

**RESOLUTION OF THE BOARD
OF DIRECTORS OF THE
SOUTH ADAMS COUNTY FIRE PROTECTION DISTRICT**

**RESOLUTION ADOPTING THE 2018 EDITION OF THE INTERNATIONAL FIRE CODE
WITH LOCAL AMENDMENTS, AS ADOPTED BY COMMERCE CITY, COLORADO**

WHEREAS, the South Adams County Fire Protection District ("District") is a political subdivision of the State of Colorado, formed pursuant to C.R.S. §32-1-101, *et seq.* ("Special District Act") to provide, among other services, fire prevention, public education and other life-safety services;

WHEREAS, a portion of the District's jurisdiction lies within the City of Commerce City, Colorado (the "City");

WHEREAS, the Special District Act authorizes the District's Board of Directors ("Board") to adopt and enforce a fire code within the District's jurisdiction; provided, however, that a fire code adopted by the District Board can only be enforced within the City if it is first approved by ordinance of the City Council of the City ("City Council");

WHEREAS, C.R.S. §32-1-1002(3)(b)(I) of the Special District Act requires the District's Fire Chief to "[e]nforce all laws of this state and ordinances and resolutions of the appropriate political subdivisions relating to the prevention of fires and the suppression of arson";

WHEREAS, effective December 4, 2019, the City Council adopted the attached Ordinance No. 2219 ("Ordinance"), which adopted the 2018 Edition of the International Fire Code, with certain local amendments ("Fire Code"), to apply within the City; and,

WHEREAS, pursuant to its statutory authority and mandates, the District Board desires and intends to adopt and enforce, within that portion of its jurisdiction that also lies within the City, the Fire Code adopted by the City Council through the attached Ordinance.

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE
SOUTH ADAMS COUNTY FIRE PROTECTION DISTRICT:**

1. The 2018 edition of the International Fire Code, with the amendments specifically identified in the attached Ordinance, is hereby adopted as the District's Fire Code for all purposes within the portion of the District's jurisdiction lying within the City of Commerce City;

2. On and after the date of this Resolution ("Effective Date") the Fire Code shall be administered and enforced within the portion of the District's jurisdiction lying within the City by the District's Fire Chief, or his/her authorized representative, as required and provided for in the Special District Act, and all other applicable federal, state or local laws, rules, and ordinances, or common law, and all actions taken by the Fire Chief or other personnel or representatives of District to enforce the Fire Code from the effective date of the Ordinance through the Effective Date of this Resolution are hereby ratified and approved;

3. For the purpose of enforcing the Fire Code, the Fire Marshal designated by the Fire Chief is an authorized representative of the Fire Chief. This section shall not limit the designation of additional authorized representatives if the Fire Chief deems it necessary for the effective enforcement of the Fire Code;

4. Nothing contained in this Resolution shall be construed as modifying or limiting in any manner the powers, duties and responsibilities of the District, and the District's Fire Chief or his/her authorized representative(s), set forth in the Special District Act, or as otherwise provided by federal, state or local laws, rules and ordinances, or common law;

5. The Fire Code shall be interpreted in conformance with all federal, state and local laws and ordinances, including but not limited to the Special District Act; and,

6. If any provision of this Resolution or the attached Ordinance is for any reason held to be invalid, that invalidity shall not affect the validity of the remaining provisions of this Resolution and the attached Ordinance. The Board expressly declares it would have adopted this Resolution and the attached Ordinance even if a provision contained in either this Resolution or the attached Ordinance is declared invalid.

APPROVED AND ADOPTED this 21st day of January, 2020.

BOARD OF DIRECTORS
SOUTH ADAMS COUNTY FIRE PROTECTION DISTRICT


Director


Director


Director


Director

Director

ORDINANCE NO. 2219

INTRODUCED BY: DAVIS, DOUGLAS, FORD, FRANK, GUARDIOLA, HURST,
HUSEMAN, MADERA, TETER

ORDINANCE REPEALING AND REENACTING DIVISION 10 OF ARTICLE IV OF CHAPTER 5 OF THE COMMERCE CITY REVISED MUNICIPAL CODE TO ADOPT THE *2018 INTERNATIONAL FIRE CODE*, INCLUDING APPENDIX CHAPTERS B, C, D, E, F, H, I, J, K, M AND N, WITH AMENDMENTS

