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IN THE SALT LAKE CITY JUSTICE COURT
IN AND FOR THE SALT LAKE CITY, STATE OF UTAH

SALT LAKE CITY, a Municipal
Corporation, on behalf of the State of Utah

Plaintiff,

vs.

CAROL LUNT
DBA GEORGIA APARTMENTS
AKA:
715 East Scott Avenue
Millcreek, Utah 84106
DOB: 05/25/1957,

Defendant.

INFORMATION

Court Case Number
LEO No. SL FIR201700364
Citation No.
Judge John L. Baxter
OTN #:
SO #:

STATE OF UTAH)
) ss.
SALT LAKE CITY)

The undersigned complainant, SALT LAKE CITY FIRE DEPARTMENT, – Agency Case No. SL FIR201700364, under oath states on information and belief that the above named defendant, committed the crime(s) of:

COUNT 1: IFC VIOLATION (Egress), a class B misdemeanor, **Salt Lake City Code Section 18.44.010**, INTERNATIONAL FIRE CODE (IFC) AND STANDARDS ADOPTED; adopting the IFC pursuant to the State Fire Code Act, UCA 15A-5-103, “Nationally recognized codes

Notification regarding instrumentalities of the offense: The defendant is advised that the City will seek forfeiture of items used in a crime (i.e., guns) or which may not be legally possessed (i.e., paraphernalia). See generally, Utah Code Title 24, “Forfeiture And Disposition of Property Act”, and specifically, UCA sections 24-3-103 & 24-4-105, and related provisions.

incorporated by reference”, in that the defendant did knowingly violate the following provision(s) on or about January 29, 2019, at 203 East 2100 South in Salt Lake City, State of Utah:

2015 IFC subsection(s):

315.3 Storage in buildings. Storage of materials in buildings shall be orderly and stacks shall be stable. Storage of combustible materials shall be separated from heaters or heating devices by distance or shielding so that ignition cannot occur.

315.3.1 Ceiling clearance. Storage shall be maintained 2 feet (610 mm) or more below the ceiling in nonsprinklered areas of buildings or not less than 18 inches (457 mm) below sprinkler head deflectors in sprinklered areas of buildings.

315.3.2 Means of egress. Combustible materials shall not be stored in exits or enclosures for stairways and ramps.

315.3.3 Equipment rooms. Combustible material shall not be stored in boiler rooms, mechanical rooms, electrical equipment rooms or in *fire command centers* as specified in Section 508.1.5.

315.3.4 Attic, under-floor and concealed spaces. Attic, under-floor and concealed spaces used for storage of combustible materials shall be protected on the storage side as required for 1-hour fire-resistance-rated construction. Openings shall be protected by assemblies that are selfclosing and are of noncombustible construction or solid wood core not less than 1 3/4 inches (44.5 mm) in thickness. Storage shall not be placed on exposed joists.

Exceptions:

1. Areas protected by *approved automatic sprinkler systems*.
2. Group R-3 and Group U occupancies.

1031.3 Obstructions. A *means of egress* shall be free from obstructions that would prevent its use, including the accumulation of snow and ice.

1031.3.1 Group I-2. In Group I-2, the required clear width for *aisles, corridors and ramps* that are part of the required *means of egress* shall comply with Section 1020.2. The facility shall have a plan to maintain the required clear width during emergency situations.

Exception: In areas required for bed movement, equipment shall be permitted in the required width where all the following provisions are met:

1. The equipment is low hazard and wheeled.
2. The equipment does not reduce the effective clear width for the *means of egress* to less than 5 feet (1525 mm).
3. The equipment is limited to:
 - 3.1 Equipment and carts in use.
 - 3.2 Medical emergency equipment.
 - 3.3 Infection control carts.
 - 3.4 Patient lift and transportation equipment.
4. Medical emergency equipment and patient lift and transportation equipment, when not in use, is required to be located on one side of the corridor.
5. The equipment is limited in number to a maximum of one per patient sleeping room or patient care room within each smoke compartment.

COUNT 2: IFC VIOLATION (Wet Sprinkling System in Unconditioned Space), a class B misdemeanor, **Salt Lake City Code Section 18.44.010**, INTERNATIONAL FIRE CODE (IFC) AND STANDARDS ADOPTED; adopting the IFC pursuant to the State Fire Code Act, UCA 15A-5-103, “Nationally recognized codes incorporated by reference”, in that the defendant did knowingly violate the following provision(s) on or about January 29, 2019, at 203 East 2100 South in Salt Lake City, State of Utah:

2015 IFC subsection(s):

901.6 Inspection, testing and maintenance. Fire detection, alarm, and extinguishing systems,

mechanical smoke exhaust systems, and smoke and heat vents shall be maintained in an operative condition at all times, and shall be replaced or repaired where defective. Nonrequired *fire protection systems* and equipment shall be inspected, tested and maintained or removed.

907.1 General. This section covers the application, installation, performance and maintenance of fire alarm systems and their components in new and existing buildings and structures. The requirements of Section 907.2 are applicable to new buildings and structures. The requirements of Section 907.9 are applicable to existing buildings and structures.

907.1.1 Construction documents. *Construction documents* for fire alarm systems shall be of sufficient clarity to indicate the location, nature and extent of the work proposed and show in detail that it will conform to the provisions of this code, the *International Building Code* and relevant laws, ordinances, rules and regulations, as determined by the *fire code official*.

