

**PUBLIC SAFETY AND HEALTH COMMITTEE REPORT**  
**Wednesday, March 17, 2010 9:35 AM – 10:00 AM**  
**Council Chambers, 140 West Pine Street, Missoula, Montana**

**Members Present:** Dave Strohmaier, Pam Walzer, Roy Houseman, Bob Jaffe, Jon Wilkins, Lyn Hellegaard, Dick Haines, Renee Mitchell, Ed Childers.

**Members Not Present:**

**Others Present:** Jason Diehl, Gary Honold

## **I. ADMINISTRATIVE BUSINESS**

1. Approve Minutes from [March 17, 2010](#). Minutes approved unanimously.

## **II. PUBLIC COMMENT**

## **III. CONSENT AGENDA ITEMS**

Dave Strohmaier noted that work is beginning in Rose Park for the Fire Tribute installation.

1. Consider an ordinance for the local adoption of the 2009 International Fire Code by repealing Chapter 15.08 "Uniform Fire Code" and amending Chapter 15.04 "Uniform Codes Adopted" of Missoula Municipal Code ([memo](#)).—Regular Agenda (Jason Diehl) (Referred to committee: 03/15/10)

**MOTION: The committee recommends that the City Council set a public hearing for April 26 for the local adoption of the 2009 International Fire Code by repealing Chapter 15.08 "Uniform Fire Code" and amending Chapter 15.04 "Uniform Codes Adopted" of Missoula Municipal Code**

Jason Diehl is asking for a public hearing to be set. He described the International Fire Code, and its adoption by local and state governments. He also described the companion code, the International Building Code. The fire code is basically a maintenance code with the exception of water supply and access.

Bob Jaffe asked about the differences between water supply and access.

Jason Diehl responded that water supply regulations in subdivision pertain to installing residential fire sprinklers in lieu of a hydrant system when the water supply is limited.

Bob Jaffe asked if there would be any practical changes 'on the ground' by implementing this.

Jason Diehl responded that building code dictated construction.

Bob Jaffe asked what is in the fire code.

Jason Diehl responded with some examples.

Ed Childers asked about changes to building use, and if the fire code would apply.

Jason Diehl responded that the fire department would have no authority over changes to residential building use.

Pam Walzer noted that the State allows local governments to make changes to the base regulations. She asked if there were any local changes at this time.

Jason Diehl responded that there were not. He mentioned the City's fireworks ordinance as an example of a previous local change to State code.

Dick Haines clarified the fire code as related to the building code.

Bob Jaffe stated that when a business license is issued, it requires a building fire inspection. Is anything different with this update?

Jason Diehl did not think so.

Gary Honold stated that there are subtle differences. The biggest difference is related to fire sprinkler installation. Buildings are required to follow the code that was in force when the building was constructed.

Jon Wilkins asked if this change will affect single family dwellings, or subdivisions on the fringe of the city.

Jason Diehl stated no, and that subdivision regulations already cover these issues.

Dave Strohmaier asked Jason to explain the strikeouts and yellow highlighting in the document.

Jason Diehl explained that it is related to reorganizing the City Code in relation to building and fire codes.

Pam Walzer clarified the editing.

Pam Walzer moved to set a public hearing for April 26 for the local adoption of the 2009 International Fire Code by repealing Chapter 15.08 "Uniform Fire Code" and amending Chapter 15.04 "Uniform Codes Adopted" of Missoula Municipal Code.

Roy Houseman asked about the State administrative rules concerning ICC Fire Inspector I and II.

Jason Diehl responded that the Fire Department encourages local inspectors to become certified.

Gary Honold described the certification process.

The vote for a public hearing was unanimous.

## **IV. REGULAR AGENDA ITEMS**

## **V. HELD AND ON-GOING AGENDA ITEMS**

1. Police Department Update – Ongoing in Committee. (Mark Muir)
2. Fire Department Update – Ongoing in Committee (Mike Painter)
3. Health Department Update – Ongoing in Committee. (Ellen Leahy)
4. An [ordinance](#) amending Chapter 10.42 of the Missoula Municipal Code entitled "Bicycles" that would require minors to wear headgear while bicycling on streets, roadways, sidewalks, alleys and trails; and holding responsible the parent or guardian of a minor found to be in violation of this ordinance. ([Alternative Ordinance](#)) ([PS&H](#)) (Returned from Council floor: 2/26/07)
5. An [ordinance](#) amending Missoula Municipal Code Chapter 6.09 entitled "Missoula Cat Ordinance" section 6.09.010 through 6.09.090 to amend definitions, to limit the number of cats over the age of four months that a person, family, or household can harbor, keep, or maintain to five and to enact other general amendments. ([PS&H](#)) (Returned from Council floor: 01/12/09)
6. An [ordinance](#) amending Missoula Municipal Code Title 6 entitled "Animals" generally amending Chapter 6.04 entitled "Animals Running at Large" and Chapter 6.08 entitled "Dogs and Pet Shops," increasing the fee when an animal is impounded and establishing a fee for a boarding kennel license. ([PS&H](#)) (Returned from Council floor: 01/12/09)

7. Review Public Safety and Health referrals. ([memo](#)) – Regular Agenda (Marty Rehbein) (Referred to committee: 01/11/10)
8. Consider an ordinance of the Missoula City Council amending Missoula Municipal Code Title 10 entitled "Vehicles and Traffic" by adding Chapter 56 entitled "Refusal to submit to alcohol and/or drug tests" and enacting sections 10.56.010 through 10.56.030 ([memo](#)).—Regular Agenda (Dave Strohmaier) (Referred to committee: 02/08/10)

## **V. ADJOURNMENT**

The meeting adjourned at 10:00 AM. Submitted by Gregg Schonbachler.