

GARFIELD COUNTY ORDINANCE NO.

ORDINANCE AMENDING ORDINANCE 2005-1 AND 2006-1 RELATING TO THE  
ADOPTION OF THE 2015 INTERNATIONAL FIRE CODE, AND THE ADOPTION  
OF THE 2015 INTERNATIONAL FIRE CODE

WHEREAS, the Board of County Commissioners of Garfield County, State of Colorado is authorized to adopt a Fire Code for application in all unincorporated areas of Garfield County and all incorporated areas to the extent such city or town has elected to adopt the same Fire Code; and

WHEREAS, pursuant to §30-15-401.5, C.R.S., as amended, the Board of County Commissioners formed a Fire Code Adoption and Revision Commission; and

WHEREAS, on-----, at a regular meeting the various Garfield County fire protection districts requested the Board of County Commissioners of Garfield County to review, and the Board directed the Fire Code Adoption and Revision Commission to review for adoption the *2015 International Fire Code*; and

WHEREAS, such Commission tendered written recommendations to the Board of County Commissioners generally recommending adoption of the *2015 International Fire Code* edition with certain written amendments and alterations; and

WHEREAS, prior to consideration of adoption of this Ordinance, the Board of County Commissioners received written copies of the *2015 International Fire Code* edition with appendices, along with the written amendments and alterations of the Commission; and

WHEREAS, a copy of this Ordinance was published at least ten (10) days prior to a reading of this Ordinance in a newspaper published in Garfield County; and

WHEREAS, subsequent to such publication this Ordinance was read at a regular meeting of the Board of County Commissioners on the ???????; and

WHEREAS, the Board of County Commissioners has otherwise complied with all provisions of §30-15-401 *et seq.*, C.R.S., as amended.

NOW, THEREFORE, BE IT ORDAINED by the Board of County Commissioners of Garfield County, State of Colorado as follows:

## **SECTION 1. ADOPTION OF 2015 INTERNATIONAL FIRE CODE**

That a certain document, three copies of which are on file with the Garfield County Clerk and Recorder's Office, 109 8<sup>th</sup> Street, Glenwood Springs, Colorado, being marked and designated as the 2015 *International Fire Code*, including appendix chapters, as published by the International Code Council should be and hereby is adopted as the fire code for Garfield County, State of Colorado, regulating and governing the safeguarding of life and property from fire and explosion hazards arising from the storage, handling and use of hazardous substances, materials and devices, and from conditions hazardous to life or property in the occupancy of buildings and premises as herein provided; providing for the issuance of permits and collection of fees therefore; and each and all of the regulations, provisions, penalties, conditions and terms of said fire code on file in the office of the Garfield County Clerk and Recorder are hereby referred to, adopted and made a part hereof, as if fully set out in this Ordinance, with the additions, insertions, deletions and changes, if any, prescribed in Section 2 of this Ordinance.

## **SECTION 2. AMENDMENTS AND ALTERATIONS**

The 2015 *International Fire Code* with appendices, except appendices A, E, G, and J is hereby adopted with the following insertions, deletions, and changes as set forth below:

**Section 101.1 Title** shall read as follows: These regulations shall be known as the *Fire Code* of Garfield County, Colorado, hereinafter referred to as "this code."

**Section 102.5 Application of Residential Code.** This section is deleted from this code.

**Section 102.7 Referenced codes and standards** are amended to add the following: Where Garfield County has not generally adopted a code or standard referenced in this code, the referenced code or standard shall be applied to the extent it is incorporated herein.

**Section 105.6.28 LP-gas** shall read as follows: An operational permit is required for:

1. Storage and use of LP-gas.

**Exception:** A permit is not required for individual containers with a 1000-gallon (3786 L) water capacity or less serving occupancies in Group R-3.

**Section 108 BOARD OF APPEALS** is amended to add a new subsection 108.4 to read as follows:

**108.4 Deadline for filing appeal.** Any application for appeal shall be filed with the Fire or Building Board of Review within ten (10) days of the decision being appealed.