907.1.2 Fire alarm shop drawings. Shop drawings for fire alarm systems shall be submitted for review and approval prior to system installation, and shall include, but not be limited to, all of the following where applicable to the system being installed:

1. A floor plan that indicates the use of all rooms.
2. Locations of alarm-initiating devices.
3. Locations of alarm notification appliances, including candela ratings for visible alarm notification appliances.
4. Design minimum audibility level for occupant notification.
5. Location of fire alarm control unit, transponders and notification power supplies.
6. Annunciators.
7. Power connection.
8. Battery calculations.
9. Conductor type and sizes.
10. Voltage drop calculations.
11. Manufacturers' data sheets indicating model numbers and listing information for equipment, devices and materials.
12. Details of ceiling height and construction.
13. The interface of fire safety control functions.
14. Classification of the supervising station.

907.1.3 Equipment. Systems and components shall be *listed* and *approved* for the purpose for which they are installed.

COUNT 3: IFC VIOLATION (Smoke Detectors), a class B misdemeanor, Salt Lake City Code Section 18.44.010, INTERNATIONAL FIRE CODE (IFC) AND STANDARDS ADOPTED; adopting the IFC pursuant to the State Fire Code Act, UCA 15A-5-103, "Nationally recognized codes incorporated by reference", in that the defendant did knowingly violate the following provision(s) on or about January 29, 2019, at 203 East 2100 South in Salt Lake City, State of Utah:

2015 IFC subsection(s):

1103.8 Single and multiple-station smoke alarms. Single and multiple-station smoke alarms shall be installed in existing Group I-1 and R occupancies in accordance with Sections 1103.8.1 through 1103.8.3.

1103.8.1 Where required. Existing Group I-1 and R occupancies shall be provided with single-station smoke alarms in accordance with Section 907.2.11. Interconnection and power sources shall be in accordance with Sections 1103.8.2 and 1103.8.3, respectively.

Exceptions:

1. Where the code that was in effect at the time of construction required smoke alarms and smoke alarms complying with those requirements are already provided.
2. Where smoke alarms have been installed in occupancies and dwellings that were not required to have them at the time of construction, additional smoke alarms shall not be required provided that the existing smoke alarms comply with requirements that were in effect at the time of installation.

3. Where smoke detectors connected to a fire alarm system have been installed as a substitute for smoke alarms. 1103.8.2 Interconnection. Where more than one smoke alarm is required to be installed within an individual *dwelling* or *sleeping unit*, the smoke alarms shall be interconnected in such a manner that the activation of one alarm will activate all of the alarms in the individual unit. Physical interconnection of smoke alarms shall not be required where listed wireless alarms are installed and all alarms sound upon activation of one alarm. The alarm shall be clearly audible in all bedrooms over background noise levels with all intervening doors closed.

Exceptions:

1. Interconnection is not required in buildings that are not undergoing *alterations*, repairs or construction of any kind.
2. Smoke alarms in existing areas are not required to be interconnected where *alterations* or repairs do not result in the removal of interior wall or ceiling finishes exposing the structure, unless there is an attic, crawl space or *basement* available that could provide access for interconnection without the removal of interior finishes.

1103.8.3 Power source. Single-station smoke alarms shall receive their primary power from the building wiring provided that such wiring is served from a commercial source and shall be equipped with a battery backup. Smoke alarms with integral strobes that are not equipped with battery backup shall be connected to an emergency electrical system. Smoke alarms shall emit a signal when the batteries are low. Wiring shall be permanent and without a disconnecting switch other than as required for overcurrent protection.

Exceptions:

1. Smoke alarms are permitted to be solely battery operated in existing buildings where construction is not taking place.
2. Smoke alarms are permitted to be solely battery operated in buildings that are not served from a commercial power source.
3. Smoke alarms are permitted to be solely battery operated in existing areas of buildings undergoing *alterations* or repairs that do not result in the removal of interior walls or ceiling finishes exposing the structure, unless there is an attic, crawl space or *basement* available that could provide access for building wiring without the removal of interior finishes.

1103.9 Carbon monoxide alarms. Existing Group I-1, I-2, I4 and R occupancies shall be equipped with carbon monoxide alarms in accordance with Section 915, except that the carbon monoxide alarms shall be allowed to be solely battery operated.

COUNT 4: IFC VIOLATION (Fire Extinguishers), a class B misdemeanor, Salt Lake City Code Section 18.44.010, INTERNATIONAL FIRE CODE (IFC) AND STANDARDS ADOPTED; adopting the IFC pursuant to the State Fire Code Act, UCA 15A-5-103, "Nationally recognized codes incorporated by reference", in that the defendant did knowingly violate the following provision(s) on or about January 29, 2019, at 203 East 2100 South in Salt Lake City, State of Utah:

2015 IFC subsection(s):

906.1 Where required. Portable fire extinguishers shall be installed in all of the following locations:

1. In new and existing Group A, B, E, F, H, I, M, R-1, R-2, R-4 and S occupancies.

Exception: In Group R-2 occupancies, portable fire extinguishers shall be required only in locations specified in Items 2 through 6 where each *dwelling unit* is provided with a portable fire extinguisher having a minimum rating of 1-A:10-B:C.

