

STATE OF COLORADO)
COUNTY OF ADAMS)

At a regular meeting of the Board of County Commissioners for Adams County, Colorado, held at the Administration Building in Brighton, Colorado on the 12th day of July, 2006 there were present:

Alice J. Nichol _____	Chairman
W.R. "Skip" Fischer _____	Commissioner
Larry W. Pace _____	Commissioner
Hal B. Warren _____	County Attorney
Kristen Hood, Deputy _____	Clerk of the Board

when the following proceedings, among others were held and done, to-wit:

RESOLUTION TO REPEAL AND RE-ENACT ORDINANCE NO. 4 FOR PURPOSES OF REPEALING THE 1997 EDITION OF THE UNIFORM FIRE CODE AND ADOPTING THE 2006 EDITION OF THE INTERNATIONAL FIRE CODE WITH AMENDMENTS THERETO

WHEREAS, on the 26th day of June, 2006, the Board of County Commissioners (the "Board") had the first reading to repeal and re-enact Ordinance No. 4, for purposes of repealing the 1997 Edition of the Uniform Fire Code and adopting the 2006 Edition of the International Fire Code, with certain amendments thereto, and prescribing regulations governing conditions and providing penalties for violations thereof; and,

WHEREAS, following the first reading, the Board authorized the Clerk of the Board to publish legal notice of the Ordinance amendments as required by state statute; and,

WHEREAS, the notice to repeal and re-enact Ordinance No. 4, repealing the 1997 Edition of the Uniform Fire Code and adopting the 2006 Edition of the International Fire Code with certain amendments was published in full in various issues of all five official county newspapers; and,

WHEREAS, as required by § 30-15-405, C.R.S., this Ordinance shall be republished in a newspaper of general circulation in the County by title only plus any amendments, and shall contain the date of the initial publication; and,

NOW, THEREFORE, BE IT RESOLVED, by the Board of County Commissioners, County of Adams, State of Colorado, that Ordinance No. 4, which implements the 1997 Edition of the Uniform Fire Code, be repealed and Ordinance No. 4 implementing the 2006 Edition of the International Fire Code, with amendments, the full text of which is attached hereto and fully incorporated herein by this reference, be enacted and adopted, thereby repealing the 1997 Edition of the Uniform Fire Code and adopting the 2006 Edition of the International Fire Code, with certain amendments thereto and prescribing regulations governing conditions, and providing penalties for violations thereof.

NOW, THEREFORE, BE IT FURTHER RESOLVED WHEREAS, that Ordinance No. 4, shall become effective thirty (30) days after final publication, or August 23, 2006.

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

Nichol _____ Aye
Fischer _____ Aye
Pace _____ Aye

Commissioners

STATE OF COLORADO)
County of Adams)

I, Carol Snyder, County Clerk and ex-officio Clerk of the Board of County Commissioners in and for the County and State aforesaid do hereby certify that the annexed and foregoing Order is truly copied from the Records of the Proceedings of the Board of County Commissioners for said Adams County, now in my office.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said County, at Brighton, Colorado this 12th day of July, A.D. 2006.

County Clerk and ex-officio Clerk of the Board of County Commissioners
Carol Snyder:



By:

Deputy

ORDINANCE NO. 4

AN ORDINANCE REPEALING THE 1997 EDITION OF THE UNIFORM FIRE CODE AND ADOPTING THE 2006 EDITION OF THE INTERNATIONAL FIRE CODE WITH CERTAIN AMENDMENTS THERETO AND PRESCRIBING REGULATIONS GOVERNING CONDITIONS AND PROVIDING PENALTIES FOR VIOLATIONS THEREOF

WHEREAS, the Board of County Commissioners is authorized under § 30-15-401.5, et seq., C.R.S., to adopt an ordinance for the provision of fire safety standards; and,

WHEREAS, in 1999, the Board of County Commissioners adopted the Uniform Fire Code, 1997 Edition, as Ordinance No. 4; and,

WHEREAS, pursuant to § 30-15-401.5(2), C.R.S., the Adams County Fire Code Adoption and Revision Commission has recommended that the Board of County Commissioners adopt the 2006 edition of the International Fire Code, with certain amendments; and,

