

**LOWER VALLEY FIRE PROTECTION DISTRICT
RESOLUTION 11/14-2006**

A RESOLUTION BY THE BOARD OF DIRECTORS OF THE LOWER VALLEY FIRE PROTECTION DISTRICT ADOPTING THE 2006 EDITION OF THE INTERNATIONAL FIRE CODE, 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 IN THE LOWER VALLEY FIRE PROTECTION DISTRICT; PROVIDING FOR THE ISSUANCE OF PERMITS FOR HAZARDOUS USES OR OPERATIONS AND REPEALING ALL OTHER FIRE CODES AND ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT THEREWITH.

BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE LOWER VALLEY FIRE PROTECTION DISTRICT OF THE COUNTY OF MESA, STATE OF COLORADO;

BE IT RESOLVED BY THE COMMISSIONERS OF THE COUNTY OF MESA, COLORADO;

BE IT RESOLVED BY THE CITY OF FRUITA, COLORADO AS FOLLOWS:

SECTION 1:

That a certain document, at least one copy of which is on file in the office of the Fire Protection District Office of Lower Valley Fire Protection District, being marked and designated as the International Fire Code, including Appendix chapters, except Appendix “ A” as published by the International Code Council, and referencing the NFPA Standards Published by the National Fire Protection Association, is hereby adopted as the code of the Lower Valley Fire Protection District for 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 providing for the issuance of permits for hazardous uses or operations; and each and all of the regulations, provisions, conditions and terms of such International Fire Code, 2006 edition, published by the International Code Council, on file at the Lower Valley Fire Protection District are hereby referred to, adopted and made a part hereof as if fully set out in this resolution.

SECTION 2:

The following sections are hereby amended, revised, added to or deleted.

Subsection 101.717 (This has been **ADDED** as follows:)

Subsection 101.717 Whenever the word “jurisdiction” is used in the International Fire Code, it shall be held to mean the Lower Valley Fire Protection District, Mesa County, Colorado.

Subsection 105.6 (This has been **AMENDED** to read as follows:)

Subsection 105.6. A Required operational permits. Operational permits are required for the following:

<u>Operational Permits:</u>	<u>Code Section</u>
Fireworks retail sales **	105.6.14
Open Burning * (combined)**	105.6.31
Pyrotechnic special effects material**	105.6.14 & 105.6.36
Hazardous Materials**	105.6.20
HPM Facilities**	105.6.21

<u>Construction Permits:</u>	<u>Code Section</u>
Plan Review Fees**	Resolution LVF 3-14/06
Automatic fire-extinguishing systems**	105.7.1
Fire Sprinkler Systems	
Hood extinguishing System	
Installation/above ground storage tanks**	105.7.6
Installation/underground tanks**	105.7.6
Removal of underground tanks**	105.7.6
LP gas **	105.7.9

* A permit shall be required for each “**burn season**” as outlined in the Mesa County Open Burning Control Regulations.

**Fees are established by separate resolutions by the Board of Directors

105.6 B An operational permit is not required for the following activities as set forth in the following titles under subsection 105.6

105.6.1	Aerosol products
105.6.2	Amusement buildings
105.6.3	Aviation facilities
105.6.4	Carnivals and fairs
105.6.5	Battery systems
105.6.6	Cellulose nitrate film

105.6.7	Combustible dust producing operations
105.6.8	Combustible fibers
105.6.9	Compressed gasses
105.6.10	Covered mall buildings
105.6.11	Cryogenic fluid
105.6.12	Cutting and welding
105.6.13	Dry cleaning plants
105.6.14	Exhibits and trade shows
105.6.15	Fire hydrants and valves
105.6.16	Flammable and combustible liquids
105.6.17	Floor finishing
105.6.18	Fruit and crop ripening
105.6.19	Fumigation and thermal insecticide fogging
105.6.21	HPM facilities
105.6.22	High piled storage
105.6.23	Hot -work operations
105.6.24	Industrial ovens
105.6.25	Lumberyards and wood working plants
105.6.26	Liquid or gas fueled vehicles or in assembly buildings
105.6.27	LP gas
105.6.28	Magnesium
105.6.29	Miscellaneous combustible storage
105.6.31	Open Flames and Torches
105.6.32	Open flames or candles
105.6.33	Organic coatings
105.6.34	Places of assembly
105.6.35	Private fire hydrants
105.6.37	Pyroxylin plastics
105.6.38	Refrigeration equipment
105.6.39	Repair garages
105.6.40	Rooftops heliports
105.6.41	Spraying or dipping
105.6.42	Storage of scrap tires and lire byproducts
105.6.43	Temporary membrane structures, tents and canopies
105.6.44	Tire rebuilding plants
105.6.45	Waste handling
105.6.46	Wood products

Subsection 105.6 .3 0 (The language is DELETED and shall read as follows:)

Subsection 105.6 .3 0 Open burning.