2. Within 30 feet (9144 mm) of commercial cooking equipment.
3. In areas where flammable or *combustible liquids* are stored, used or dispensed.
4. On each floor of structures under construction, except Group R-3 occupancies, in accordance with Section 3315.1.
5. Where required by the sections indicated in Table 906.1.
6. Special-hazard areas, including but not limited to laboratories, computer rooms and generator rooms, where required by the *fire code official*.

TABLE 906.3(1) FIRE EXTINGUISHERS FOR CLASS A FIRE HAZARDS

	LIGHT (Low) HAZARD OCCUPANCY	ORDINARY (Moderate) HAZARD OCCUPANCY	EXTRA (High) HAZARD OCCUPANCY
Minimum rated single extinguisher	2-A ^c	2-A	4-A ^a
Maximum floor area per unit of A	3,000 square feet	1,500 square feet	1,000 square feet
Maximum floor area for extinguisher ^b	11,250 square feet	11,250 square feet	11,250 square feet
Maximum distance of travel to extinguisher	75 feet	75 feet	75 feet

For SI: 1 foot 3= 304.8 mm, 1 square foot = 0.0929 m², 1 gallon = 3.785 L.

906.3.2 Class B fire hazards. Portable fire extinguishers for occupancies involving flammable or *combustible liquids* with depths of less than or equal to 0.25-inch (6.4 mm) shall be selected and placed in accordance with Table 906.3(2).

Portable fire extinguishers for occupancies involving flammable or *combustible liquids* with a depth of greater than 0.25-inch (6.4 mm) shall be selected and placed in accordance with NFPA 10.

Utah Administrative Code

R710-1-7. Service Tags.

(1) Size and Color.

Tags shall be not more than five and one-half inches in height, nor less than four and one-half inches in height, and not more than three inches in width, nor less than two and one-half inches in width.

(2) Attaching Tag.

One service tag shall be attached to each portable fire extinguisher in such a position as to be conveniently inspected.

(3) Tag Information.

(a) Service tags shall bear the following information:

(i) Provisions of Section 6.7.

(ii) Type of license.

(iii) Approved Seal of Registration of the SFM.

(iv) License registration "E" number.

(v) Certificate of registration "EE" number of individual who performed or supervised the service or services performed.

(vi) Signature of individual whose certificate of registration number appears on the tag.

(vii) Concern's name.

(viii) Concern's address.

(ix) Type of service performed.

(x) Type of extinguisher serviced.

(xi) Date service is performed.

(b) The above information shall appear on one side of the service tag. All other desired printing or information shall be placed on the reverse side of the tag.

(4) Legibility.

(a) The certificate of registration number required in Section 7.3(5), and the signature required in Section 7.3(6), shall be printed or written distinctly.

(b) All information pertaining to date, type of servicing, and type of extinguisher serviced shall be indicated on the card by perforations in the appropriate space provided. Each perforation shall clearly indicate the desired information.

(5) Format.

Subject to the use requirements of Section 6.4, the following format shall be used for all service tags:

EXAMPLE OF SERVICE TAG

Exception: Service tags may be printed or otherwise established for any number of years not in excess of five years.

ILLUSTRATION ON FILE IN STATE FIRE MARSHAL'S OFFICE

(6) New Tag.

A new service tag shall be attached to the extinguisher each time a service is performed.

(7) Tag Wording.

The following wording shall be placed at the top or reinforced ring end of every tag: "DO NOT REMOVE, BY ORDER OF THE STATE FIRE MARSHAL".

(8) Removal.

No person or persons shall remove a service tag, hydrostatic test tag or label, 6 year maintenance service tag or label, or verification of service collar, except when further service is performed. At that time the expired tag, label or collar shall be removed and a new tag, label or collar shall replace the expired one. No person or persons shall deface, modify, or alter any service tag, hydrostatic test tag or label, 6 year maintenance service tag or label, or verification of service collar that is required to be attached to any portable fire extinguisher.

(9) Restrictive Use.

(a) Portable fire extinguishers which do not conform with the minimum rules, shall be permanently removed from service, and shall not be tagged.

(b) Any extinguisher which fails a hydrostatic test shall be condemned, and so stamped or etched into the cylinder or shell.

(c) Extinguishers, other than one which has failed a hydrostatic test, may be provided with a tag stating the extinguisher is "Condemned" or "Rejected". Such tags shall be red in color, and shall be not less, in size, than that of an approved service tag.

(d) Service tags shall only be placed on portable fire extinguishers and wheeled units as allowed in these rules.

COUNT 5: IFC VIOLATION (FDC Connections), a class B misdemeanor, Salt Lake City

Code Section 18.44.010, INTERNATIONAL FIRE CODE (IFC) AND STANDARDS

ADOPTED; adopting the IFC pursuant to the State Fire Code Act, UCA 15A-5-103, "Nationally recognized codes incorporated by reference", in that the defendant did knowingly violate the following provision(s) on or about January 29, 2019, at 203 East 2100 South in Salt Lake City, State of Utah:

2015 IFC subsection(s):

912.4 Access. Immediate access to fire department connections shall be maintained at all times and without obstruction by fences, bushes, trees, walls or any other fixed or moveable object. Access to fire department connections shall be *approved* by the fire chief.

Exception: Fences, where provided with an access gate equipped with a sign complying with the legend requirements of Section 912.5 and a means of emergency operation. The gate and the means of emergency operation shall be *approved* by the fire chief and maintained operational at all times.