WHEREAS, Chapter 33 of the 2006 Edition of the International Fire Code pertains to explosives and fireworks, and section 3301.1.3 provides that “[t]he possession, manufacture, storage, sale, handling and use of specific fireworks are prohibited..;” and,

WHEREAS, § 30-15-401.5(10), C.R.S., states “...no county or fire protection district shall prohibit the sale of permissible fireworks, as defined in § 12-28-101(8), C.R.S., within its jurisdiction; and,

WHEREAS, the Adams County Development Standards and Regulations (“ACDSR”), section 4-04-02-06, specifically allows for the sale of permissible fireworks from temporary stands; and,

WHEREAS, in repealing the 1997 Edition of the Uniform Fire Code and adopting the 2006 Edition of the International Fire Code, the Board of County Commissioners must comply with the provisions of § 30-15-401.5(10), C.R.S. and ACDSR section 4-04-02-06; and,

WHEREAS, to clarify this intent, Ordinance No. 4 Section 5 shall be amended to add paragraph “d” as follows:

(d) CHAPTER 33- EXPLOSIVES AND FIREWORKS

- (i) Section 3301.1.3 Fireworks of the International Fire Code, 2006 Edition, is amended to add a fifth EXCEPTION to read “5. The sale or use of permissible fireworks,” as defined under section 12-28-101(8), as amended, of the Colorado Revised Statutes.”
- (ii) Section 3301.1.3 Fireworks of the International Fire Code, 2006 Edition, is amended to add a sixth EXCEPTION to read “6. The sale of permissible fireworks from temporary stands in accordance with Adams County Development Standards and Regulations, Chapter 4, section 4-04-02-06, as amended.”

NOW, THEREFORE, BE IT RESOLVED, by the Board of County Commissioners, County of Adams, State of Colorado, that Ordinance No. 4 is repealed and re-enacted hereby repealing the 1997 Edition of the Uniform Fire Code and adopting the 2006 Edition of the International Fire Code, with certain

amendments thereto and prescribing regulations governing conditions, and providing penalties for violations thereof, on the effective day of this Ordinance No. 4.

BE IT FURTHER RESOLVED by the Board of County Commissioners, County of Adams, State of Colorado, that:

Section 1. ADOPTION

The Board of County Commissioners of Adams County hereby adopts, by reference, the International Fire Code, 2006 edition, with amendments as described in Section 5, and including the following appendices: Appendix B, Fire-Flow Requirements for Buildings; Appendix C, Fire Hydrant Locations and Distribution; Appendix E, Hazard Categories; Appendix F, Hazard Ranking; and Appendix G, Cryogenic Fluids-Weight and Volume Equivalents.

Section 2. CODE DESCRIBED

The International Fire Code, 2006 edition, is published by the International Code Council, 5203 Leesburg Pike, Suite 708, Falls Church, VA 22041-3401.

Section 3. APPLICABILITY

Pursuant to § 30-15-401.5(3), C.R.S., this Ordinance shall apply to all of the unincorporated areas of Adams County, and to any incorporated town or city which elects by ordinance or resolution to have the provisions of this Ordinance apply. The provisions of this Ordinance shall not overrule or otherwise restrict the authority of the Board of County Commissioners or any other applicable official of Adams County in authorizing land uses or otherwise acting under the authority of any other adopted codes or regulations of Adams County, or enforcing the provisions thereof.

Section 4. BOARD OF APPEALS

The "Board of Appeals," as described in Section 108 of the International Fire Code, 2006 edition, shall be the Adams County Board of Fire Code Appeals as appointed by the Board of County Commissioners. Whenever the fire code official disapproves an application or refuses to grant a permit applied for, or when it is claimed that the provisions of the International Fire Code do not apply or that the true intent and meaning of the International Fire Code have been misconstrued or wrongly interpreted, the applicant may appeal the decision of the fire code official to the Adams County Board of Fire Code Appeals within thirty (30) days from the date the decision being appealed was made.

Section 5. AMENDMENTS

(a) CHAPTER 1- ADMINISTRATION

- (i) Section 102.10 Application of residential code is added to amend the International Fire Code, 2006 edition, as follows:

Where structures are designed and constructed in accordance with the International Residential Code, the provisions of this code shall apply as follows:

1. Construction and design provisions: Provisions of this code pertaining to the exterior of the structure shall apply including, but not limited to, premises

identification, fire apparatus access, and water supplies. Where this code addresses fire sprinklers in residential occupancies, it refers to residential occupancies constructed pursuant to both the International Building Code and the International Residential Code. Construction permits for systems and equipment utilized in the interior or exterior of the structure shall also apply.

