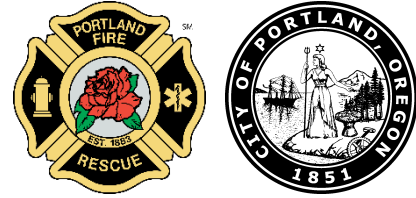


PORTLAND FIRE & RESCUE

April 29, 2018



FIR 1.05 - CITATIONS

I. SCOPE

- A. This policy is established June 19, 2007.
- B. It is the purpose of this policy to provide direction in the issuance and processing of citations for hazards observed, and/or violations found at the time of inspection.
- C. This policy applies to all areas where Portland Fire & Rescue (PF&R) has authority.
- D. The citation program has been initiated in response to code violations that endanger the public. Citations have an immediate financial impact on those responsible for the code violations.

II. SPECIFIC

- A. References
 - 1. Portland City Code (PCC) Title 31.10.070
 - 2. PF&R Form 300.13C, Fire Code Citation Appeal Form

III. GUIDANCE

- A. If, after investigation, the Fire Marshal determines that a violation of PCC Title 31 has occurred, and that the person, entity or owner/occupant committing the violation knew or should have known that the action was in violation of this title, a citation may be issued to the person, entity or owner/occupant committing the violation. Citable violations include, but are not limited to:
 - 1. Failure to obtain a permit
 - 2. Failure to adhere to permit conditions
 - 3. Failure to adhere to assigned occupant load limit in assembly occupancy
 - 4. Exit blocked, obstructed
 - 5. Exit corridor or aisle obstructed or width reduced
 - 6. "Exit" sign missing or not working
 - 7. Fire extinguisher missing, discharged or wrong type
 - 8. Firefighting appliance blocked, obstructed or otherwise rendered unusable

9. Fire alarm device or fire extinguishing system blocked, obstructed or otherwise rendered unusable
 10. Failure to use, maintain, store or secure propane bottle as required by this Title
 11. Performing work that requires a Certificate of Fitness without a valid certificate
 12. Assigning an employee to perform work that requires a Certificate of Fitness without a valid certificate
 13. Parking on a posted fire access road
 14. Blocking or obstructing any fire hydrant or fire department connection
 15. Conducting mobile fueling operation in violation of Fire Code regulations
 16. Possession or use of illegal fireworks
 17. Illegal storage of fireworks
 18. Illegal sale of fireworks
 19. Illegal commercial fireworks display
 20. Illegal occupancy in violation of International Building Code
 21. Burning in violation of Fire Code
 22. Repetitive false alarms in occupancies equipped with fire, smoke and/or water flow detection systems.
 23. Violations that would constitute or contribute to an immediate and/or imminent hazard to life and property
- B. Each day a person, owner or occupant violates or fails to comply with fire regulations may be considered a separate violation for which a citation may be issued.
- C. Fines Authorized. Citations shall result in monetary fines as set forth in the Fee Schedule adopted by City Council. Fines may escalate for two or more occurrences of the same or similar violations by the same person, owner or occupant within a four-year period. The Fire Marshal may suspend 1/2 of any citation fine, providing the person, owner or occupant cited agrees in writing to immediately cease and/or abate the violation. If the person, owner or occupant is found to be in violation of the same or similar violation within a four-year period, the original fine may be reinstated and shall be in addition to any other fine authorized by PCC.
- D. Citation Process. Citation shall be delivered as would reasonably be expected to provide notice, including in person, by certified mail or posted conspicuously on property. Citation shall include:
1. Name and address of person, owner or occupant being cited
 2. A description of the property where the violation occurred
 3. Date(s) of the violation
 4. Reference to the specific code(s) violated
 5. A statement explaining actions required of person, owner or occupant being cited
 6. A statement of applicable monetary penalty, and
 7. A statement of the right to appeal the citation

E. Appeal Process

1. There is no fee associated with the appeal process for a citation.
2. Appeals must be filed not later than ten business days after the notice, order or action (citation) of the Fire Marshal.
3. Notice of appeal may be served by completing an appeal form. Forms and instructions are available on the PF&R website or by contacting the Fire Marshal's Office.



Nate Takara, Fire Marshal
Portland Fire & Rescue

Prepared By:	T. Kelly
Effective Date:	June 19, 2007
Reviewed By:	
Review Date:	
Revised By:	D. Harrison
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