912.4.1 Locking fire department connection caps. The *fire code official* is authorized to require locking caps on fire department connections for water-based *fire protection systems* where the responding fire department carries appropriate key wrenches for removal.

912.4.2 Clear space around connections. A working space of not less than 36 inches (914 mm) in width, 36 inches (914 mm) in depth and 78 inches (1981 mm) in height shall be provided and maintained in front of and to the sides of wall-mounted fire department connections and around the circumference of free-standing fire department connections, except as otherwise required or *approved* by the fire chief.

912.4.3 Physical protection. Where fire department connections are subject to impact by a motor vehicle, vehicle impact protection shall be provided in accordance with Section 312.

COUNT 6: IFC VIOLATION (Electrical Wiring), a class B misdemeanor, **Salt Lake City Code Section 18.44.010**, INTERNATIONAL FIRE CODE (IFC) AND STANDARDS ADOPTED; adopting the IFC pursuant to the State Fire Code Act, UCA 15A-5-103, "Nationally recognized codes incorporated by reference", in that the defendant did knowingly violate the following provision(s) on or about January 29, 2019, at 203 East 2100 South in Salt Lake City, State of Utah:

2015 IFC subsection(s):

605.6 Unapproved conditions. Open junction boxes and open-wiring splices shall be prohibited. *Approved* covers shall be provided for all switch and electrical outlet boxes.

STATEMENT OF PROBABLE CAUSE

On or about January 29, 2019, Salt Lake City Fire Department personnel conducted an inspection of the Georgia Apartments, located at 203 East 2100 South within the Salt Lake City corporate limits. At that time, Fire Department personnel identified numerous International Fire Code violations that created concern for life safety issues. The fire code violations that were observed included: storage/egress violations (combustible materials improperly stored); wet sprinkling system violations ("Areas must be kept at a minimum of 40 degrees Fahrenheit where wet fire sprinkler system exists, or, replaced with a dry system, 2013 NFPA 13 8.16"); smoke detector violations (required in each unit, hallway detectors must be functional); fire extinguisher violations (one every 75 feet, missing or out of date tags); fire department connection (FDC) violations (connections must be accessible); and electrical wiring violations (open junction boxes and open-wiring splices).

The owner of the Georgia Apartments at the time of the violations was Carol Lunt, DOB 5/25/1957, who self-identified herself on multiple occasions to fire department personnel as the owner. SLC Fire has been working with Carol Lunt since August of 2017 by face-to-face interaction, phone calls, and via fax and mail. Further, Georgia Apartments are listed as an LLC in county records, and, the State Division of Corporations records list Carol Lunt as the registered agent of Georgia Apartments, Inc.

Pursuant to Utah Code Annotated § 78B-5-705 (2008) (or its successor), I declare under criminal penalty of the State of Utah that the foregoing is true and correct.


Complainant Signature

Authorized for presentment and filing:

Sim Gill, City Prosecutor

By:  6728

Scott A. Fisher, Bar No. 6728

1st Assistant City Prosecutor

2/14, 2019.

CERTIFICATE OF DELIVERY

I hereby certify that on the 15th day of February 2019, I delivered a true and correct copy of the foregoing **INFORMATION** to the entity/person listed below by:

(x) U.S. Mail, () Electronic Filing

() Attorney for the Defendant –

(x) Defendant
Carol Lunt
715 East Scott Avenue
Millcreek, UT 84106

/s/ Kelli Morris

Office of the Salt Lake City Prosecutor
35 East 500 South, 2nd Floor
Salt Lake City, Utah 84111
Telephone: 385-468-7900

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IN THE SALT LAKE CITY JUSTICE COURT

IN AND FOR THE SALT LAKE CITY, STATE OF UTAH

SALT LAKE CITY, a Municipal
Corporation, on behalf of the State of Utah

Plaintiff,

vs.

CAROL LUNT
DBA GEORGIA APARTMENTS
AKA:
715 East Scott Avenue
Millcreek, Utah 84106
DOB: 05/25/1957,

Defendant.

INFORMATION

Court Case Number
LEO No. SL FIR201700364
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STATE OF UTAH)
) ss.
SALT LAKE CITY)

The undersigned complainant, SALT LAKE CITY FIRE DEPARTMENT, – Agency Case No. SL FIR201700364, under oath states on information and belief that the above-named defendant, committed the crime(s) of:

COUNT 1: IFC VIOLATION (Egress), a class B misdemeanor, Salt Lake City Code Section 18.44.010, INTERNATIONAL FIRE CODE (IFC) AND STANDARDS ADOPTED; adopting the IFC pursuant to the State Fire Code Act, UCA 15A-5-103, “Nationally recognized codes

Notification regarding instrumentalities of the offense: The defendant is advised that the City will seek forfeiture of items used in a crime (i.e., guns) or which may not be legally possessed (i.e., paraphernalia). See generally, Utah Code Title 24, “Forfeiture And Disposition of Property Act”, and specifically, UCA sections 24-3-103 & 24-4-105, and related provisions.

incorporated by reference”, in that the defendant did knowingly violate the following provision(s) on or about December 6, 2018, at 203 East 2100 South in Salt Lake City, State of Utah:

2015 IFC subsection(s):

315.3 Storage in buildings. Storage of materials in buildings shall be orderly and stacks shall be stable. Storage of combustible materials shall be separated from heaters or heating devices by distance or shielding so that ignition cannot occur.