2. Administrative, operational, and maintenance provisions: All such provisions of this code shall apply.

References in this code to Group R-3 or U occupancies or one- and two-family dwellings shall apply to structures under the scope of the International Residential Code where appropriate.

- (ii) Section 106.5 Inspection requests are added to amend the International Fire Code, 2006 edition, as follows:

It shall be the duty of the person doing the work authorized by a construction permit to notify the fire code official, or his/her designee, that such work is ready for inspection. The fire code official is authorized to require that every request for inspection be filed not less than two (2) working days before such inspection is desired. Such requests may be in writing or by telephone at the option of the fire code official or his/her designee.

It shall be the duty of the person requesting any required inspections to provide access to and means for proper inspection of such work.

(b) CHAPTER 5- FIRE SERVICE FEATURES

- (i) Section 503.2.1 Dimensions of the International Fire Code, 2006 edition, is deleted; and the following new Section 503.2.1 Dimensions is added:

Fire apparatus access roads shall have an unobstructed width of not less than twenty four (24) feet and an unobstructed vertical clearance of no less than thirteen (13) feet six (6) inches.

- (ii) Section 503.2.2 Authority of the International Fire Code, 2006 edition, is deleted; and the following new Section 503.2.2 Authority is added:

The fire code official shall have the authority to require an increase in the minimum access widths and vertical clearances where they are inadequate for fire or rescue operations. The fire code official shall have the authority to reduce minimum access widths and vertical clearances based on the fire department's apparatus.

- (iii) Section 511 Fire Protection in Recreational Vehicle, Mobile Home, and Manufactured Housing Parks, Sales Lots, and Storage Lots is added to amend the International Fire Code, 2006 edition, as follows:

Recreational vehicle, mobile home, and manufactured housing parks, sales lots, and storage lots shall provide and maintain fire hydrants and access roads in accordance with Sections 503 and 508.

EXCEPTION: Recreational vehicle parks located in remote areas shall be provided with protection and access roadways as required by the fire code official.

- (iv) Section 512 Public Safety Radio Amplification System is added to amend the International Fire Code, 2006 edition, as follows:

512.1 Purpose. The purpose of Section 512 is to provide minimum standards to insure a reasonable degree of reliability for emergency services communication from within certain buildings and structures to and from emergency communication centers. It is the responsibility of the emergency service provider to receive the signal to and from the building or structure.

512.2 Scope. The provisions of Section 512 shall apply to:

1. New buildings and structures greater than 50,000 square feet or additions or modifications that cause the buildings to be greater than 50,000 square feet.
2. All basements over 10,000 square feet where the design occupant load is greater than 50, regardless of the occupancy.
3. Existing buildings and structures of any size or construction type where the chief law enforcement official or the fire chief determines that lack of adequate radio coverage for emergency services providers either constitutes a special hazard to occupants or emergency responders or would otherwise likely result in unduly difficult conduct of emergency operations.

For purposes of this section, fire walls cannot be used to define separate buildings.

512.3 Radio coverage. Except as otherwise provided in Section 512, no person shall erect, construct, or modify any building or structure or any part thereof, or cause the same to be done which fails to support adequate radio coverage for emergency services providers.

512.3.1 Frequency range. After a building permit has been issued, upon request by the owner or the owner's agent, the chief law enforcement official's department will, within ten to fourteen days, identify the frequency range or ranges that must be supported.

512.3.2 Communications equipment. In the event that an emergency service provider modifies its communications equipment in any way that impairs its ability to communicate with an existing system installed in accordance with this part, such agency shall be responsible for all costs associated with reestablishing communications within the affected building or structure.

512.3.3 Adequate radio coverage defined. Adequate radio coverage for emergency services providers requires:

1. That on each floor, 85% of valid tests conducted in accordance with Section 512.6 result in intelligible two-way communications between the appropriate dispatch center and the tester in the building; and
2. That 100% of valid tests conducted in accordance with Section 512.6 result in intelligible two-way communications between the appropriate dispatch center and the tester within the following building spaces:
 - a. Throughout vertical exit enclosures and horizontal exit passageways;
 - b. Fire command centers, if provided;
 - c. Law enforcement substation.

