

HUDSON FIRE PROTECTION DISTRICT

RESOLUTION NO. 2006-__

A RESOLUTION ADOPTING THE 2006 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 Hudson Fire Protection District ("District") is a political subdivision of the State of Colorado and a duly organized and existing special district pursuant to Title 32, Colorado Revised Statutes; and

WHEREAS, pursuant to Section 32-1-1002(1)(d), C.R.S., the District has the power to adopt and enforce fire codes, as the Board deems necessary; and

WHEREAS, the Board of Directors of the Hudson Fire Protection District 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 level of fire protection to be provided by a fire protection district;

NOW, THEREFORE BE IT RESOLVED THAT:

SECTION I: Adoption of the 2006 International Fire Code.

There is hereby adopted by the Hudson 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 A, B, C, D, E, F, G, as published by the International Code Council, being particularly the 2006 edition thereof and the whole thereof, save and except such portions as are hereinafter deleted, modified, or amended by this Resolution, and the same are hereby adopted and incorporated as fully as if set out at length herein. A copy of the Code, its Appendices, and this Resolution shall be kept on file in the offices of the Hudson Fire Protection District.

Section II. Amendments, Additions and Deletions.

The adoption of the International Fire Code, as provided in Section I above, is modified and amended by the following:

**CHAPTER 1
ADMINISTRATION**

SECTION 101 GENERAL

Section 101.1 of the International Fire Code is amended to read:

101.1 Title. This Code shall be known as the Fire Code of the Hudson Fire Protection District, may be cited as such, and will be referred to herein as "this Code."

SECTION 102 -- APPLICABILITY

Section 102.6 of the International Fire Code is amended to read:

102.6 Referenced codes and standards. The codes and standards referenced in this Code shall be those that are listed in Chapter 45 except that references to National Fire Protection Association standards shall refer to the most current edition of such standard and all references to the ICC Electrical Code shall mean the currently adopted electrical code by the authority having jurisdiction for such adoption. Such codes and standards shall be considered part of the requirements of this Code to the prescribed extent of each such reference. Where the differences occur between the provisions of this Code and the referenced standards, the provisions of this Code shall apply.

Section 102 of the International Fire Code is amended by the addition of a new section to read:

102.10 Application of residential code. 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. 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 and townhouses shall apply to structures under the scope of the International Residential Code except as limited by this section.

SECTION 103 – DEPARTMENT OF FIRE PREVENTION

Section 103.1 of the International Fire Code is amended by the addition of a new section to read:

103.1.1 Police Powers. The Chief and members of the Department of Fire Prevention shall have those police powers granted pursuant to Section 32-1-1002 (3) (b) (IV), C.R.S.

SECTION 104 – GENERAL AUTHORITY AND RESPONSIBILITIES

Section 104.11 of the International Fire Code is amended by the addition of new sections to read:

104.11.4 Controlling scene. During any emergency described in 104.11, including the investigation of the cause of such emergency, the Incident Commander or authorized representative shall be permitted to control or prohibit the approach to the scene of such emergency by any vehicle, vessel, or person.

104.11.5 Utilities. The Chief or any member of the Fire Department shall have the authority, in time of emergency, to order the disconnection of gas or electrical utilities to a building when deemed necessary for the public safety, without liability therefore.

104.11.6 Private water supply. The Chief or any member of the Fire Department shall have the authority, in time of emergency, to commandeer privately owned water supplies when deemed necessary for the public safety.

104.11.7 Evacuation. The Chief or any member of the Fire Department shall have the authority, in time of emergency, to order the evacuation of a building or structure when deemed necessary for the safety of occupants thereof, and it shall be unlawful for any person to refuse to evacuate upon such order, or to resist or obstruct the evacuation of other persons.

104.11.8 Disaster authority. The Chief or any member of the Fire Department shall have the authority during the period of a federal, state, or city emergency or disaster declaration to evacuate areas, control traffic or take other action, or take no action as necessary to deal with a situation when such action or inaction may save lives, prevent human suffering or mitigate property damage. An action or inaction is "effective" if it in any way contributes or can reasonably be thought to contribute to preserving lives or property or prevent human suffering.

