

**CHAPTER 10  
FIRE CODES**

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**11-10-1: INTENT:** The intent of this chapter is to adopt by reference and with modifications the International Fire Code, 2006 Edition. Hereinafter, this Code may be referred to as the "Fire Code." The City Council of the City of Westminster finds that the adoption of the Fire Code is essential for fire prevention and the preservation of the health, safety, and welfare of the citizens of Westminster. The City Council finds that the adoption of such Codes is essential in the preservation of the health, safety, and welfare of the citizens of Westminster.

**11-10-2: ADOPTION OF FIRE CODE:** That certain document, one (1) copy of which is on file in the Office of the City Clerk, being marked and designated as the International Fire Code, 2006 Edition, published by the International Code Council, 5203 Leesburg Pike, Suite 708, Falls Church, Virginia 22041-3401 and, in particular Chapters 1 through 45, inclusive and Appendix B – Fire Flow Requirements For Buildings, Appendix C – Fire Hydrant Location And Distribution, Appendix D – Fire Apparatus Access Roads, Appendix E – Hazard Categories, Appendix F – Hazard Ranking, and Appendix G – Cryogenic Fluids – Weight And Volume Equivalents is hereby adopted as the Fire Code of and for the City. These sections of the Fire Code, as modified in this chapter, are hereby referred to, adopted, and made a part of the Code as if fully set forth.

**11-10-3: CHAPTER 1 ADMINISTRATION AMENDMENTS:**

**(A) DEPARTMENT OF FIRE PREVENTION.** Section 103 of the International Fire Code is amended as follows:

**103.4 Liability.** Subsection is deleted in its entirety.

**103.4.1 Legal defense.** Subsection is deleted in its entirety.

**(B) ENFORCEMENT AUTHORITY.** The Fire Chief and his designees are hereby authorized to enforce the provisions of this ordinance as specified in Section 104.1 of the International Fire Code, 2006 Edition.

**(C) REQUIRED OPERATIONAL PERMITS.** Subsection 105.6 of the International Fire Code is amended to read as follows.

**105.6 Required operational permits.** An operational permit shall be obtained from the Prevention Bureau prior to engaging in the following activities, functions, operations, or practices as defined in accordance with the Fire Code, unless otherwise specified in this Code:

1. 105.6.2 Amusement buildings
2. 105.6.4 Carnivals and fairs
3. 105.6.4.1 Block parties and event street closures
4. 105.6.11 Cryogenic fluids
5. 105.6.15 Explosives, explosive materials, and fireworks
6. 105.6.17 Flammable and combustible liquids:
  - a. To remove Class I or II liquids from an underground storage tank used for fueling motor vehicles by any means other than the approved, stationary on-site pumps normally used for dispensing purposes.
  - b. To install, alter, remove, abandon, place temporarily out of service (for more than 90 days) or otherwise dispose of an underground, protected above-ground or above-ground flammable or combustible liquid tank.
  - c. To change the type of contents stored in a flammable or combustible liquid tank to a material which poses a greater hazard than that for which the tank was designed and constructed.
7. 105.6.20 Fumigation and thermal insecticidal fogging
8. 105.6.20.1 Fumigation and/or associated operations for removing biological, chemical, or other naturally occurring agents, chemicals, organisms, or substances
9. 105.6.21 Hazardous Materials
10. 105.6.27 Liquid- or gas-fueled vehicles or equipment in buildings for display, demonstrating, or operation. This shall not apply to parking garages, private garages, repair garages, or other buildings normally utilized for the operation, repair, restoration, and storage of motor vehicles.
11. 105.6.28 LP-gas
12. 105.6.29 Magnesium
13. 105.6.31 Open burning
14. 105.6.35 Private fire hydrants
15. 105.6.36 Pyrotechnic special effects material
16. 105.6.43 Temporary membrane structures, tents and canopies