512.4 FCC authorization. If amplification is used in the system, all FCC authorizations must be obtained prior to the use of the system. A copy of these authorizations shall be provided to the chief law enforcement official.

512.5 Enhanced amplification systems. Where buildings and structures are required to provide amenities to achieve adequate signal strength, such buildings and structures shall be equipped with any of the following to achieve the required adequate radio coverage: radiating cable systems, internal multiple antenna systems with a frequency range as established in Section 512.3.1, with amplification systems as needed, voting receiver system, or any other approved system.

512.5.1 Redundant power supply. If any part of the installed

system or systems contains an electrically powered component, the system shall be capable of operation on an independent battery and/or generator system for a period of at least four hours without external power input or maintenance. The battery system shall automatically charge in the presence of external power input.

512.6 Testing procedures. Measurements shall be made in accordance with Section 512.6.

512.6.1 Portable radio. Each measurement shall be made using a portable radio in general use by each emergency-service-provider agency, which agencies minimally include the chief law enforcement official's department and the fire department. Any digital, non-simplex channel programmed into such radio may be used during testing; the same channel need not be used for all tests.

512.6.1.1 Battery condition. Portable radios used in testing shall not be displaying "low battery" indications.

512.6.2 Radio orientation. During test transmissions, the portable radio shall be held approximately two (2) inches from the mouth of the tester, at approximately a 45-degree angle with the tester's face, with the built-in microphone and speaker directed towards the tester's mouth, and with the antenna in a vertical orientation above the radio. The antenna of each radio shall be mounted directly on the top of the radio body/case. The built-in microphone shall be used for all testing; shoulder or other attached microphones/headsets shall not be used for testing.

512.6.3 Persons conducting test. Both initial and annual tests shall be conducted by persons employed by the emergency-service-provider agency. At least one tester from the chief law enforcement official's department and one tester from the fire department shall conduct initial and annual tests, unless alternate arrangements are approved by both agencies.

512.6.4 Positioning. The tester shall orient himself or herself so as to be facing towards the exterior wall of the building nearest the point of the test.

512.6.5 Determination of intelligibility. Each tester shall be solely responsible for determining whether or not radio messages received in the building are intelligible; the dispatcher at the emergency-agency dispatch center shall be solely responsible for determining whether or not radio messages received in the dispatch center are intelligible. An unintelligible message constitutes a failure of the test at the specific location being tested (see below).

512.6.6 Test performance. The tester in the building shall initiate each test by attempting to transmit a message to the dispatch center. Failure to receive a reply from the dispatch center constitutes a failure of the test at the specific location being tested.

512.6.6.1 Determination of test validity. The tester in the building shall exercise reasonableness and discretion in the conduct of all tests. If the tester believes a particular test is not valid (e.g., is flawed by human error), then the results of that test may be discarded and the test shall be repeated.

512.6.7 Initial testing. The initial assessment of the need for radio amplification in a building shall be in accordance with Section 512.6.7.

512.6.7.1 Floors. Each floor of the structure shall be divided into 100-foot grids, and testing shall be performed at the center of each grid. In critical areas, including (but not limited to) those areas enumerated in Section 512.3.3(2), the grids shall be reduced to 25 feet. At least one test shall be conducted at the center of every room having a use identified in Sections 512.3.3(2)b or 512.3.3(2)c. The size of the grids may also be further reduced upon recommendation of any tester in areas where displays, equipment, stock, or any other obstruction may significantly affect communications or attenuate radio signals.

512.6.7.2 Vertical exit enclosures. A test shall be performed on every landing within vertical exit enclosures.

512.6.8 Annual tests. Annual tests will be conducted jointly by both the fire department and the chief law enforcement official's department. If the communications appear to have degraded or if the testing fails to demonstrate adequate system performance, the owner of the building or structure shall remedy the problem and restore the system in a manner consistent with the original approval criteria.

512.6.8.1 Building alterations. If the degradation to the system is due to building additions or remodeling, the owner of the building or structure is required to remedy the problem and restore the system in a manner consistent with the original approval criteria in order to obtain a final inspection for occupancy.

512.6.8.2 Other system degradation. Any system degradation or failure not related to the performance of the owner's on-site system will be the responsibility of the appropriate emergency service agency.