SECTION 105 – PERMITS

Section 105.6.30 of the International Fire Code is amended to read:

105.6.30 Open burning. An operational permit is required for the kindling or maintaining

of an open fire or a fire on any public street, alley, road, or other public or private ground. Instructions and stipulations of the permit shall be adhered to. No such permit shall be required for recreational fires and agricultural burns or where burning is regulated pursuant to regulations promulgated under §25-7-123, CRS and regulated by the Weld County Department of Public Health and Environment or municipal authorities.

Section 105.6.31 of the International Fire Code is amended by the addition of a new section to read:

105.6.30.1 **Burn bans.** All open fires may be prohibited when the Fire Chief deems necessary to reduce the danger of wildfires where the danger of forest or grass fires has been found to be high, based on competent evidence. For purposes of this paragraph "competent evidence" may include, but is not limited to, the use of the National Fire Danger Rating System and any other similar indices or information.

Section 105 of the International Fire Code is amended by the addition of new sections to read:

105.8 **Permit fees.** The fees for the permits, inspections, and services authorized by this code shall be assessed in accordance with the fee schedule adopted by resolution of the District Board of Directors.

105.8.1 **Permits requiring plan reviews and/or inspections.** Where the issuance of a permit requires a plan review or inspection or both, the applicable plan review and/or inspection fees pursuant to Section 105.9 will be assessed.

105.9 **Plan review and inspection fees.** The fees for plan review and inspections shall be as follows:

1. For plan reviews and inspections conducted by the District . . . \$ 55.00 per hour with a minimum charge of 1 hour.
2. For the use of outside consultants for plan reviews or inspections . . . actual cost.

105.9.1 **Payment of plan review and/or inspection fees.** Payment of plan review and/or inspection fees must be paid before a Certificate of Occupancy is issued.

SECTION 109 – VIOLATIONS

Section 109.3 of the International Fire Code is amended to read:

109.3 **Violation penalties.** Persons who violate a provision of this Code or fail to comply with any of the requirements thereof or who 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 misdemeanor and, upon conviction thereof, shall be punished by a fine of not less than fifty dollars nor more

than two hundred fifty dollars. Each day in which such a violation occurs shall constitute a separate violation.

Section 111 – Stop Work Order

Section 111.4 of the International Fire Code is amended to read:

111.4 Failure to comply. Any person who continues any work after having been served with a stop work order, except such work that a person is directed to perform to remove a violation or unsafe condition, shall be guilty of a misdemeanor and, upon conviction thereof, shall be punished by a fine of not less than fifty dollars nor more than two hundred fifty dollars. Each day in which such a violation occurs shall constitute a separate violation.

CHAPTER 2 DEFINITIONS

Section 202 -- General Definitions

Section 202 of the International Fire Code is amended by the addition of the following terms and their definitions:

AGRICULTURAL BURN. Open burning in the course of agricultural operations.

FIRE DEPARTMENT. The duly authorized fire protection organization of the Hudson Fire Protection District.

INCIDENT COMMANDER. The individual designated with overall incident management responsibility on the scene of an emergency.

CHAPTER 5 FIRE SERVICE FEATURES

Section 508 – Fire Protection Water Supplies

Section 508.3 of the International Fire Code is amended to read:

508.3 Fire flow. Fire flow requirements for buildings or portions of buildings and facilities shall be determined in accordance with Appendix B.

Section 508.5 of the International Fire Code is amended to read:

508.5 Fire hydrant systems. Fire hydrant systems shall comply with Sections 508.5.1 through 508.5.6 and Appendix C.

Section 508 of the International Fire Code is amended by the addition of a new section to read:

SECTION 511 PUBLIC SAFETY RADIO AMPLIFICATION SYSTEMS

511.1 General. Public safety radio amplification systems for the enhancement of emergency services communications within buildings shall be designed, installed and maintained in accordance with this section.

