

**BENNETT FIRE PROTECTION DISTRICT NO. 7**

**RESOLUTION NO. 2016-05**

**A RESOLUTION OF THE BOARD OF DIRECTORS OF THE BENNETT FIRE PROTECTION DISTRICT NO. 7 ADOPTING THE 2012 EDITION OF THE INTERNATIONAL FIRE CODE WITH CERTAIN AMENDMENTS THERETO, REGULATING AND GOVERNING CONDITIONS HAZARDOUS TO LIFE AND PROPERTY FROM FIRE AND EXPLOSION, THE STORAGE, HANDLING AND USE OF HAZARDOUS SUBSTANCES, MATERIALS AND DEVICES, PROVIDING FOR THE ISSUANCE OF PERMITS AND THE COLLECTION OF FEES THEREFORE AND PROVIDING PENALTIES FOR THE VIOLATIONS OF THE CODE.**

WHEREAS, the Bennett Fire Protection District No. 7 (the “District”) is a special district and political subdivision of the state of Colorado, formed pursuant to Section 32-1-101, *et. seq.*, C.R.S. (the “Special District Act”) to provide fire suppression, fire prevention, rescue, hazardous materials, ambulance and emergency medical; services; and

WHEREAS, Section 32-1-1002(1)(d), C.R.S. authorizes the Board of Directors of the District (the “Board”) to adopt and enforce fire codes within the District’s jurisdiction, provided however, no such fire code shall apply within any municipality or the unincorporated portion of any county unless the municipal or county governing body adopts a resolution or ordinance stating that such fire code or specific portions thereof shall be applicable within the fire protection district’s boundaries; and

WHEREAS, the Board of Directors (“Board”) of the District finds and determines that it is in the best interest of the residents, taxpayers, and visitors of the District to maintain adequate and updated regulations by means of adopting by reference the 2012 edition of the International Fire Code for application within the District for the purpose of establishing rules of conduct and standards for the protection of life, health, property, security and welfare of the inhabitants and property owners of the District; and

WHEREAS, the Board desires to adopt by reference the 2012 edition of the International Fire Code in its entirety, except as modified herein, to protect the safety and welfare of the citizens of the District.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE BENNETT FIRE PROTECTION DISTRICT NO. 7 OF ADAMS AND ARAPAHOE COUNTIES, COLORADO, AS FOLLOWS:

**1. ADOPTION OF FIRE CODE.** The 2012 edition of the International Fire Code, with appendices: Appendix B, Fire-Flow Requirements for Buildings; Appendix C, Fire Hydrant Locations and Distribution; Appendix D, Fire Apparatus Access Roads; Appendix E, Hazard Categories; and Appendix F, Hazard Ranking, with the Local Amendments set forth in Exhibit A, the specific additions, insertions, deletions and changes, if any, set forth in paragraphs 3, 4, and 5 of this Resolution, is hereby adopted as the Fire Code for the District for all purposes.

**2. CODE DESCRIBED.** The International Fire Code, 2012 edition, is published by the International Code Council, 500 New Jersey Avenue NW, 6th Floor, Washington, DC 20001.

**3. ADAMS COUNTY STIPULATIONS.** The Fire Code adopted pursuant to this Resolution is modified within unincorporated Adams County, as follows:

A. Adams County Ordinance No. 4 and Resolution No. 2015-375 (collectively, the “Adams County Ordinances”).

B. Except as set forth in this Section 3, in the event of a conflict between this Resolution and the Adams County Ordinances, the Adams County Ordinances shall control.

**4. TOWN OF BENNETT STIPULATIONS.** The Fire Code adopted pursuant to this Resolution is modified within the Town of Bennett jurisdictional boundaries, as follows:

A. Article V of Chapter 18 of the Town of Bennett Municipal Code (“Bennett Ordinance”).

B. Except as set forth in this Section 4, in the event of a conflict between this Resolution and the Bennett Ordinance, the Bennett Ordinance shall control.

**5. ARAPAHOE COUNTY STIPULATIONS.** The Fire Code adopted pursuant to this Resolution:

A. Is modeled after the Uniform Fire Code and is intended to be uniform generally with other fire districts within Arapahoe County;

B. Is in conformance with State statutes;

C. Shall not conflict with the Arapahoe County Building Code or other County resolutions and ordinances, and as they may be amended from time to time;

D. Does not provide for general police powers for the District's fire officials, but rather sets forth rules, standards, and procedures by and under which the District's fire officials will exercise the powers conferred by State law.

**6. AMENDMENTS.** The 2012 International Fire Code is revised as amended in **Exhibit A**, attached hereto and incorporated herein.

**7. ADMINISTRATION.**

A. The Fire Code shall be administered and enforced by the District's Fire Chief, or his/her authorized representative, as required by and provided for in the Special District Act, and any other applicable federal, state or local laws, rules, or ordinance.

B. The District's Fire Marshal, for the purpose of enforcing the Fire Code, is an authorized representative of the Fire Chief. This section shall not limit the designation of additional authorized representative if the Fire Chief deems it necessary for the effective enforcement of the Fire Code.

