

RESOLUTION No. 2014-11-001
Fire Code
Foothills Fire Protection District

A RESOLUTION ADOPTING THE 2012 EDITION OF THE INTERNATIONAL FIRE CODE, REGULATING AND GOVERNING CONDITIONS HAZARDOUS TO LIFE AND PROPERTY FROM FIRE OR EXPLOSTION, AND PROVIDING FOR THE ISSUANCE OF PERMITS FOR HAZARDOUS USES OR OPERATION.

WHEREAS, the Foothills Fire Protection District provides fire protection services to part of the unincorporated limits of the County of Jefferson; and

WHEREAS, the Board of Directors of the Foothills Fire Protection District have previously adopted the **2012** International Fire Code in part; and

WHEREAS, from time to time the Board of Directors have adopted a fire code to provide for uniformity of requirements within the total District, to assist in the preservation of property and lives, to clarify relations between this and neighboring Districts, and to promote the prevention of fire and damage within the District; and

WHEREAS, the Colorado State Legislature, through the adoption of House Bill 1320, has provided in Section 1002 (d) of Title 32, Article I of the Colorado Revised Statutes, for the adoption and enforcement of fire codes by Colorado Fire Protection Districts; and

WHEREAS, House Bill 1320 also requires that the Board of County Commissioners approve all fire codes adopted by fire districts which are also within unincorporated portions of a county; and

WHEREAS, other Jefferson County Fire Districts have adopted the International Fire Code (2012 Edition) including Appendix Chapter B, Appendix Chapter C, Appendix Chapter E, Appendix Chapter F and Appendix Chapter G as promulgated by the International Code Council; and

WHEREAS, the Board desires to maintain uniformity within the county by similarly adopting the code.

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE FOOTHILLS FIRE PROTECTION DISTRICT THAT:

- I. The International Fire Code (**IFC**) (**2012 Edition**) including Appendix Chapters B, C, E, F and G as promulgated by the International Code Council is hereby adopted with such portions as are hereinafter deleted, modified, or amended.
- II. The International Urban-Wildland Interface Code (**IU-WIC**) (**2012 Edition**) except Chapter 5 and section 403 as promulgated by the International Code Council is hereby adopted with such portions as are hereinafter deleted, modified, or amended.
- III. **NFPA 1142 (2012 Edition) Standard on Water Supply for Suburban and Rural Fire Fighting as promulgated by the National Fire Protection Association with such portions as are hereinafter deleted, modified, or amended.**

- IV. From and after this date, said Code shall be administered and enforced by the Fire Chief of the Foothills Fire Protection District or his authorized representative, as required and provided for in Section 1002 of Title 32, Article I of the Colorado Revised Statutes.
- V. The Fire Inspector of Foothills Fire Protection District for purposes of enforcing said Code shall be considered an authorized representative of the Fire Chief. This section shall not limit the designation of additional authorized representatives if the Chief, with approval by the Board, deems it necessary for the effective enforcement of the Code.
- VI. Nothing contained herein shall be construed as modifying or limiting the powers, duties, and responsibilities of the Fire Chief of the Foothills Fire Protection District or his authorized representative to carry out and fulfill those powers and obligations set forth and enumerated in Section 1002 of Title 32, Article I of the Colorado Revised Statutes as amended.
- VII. The 2012 International Fire Code is amended and changed in the following respects:
1. Chapter 1, Section 103.4 shall be amended by the addition of the following 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, Section 108 shall be amended by the deletion of said Section in its entirety and by the insertion of the following:
 - a. The Board Directors appointed Fire Appeals Board shall serve as the Appeals Committee and shall determine the suitability of the alternate materials and methods and type of construction and provide reasonable interpretations of the provisions of this Code upon the request of any interested party, including the Chief. Appeals must be submitted in writing to: Foothills Fire Protection District, 28812 Rainbow Hill Road, Evergreen, CO 80439
 - b. An application for appeal shall be based on a claim by the affected property owner that the intent of this code or the rules legally adopted hereunder have been incorrectly interpreted, the provisions of this code do not fully apply, or an equivalent method of protection or safety is proposed. The board shall have no authority to waive requirements of this code.
 - c. The Board, upon recommendations of 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.

