

GARFIELD COUNTY ORDINANCE NO. 2018-02

ORDINANCE AMENDING ORDINANCE 2011-1 RELATING TO THE ADOPTION
OF PRIOR FIRE CODES, AND THE ADOPTION OF THE CURRENT 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 October 2, 2017, 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 adoption of this Ordinance in a newspaper published in Garfield County; and

WHEREAS, prior to adoption this Ordinance was introduced and read at a regular meeting of the Board of County Commissioners on the 2nd day of July, 2018; 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 8th 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 102.1 Construction and design provisions. Delete line # 3. Existing structures, facilities and conditions where required in Chapter 11.

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 1,000-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. Are 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 and shall 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 shall be restricted.

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 (6.096 m), 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 (4.115 m).

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** 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 Sec 602 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 International Building Code (IBC) must be installed. Openings in these walls shall conform to the (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.

Section 903.2.8 Group R is amended to add the following Exception:

Exception: 1.Group R-2 and R-3 with occupancy of 5 or less(1,000sq.ft.floor area per Table 1004.1.2 IBC) under 3 stories in height.

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.

Chapter 11, Construction Requirements For Existing Buildings is deleted from this code and used as reference only.

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

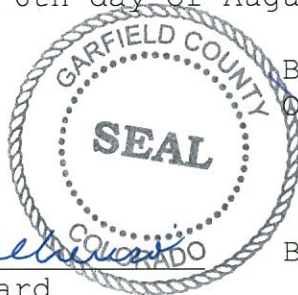
Pursuant to the provisions of §30-15-405, C.R.S., as amended, the Board of County Commissioners hereby determines that enactment of this Ordinance is necessary for the immediate preservation of the public health, safety and welfare of the citizens of Garfield County. This need arises from the requirement 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 6th day of August, 2018.

ATTEST:



BOARD OF COUNTY COMMISSIONERS
OF GARFIELD COUNTY, COLORADO

Jean M. Alvarado
Clerk to the Board

By: [Signature]
Chairperson

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

Commissioner John Martin, Chairman Aye
Commissioner Mike Samson Aye
Commissioner Tom Jankovsky Aye