WHEREAS, the City Council has determined that it is in the best interests of the City to adopt the 2018 versions of ten interconnected basic international construction codes: the *International Building Code*, *International Residential Code*, *International Existing Building Code*, *International Property Maintenance Code*, *International Plumbing Code*, *International Mechanical Code*, *International Fuel Gas Code*, *International Energy Conservation Code*, *International Fire Code*, and the *International Swimming Pool and Spa Code*; and to repeal and replace similar codes previously adopted; and

WHEREAS, the City Council has specifically determined that it is in the best interest of the health, safety, and welfare of the City and its citizens that the *2012 International Fire Code*, previously adopted and amended by the City pursuant to Ordinance No. 2091, be repealed and that in its place, the *2018 International Fire Code* be adopted, with local amendments as set forth in this Ordinance;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF COMMERCE CITY, COLORADO AS FOLLOWS:

SECTION 1. Division 10 of article IV of chapter 5 of the Commerce City Revised Municipal Code, entitled "International Fire Code"—including section 5-41002 of the Commerce City Revised Municipal Code, entitled "Appeals"—is hereby repealed in its entirety. This repeal shall not affect or prevent the prosecution or punishment of any person for any act done or committed in violation of any ordinance hereby repealed prior to this Ordinance taking effect. Division 10 of article IV of chapter 5 of the Commerce City Revised Municipal Code is hereby enacted to provide for the adoption of the 2018 International Fire Code, including Appendix Chapters B, C, D, E, F, H, I, J, K, L, M and N and all standards contained in such code and appendix chapters, as amended herein, and shall read as follows:

ARTICLE IV. INTERNATIONAL CODES

...

Division 10. International Fire Code

Sec. 5-41000. Adoption.

The City of Commerce City adopts the 2018 edition of the International Fire Code,

including Appendix Chapters B, C, D, E, F, H, I, J, K, L, M and N, and all standards contained in such code and appendix chapters (the "IFC"), save and except such amendments as set forth in this article. Copies of the IFC are on file in the city clerk's office and may be inspected during regular business hours.

Sec. 5-41001. Amendments.

The 2018 edition of the International Fire Code is amended in the following respects and adopted herein as amended:

(a) Section 101.1 is amended to read as follows:

101.1 Title. These regulations shall be known as the Fire Code of the City of Commerce City, hereinafter referred to as "this code."

(b) Section 102.11, entitled "Other Laws," is amended by addition of the following:

Whenever any county health department, state, federal, or local law or regulation imposes a greater or more restrictive requirement than required by this code, the provisions of those laws or regulations shall govern. Whenever the requirements imposed by this code are greater or more restrictive than the requirements imposed by any other law or regulation or resolution of any governmental body, then the requirement of this code shall govern.

(c) Section 103.1, entitled "General," is amended to read as follows:

103.1 General. The department of fire prevention is established within the jurisdiction under the direction of the fire code official. As used in this code, "department of fire prevention" shall mean the South Adams County Fire Protection District or Greater Brighton Fire Protection District, as applicable. The South Adams County Fire Protection District and Greater Brighton Fire Protection District are charged with the implementation, administration, and enforcement of the provisions of this code.

(d) New Section 103.1.1, entitled "South Adams County Fire Protection District," is added to read as follows:

103.1.1 South Adams County Fire Protection District. For the administration and enforcement of this code within the South Adams County Fire Protection District, the terms "chief," "chief of the fire department," "fire marshal," "bureau of fire prevention," "fire prevention bureau," "fire prevention engineer," and "fire code official" shall mean "Fire Marshal of the South Adams County Fire Protection District, Colorado," except in Section 104.11 where the term "chief" shall mean "Chief of the South Adams County Fire Protection District" and the term "fire department" shall mean the "South Adams County Fire Protection

District.

- (e) New Section 103.1.2, entitled "Greater Brighton Fire Protection District," is added to read as follows:

103.1.2 Brighton Fire Rescue District. For the administration and enforcement of this code within the Greater Brighton Fire Protection District, the terms "chief," "chief of the fire department," "fire marshal," "bureau of fire prevention," "fire prevention bureau," "fire prevention engineer," and "fire code official" shall mean "Fire Marshal of the Greater Brighton Fire Protection District," except in Section 104.11 where the term "chief" shall mean "Chief of the Greater Brighton Fire Protection District" and the term "fire department" shall mean the "Greater Brighton Fire Protection District."

- (f) Section 104.3, entitled "Right of entry," is hereby deleted in its entirety and the following is added in lieu thereof:

104.3 Right of entry. The fire code official's right to enter and inspect property shall be exercised in accordance with section 1-3001 of the Commerce City Revised Municipal Code, as amended from time to time.