**Section 109.3.2 Compliance with orders and notices** is hereby amended to add the following subsections:

1. If the building or other premises is owned by one person and occupied by another, under lease or otherwise, and the notice of violation requires additions to or changes in the building or premises such as would be considered real estate and become the property of the owner, said notice and order shall be directed to such owner of the building or premises.
2. Except for cases where immediate compliance is required, violations pursuant to this chapter may be appealed as set forth in Section 108.
3. In cases where immediate compliance is required, the notice of violation so stating shall be final and conclusive.

**Section 111.4 Failure to comply** is amended to read: Any person who shall continue any work after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be liable to a fine as established by State law and the Board of

County Commissioners of Garfield County, Colorado (See SECTION 6 PENALTIES of ordinance.)

**Section 305.6 Hazardous environmental conditions.** Where the fire code official determines that hazardous environmental conditions necessitate restricting the use of welding, grinding, torches and require the use of spark arresters. Must comply in accordance with 308.1.6

**Section 307.1.2 No open burning without a permit.** All open burning is prohibited without a permit from the fire code official before the start of the burn.

**Section 307.2.1 Authorization** is deleted from this code.

**Section 307.6 Hazardous environmental conditions.** Where the fire code official determines that hazardous environmental conditions necessitate restricting the use of open burning, recreational fires and portable outdoor fireplaces.

**Section 308.1.1.1 No open flames without a permit.** All open flames are prohibited without a permit from the fire code official before the start of such flames.

**Section 308.1.4 Open-flame cooking devices**

**Exceptions:**

4. Where the fire code official determines that hazardous environmental conditions necessitate restricting the use of open-flame cooking devices.

**Section 308.3.1.1 Hazardous environmental conditions.** Where the fire code official determines that the hazardous environmental conditions necessitate restricting the use of open flames.

**Section 503.2.1 Dimensions** is amended to read:

Fire apparatus access roads shall have an unobstructed width of not less than 20 feet (6096 mm), including the shoulders, except for approved security

gates in accordance with Section 503.6, and an unobstructed vertical clearance of not less than 13 feet 6 inches (4115 mm).

**Section 507.2 Type of water supply** is amended to read as follows:

A water supply shall consist of reservoirs, pressurized tanks, elevated tanks, water mains, tanker shuttles or other approved systems capable of providing the required fire flow.

**Section 901.2 Construction documents** is amended to read **Section 901.2 Construction documents and shop drawings** and with the addition of the two following comments:

1. **Approval signature and documentation.** Shop drawings for fire sprinklers must bear the seal and signature of a graduate Fire Protection Engineer or a qualified State of Colorado licenced engineer practicing in their respective field of expertise or a NICET Level III or higher in sprinkler system design.
2. A sealed set of these shop drawings, complete with review comments, shall be made available at all times at the work site for fire department inspection. An identical set of shop drawings shall be given to the owner.

**Section 903 AUTOMATIC SPRINKLER SYSTEMS, Subsection 903.2 Where required** is hereby amended to read as follows:

**903.2 Where required.** Approved automatic sprinkler systems in new buildings and structures shall be provided in the locations described in this section and Sections 903.2.1 through 903.2.12.

1. In every story of all buildings three (3) stories or more in height except

when it is required in the 2015 IBC or IFC, the more restrictive shall apply.

2. In every story, basement and mezzanine of any building where the total floor area (including basement and mezzanine) exceeds the limits shown in Table A below:

**TABLE A  
ALLOWABLE FLOOR AREA  
FOR BUILDINGS**

Building Type	Maximum Floor Area
III-B, V-B	7,500
V-A, II-B	9,000
II -A, III -A, IV-HT, I-A, I-B	12,000

\*A-Protected/B-Unprotected H.T.-Heavy Timber(per Table 601 IBC)

3. Whenever any addition to an existing building causes the total floor area of the building to exceed the limits set forth in the preceding item number 2, the entire building shall be provided with an approved automatic sprinkler system or a firewall conforming to Section 706 of the IBC must be installed. Openings in these walls shall conform to the International Building Code (IBC) and be controlled by actuation of a smoke detector. When the automatic-closing fire assembly is installed in a building with an approved fire detection system, the fire assembly actuating smoke detectors shall be a part of the fire detection.
4. Existing structures and facilities. When in any 24 month period the floor area of an alteration, remodel or modification to any existing building exceeds forty percent (40%) of the floor area of the building being improved, the entire building shall be made to comply

with the requirements of Chapter 9 of the 2015 International Building Code, and the 2015 International Fire Code, as amended and adopted by the Board of County Commissioners of Garfield County, Colorado.