315.3.1 Ceiling clearance. Storage shall be maintained 2 feet (610 mm) or more below the ceiling in nonsprinklered areas of buildings or not less than 18 inches (457 mm) below sprinkler head deflectors in sprinklered areas of buildings.

315.3.2 Means of egress. Combustible materials shall not be stored in exits or enclosures for stairways and ramps.

315.3.3 Equipment rooms. Combustible material shall not be stored in boiler rooms, mechanical rooms, electrical equipment rooms or in *fire command centers* as specified in Section 508.1.5.

315.3.4 Attic, under-floor and concealed spaces. Attic, under-floor and concealed spaces used for storage of combustible materials shall be protected on the storage side as required for 1-hour fire-resistance-rated construction. Openings shall be protected by assemblies that are selfclosing and are of noncombustible construction or solid wood core not less than 13/4 inches (44.5 mm) in thickness. Storage shall not be placed on exposed joists.

Exceptions:

1. Areas protected by *approved automatic sprinkler systems*.
2. Group R-3 and Group U occupancies.

1031.3 Obstructions. A *means of egress* shall be free from obstructions that would prevent its use, including the accumulation of snow and ice.

1031.3.1 Group I-2. In Group I-2, the required clear width for *aisles, corridors* and *ramps* that are part of the required *means of egress* shall comply with Section 1020.2. The facility shall have a plan to maintain the required clear width during emergency situations.

Exception: In areas required for bed movement, equipment shall be permitted in the required width where all the following provisions are met:

1. The equipment is low hazard and wheeled.
2. The equipment does not reduce the effective clear width for the *means of egress* to less than 5 feet (1525 mm).
3. The equipment is limited to:
 - 3.1 Equipment and carts in use.
 - 3.2 Medical emergency equipment.
 - 3.3 Infection control carts.
 - 3.4 Patient lift and transportation equipment.
4. Medical emergency equipment and patient lift and transportation equipment, when not in use, is required to be located on one side of the corridor.
5. The equipment is limited in number to a maximum of one per patient sleeping room or patient care room within each smoke compartment.

COUNT 2: IFC VIOLATION (Electrical Wiring), a class B misdemeanor, Salt Lake City Code Section 18.44.010, INTERNATIONAL FIRE CODE (IFC) AND STANDARDS ADOPTED; adopting the IFC pursuant to the State Fire Code Act, UCA 15A-5-103, “Nationally recognized codes incorporated by reference”, in that the defendant did knowingly violate the following provision(s) on or about December 6, 2018, at 203 East 2100 South in Salt Lake City, State of Utah:

2015 IFC subsection(s):

605.6 Unapproved conditions. Open junction boxes and open-wiring splices shall be

prohibited. *Approved* covers shall be provided for all switch and electrical outlet boxes.

COUNT 3: IFC VIOLATION (Fire Extinguishers), a class B misdemeanor, Salt Lake City Code Section 18.44.010, INTERNATIONAL FIRE CODE (IFC) AND STANDARDS ADOPTED; adopting the IFC pursuant to the State Fire Code Act, UCA 15A-5-103, “Nationally recognized codes incorporated by reference”, in that the defendant did knowingly violate the following provision(s) on or about December 6, 2018, at 203 East 2100 South in Salt Lake City, State of Utah:

2015 IFC subsection(s):

906.1 Where required. Portable fire extinguishers shall be installed in all of the following locations:

1. In new and existing Group A, B, E, F, H, I, M, R-1, R-2, R-4 and S occupancies.

Exception: In Group R-2 occupancies, portable fire extinguishers shall be required only in locations specified in Items 2 through 6 where each *dwelling unit* is provided with a portable fire extinguisher having a minimum rating of 1-A:10-B:C.

2. Within 30 feet (9144 mm) of commercial cooking equipment.

3. In areas where flammable or *combustible liquids* are stored, used or dispensed.

4. On each floor of structures under construction, except Group R-3 occupancies, in accordance with Section 3315.1.

5. Where required by the sections indicated in Table 906.1.

6. Special-hazard areas, including but not limited to laboratories, computer rooms and generator rooms, where required by the *fire code official*.

TABLE 906.3(1) FIRE EXTINGUISHERS FOR CLASS A FIRE HAZARDS

	LIGHT (Low) HAZARD OCCUPANCY	ORDINARY (Moderate) HAZARD OCCUPANCY	EXTRA (High) HAZARD OCCUPANCY
Minimum rated single extinguisher	2-A ^c	2-A	4-A ^a
Maximum floor area per unit of A	3,000 square feet	1,500 square feet	1,000 square feet
Maximum floor area for extinguisher ^b	11,250 square feet	11,250 square feet	11,250 square feet
Maximum distance of travel to extinguisher	75 feet	75 feet	75 feet

For SI: 1 foot = 304.8 mm, 1 square foot = 0.0929 m², 1 gallon = 3.785 L.

906.3.2 Class B fire hazards. Portable fire extinguishers for occupancies involving flammable or *combustible liquids* with depths of less than or equal to 0.25-inch (6.4 mm) shall be selected and placed in accordance with Table 906.3(2).

Portable fire extinguishers for occupancies involving flammable or *combustible liquids* with a depth of greater than 0.25-inch (6.4 mm) shall be selected and placed in accordance with NFPA 10.

Utah Administrative Code

R710-1-7. Service Tags.

(1) Size and Color.