**(D) REQUIRED CONSTRUCTION PERMITS.** Subsection 105.7 of the International Fire Code is amended to read as follows:

**105.7 Required construction permits.** Upon approval of required construction documents, as required by Subsection 105.4, a fire protection permit shall be obtained from the Fire Prevention Bureau prior to initiating any alterations, construction, installation, modification, remodel, of any fire protection system or other fire- or life-safety system, as defined by the Fire Code. The following fire protection systems shall

require submittal of plans, specifications, design and installation criteria, as required by the Fire Code Official, prior to issuance of a fire protection permit, those not listed are excluded from the requirements of this Section:

1. 105.7.1 Automatic fire-extinguishing systems
2. 105.7.2 Compressed gases
3. 105.7.3 Fire alarm and detection systems and related equipment
4. 105.7.4 Fire pumps and related equipment
5. 105.7.5 Flammable and combustible liquids
6. 105.7.6 Hazardous materials
7. 105.7.8 LP-gas
8. 105.7.9 Private fire hydrants
9. 105.7.10 Spraying and dipping
10. 105.7.11 Standpipe systems
11. 105.7.12 Temporary membrane structures, tents and canopies

**(E) FEES.** Section 105 of the International Fire Code is amended to add Sections 105.8 and 105.9 to read as follows:

**105.8 Operational Permit Fees.** The fee for operational permits required by Subsection 105.6 of this Code shall be as set forth in the fee schedule adopted by Resolution by the City Council. Fees shall be collected by the Fire Prevention Bureau. The Fire Code Official is authorized to waive the fee in accordance with approved standard operating guidelines for administering permits for activities described in Subsection 105.8.

**105.9 Construction Permit Fees.** Permit fees and taxes are required for fire protection and life safety systems required by Subsection 105.7 of this Code for initiating any alterations, construction, installation, modification, remodel, of any fire protection system or other fire- or life-safety system, as defined by the Fire Code. These fees shall be assessed by and paid to the City of Westminster in accordance with the provisions of the fee schedule adopted by Resolution by the City Council.

**(F) BOARD OF APPEALS.** Section 108 of the International Fire Code is amended as follows:

**108.1 Board of appeals.** Appeals of orders, decisions, or determinations made by the Building Official or Fire Code Official relative to the application and interpretation of the Building and Fire Codes, and amendments thereto, shall be made to the Board of Building Code of Appeals pursuant to Title II, Chapter 10, of this Code. No such appeal shall be heard by the Board of Building Code Appeals unless the appeal is filed within 30 calendar days after the date of the action of the Building Official or Fire Chief.

**108.2 Limitations on authority.** Subsection is deleted in its entirety.

**108.3 Qualifications.** Subsection is deleted in its entirety.

**(G) VIOLATIONS.** Section 109 of the International Fire Code is amended to read as follows:

**109.1 Unlawful acts.** It shall be unlawful for a person, firm or corporation to erect, construct, alter, repair, remove, demolish or utilize a building, occupancy, premises or system regulated by this code, or cause same to be done, in conflict with or in violation of any of the provisions of this code.

**109.2 Notice of violation.** When the fire code official finds a building, premises, vehicle, storage facility or outdoor area that is in violation of this code, the fire code official is authorized to prepare a written notice of violation describing the conditions deemed unsafe and, when compliance is not immediate, specifying a time for reinspection.

**109.2.1 Service.** A notice of violation issued pursuant to this code shall be served upon the owner, operator, occupant, or other person responsible for the condition or violation, either by personal service, mail, or by delivering the same to, and leaving it with, some person of responsibility upon the premises. For unattended or abandoned locations, a copy of such notice of violation shall be posted on the premises in a conspicuous place at or near the entrance to such premises and the notice of violation shall be mailed by first class mail to the owner of the subject property at the address shown in the county assessor records for the county in which the property is located. Notice shall be deemed served on the date of receipt by the owner, if personally served, or upon the fifth day after mailing of the notice.

**109.2.2 Compliance with orders and notices.** A notice of violation issued or served as provided by this code shall be complied with by the owner, operator, occupant or other person responsible for the condition or violation to which the notice of violation pertains.