Permits for bonfires, and open burning shall be secured at the LOWER VALLEY FIRE PROTECTION DISTRICT. Such permits shall adhere to all applicable fire department codes and ordinances and the Colorado Air

Quality Control Act, C.R.S. 1973, section 25-7-128 and the Mesa County Open Burning Control Regulation.

Subsection 108. (The language is DELETED and shall be replaced as follows)

Subsection 108 Appeals

Whenever the Chief of the Fire Department disapproves an application or refuses to grant a permit applied for, or when it is claimed that the provisions of the Code do not apply or that the true intent and meaning of the Code have been misconstrued or wrongly interpreted, the applicant may appeal the decision of the Chief of the Fire Department to Board of Appeals created by Part XII of Ordinance #8, adopted by the Mesa County Board of County Commissioners. Such appeal shall be perfected by filing with the Chief of the Fire Department a written appeal along with a fee of \$100 within 30 days from the date of the decision appealed.

Subsection 109.3 (The language of section 109.3 is DELETED and shall read as follows)

Subsection 109.3 Violation penalties.

(a) Persons who shall violate a provision of this code or shall fail to comply with any of the requirements thereof or who shall erect, install, alter, repair or do work in violation of the approved construction documents or directive of the code official, or of a permit or certificate used under provisions of this code, shall be guilty of a misdemeanor, or punishable pursuant to 32-1-1002 (3) (d), C.R.S., as amended.

(b) The application of the above penalties shall not be held to prevent the enforced removal of prohibited conditions.

Subsection 111.4 (The language of 111.4 is DELETED and shall read as follows:)

Subsection 111.4 Failure to Comply:

(a) Any person who violates any of the provisions of this code or ordinances hereby adopted or fails to comply therewith, or "who violates or fails to comply with an order made there under, or who builds in violation of any detailed statement of specifications or plans submitted and approved there under, or certificate, or permit issued there under, and from which no appeal has been taken, or who fails to comply with such an order by a court of competent jurisdiction, within the time fixed herein, shall severely, for each and every such violation and noncompliance, respectively, be guilty of a misdemeanor, punishable pursuant to Section 32-1-1002 (3)(2), C.R.S., as amended. The imposition of one penalty for

any violation shall not excuse the violation or permit it to continue; and all such persons shall be required to correct or remedy such violations within a reasonable time; and when not otherwise specified, each day that prohibited conditions are maintained shall constitute a separate offense.

(b) The application of the above penalty shall not be held to prevent the enforced removal of prohibited conditions.

Subsection 311.1.1, 311.3, 311.3.2, 311.3.3 and 311.3.4. (These are ADDED as follows:)

Subsection 311.1.1 Abandoned premises

Buildings, structures and premises for which an owner cannot be identified or located by dispatch of a certificate of mailing to the last known or registered address, which persistently or repeatedly become unprotected or unsecured, which have been occupied by unauthorized persons or for illegal purposes, or which present a danger of structural collapse or fire spread to adjacent properties shall be considered abandoned, declared unsafe and abated by demolition or rehabilitation in accordance with the International Code for the Abatement of Dangerous Buildings, 2006 Edition, and the International Building Code 2006 Edition.