511.2 Where required. Where adequate radio coverage cannot be established within a building, as defined by the fire code official, public safety radio amplification systems shall be installed in the following locations:

1. New buildings with a total building area greater than 50,000 square feet or building additions that cause the building to be greater than 50,000 square feet. For the purposes of this section, fire walls shall not be used to define separate buildings.
2. All new basements over 10,000 square feet where the design occupant load is greater than 50, regardless of the occupancy classification.
3. Existing buildings meeting the criteria of Item #1 or 2 of this section undergoing alterations exceeding 50% of the aggregate area of the building.

Exception: One- and two-family dwellings and townhouses.

511.3 Design and installation standard. Public safety radio amplification systems shall be designed and installed in accordance with the criteria established by the fire code official based on the capabilities and communication features of emergency services.

511.4 Maintenance. Public safety radio amplification systems shall be maintained in an operative condition at all times and shall be replaced or repaired where defective.

CHAPTER 9 FIRE PROTECTION SYSTEMS

Section 903 – Automatic Sprinkler Systems

Section 903.2.7 of the International Fire Code is amended to read:

903.2.7 Group R. An automatic sprinkler system installed in accordance with Section 903.3 shall be provided throughout all buildings with a Group R fire area. Exception: One- and Two- family dwellings unless otherwise required based upon fire flow, fire apparatus access or other life safety hazard as deemed by the fire code official.

CHAPTER 32
CRYOGENIC FLUIDS

Section 3204 – Storage

Section 3204.3.1.1 is hereby amended to read:

3204.3.1.1 Location. Stationary containers shall be located in accordance with Section 3203.6. Containers of cryogenic fluids shall not be located within diked areas containing other hazardous materials.

CHAPTER 33
EXPLOSIVES AND FIREWORKS

Section 3301 – General

Section 3301.1.3 is hereby amended to read:

3301.1.3 Fireworks. The possession, manufacture, storage, sale, handling and use of fireworks are prohibited unless permitted by state law or local ordinances.

CHAPTER 34
FLAMMABLE AND COMBUSTIBLE LIQUIDS

Section 3404 – Storage

Section 3404.2.9.5.1 is hereby amended to read:

3404.2.9.5.1 Locations of above-ground tanks. Above-ground tanks shall be located in accordance with this section.

Section 3406 – Special Operations

Section 3406.2.4.4 is hereby repealed in its entirety.

CHAPTER 38
LIQUIFIED PETROLEUM GASES

Section 3804 – Location of Containers

Section 3804.2 of the International Fire Code is amended by the addition of a new section to read:

3804.1.2 Storage and use of liquefied petroleum gas in residential areas for recreational uses. The storage and use of liquefied petroleum gas in residential areas for barbeques,

recreational vehicles or other recreational uses shall be limited to portable containers of 10 gallon water capacity or less per dwelling unit. The total amount to be allowed in storage or use shall be limited to 20 gallons water capacity per dwelling unit.

APPENDIX C
FIRE HYDRANT LOCATIONS AND DISTRIBUTION

Section C105 – Distribution of Fire Hydrants

Section C105.1 of the International Fire Code is amended by the addition of a new section to read:

C105.1.1 **Low density residential.** An individual analysis will be conducted for each subdivision where lots within the subdivision are equal or greater than 2 acres. Low density residential shall comply with the requirements for residential areas unless the District approves an alternative. Alternatives shall be based upon individual analysis of the proposal submitted by the developer. Cisterns, dry hydrants and open water sources are not acceptable alternatives.

Section III. Date of Effect.

The date on which this Resolution shall take effect within the incorporated municipality of Keenesburg shall be the date of approval by the governing board of said municipality and the date on which it shall take effect within the unincorporated portions of Weld County and Adams County shall be on the date of approval by the Board of County Commissioners in and for Weld County, State of Colorado and Adams County, State of Colorado. This Code shall be in effect within the territorial limits of the Hudson Fire Protection District.

ADOPTED this 4 day of JANUARY, ~~2006~~ ²⁰⁰⁷.

HUDSON FIRE PROTECTION DISTRICT

By Jim C. Shuldt
Chairman

Attest:

Dicke Johann
Secretary