

Resolution No. 2023-3
Fire Code
Hartsel Fire Protection District

A RESOLUTION ADOPTING THE 2018 EDITION OF THE INTERNATIONAL FIRE CODE, REGULATING AND GOVERNING CONDITIONS HAZARDOUS TO LIFE AND PROPERTY FROM FIRE OR EXPLOSION, AND PROVIDING FOR THE ISSUANCE OF PERMITS FOR HAZARDOUS USES OR OPERATION.

WHEREAS, the Board of Directors deems it necessary to adopt the following code for the purpose of establishing rules of conduct and standards for the protection of life, health, property, security and welfare of the inhabitants of the District; and

WHEREAS, the Board of Directors has considered the effect of fire code enforcement within the boundaries of the District and has determined that enforcement of the proposed codes would not cause undue hardship or suppression of economic growth within the District; and

WHEREAS, the Board of Directors has studied the necessity for realistic and reasonable levels of fire protection to be provided by a rural fire protection district.

NOW, THEREFORE BE IT RESOLVED THAT:

SECTION I: Adoption of the 2018 International Fire Code.

There is hereby adopted by the Hartsel Fire Protection District for the purpose of prescribing regulations governing conditions hazardous to life and property from fire, hazardous materials, or explosion, that certain Codes known as the International Fire Code, including Appendix Chapters: **B** (Fire-Flow Requirements for Building), **C** (Fire Hydrant Locations and Distribution), **D** (Fire Apparatus Access Roads) with specifications approved by the Fire Marshal, **F** (Hazard Ranking), **H** (Hazardous Materials Management Plan (HMMP) and Hazardous Materials Inventory Statement (HMIS) Instructions), **I** (Fire Protection Systems-Noncompliant Conditions), **K** (Construction Requirements for Existing Ambulatory Care Facilities), **L** (Requirements for Firefighter Air Replenishment Systems – new buildings only), **M** (High-rise buildings - Retroactive Automatic Sprinkler Requirement), **N** (Indoor Trade Shows and Exhibitions) as published by the International Code Council, being particularly the 2018 edition thereof and the whole thereof, save and except such portions as are hereinafter deleted, modified, or amended by the Resolution, of which said Code are now filed in the offices of the Hartsel Fire Protection District, and the same are hereby adopted and incorporated as fully as if set out at length herein. The date on which this Resolution shall take effect within the boundaries of The Hartsel Fire Protection District shall be on the date of approval by the Board of Directors. This Code shall be in effect within the boundaries of the Hartsel Fire Protection District.

SECTION II: Establishment and Duties of Life Safety Inspectors.

Organizational structure and duties of the Life Safety Division shall be as provided by the District's rules and regulations, and internal organizational structure.

SECTION III: Definitions. The following definitions shall be utilized in addition to those set forth in the International Fire Code:

Wherever the word "jurisdiction" is used, it is meant to be inclusive of the boundaries of the Hartsel Fire Protection District as they now or may hereafter exist.

Where the term "Chief" or "Chief of the Life Safety Division, is used, it shall be held to mean the Fire Chief of the Hartsel Fire Protection District, or the District's Fire Marshal or a designated member of the District.

Where the term "Board" is used, it shall be held to mean the Board of Directors of the Hartsel Fire Protection District.

Wherever the term "International Building Code" is used, it shall be held to mean the International Building Code as adopted, amended and incorporated into the Park County Building Code for unincorporated portions of Park County or the International Building Code as adopted, amended and incorporated into the applicable municipality's Building Code within a municipality's territorial limits. Wherever the term "International Building Code" is used, it shall be held to mean whatever Building Code (Uniform/International) as adopted, amended and incorporated into the Park County Building Code.

SECTION IV: Amendments made in and to the International Fire Code. Only Appendices D, F, H,I, and N shall be adopted as amended.

The International Fire Code is amended in the following respects:

❖ 1. Chapter 1, § 103.4 Add the sentence: "Nothing herein shall be construed as a waiver of immunities provided by §24-10-101, et seq., C.R.S. or by other statutes, or by the common law."