- (g) Section 106, entitled "Fees," is deleted in its entirety and the following is added in lieu thereof:

SECTION 106 - FEES

106.1 Payment of fees. The fees for any permit issued pursuant to this code, as well as related fees for work done in connection to or concurrently with the work authorized by a permit, shall be set by resolution of the city council. The city council is also authorized to establish a refund policy, and to impose additional fees for any person who commences any work before obtaining the necessary permits. No permit shall be valid until the appropriate fees have been paid, except emergency permits issued pursuant to Section 105.1.4.

- (h) Section 109, entitled "Board of Appeals," is hereby deleted in its entirety and the following is added in lieu thereof:

SECTION 109 - APPEALS

109.1 Board of appeals. In order to hear and decide appeals of orders, decisions or determinations made by the fire code official relative to the application and interpretation of this code, there shall be and is hereby created a board of appeals. For provisions relating to the board of appeals, see section 5-21 of the Commerce City Revised Municipal Code.

- (i) Section 110, entitled "Violations," is deleted in its entirety and the following is added in lieu thereof:

SECTION 110 – VIOLATIONS

110.1 Unlawful acts. No person or entity shall violate a provision of this code, or fail to comply therewith or with any of the requirements thereof. No person or entity shall fail to comply with any order issued by the fire code official under this code. No person or entity shall erect, construct, alter, repair, remove, demolish or utilize a building, occupancy, premises or system regulated by this code, or cause same to be done, except in conformity with all of the provisions of this code and in conformity with the terms and conditions of any permit, certificate, or other approval issued under this code, or of any directive of the fire code official.

110.2 Penalties and enforcement. Violations of this code are subject to enforcement through the penalties, procedures, and remedies specified in article V, chapter 5 and other applicable provisions of the Commerce City Revised Municipal Code, at the discretion of the City.

- (j) Section 112, entitled "Stop Work Order," is deleted in its entirety and the following is added in lieu thereof:

SECTION 112 – STOP WORK ORDER

112.1 General provisions. Where the fire code official finds any work regulated by this code being performed in a manner either contrary to the provisions of this code or in a manner that is dangerous or unsafe, the fire code official is authorized to issue a stop work order in accordance with the provisions of section 5-5007 of the Commerce City Revised Municipal Code, as may be amended from time to time.

- (k) Section 503.2.1, entitled "Dimensions," is amended to read as follows:

SECTION 503 - FIRE APPARATUS ACCESS ROADS

503.2.1 Dimensions. Fire Apparatus Roads shall have an unobstructed width of not less than 24 feet (7315.2 mm), exclusive of 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).

- (l) Section 507.5.1.2, entitled "Hydrant for automatic sprinkler systems," is added to read as follows:

SECTION 507 - FIRE PROTECTION WATER SUPPLIES

Section 507.5.1.2 Hydrant for automatic sprinkler systems. Buildings equipped with an automatic sprinkler system installed in accordance with

903.3.1.1 and 903.3.1.2 shall have a fire hydrant within 150 feet (45720 mm) of the fire department connection.

Exception: The distance shall be permitted to exceed 150 feet (45720 mm) where approved by the fire code official.

(m) Section 903.4.2.1, entitled "Audible and visual," is added to read as follows:

SECTION 903 - AUTOMATIC SPRINKLER SYSTEMS

Section 903.4.2.1 Audible and visual. Approved audible and visual devices shall be installed throughout all buildings provided with an automatic sprinkler system.

SECTION 2. The recitals to this Ordinance are incorporated as findings of the City Council.

SECTION 3. Any person or entity who violates, disobeys, omits, neglects, refuses, or fails to comply with or resists the enforcement of the IFC, as amended by this Ordinance, shall be subject to the applicable enforcement and remedy provisions contained in the IFC and the enforcement, remedy, and penalty provisions of the Commerce City Revised Municipal Code, as may be amended from time to time.

SECTION 4. This Ordinance shall take effect on December 4, 2019.

INTRODUCED, PASSED ON FIRST READING AND PUBLIC NOTICE ORDERED THIS 7TH DAY OF OCTOBER 2019.


PASSED ON SECOND AND FINAL READING AND PUBLIC NOTICE ORDERED THIS 4TH DAY OF NOVEMBER 2019.

CITY OF COMMERCE CITY, COLORADO



Sean Ford, Mayor

ATTEST


Laura J. Bauer, MMC, City Clerk