Tags shall be not more than five and one-half inches in height, nor less than four and one-half inches in height, and not more than three inches in width, nor less than two and one-half inches in width.

(2) Attaching Tag.

One service tag shall be attached to each portable fire extinguisher in such a position as to be conveniently inspected.

(3) Tag Information.

- (a) Service tags shall bear the following information:
 - (i) Provisions of Section 6.7.
 - (ii) Type of license.
 - (iii) Approved Seal of Registration of the SFM.
 - (iv) License registration "E" number.
 - (v) Certificate of registration "EE" number of individual who performed or supervised the service or services performed.
 - (vi) Signature of individual whose certificate of registration number appears on the tag.
 - (vii) Concern's name.
 - (viii) Concern's address.
 - (ix) Type of service performed.
 - (x) Type of extinguisher serviced.
 - (xi) Date service is performed.
- (b) The above information shall appear on one side of the service tag. All other desired printing or information shall be placed on the reverse side of the tag.

(4) Legibility.

(a) The certificate of registration number required in Section 7.3(5), and the signature required in Section 7.3(6), shall be printed or written distinctly.

(b) All information pertaining to date, type of servicing, and type of extinguisher serviced shall be indicated on the card by perforations in the appropriate space provided. Each perforation shall clearly indicate the desired information.

(5) Format.

Subject to the use requirements of Section 6.4, the following format shall be used for all service tags:

EXAMPLE OF SERVICE TAG

Exception: Service tags may be printed or otherwise established for any number of years not in excess of five years.

ILLUSTRATION ON FILE IN STATE FIRE MARSHAL'S OFFICE

(6) New Tag.

A new service tag shall be attached to the extinguisher each time a service is performed.

(7) Tag Wording.

The following wording shall be placed at the top or reinforced ring end of every tag: "DO NOT REMOVE, BY ORDER OF THE STATE FIRE MARSHAL".

(8) Removal.

No person or persons shall remove a service tag, hydrostatic test tag or label, 6 year maintenance service tag or label, or verification of service collar, except when further service is performed. At that time the expired tag, label or collar shall be removed and a new tag, label or collar shall replace the expired one. No person or persons shall deface, modify, or alter any service tag, hydrostatic test tag or label, 6 year maintenance service tag or label, or verification of service collar that is required to be attached to any portable fire extinguisher.

(9) Restrictive Use.

(a) Portable fire extinguishers which do not conform with the minimum rules, shall be permanently removed from service, and shall not be tagged.

(b) Any extinguisher which fails a hydrostatic test shall be condemned, and so stamped or etched into the cylinder or shell.

(c) Extinguishers, other than one which has failed a hydrostatic test, may be provided with a tag stating the extinguisher is "Condemned" or "Rejected". Such tags shall be red in color, and shall be not less, in size, than that of an approved service tag.

(d) Service tags shall only be placed on portable fire extinguishers and wheeled units as allowed in these rules.

COUNT 4: IFC VIOLATION (Smoke Detectors), a class B misdemeanor, Salt Lake City Code Section 18.44.010, INTERNATIONAL FIRE CODE (IFC) AND STANDARDS ADOPTED; adopting the IFC pursuant to the State Fire Code Act, UCA 15A-5-103, “Nationally recognized codes incorporated by reference”, in that the defendant did knowingly violate the following provision(s) on or about December 6, 2018, at 203 East 2100 South in Salt Lake City, State of Utah:

2015 IFC subsection(s):

1103.8 Single and multiple-station smoke alarms. Single and multiple-station smoke alarms shall be installed in existing Group I-1 and R occupancies in accordance with Sections 1103.8.1 through 1103.8.3.

1103.8.1 Where required. Existing Group I-1 and R occupancies shall be provided with single-station smoke alarms in accordance with Section 907.2.11. Interconnection and power sources shall be in accordance with Sections 1103.8.2 and 1103.8.3, respectively.

Exceptions:

1. Where the code that was in effect at the time of construction required smoke alarms and smoke alarms complying with those requirements are already provided.
2. Where smoke alarms have been installed in occupancies and dwellings that were not required to have them at the time of construction, additional smoke alarms shall not be required provided that the existing smoke alarms comply with requirements that were in effect at the time of installation.
3. Where smoke detectors connected to a fire alarm system have been installed as a substitute for smoke alarms. 1103.8.2 Interconnection. Where more than one smoke alarm is required to be installed within an individual *dwelling* or *sleeping unit*, the smoke alarms shall be interconnected in such a manner that the activation of one alarm will activate all of the alarms in the individual unit. Physical interconnection of smoke alarms shall not be required where listed wireless alarms are installed and all alarms sound upon activation of one alarm. The alarm shall be clearly audible in all bedrooms over background noise levels with all intervening doors closed.

Exceptions:

1. Interconnection is not required in buildings that are not undergoing *alterations*, repairs or construction of any kind.
2. Smoke alarms in existing areas are not required to be interconnected where *alterations* or repairs do not result in the removal of interior wall or ceiling finishes exposing the structure, unless there is an attic, crawl space or *basement* available that could provide access for interconnection without the removal of interior finishes.

1103.8.3 Power source. Single-station smoke alarms shall receive their primary power from the building wiring provided that such wiring is served from a commercial source and shall be equipped with a battery backup. Smoke alarms with integral strobes that are not equipped with battery backup shall be connected to an emergency electrical system. Smoke alarms shall emit a signal when the batteries are low. Wiring shall be permanent and without a disconnecting switch other than as required for overcurrent protection.