❖ 2. Chapter 1, § 104.6 shall be changed to the following: "The fire code official shall keep official records as required by Sections 104.6.1 through 104.6.4. Such official records shall be retained for not less than six years."

❖ 3. Chapter 1, § 104 .11 Add the sentence: "The authority of the Fire Chief of the District or designated members of the Life Safety Division and district to act as police officers shall only extend as far as the authority set forth in §32-1-1002, CRS, or other applicable state statutes."

❖ 4. Chapter 1, § 106 Add § 106.2.1 Setting of Fees

(a) Pursuant to §32-1-1002 (I)(e)(II) CRS, the Board may fix and from time to time may increase or decrease fees and charges, at its discretion, for inspections, operational permits, and review of plans and specifications, which are:

- (1) Requested or mandated for existing structures, buildings and improvements; and
- (2) Necessitated in conjunction with any county regulation, resolution or condition of development; or
- (3) Performed in conjunction with the construction of new structures, buildings, and improvements.

(b) Said fees and charges may, at the discretion of the Board, include a charge for reimbursement to the district of any consultation fees, expenses or costs incurred by the district in the performance of the inspections or review of the plans and specifications."

❖ 5. Chapter 1, § 109 shall be amended by the addition of the following sections:

109.4 "An appeal shall be heard by a subcommittee of three members of the Board, designated annually by the Board as members of the Appeal Committee. The decision of the Appeal Committee shall be deemed as final agency action for purposes of any grievant seeking judicial review of an adverse decision.

109.5 The Board, upon recommendation of the Appeals Committee or the chief or upon its own motion, may enter into written agreements for enforcement or compliance with the owner, lessee, occupant or authorized agent thereof, of any property, building or structure, or any interested person directly affected by the application of this code. Said agreements may extend the time for compliance with this code and may contain such terms and conditions that the Board deems appropriate to adequately protect the life, health, property, security and welfare of the general public.

109.6 Persons within the territorial limits of a county or municipality aggrieved under this code may file an appeal with the Board of Appeals of the District

109.7 Persons not within the territorial limits of a county or municipality aggrieved under this code may file an appeal with the Board of the Hartsel Fire Protection District under Chapter 1, § 109 of the International Fire Code."

❖ 6. Chapter 1, § 110.4 Violation penalties shall be replaced and amended as follows:

Persons who shall violate a provision of this code or shall fail to comply with any of the requirements thereof or who shall erect, install, alter, repair or do work in violation of the approved construction documents or directive of the fire code official, or of a permit or certificate used under provisions of this code, shall be guilty of a Fire Code Violation. County resolutions shall stipulate what the offense(s) will be. Each day that a violation continues after due notice has been served shall be deemed a separate offense.

- ❖ 7. Chapter 1, §112.4 Failure to comply shall be replaced and amended as follows:

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 subject to a fee, fine and/or imprisonment up to the maximum specified in §32-1-1001 and §32-1-1002, CRS. County resolutions shall stipulate what the offense(s) will be.

- ❖ 8. Chapter 1, Add § 114 to read as follows: "This Chapter shall be interpreted to be consistent with the provision of §32-1-1002(3), CRS"

- ❖ 9. Chapter 5, §503.2 Add the sentence: "See Appendix D for further requirements."

- ❖ 10. Chapter 5, Change §503.2.1 to read: "Fire apparatus access streets shall have an unobstructed width of not less than 24 feet, exclusive of shoulders, except at approved security gates in accordance with Section 503 .6, and an unobstructed vertical clearance of not less than 13 feet 6 inches.

- ❖ 11. Chapter 5, §503.2.3 Substitute "paved" for "surfaced". Add the sentence: "Grass concrete and similar surfaces are not allowed".