- d. Affected property owners aggrieved under this code may file an appeal with the Fire Appeals Board of the Foothills Fire Protection District under Chapter 1, Section 108 of the International Fire Code. The board shall meet within 10 working days after receipt of a written appeal.
 - e. The Appeal shall be reviewed and applications heard by the members of the Fire Appeals 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. Every decision shall be promptly filed in writing in the office of the fire code official and shall be open to public inspection. A copy shall be sent by certified mail or otherwise to the appellant.
 - f. Quorum. Three members of the board shall constitute a quorum. In varying the application of any provisions of the fire code or in modifying an order of the fire code official, affirmative votes of the majority present shall be required.
 - g. Conflict of Interest. Members with a material or financial interest in a matter before the board shall declare such interest and refrain from participating in discussions, deliberations and voting on such matters.
3. Chapter 1, Subsection 111.4, delete the following, "shall be liable to a fine of not less than (Amount) dollars or more than (Amount) dollars," and replace with: "shall be subject to fine and/or imprisonment up to maximum specified in §32-1-1001 and 32-1-1002, C.R.S."
 4. IFC Chapter 1, Section 113 Inspection Fees:
 - a) Pursuant to §32-1-1002 (1)(e)(II) C.R.S., the Board may fix and from time to time may increase or decrease fees and charges, as its discretion, for inspections 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, testing, or review of the plans and specifications.
 5. IFC Chapter 3, Section 308.1.4 Open flame cooking devices, is hereby amended in its entirety to read as follows: " 308.1.4 Exception 3. L-P – gas burners having L-P gas container with a maximum capacity of 20 pounds [4.5 gallons L-P gas capacity] may be used on combustible balconies or within 10 feet of combustible construction."

Exception: "Devices using cooking oil for deep-frying are prohibited."

6. IFC Chapter 9, Section 901.6, Add to Section: "The Fire Marshal shall approve the removal of any and all fire protection systems or equipment."
7. IFC Chapter 33, Section 3302: This chapter shall be interpreted to be consistent with the provisions of §12-28-101 *et seq.*, C.R.S. and any applicable county resolution/ordinance, shall govern all fireworks, their sale, storage and use.
8. IFC Chapter 80 is amended by the addition of the following paragraph: "The latest and most current edition of the following codes and standards shall be used. In the event of a conflict between the provisions of these codes or standards and Colorado State Statutes, the most stringent provisions shall apply."
9. IFC Appendix B, Section B105.1 shall be amended by deletion of said Section in its entirety and by insertion of the following: One- and two-family dwellings. The minimum fire flow and flow duration requirements, i.e. Credible Water Supply, shall be as determined by the Fire Chief or Fire Marshal.
10. IU-WIC Chapter 4, Section 404.5.1 shall be amended by deletion of said section in its entirety and by insertion of the following: The minimum fire flow and flow duration requirements, i.e. Credible Water Supply, shall be as determined by the Fire Chief or Fire Marshal.
11. Existing internal policies such as enforcement of Jefferson County Roadway Design & Construction Manual standards from the public right-of-way to the point of service for fire attack on the associated property will continue to be enforced within the district with regards to Fire Department Access. Determination of an adequate Fire Protection Water Supply will be determined by the Foothills Fire Chief or Fire Inspector.

ADOPTED AT A GENERAL PUBLIC MEETING OF THE BOARD OF DIRECTORS OF THE FOOTHILLS FIRE PROTECTION DISTRICT this 18 day of November, 2014.

BOARD OF DIRECTORS OF FOOTHILLS
FIRE PROTECTION DISTRICT

By: 

David B. Robinson
President

ATTEST:



Patrick Smith
Secretary