**Exception:** Spaces or areas in telecommunications buildings used exclusively for telecommunications equipment, associated electrical power distribution equipment, batteries and standby engines, provided those spaces or areas are equipped throughout with an automatic fire alarm system and are separated from the remainder of the building by a wall with a fire-resistance rating of not less than 1 hour and a floor/ceiling assembly with a fire-resistance rating of not less than 2 hours.

**Exception:** Parking garages classified as S Division 2 occupancies, open on three or more sides.

5. All occupancies to be built in a location that is difficult to access, or has limited fire flow water supply as determined by the fire code official or fire chief, will be reviewed by the fire code official and or fire chief for the need to be equipped with an approved automatic fire suppression system

**Section 903.2.8 Group R** is amended to add the following Exceptions:

- Exceptions:
1. Group R-3 and boarding house occupancies.
  2. Group R-2 with occupancy of 5 or less (1000 sq. ft. floor area Table 1004.1.1 IBC)

**Section 907.1.2 Fire alarm shop drawings** is amended to add the following two comments:

15. Shop drawings for fire alarms must bear the seal and signature of a graduate Fire Protection Engineer or a qualified State of Colorado licenced engineer practicing in their respective field of expertise or a NICET Level III or higher in fire alarm design.

16. A sealed set of these shop drawings, complete with review comments, shall be made available at all times at the work site for fire department inspection. An identical set of shop drawings shall be given to the owner.

Section 907.1 is amended to add 907.1.4 as follows:

**907.1.4 Installation.** All fire alarm systems installations shall be supervised by a NICET level II or higher in fire alarm installations.

#### **Appendix D Fire Apparatus Access Roads**

**Section D106.3 Remoteness.** Where two fire apparatus access roads are required, they shall be placed a distance apart equal to not less than one-half of the length of maximum overall diagonal dimension of the property or area to be served, measured in a straight line between accesses as determined by code official.

**Section D107.2 Remoteness.** Where two fire apparatus access roads are required, they shall be placed a distance apart equal to not less than one-half of the length of the maximum overall diagonal dimension of the property or area to be served, measured in a straight line between accesses as determined by code official

Appendix H shall be amended to utilize a Hazardous Material Declaration Form designated by the fire district.

### **SECTION 3. GEOGRAPHIC JURISDICTION**



For all purposes, the geographic limits referred to in the *2015 international Fire Code* shall be all of the unincorporated area of Garfield County.

**SECTION 4. REPEAL**

All other Ordinances previously adopted by the Board of County Commissioners of Garfield County are repealed to the extent any part of those Ordinances are in conflict with the provisions of this Ordinance.

**SECTION 5. SEVERABILITY**

That if any section, sub-section, sentence, clause or phrase of this Ordinance is, for any reason, held to be unconstitutional such decision shall not affect the validity of the remaining portions of this Ordinance. The Board of County Commissioners of Garfield County hereby declares that it would have passed this Ordinance, and each section, sub-section, sentence, clause or phrase thereof irrespective of the fact that any one or more sections, sub-sections, sentences, clauses and phrases be declared unconstitutional.

**SECTION 6. PENALTIES, VIOLATIONS, AND ENFORCEMENT**

Persons found violating the restrictions imposed pursuant to this Ordinance shall be subject to all penalties set forth in §30-15-402, C.R.S., as amended, including, but not limited to, a fine of not more than one thousand dollars (\$1,000.00) for each separate violation. Additionally, any person violating this Ordinance or committing any act enumerated in Section 109.1 of the *2015 International Fire Code* shall be subject to all provisions of Section 109 of the *2015 International Fire Code* regarding violations. Pursuant to the provisions of §30-15-401.5(7), C.R.S., as amended, all organized fire protection districts shall enforce the provisions of this Ordinance within the territorial jurisdiction of their respective fire districts through properly designated staff members of that fire district. For all areas that fall outside of the territorial limits of an organized fire protection district and not receiving fire protection services, the Board of County Commissioners of Garfield County shall enforce the provisions of this Ordinance and may contract with any enforcement agency for the purpose of fulfilling this obligation.