(c) **CHAPTER 9- FIRE PROTECTION SYSTEMS**

- (i) Section 903.2.4.1 General of the International Fire Code, 2006 edition, is deleted; and the following new Section 903.2.4.1 General is added:

An approved automatic sprinkler system shall be provided throughout all buildings containing a Group H occupancy.

- (ii) Section 903.2.7 Group R of the International Fire Code, 2006 edition, is deleted; and the following new Section 903.2.7 Group R is added:

An automatic sprinkler system installed in accordance with Section 903.3 shall be provided throughout all buildings with a Group R fire area.

EXCEPTION 1: An automatic sprinkler system need not be installed in detached single-family homes where the Group R fire area does not exceed 3,600 square feet, unless such system is required pursuant to other sections of this code.

EXCEPTION 2: An automatic sprinkler system installed in accordance with Section 903.3.1.1 shall be provided throughout all Group R-2 occupancies that meet the federal Fair Housing Act definition of senior housing or housing for older persons.

- (iii) Section 907.2.2 Group B of the International Fire Code, 2006 edition, is deleted; and the following new Section 907.2.2 Group B is added:

A fire alarm system shall be installed in Group B occupancies as follows:

1. A manual fire alarm system shall be installed in Group B occupancies having an occupant load of 500 or more persons or more than 100 persons above or below the lowest level of exit discharge.

EXCEPTION: Manual fire alarm boxes are not required where the building is equipped throughout with an automatic sprinkler system and the alarm notification appliances will activate upon sprinkler water flow.

2. An approved, complete automatic and manual fire alarm system shall be provided throughout all buildings containing a Group B occupancy of five thousand (5,000) square feet or larger.

(iv) Section 907.2.5 Group H of the International Fire Code, 2006 edition, is deleted; and the following new Section 907.2.5 Group H is added:

All Group H occupancies shall have an approved, complete automatic and manual fire alarm system. An automatic smoke detection system shall be installed for highly toxic gases, organic peroxides, and oxidizers in accordance with Chapters 37,39, and 40, respectively.

(d) CHAPTER 33- EXPLOSIVES AND FIREWORKS

- (i) Section 3301.1.3 Fireworks of the International Fire Code, 2006 Edition, is amended to add a fifth EXCEPTION to read “5. The sale or use of permissible fireworks, as defined under section 12-28-101(8), as amended, of the Colorado Revised Statutes.”
- (ii) Section 3301.1.3 Fireworks of the International Fire Code, 2006 Edition, is amended to add a sixth EXCEPTION to read “6. The sale of permissible fireworks from temporary stands in accordance with Adams County Development Standards and Regulations, Chapter 4, section 4-04-02-06, as amended.”

Section 6. PENALTIES

Pursuant to § 30-15-402, C.R.S., any person who violates the provisions of this Ordinance commits a class 2 petty offense and, upon conviction thereof, shall be punished by a fine of not more than one thousand dollars (\$1000) for each separate violation. In addition, persons convicted of a violation of this Ordinance are subject to a surcharge of ten dollars (\$10). These surcharges shall be paid to the clerk of the court by the defendant. Each clerk shall transmit the moneys to the Adams County Court Administrator for credit to the victims and witnesses assistance and law enforcement fund established in Adams County pursuant to § 24-4.2-103, C.R.S.

Section 7. REPEAL OF CONFLICTING ORDINANCES

All former Fire Code Ordinances or Resolutions previously adopted are hereby repealed in their entirety and re-enacted in accordance with the provisions of this Ordinance.

Section 8. SEVERABILITY

The Board of County Commissioners hereby declares that should any article, section, paragraph, sentence, clause or phrase of this Ordinance be held to be unconstitutional or invalid for any reason, such decision shall not affect the validity or constitutionality of the remaining portions of this Ordinance. The Board of County Commissioners hereby declares that it would have passed this Ordinance, and each part or parts thereof, irrespective of the fact that any one part or parts be declared invalid or unconstitutional.

Section 9. SAFETY CLAUSE

The Board of County Commissioners hereby finds, determines, and declares that this Ordinance is necessary for the preservation of the public health, safety, and welfare.

Section 10. DATE OF EFFECT

The Board of County Commissioners of Adams County, Colorado, hereby determines that this Ordinance shall become effective on **August 23, 2006**.