**109.2.3 Prosecution of violations.** If the notice of violation is not complied with promptly, the fire code official is authorized to request the legal counsel of the jurisdiction to institute the appropriate legal proceedings at law or in equity to restrain, correct or abate such violation or to require removal or termination of the unlawful occupancy of the structure in violation of the provisions of this code or of the order or direction made pursuant hereto.

**109.2.4 Unauthorized tampering.** Signs, tags or seals posted or affixed by the fire code official shall not be mutilated, destroyed or tampered with or removed without authorization from the fire code official.

**109.3 Violation Penalties.** Any person who violates any of the provisions of this Code, or who fails to comply therewith, or who builds any structure in violation of a detailed statement of specifications or plans submitted and approved pursuant to this Code and from which no appeal has been taken, or who fails to comply with a final order issued pursuant to this Code within the time fixed therein shall be guilty of a misdemeanor punishable by a fine or imprisonment pursuant to the limits set forth in Section 1-8-1 of

the Westminster Municipal Code, or by both such fine and imprisonment. 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 or defects within a reasonable time and, when not otherwise specified, each day that a prohibited condition is maintained shall constitute a separate offense. The imposition of a criminal penalty shall not prevent the abatement of prohibited conditions.

**109.3.1 Abatement of violation.** In addition to the imposition of the penalties herein described, the fire code official is authorized to institute appropriate action to prevent unlawful construction or to restrain, correct or abate a violation; or to prevent illegal occupancy of a structure or premises; or to stop an illegal act, conduct of business or occupancy of a structure on or about any premises.

**(H) STOP WORK ORDER.** Section 111 of the International Fire Code is amended as follows:

**111.4 Failure to comply.** Subsection is deleted in its entirety.

**11-10-4: CHAPTER 5 FIRE SERVICE FEATURES AMENDMENTS: (2965)**

**(A) FIRE APPARATUS ACCESS ROADS.** Section 503.1 of the International Fire Code is amended to add Section 503.1.4 to read as follows:

**503.1.4 Block Parties and Street Obstructions.** The Fire Department is authorized to issue operational permits for street closures intended for block parties, City of Westminster sponsored events, neighborhood events, or for similar purposes where such events will not impede delivery of emergency services and does not create an additional risk to public safety. Applicable fees may be waived for City of Westminster events and events sponsored by non-profit entities and organizations.

**(B) MARKINGS.** Section 503.3 of the International Fire Code is amended to add Section 503.3.1 to read as follows:

**503.3.1.** The marking of fire lanes on private property devoted to public use shall be approved by the Fire Code Official in accordance with the Fire Code and the Uniform Traffic Control Manual.

**(C) OBSTRUCTION OF FIRE APPARATUS ACCESS ROADS.** Section 503.4 of the International Fire Code is amended to add Section 503.4.1 to read as follows:

**503.4.1.** The fire code official or any of his subordinates, or the Police Department with knowledge of the existence of any vehicle parked in the fire lane, or in such manner as to interfere with the use of any fire hydrant, or in any manner in violation of this Section may have such vehicle towed away and the charges of such towing shall be assessed to the owner of such vehicle. The aforesaid violation shall be sufficient grounds to cause a citation to be issued. In the event of a fire, the Fire Department shall have the authority to

cause the vehicle blocking a fire hydrant or fire lane to be removed with any subsequent damage to the vehicle being paid by the owner of said vehicle. The towing of any vehicle pursuant to this section shall comply with the provisions of Chapter 1 of Title X of the Westminster Municipal Code.

**(D) PREMISES IDENTIFICATION.** Section 505.1 of the International Fire Code is amended to add Section 505.1.1 and 505.1.2 to read as follows:

**505.1.1.** Buildings having exterior rear or side access doors shall have approved address numbers, building numbers or approved building identification placed in a position approved by the fire code official.

**505.1.2.** Buildings with multiple tenants with interior access doors shall have approved unit or space identification numbers, address numbers or other approved means of identifying individual tenant spaces or units.