Exceptions:

1. Smoke alarms are permitted to be solely battery operated in existing buildings where construction is not taking place.
2. Smoke alarms are permitted to be solely battery operated in buildings that are not served from a commercial power source.
3. Smoke alarms are permitted to be solely battery operated in existing areas of buildings undergoing *alterations* or repairs that do not result in the removal of interior walls or ceiling finishes exposing the structure, unless there is an attic, crawl space or *basement* available that could provide access for building wiring without the removal of interior finishes.

1103.9 Carbon monoxide alarms. Existing Group I-1, I-2, I4 and R occupancies shall be equipped with carbon monoxide alarms in accordance with Section 915, except that the carbon monoxide alarms shall be allowed to be solely battery operated.

COUNT 5: IFC VIOLATION (Extension Cords), a class B misdemeanor, Salt Lake City Code Section 18.44.010, INTERNATIONAL FIRE CODE (IFC) AND STANDARDS ADOPTED; adopting the IFC pursuant to the State Fire Code Act, UCA 15A-5-103, “Nationally recognized codes incorporated by reference”, in that the defendant did knowingly violate the following provision(s) on or about December 6, 2018, at 203 East 2100 South in Salt Lake City, State of Utah:

2015 IFC subsection(s):

2015 International Fire Code (IFC)

605.5 Extension cords. Extension cords and flexible cords shall not be a substitute for permanent wiring. Extension cords and flexible cords shall not be affixed to structures, extended through walls, ceilings or floors, or under doors or floor coverings, nor shall such cords be subject to environmental damage or physical impact. Extension cords shall be used only with portable appliances.

605.5.1 Power supply. Extension cords shall be plugged directly into an *approved* receptacle, power tap or multiplug adapter and, except for *approved* multiplug extension cords, shall serve only one portable appliance.

605.5.2 Ampacity. The ampacity of the extension cords shall be not less than the rated capacity of the portable appliance supplied by the cord.

605.5.3 Maintenance. Extension cords shall be maintained in good condition without splices, deterioration or damage.

605.5.4 Grounding. Extension cords shall be grounded where serving grounded portable appliances.

COUNT 6: IFC VIOLATION (Fire Escapes), a class B misdemeanor, Salt Lake City Code Section 18.44.010, INTERNATIONAL FIRE CODE (IFC) AND STANDARDS ADOPTED; adopting the IFC pursuant to the State Fire Code Act, UCA 15A-5-103, “Nationally recognized codes incorporated by reference”, in that the defendant did knowingly violate the following provision(s) on or about December 6, 2018, at 203 East 2100 South in Salt Lake City, State of Utah:

2015 IFC subsection(s):

1104.16.5 Materials and strength. Components of fire escape *stairways* shall be constructed of noncombustible materials. Fire escape *stairways* and balconies shall support the dead load plus a live load of not less than 100 pounds per square foot (4.78 kN/m²). Fire escape *stairways* and balconies shall be provided with a top and intermediate *handrail* on each side.

1104.16.5.1 Examination. Fire escape *stairways* and balconies shall be examined for structural adequacy and safety in accordance with Section 1104.16.5 by a registered design professional or others acceptable to the *fire code official* every 5 years, or as required by the *fire code official*. An inspection report shall be submitted to the *fire code official* after such examination.

COUNT 7: IFC VIOLATION (Wet Sprinkling System in Unconditioned Space), a class B misdemeanor, Salt Lake City Code Section 18.44.010, INTERNATIONAL FIRE CODE (IFC) AND STANDARDS ADOPTED; adopting the IFC pursuant to the State Fire Code Act, UCA 15A-5-103, “Nationally recognized codes incorporated by reference”, in that the defendant did knowingly violate the following provision(s) on or about December 6, 2018, at 203 East 2100 South in Salt Lake City, State of Utah:

2015 IFC subsection(s):

901.6 Inspection, testing and maintenance. Fire detection, alarm, and extinguishing systems, mechanical smoke exhaust systems, and smoke and heat vents shall be maintained in an operative condition at all times, and shall be replaced or repaired where defective. Nonrequired *fire protection systems* and equipment shall be inspected, tested and maintained or removed.

907.1 General. This section covers the application, installation, performance and maintenance of fire alarm systems and their components in new and existing buildings and structures. The requirements of Section 907.2 are applicable to new buildings and structures. The requirements of Section 907.9 are applicable to existing buildings and structures.

907.1.1 Construction documents. *Construction documents* for fire alarm systems shall be of sufficient clarity to indicate the location, nature and extent of the work proposed and show in detail that it will conform to the provisions of this code, the *International Building Code* and relevant laws, ordinances, rules and regulations, as determined by the *fire code official*.

907.1.2 Fire alarm shop drawings. Shop drawings for fire alarm systems shall be submitted for review and approval prior to system installation, and shall include, but not be limited to, all of the following where applicable to the system being installed:

1. A floor plan that indicates the use of all rooms.
2. Locations of alarm-initiating devices.
3. Locations of alarm notification appliances, including candela ratings for visible alarm notification appliances.
4. Design minimum audibility level for occupant notification.
5. Location of fire alarm control unit, transponders and notification power supplies.
6. Annunciators.
7. Power connection.
8. Battery calculations.
9. Conductor type and sizes.
10. Voltage drop calculations.
11. Manufacturers' data sheets indicating model numbers and listing information for equipment, devices and materials.
12. Details of ceiling height and construction.
13. The interface of fire safety control functions.
14. Classification of the supervising station.