Subsection 311.3

In case of failure of any owner or lessee of such building(s) to remove all accumulations of hazardous materials and abate said building, and secure the premises, in a manner approved by the Fire Chief, and upon the election by the Fire Chief to remove said waste or rubbish and/or to secure or remove/install barricading of building(s), the Fire Chief is authorized to give notice by certified mail addressed to the last known address of the owner of such building, as that address appears in the records of the County Assessor, or other address known to the Fire Chief, which notice shall require the removal of such waste or rubbish, or otherwise require the securing of said building(s) or removal of the problem causing the public nuisance, within sixty (60) days of the date of the notice. In the event such work is not done within the sixty (60) days, the Fire Chief may then proceed to have the work done as soon as practicable. The costs of such work shall be collected in accordance with the provisions of the Uniform Code for the Abatement of Dangerous Buildings. The charge shall be the actual costs for labor, equipment, and materials plus ten (10) percent for administration, supervision and inspection. The Fire Chief may cause any building to be barricaded or secured immediately after a fire has been extinguished. Any and all barricading or securing shall be at the owner's expense. The charge shall be the actual costs for labor, equipment, and materials plus ten (10) percent for administration, supervision and inspection.

Subsection 311.3.2

The District President, as soon as may be practicable after such charge is made, shall send by mail, addressed to the owner of such property, at the address of such owner as it appears in the records of the County Assessor, or other address known to the Fire Chief, a notice of such assessment, which notice shall contain a description of the lots or parcels of land, the name of the owner or owners, and the amount of the assessment, together with a brief description of said assessment.

Subsection 311.3.3

It shall be the duty of the owner to pay such assessment within twenty (20) days after the mailing of such notice; and in case of his failure so to do, he shall be liable personally for the amount of the assessment and the same shall be a lien upon the respective lots or parcels of land from the time of such assessment. In case the owner shall fail to pay such assessment within twenty (20) days after notice has been mailed to him, as provided by this article, then it shall be the duty of the District President to certify the amount of the assessment to the County Treasurer or other officer of the County having custody of the tax list, for the current year and to be collected in the same manner as other taxes are collected, with ten (10) percent penalty thereon to defray the cost of collection; and all of the laws of the State of Colorado for the assessment and collection of general taxes, including the laws for the sale of property for taxes and the redemption thereof, shall apply to and have full effect for the collection of all such assessments.

Subsection 311.3.4

The fact that assessments have been made against property as provided in this article for removal of waste and rubbish, abatement and/or barricading or securing of said building(s) shall not prevent the owner, agent or lessee from being punished by fine or imprisonment under the provisions of the County of Mesa, but such fine or penalty may be imposed on those found guilty of violating any provision hereof in all cases, whether an assessment has or has not been made in accordance with the provisions hereof.

Subsection 505.1 Address **numbers** (This is AMENDED by adding the following sentence:)

All residential house numbers shall be located on the portion of the residence which projects nearest to the street. In cases where a structure is built far enough from the roadway that it is impossible to place numbers that are legible from the

roadway, a sign post placed at the intersection of the roadway and driveway denoting the address of the structure may be required by the Fire Chief.

Subsection 903.2 Where required (This is AMENDED to require :)

To require all existing buildings which are used as residential group and institutional care facilities which are licensed through the Colorado Department of Health and are classified by the International Building Code as Group R, Division 1, 3, and 4, and Group I-1 and I-2 occupancies to be retrofitted with an approved automatic fire sprinkler system by 10 January 2009. Refer to LVFD Resolution 2006/1A for additional details.

Subsection 903.3.1.3 NFPA 13D sprinkler systems (This is hereby AMENDED to read as follows:)

Where allowed, automatic sprinkler systems installed in one- and two-family dwellings shall be installed throughout in accordance with NFPA 13D. Where NFPA 13D systems are installed, they shall be designed and operate in the following manner:

(A) All water flow activations shall be capable of sounding an interior audible alarm notifying all occupants simultaneously.

(B) All water flow activations shall be capable of activating an exterior audible/visual alarm. This alarm shall be located so as to be visible from the nearest fire department access road.

(C) The light used shall be a strobe light producing at least 110-185 candela.

(D) The light shall be located above and as directly vertical to the fire department connection as possible on the street side of the residence.

(E) A tamper switch shall be installed on the fire sprinkler control valve, which shall be capable of activating the light portion only of the exterior audible/visual strobe signal.

Subsection 903.3.5 (This has been AMENDED to read as follows:)

Subsection 903.3.5 Water Supplies Water supplies for automatic sprinkler systems shall comply with this section and the standards referenced in Subsection 903.3.1 The potable water supply shall be protected against backflow in accordance with the requirements of this section and the International Plumbing Code.