**SECTION 7. AFFECT**

Nothing in this Ordinance or in the fire code adopted hereto shall be construed to affect any suit or proceeding pending in any court or any rights acquired, or liability incurred or any cause or causes of action acquired or existing, under any act or ordinance hereby repealed as cited in Section 2 of this Ordinance, nor shall any just or legal right or remedy of any character be lost, impaired or affected by this Ordinance.

**SECTION 8. PUBLICATION AND RECORDING**

Pursuant to the provisions of §30-15-406, C.R.S., as amended, the Board of County Commissioners hereby finds that this Ordinance was properly published and read at a regular meeting of the Board of County Commissioners prior to adoption of this Ordinance. The Board of County Commissioners hereby directs the Garfield County Clerk and Recorder to publish this Ordinance subsequent to adoption pursuant to the provisions of §30-15-405, C.R.S., as amended, and otherwise comply with the provisions of that section, including the recording and maintenance of this Ordinance for public purposes.

**SECTION 9. HEALTH AND SAFETY**

Pursuant to the provisions of §30-15-405, C.R.S., as amended, the Board of County Commissioners hereby determines that enactment of this Ordinance is necessary for the immediate preservation of the public health, safety and welfare of the citizens of Garfield County. This need arises from the requirement that a uniform fire code be applicable to all uses, structures and property throughout the unincorporated area of Garfield County.

**SECTION 10. EFFECTIVE DATE**

This Ordinance and the rules, regulations, provisions, requirements, Orders and matters established and adopted hereby shall take effect and be in full force and effect thirty (30) days from the date of publication subsequent to adoption as set forth in paragraph 8 above.

DATED this \_\_\_\_\_ day of \_\_\_\_\_, 2018.

ATTEST:

BOARD OF COUNTY COMMISSIONERS  
OF GARFIELD COUNTY, COLORADO

\_\_\_\_\_

By: \_\_\_\_\_

Clerk to the Board

Chairperson

Upon motion duly made and seconded the foregoing Ordinance was adopted by the following vote:

\_\_\_\_\_ Aye  
\_\_\_\_\_ Aye  
\_\_\_\_\_ Aye

Commissioners

Draft

CERTIFICATE AND ATTESTATION

STATE OF COLORADO )  
 ) ss.  
COUNTY OF GARFIELD )

I, Jean Alberico, Garfield County Clerk & Recorder, and Clerk to the Board of County Commissioners of Garfield County, Colorado, certify and attest as follows:

1. Ordinance 2011-1 was introduced and read at a regular meeting of the Board of County Commissioners on ??????. A copy of Ordinance ?????? in its original form is attached as Exhibit "A".

2. Prior to reading, Ordinance 2011-1 was published in full in its original form on ?????, in The Citizen Telegram which is a newspaper of general circulation in Garfield County, Colorado.

Ordinance 2011-1, in its original form, was adopted by the Board of County Commissioners of Garfield County, Colorado, on ??????

3. Ordinance 2011-1, as adopted, was published by title in accordance with the requirements of §30-15-405, C.R.S., as amended on the ????????, in The Citizen Telegram which is a newspaper of general circulation in Garfield County, Colorado.

\_\_\_\_\_  
Jean Alberico  
Garfield County Clerk & Recorder &  
Clerk to the Board of County  
Commissioners of Garfield County

SUBSCRIBED AND SWORN before me this \_\_\_\_\_ day of \_\_\_\_\_, 2018, by Jean Alberico, Garfield County Clerk & Recorder and Clerk to the BOCC.

MY COMMISSION EXPIRES: \_\_\_\_\_

\_\_\_\_\_  
Notary Public

\_\_\_\_\_  
Address of Notary