- ❖ 12. Chapter 5, Change §503.2.4 to read "Turning radius. The required turning radius of a fire apparatus access road shall be an inside radius of 27 feet and an outside radius of 54 feet or as determined by the fire chief. Computer modeling may be required to establish that fire apparatus with Hartsel Fire Protection District specifications can adequately maneuver proposed access pathways"

- ❖ 13. Chapter 5, Change §503.2.8 as follows; "Angles of approach and departure. The angles of approach and departure for fire apparatus access roads shall be no greater than 10% or within the limits established by the fire code official based on the fire district's apparatus."

- ❖ 14. Chapter 9, §901.6 Add to the end of the section: "The removal of any non-required fire protection systems or equipment shall be approved."

- ❖ 15. Chapter 9, §903.4.2 Amended as follows: "Alarms. An approved audible/visual appliance, located on the exterior of the building in an approved location, shall be connected to each automatic sprinkler system. Such sprinkler water-flow alarm appliances shall be activated by water flow equivalent to the flow of a single sprinkler of the smallest orifice size installed in the system. Where a fire alarm system is installed, actuation of the automatic sprinkler system shall actuate the building fire alarm system."

- ❖ 16. Chapter 9, §907.5.2.3 Add the sentence: "When occupant notification is silenced, the visible alarm notification appliance(s) shall continue to operate until the fire alarm and detection system is reset."

- ❖ 17. Chapter 9, Add: §907.6.6.3 Fire alarm panels and security alarm panels shall be separate and not combined."
- ❖ 18. Chapter 33, §3310.1 Required access. Prior to above ground construction and/or the storage of combustible materials, all access and water supplies for fire fighting vehicles shall be provided to construction or demolition sites as shown on the approved site plan in their entirety. Vehicle access shall be provided by either a paved or bottom lift road surface capable of supporting vehicle loading under all weather conditions at the site plan approved width.
- ❖ 19. Chapter 53, §5307.3, Add the sentence: "The provisions of this section shall apply to new or existing systems".
- ❖ 20. Chapter 56, §5601 Add the sentence: "This chapter shall be interpreted to be consistent with the provisions of part 20 of article 3 3. 5 of title 24, CRS and any applicable municipal ordinance or county resolution/ordinance, shall govern all fireworks, their sale, storage and use".

SECTION VI: Penalties

(a) Any owner, lessee, agent, or occupant of any building or premises maintaining any condition likely to cause fire or to constitute an additional fire hazard or any condition which impedes or prevents the egress of persons from such building or premises in violation of the provisions of CRS §32-1-1002(3), shall be deemed to be maintaining a fire hazard. Any person who violates any provision of said Section V, subsection (c) is guilty of a misdemeanor. Each day in which such violation occurs shall constitute a separate violation of CRS §32-1-1002(3).

(b) The application of the above penalty shall not be construed to prevent the enforced removal or correction of prohibited conditions or other injunctive relief.

SECTION VII: Repeal of Conflicting Ordinances or Resolutions.

All former ordinances or resolutions enacted by the District or parts thereof conflicting or inconsistent with the provisions of this resolution of the Code or standards hereby adopted are hereby repealed.

SECTION VIII: Validity and Conflict.

The Board hereby declares that should any section, paragraph, sentence or word of this resolution or of the code or standards hereby adopted be declared for any reason to be invalid, it is the intent of the Board that it would have passed all other portions of this resolution independent of elimination here from of any such portion as may be declared invalid. It is further the declaration of the Board that no provision of this resolution or the code or standards adopted herein be interpreted in conflict with existing State law. In the event there is conflict between State law and this code, State law shall take precedent.

SECTION IX: Date of Effect.

This resolution shall take effect and be enforced within the boundaries of the Hartsel Fire Protection District from and after its approval as set forth in CRS §32-I-1002(I)(d).

Adopted this 8th day of June, 2023

Hartsel Fire Protection District

Cynthia McArthur

President Cynthia McArthur

Susan Bergaudt

Vice President Susan Bergaudt

Ann Grothe

Secretary Ann Grothe

Treasurer

Beth Burtch

Member at Large Beth Burtch