907.1.3 Equipment. Systems and components shall be *listed* and *approved* for the purpose for which they are installed.

COUNT 8: IFC VIOLATION (FDC Connections), a class B misdemeanor, Salt Lake City Code Section 18.44.010, INTERNATIONAL FIRE CODE (IFC) AND STANDARDS ADOPTED; adopting the IFC pursuant to the State Fire Code Act, UCA 15A-5-103, "Nationally recognized codes incorporated by reference", in that the defendant did knowingly violate the following provision(s) on or about December 6, 2018, at 203 East 2100 South in Salt Lake City, State of Utah:

2015 IFC subsection(s):

912.4 Access. Immediate access to fire department connections shall be maintained at all times and without obstruction by fences, bushes, trees, walls or any other fixed or moveable object. Access to fire department connections shall be *approved* by the fire chief.

Exception: Fences, where provided with an access gate equipped with a sign complying with the legend requirements of Section 912.5 and a means of emergency operation. The gate and the means of emergency operation shall be *approved* by the fire chief and maintained operational at all times.

912.4.1 Locking fire department connection caps. The *fire code official* is authorized to require locking caps on fire department connections for water-based *fire protection systems* where the responding fire department carries appropriate key wrenches for removal.

912.4.2 Clear space around connections. A working space of not less than 36 inches (914 mm) in width, 36 inches (914 mm) in depth and 78 inches (1981 mm) in height shall be provided and maintained in front of and to the sides of wall-mounted fire department connections and around the circumference of free-standing fire department connections, except as otherwise required or *approved* by the fire chief.

912.4.3 Physical protection. Where fire department connections are subject to impact by a motor vehicle, vehicle impact protection shall be provided in accordance with Section 312.

COUNT 9: IFC VIOLATION (Hose Cabinets), a class B misdemeanor, Salt Lake City Code Section 18.44.010, INTERNATIONAL FIRE CODE (IFC) AND STANDARDS ADOPTED; adopting the IFC pursuant to the State Fire Code Act, UCA 15A-5-103, "Nationally recognized codes incorporated by reference", in that the defendant did knowingly violate the following provision(s) on or about December 6, 2018, at 203 East 2100 South in Salt Lake City, State of Utah:

2015 IFC subsection(s):

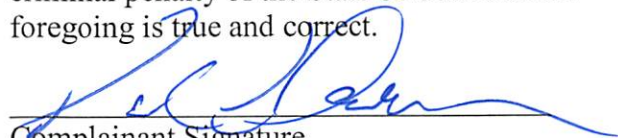
901.6 Inspection, testing and maintenance. Fire detection, alarm, and extinguishing systems, mechanical smoke exhaust systems, and smoke and heat vents shall be maintained in an operative condition at all times, and shall be replaced or repaired where defective. Nonrequired *fire protection systems* and equipment shall be inspected, tested and maintained or removed.

STATEMENT OF PROBABLE CAUSE

On or about December 6, 2018, Salt Lake City Fire Department personnel conducted an inspection of the Georgia Apartments, located at 203 East 2100 South within the Salt Lake City corporate limits. At that time, Fire Department personnel identified numerous International Fire Code violations that created concern for life safety issues. The fire code violations that were observed included: storage/egress violations (combustible materials improperly stored); electrical wiring violations (open junction boxes and open-wiring splices); fire extinguisher violations (missing one every 75 feet, missing or out of date tags); smoke detector violations (required in each unit, hallway detectors must be functional); extension cord violations (cords used in place of permanent wiring and not just for short-term use); fire escape violations (fire escapes not properly certified), wet sprinkling system violations ("Areas must be kept at a minimum of 40 degrees Fahrenheit where wet fire sprinkler system exists, or, replaced with a dry system, 2013 NFPA 13 8.16"); fire department connection (FDC) violations (connections must be accessible); and, fire hose cabinet violations (not maintained and inspected).

The owner of the Georgia Apartments at the time of the violations was Carol Lunt, DOB 5/25/1957, who self-identified herself on multiple occasions to fire department personnel as the owner. SLC Fire has been working with Carol Lunt since August of 2017 by face-to-face interaction, phone calls, and via fax and mail. Further, Georgia Apartments are listed as an LLC in county records, and, the State Division of Corporations records list Carol Lunt as the registered agent of Georgia Apartments, Inc.

Pursuant to Utah Code Annotated § 78B-5-705 (2008) (or its successor), I declare under criminal penalty of the State of Utah that the foregoing is true and correct.


Complainant Signature

Authorized for presentment and filing:

Sim Gill, City Prosecutor


Scott A. Fisher, Bar No. 6728

1st Assistant City Prosecutor

2/14, 2019

CERTIFICATE OF DELIVERY

I hereby certify that on the 14th day of February 2019, I delivered a true and correct copy of the foregoing **INFORMATION** to the entity/person listed below by:

(x) U.S. Mail, () Electronic Filing

() Attorney for the Defendant –

(x) Defendant
Carol Lunt
715 East Scott Avenue
Milcreek, UT 84106

/s/ Kelli Morris

Office of the Salt Lake City Prosecutor
35 East 500 South, 2nd Floor
Salt Lake City, Utah 84111
Telephone: 385-468-7900