**(E) PRIVATELY OWNED HYDRANT SYSTEMS.** Section 508 of the International Fire Code is amended to add Section 508.5.3.1 and 508.5.7 to read as follows:

**508.5.3.1.** Privately owned hydrants shall be maintained at the expense of the private property owner, subject to the direction and requirements of the Fire Code Official. Such private hydrants shall be flushed and tested periodically according to the Fire Code. In the event such testing reveals that the flow from private hydrants is inadequate according to applicable standards, modifications necessary to meet these standards shall be ordered by the Fire Code Official and made at the expense of the property owner. All private hydrants shall be painted the same color as hydrants on public rights-of-way or elsewhere throughout the City. Appropriate markings or signs restricting parking in front of or adjacent to fire hydrants shall be designated by the Fire Code Official and implemented at the expense of the owner of the property. No point of connection to any private fire hydrant shall be left uncapped without permission of the Fire Code Official.

**508.5.7.** Existing Private Fire Hydrants. Existing hydrants which do not conform to City specifications or which do not face in the direction most consistent with emergency use by the Fire Department, as established by the Fire Code Official, shall be changed to meet the City's requirements by the property owner and at the property owner's expense, within 15 days of service of notice of the required changes upon the property owner or its resident agent.

**(F) PUBLIC SAFETY RADIO AMPLIFICATION SYSTEMS.** Section 511 of the International Fire Code is amended to add Sections 511.1, 511.2 and 511.3 to read as follows:

**511.1 New Construction.** Buildings constructed in accordance with the criteria of Section 810.80 of the City of Westminster Electrical Code shall be required to install a radio amplification system.

**511.2 Existing buildings.** Buildings determined to present a hazard to public safety personnel due to inadequate radio communication capability shall be required to comply with Section 810.80.

**511.3 Acceptance testing and approval.** Approval and acceptance of radio amplification system installations shall require concurrent approval of the Fire Department and the Police Department.

**11-10- 5: CHAPTER 9 FIRE PROTECTION SYSTEMS AMENDMENTS: (2965)**

**(A) AUTOMATIC SPRINKLER SYSTEMS.** Section 903 of the International Fire Code is amended to delete Section 903.3.2 and add the following new subsections to read as follows:

**903.2.8.1. New Construction.** Group R-2 Occupancies required to be protected with an automatic fire sprinkler system shall provide fire sprinkler coverage for all exterior balconies. This requirement shall apply to all retroactive installations for Group R-2 Occupancies.

**Exception:** Existing R-2 buildings and occupancies constructed prior to the adoption of this code.

**903.2.9.1 New Construction.** Group R-4 Occupancies required to be protected with an automatic fire sprinkler system shall provide fire sprinkler coverage for all exterior balconies. This requirement shall apply to all retroactive installations for Group R-4 Occupancies.

**Exception:** Existing R-4 buildings and occupancies constructed prior to the adoption of this code.

**903.3.2 Residential automatic sprinkler heads.** Where automatic sprinkler systems are required by this code, only residential automatic sprinkler heads shall be permitted in:

- a. Throughout all spaces within a smoke compartment containing patient sleeping rooms in Group I-2 in accordance with the *International Building Code*.
- b. Dwelling units, guestrooms, and sleeping rooms in Group R and I-1 occupancies.

**903.3.2.1 Quick-response automatic sprinkler heads.** Quick-response sprinkler heads shall be installed in light hazard occupancies as defined in NFPA 13. Residential automatic sprinkler heads are prohibited.

**903.3.2.2 Residential and quick-response automatic sprinkler heads.** All installation of residential and quick-response automatic sprinkler heads shall be in strict accordance with their listings. Where listings authorize installation where prohibited in 903.3.2 and 903.3.2.1 the Fire Code Official may waive the requirements mandated by 903.3.2 and 903.3.2.1.

**903.3.7.1** The fire department connection (FDC) shall be located whenever possible on the street addressed side of the building in a location visible to the responding fire engine. The FDC shall be located at a location visible from the exterior of the main entrance door where the fire alarm annunciator is located. The FDC shall have a fire hydrant within 100 feet in a location approved by the fire department.