(a) Where domestic service cannot provide required flows for NFPA 13D systems, the following design criteria shall be used:

(1) Water supply storage capacity shall be the minimum required by NFPA 13D plus an additional amount based upon the expected response time of the fire department, not to exceed a 20-minute response time.

(2) A 1 ½ inch fire department connection (FDC) with National Standard Threads shall be installed adjacent to the garage door when the garage faces the street, or be installed at an accessible location approved by the Fire Chief on the street side of the residence. The FDC shall be mounted approximately 4 feet above the finished grade level of the driveway.

Subsection 907.2 (The following shall be ADDED to the existing 907.2 as follows)

The public areas of any occupancy of each place of business shall have at least one smoke detector installed.

In a place of assembly, at least one smoke detector shall be installed in the public area per 1,000 SF (square feet). Additional detectors may be required based upon NFPA 72 detector spacing requirements and for additional separate public rooms up to 1,000 SF.

Subsection 907.20.6 False Alarms: Alarm system malfunctions or malicious false alarms. (To be ADDED as follows)

Subsection 907.20.6.1

Whenever the activation of any fire alarm is due to a malfunction of the system and that system has had another malfunction within the same quarter of a calendar year, or more than six during any calendar year, the owner and/or operator of the system shall pay a false alarm fee to offset some of the costs involved in the dispatching and responding of fire equipment to the location of the alarm.

Subsection 907.20.6.2

It is the responsibility of the owner or operator of an alarm system to police the improper use of the system, such as the intentional activating of a false alarm or the intentional activation of a smoke or heat detector to produce a false alarm. After three such activations within the same quarter of a calendar year from the same fire alarm system, or more than six during any calendar year, the fee schedule for the false alarms shall become effective.

Subsection 907.20.6.3

Whenever the Fire Chief cannot determine how a false alarm was activated and three such unexplained alarms occur within the same calendar year quarter, the fee schedule for false alarms shall become effective with the fourth and subsequent alarms, or alarms exceeding six during any calendar year, the fee schedule for false alarms shall become effective with the seventh and subsequent alarms.

Subsection 907.20.6.4 The Fee Schedule for false alarms is as follows:

- a. For the first false alarm over the allowed number. \$75.
- b. For a second false alarm over the allowed number. \$150.
- c. For a third false alarm over the allowed number. \$250.
- d. For a fourth and subsequent alarms over the allowed number (for each) \$300.

Subsection 907.20.6.5

A new fire alarm system shall be allowed 30 days to become stabilized before this false alarm section will be applied.

Appendices B, C, D, E., F, and G are hereby adopted.

Appendix C Fire Hydrant Locations and Distribution

Section C105. The following shall be ADDED to existing wording of this section:

“In all subdivisions, fire hydrants shall be located on the corner of a street intersection, either between the curb and sidewalk or behind the sidewalk where it is adjacent to the street curbs. On circular street loops, additional fire hydrants shall be required every five hundred feet along the street between intersecting streets.

The distance from the center of the fire hydrant pumper connection nut to the finished grade shall not be less than 22 inches. Pumper connections shall face the street or as directed by the Fire Chief.”

THE ABOVE RESOLUTION WAS ADOPTED BY THE BOARD OF DIRECTORS OF THE LOWER VALLEY FIRE PROTECTION DISTRICT AT IT'S REGULAR BOARD MEETING THIS 14th DAY OF NOVEMBER 2006, TO BECOME EFFECTIVE FEBRUARY 1, 2007.

Lower Valley Fire Protection District, President of the Board

Secretary

The Board of County Commissioners of the County of Mesa, State of Colorado, hereby approves the adoption and applicability of the INTERNATIONAL FIRE CODE, ORDINANCES AND AMENDMENTS as described and modified above, within the Lower Valley Fire Protection District's boundaries, in accordance with Section 32-1-102(1)(d), C.R.S. as amended.

Chair, Board of County Commissioners

The City of Fruita in the County of Mesa, State of Colorado, hereby approves the adoption and applicability of the INTERNATIONAL FIRE CODE, ORDINANCES AND AMENDMENTS as described and modified above, within the Lower Valley Fire Protection District's boundaries in accordance with Section 32-1-102(1)(d), C.R.S. as amended.

Mayor, City of Fruita