appoint and form fire companies that shall have the same duties, exemptions, and privileges as other fire companies.
- (3) The trustees shall prepare annual budgets and request special levies therefor. The budget laws relating to county budgets shall, as far as applicable, apply to fire

1 districts.

2 14) The trustees may adopt and enforce appropriate
3 fire codes or rules for all buildings and improvements
4 constructed or located in the fire district. However, such
5 codes or rules may not be applied if state or local
6 governing authorities have exercised jurisdiction over
7 buildings or improvements.
8 (5) The trustees or their designees in order to

8 15) The trustees or their designee, in order to
9 effectuate the purposes in adopting fire codes or rules.

10 pay:

11 (a) provide for and conduct fire safety inspections:
12 (b) issue fire safety permits for the constructions
13 improvement, remodeling, alteration, or use of any building
14 or improvement in the district:

15 (c) charge a fee of not more than \$15 a permit, to be
16 deposited in the fire safety fund established in [section 2]
17 for that district.

18 (6) A person who violates a code or rule adopted

19 pursuant to subsection (4) or a condition of a permit issued

20 pursuant to subsection (5) is guilty of a misdemeanors

21 punishable as provided in 46-18-212.

NEW SECTION. Section 2. Fire safety fund. (1)
Whenever a rural fire district exercises the permit
authority provided in 7-33-2105, all fees collected for the
permits must be deposited in a separate fund for each

INTRODUCED BILL

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- 1 district, called the fire safety fund.
- 2 (2) No expenditure may be made from the fund except:
- 3 (a) for fire safety within the district in which the
- 4 fees were collected; and
- 5 (b) by order or warrant of the trustees.
- 6 NEW SECTION. Section 3. Codification instruction.
- 7 Section 2 is intended to be codified as an integral part of
- 8 Title 7, chapter 33, part 21, and the provisions of Title 7,
- 9 chapter 33, part 21, apply to section 2.
- 10 <u>NEW SECTION.</u> Section 4. Effective date. This act is
- 11 effective July 1, 1983.

-End-

48th Legislature HB 0282/02

Approved by Comm. on Local Government

1	HOUSE BILL NO. 282
2	INTRODUCED BY KADAS, HARBUT, J. HAMMOND, REAM
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4	A BILL FOR AN ACT ENTITLED: "AN ACT ALLOWING THE BOARD DE
5	COUNTYCOMMISSIONERSTODESIGNATEUNDERCERTAIN
6	CIRCUMSTANCES PUBLIC BUILDINGS WITHIN THE COUNTY WHERE INF
7	UNIFORM_FIRE_CODE_APPLIES: PROVIDING IMALIME_STATE_FIRE
8	MARSHAL MAY DESIGNATE THE TRUSTEES OF A RURAL FIRE DISTRICT
9	THE AUTHORITY TO AGOPT ENERGE THE UNIFORM FIRE 60065 CODE
10	AND RULES CONDUCT FIRE SAFETY INSPECTIONS, ISSUE FIRE
11	SAFETY PERMITS, AND CHARGE A FEE FOR ISSUANCE OF A PERMIT;
12	ESTABLISHING A FIRE SAFITY FUND FOR RURAL FIRE DISTRICTS
13	EXERCISING FIRE SAFETY PERMIT AUTHORITY; AMENDING SECTION
14	7-33-2105, MCA; AND PROVIDING AN EFFECTIVE DATE."
15	
16	BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:
17	IHERE_IS_A_NEW_MCA_SECTION_IHAL_READS:
18	Section 1. Uniform fire codes for public buildings in
19	county. The board of county commissioners, with the
20	concurrence of the state fire marshal and the board of
21	trustees of the appropriate fire district, may designate
22	public buildings as set forth in 50-61-103, not within a
23	municipality, for compliance with the Uniform Fire Code. The
24	state fire marshal may inspect such buildings for compliance

with such codes, or he may delegate all or part of such

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HB 0282/02

1	responsibility to a rural fire district as provided	i
2	7-33-2105.	
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- 7 (2) The trustees shall have the authority to provide
 8 adequate and standard firefighting apparatus, equipment,
 9 housing, and facilities for the protection of the district.
 10 They shall appoint and form fire companies that shall have
 11 the same duties, exemptions, and privileges as other fire
 12 companies.
- 13 (3) The trustees shall prepare annual budgets and 14 request special levies therefor. The budget laws relating to 15 county budgets shall, as far as applicable, apply to fire 16 districts.
- 17 (\$1._The_trustees_may adopt==and enforce IHE_UNIEGRM