**(B) STANDPIPE SYSTEMS.** Section 905 of the International Fire Code is amended to add the following:

**905.3.1.** Building Height shall be amended by adding the following exceptions:

**Exception 5:** Class I standpipes are allowed to be manual systems.

**Exception 6:** Fire hose is not required for Class I standpipes. Standpipe hose outlets shall be 2-1/2-inch outlets with a 2-1/2-inch to 1-1/2-inch reducing cap.

**905.3.8 Bridges and Roadway Overpasses.** Where required to extend water supply to streets, highways, and rail systems a dry standpipe shall be installed in accordance with Fire Department requirements.

**(C) FIRE ALARM AND DETECTION SYSTEMS.** Section 907 of the International Fire Code is amended to add Section 907.9.3 to read as follows:

**907.9.3** The fire code official shall determine the extent of zone coverage for fire alarm systems in all buildings and structures.

#### **11-10-6: CHAPTER 33 EXPLOSIVES AND FIREWORKS AMENDMENTS:**

**(A) GENERAL.** Section 3301 of the International Fire Code is amended as follows:

**3301.1.3 Fireworks.** Exception 1, Exception 2, and Exception 4 are deleted in their entirety and new exceptions are added to read as follows:

**Exceptions:**

1. State of Colorado defined “permissible fireworks” will be allowed for possession, handling, and use only during the timeframe beginning at 12:00 AM on July 3rd and ending at 12:00 PM on July 5<sup>th</sup> of any given calendar year.
2. Fireworks shall be prohibited in all City of Westminster parks and open spaces unless approved by the Director of Parks, Recreation, and Libraries and the Fire Department.
4. As provided in W.M.C. Section 6-8-3.

**(B) EXPLOSIVES MATERIALS STORAGE AND HANDLING.** Section 3304 of the International Fire Code is amended to add Section 3304.1.1 to read as follows:

**3304.1.1 General storage limitations.** The storage of explosives and blasting agents is prohibited within all zones except PUD (Planned Unit Development) where such storage is specifically listed as an allowed use, except for temporary storage for use in connection with approved blasting operations; provided, however, that this prohibition shall not apply to wholesale and retail stocks of small arms, ammunition, explosive bolts, explosive rivets, or cartridges for explosive-actuated power tools in aggregate quantities involving less than 500 pounds of explosive material.

**11-10-7: CHAPTER 38 LIQUEFIED PETROLEUM GASES AMENDMENTS:**

(A) Subsection 3804.2 of the International Fire Code is amended to add the following text to read as follows:

**3804.2 Maximum capacity within established limits.**

This maximum capacity limitation specifically applies to the following zoning areas: RA, RE, R1, R2, R3, R4, R5, B1, C1, T1, and PUD (Planned Unit Development) zoned districts.

*The following are amendments to the W.M.C. pertaining to fireworks, as references in 11-10-6 of the Fire Code.*

Section 3. Sections 6-8-2 and 6-8-3(B), W.M.C., are hereby amended to read as follows:

**6-8-2: PROHIBITED ACTS:** It shall be unlawful for any person within the City to sell, offer for sale, or possess with intent to offer for sale, or to use or explode any fireworks or pyrotechnic special effects material, except as provided in Section 6-8-3 herein and section 11-10-6 of this Code.

**6-8-3: PERMITS FOR DISPLAY:**

(B) The permit shall be granted if the Fire Chief finds that the permit application, operator, and conditions meet the requirements of the Fire Code as adopted by the City in Title XI, Chapter 10, other requirements of this Code, and other reasonable requirements the Fire Chief deems necessary to protect the public welfare.

Section 4. This ordinance shall take effect January 1, 2007.

Section 5. The title and purpose of this ordinance shall be published prior to its consideration on second reading. The full text of this ordinance shall be published within ten (10) days after its enactment after second reading.

INTRODUCED, PASSED ON FIRST READING, AND TITLE AND PURPOSE ORDERED PUBLISHED this 27th day of November, 2006.

PASSED, ENACTED ON SECOND READING, AND FULL TEXT ORDERED PUBLISHED this 18th day of December, 2006.