 18 EIBE__CODE__IE_DELEGATED_IO_DO_SO_UNDER__(SECTION_1]

 19 nonrestiote=fire=codes=or=rules for_all_APPLICABLE buildings

 20 and_improvements_constructed_or_located_in__the__fire

 21 districts_downers=surb=codes=or=rules=max:not=be=anslied=if

 22 state===or==local===governing==authorities==bove==exercised

 23 jurisdiction=over=buildings=or=improvements=
- 24 (5) The trustees or their designee: in order to
 25 effectuate the purposes in adopting ENEGRATING fire codes or

- THE AJIHORITY GRANTED BY THE STATE FIRE MARSHAL:
- 3 (a) provide for and conduct fire safety inspectious:
- 4 <u>fbl issue fire safety pecuits for the construction.</u>
- 5 improvements remodelings alterations or use of any building
- 6 or improvement in the district:
- 7 (cl_charge_a fee of not more than \$15 a permits_to be
- 8 deposited in the fire safety fund established in [section 2
- 9 3] for that district.
- 10 (61_A_person_who_violates accedencerate IHE_UNIEQRM
- 11 EIRE_CODE adopted_pursuant_to subsection=fit [SECTION_1] or
- 12 a condition of a permit Issued pursuant to subsection (5) is
- 13 guilty of a misdemeanor, punishable as provided in
- 14 46-18-212.

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- 15 <u>NEW_SECTION</u>. Section 3. Fire safety fund. (1)
- 16 Whenevar a rural fire district exercises the permit
- 17 authority provided in 7-33-2105, all fees collected for the
- 18 permits must be deposited in a separate fund for each
- 19 district, called the fire safety fund.
 - (2) No expenditure may be made from the fund except:
- 21 (a) for fire safety within the district in which the
- 22 fees were collected; and
- 23 (b) by order or warrant of the trustees.
- 24 NEW_SECTION = Section 4. Codification instruction.
- 25 Section-2-is SECTIONS 1 AND 3 ARE intended to be codified as

- 1 an integral part of Title 7, chapter 33, part 21, and the
- 2 provisions of Title 7, chapter 33, part 21, apply to section
- 3 P SECTIONS_1_AND_3.
- 4 <u>NEW_SECTION.</u> Section 5. Effective date. This act is
- 5 effective July 1, 1983.

-End-

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4	A BILL FOR AN ACT ENTITLED: "AN ACT ALLOWING THE BOARD OF
5	COUNTY COMMISSIONERS TO DESIGNATE UNDER CERTAIN
6	CIRCUSSIANCES PUBLIC BUILDINGS WITHIN THE COUNTY WHERE THE
7	UNIFORM_FIRE_CODE_APPLIES: PROVIDING THAT THE STATE_FIRE
8	MARSHAL MAY DESIGNATE THE TRUSTEES OF A RURAL FIRE DISTRICT
9	THE AUTHORITY TO ABOPT ENEORGE THE UNIFORM FIRE CODES CODE
10	AND RULEST CONDUCT FIRE SAFETY INSPECTIONS, ISSUE FIRE
11	SAFETY PERMITS. AND CHARGE A FEE FOR ISSUANCE OF A PERMIT:
12	ESTABLISHING A FIRE SAFETY FUND FOR RURAL FIRE DISTRICTS
13	EXERCISING FIRE SAFETY PERMIT AUTHORITY; AMENDING SECTION
14	7-33-2105. MCA; AND PROVIDING AN EFFECTIVE DATE.
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MOHISE BILL NO. 282

17 THERE IS A NEW MCA SECTION THAT READS:

Section 1. Uniform fire codes for public buildings in county. The board of county commissioners, with the concurrence of the state fire marshal and the board of trustees of the appropriate fire district, may designate public buildings as set forth in 50-61-103, not within a municipality, for compliance with the Uniform Fire Code. The state fire marshal may inspect such buildings for compliance with such codes, or he may delegate all or part of such

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

responsibility to a rural fire district as provided in 7-33-2105.

- 7 (2) The trustees shall have the authority to provide
 8 adequate and standard firefighting apparatus, equipment,
 9 housing, and facilities for the protection of the district.
 10 They shall appoint and form fire companies that shall have
 11 the same duties, exemptions, and privileges as other fire
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- 13 (3) The trustees shall prepare annual budgets and
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- 24 (5) The trustees or their designee: in order to
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- 3 (a) provide for and conduct fire safety inspections:
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- 11 EIRE_CODE adopted_pursuant_to subsection_fit [SECIION_1] or
- 12 a condition of a permit issued pursuant to subsection 15) is
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- 14 46=18=212=

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- 15 NEW_SECTION. Section 3. Fire safety fund. (1)
- 16 Whenever a rural fire district exercises the permit
- 17 authority provided in 7-33-2105, all fees collected for the
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-End-