C. Nothing contained in this Resolution shall be construed as modifying or limiting in any manner the powers, duties, and responsibilities of the District, and the District's Fire Chief or his/her authorized representative(s), set forth in the Special District Act, or as otherwise provided by law.

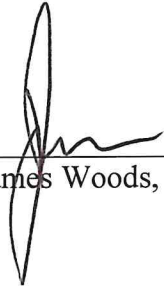
D. The Fire Code shall be interpreted in conformance with all federal, state, and local laws and ordinances, including but not limited to the Special District Act and all applicable Adams County, Arapahoe County or Town of Bennett building codes, regulations and ordinances.

**8. SEVERABILITY CLAUSE.** If any part, section, subsection, sentence, clause or phrase of this Resolution or the Fire Code as adopted and amended herein, is for any reason held to be invalid, such invalidity shall not affect the validity of the remaining sections of this Resolution or the Code. The Board hereby declares that it would have passed this Resolution, the Code, the Appendices and each part, section, subsection, sentence, clause or phrase thereof, irrespective of the fact that one or more parts, sections, subsections, sentences, clauses or phrases be declared invalid.

**9. EFFECTIVE DATE.** This Resolution and the rules, regulations, provisions, requirements, orders and matters established and adopted hereby shall take effect and be in full force and effect immediately upon adoption.

**10. REPEALER.** The District's Fire Code(s) currently in force in the District's jurisdiction, and previously approved, shall remain in full force and effect until the effective date of the Fire Code herein adopted, at which time all resolutions or parts thereof in conflict with this Resolution are hereby repealed, provided that this section shall not repeal the repealer clauses of any prior resolutions or hereby revive any ordinances or resolutions previously repealed.

ADOPTED THIS 14 DAY OF July, 2016, AT A REGULAR MEETING OF THE BOARD OF DIRECTORS OF THE BENNETT FIRE PROTECTION DISTRICT NO. 7.

  
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James Woods, President

ATTEST:

  
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Steve Dambroski, Secretary

## EXHIBIT A

### LOCAL AMENDMENTS

The following sections of the 2012 International Fire Code are hereby revised by the addition of the words underlined and the deletion of the words stricken:

#### A. CHAPTER 1 ADMINISTRATION

Section 101.1, insert: Bennett Fire Protection District No. 7.

Section 102.5, modify as follows:

**Section 102.5 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. ~~Where interior or exterior systems or devices are installed, construction permits required by Section 105.7 of this code shall also apply.~~ 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. EXCEPTION: Dwelling unit fire sprinkler systems, or portions thereof, installed in accordance with Section P2904 of the 2012 International Residential Code do not require a permit. Nevertheless, dwelling unit fire sprinkler systems, or portions thereof, installed in accordance with NFPA 13D require a permit pursuant to Section 105.7.1 of this code.

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.

Subsection 102.7, modify as follows:

**Subsection 102.7, Referenced codes and standards.** The codes and standards referenced in this code shall be those that are listed in Chapter 80, and such codes and standards shall be considered part of the requirements of this code to the prescribed extent of each such reference and as further regulated in Sections 102.7.1 and 102.7.2. Where this code refers to the ICC Electrical Code, it

means the latest edition of the National Electrical Code adopted by the State of Colorado.

Subsection 105.4.1, modify as follows:

**105.4.1 Submittals.** Construction documents shall be submitted in ~~two~~ one or more sets ~~with each application for a permit~~ and in such form and detail as required by the fire code official. The construction documents shall be prepared by a registered design professional ~~where required by the statutes of the jurisdiction in which the project is to be constructed~~ when said documents are submitted in support of an application for a construction permit required by Sections 105.7.1, 105.7.3, 105.7.6, 105.7.7, 105.7.9, 105.7.15, 105.7.17. When requested, qualification statements shall be submitted to the fire code official for the registered design professional to demonstrate compliance with the professional qualifications defined in Section 202.

**Exception:** The *fire code official* is authorized to waive the submission of *construction documents* and supporting data not required to be prepared by a registered design professional if it is found that the nature of the work applied for is such that review of *construction documents* is not necessary to obtain compliance with this code.

Subsection 105.7.6, modify as follows:

**105.7.6 Fire alarm and detection systems and related equipment.** A construction permit is required for installation of or modification to fire alarm and detection systems and related equipment, including emergency alarm systems (Section 908) and smoke control systems (Section 909). Maintenance performed in accordance with this code is not considered a modification and does not require a permit.

Add a new subsection, 105.7.17, as follows:

**105.7.17 Explosion control.** A construction permit is required to install or modify explosion control provided as required in Section 911 of this code.

Section 108.1, modify as follows:

**108.1 Board of Appeals Established.** In order to hear and decide *appeals* of orders, decisions or determinations made by the *fire code official* relative to the application and interpretation of this code, there shall be and is hereby created a *board of appeals*. The *board of appeals* shall be appointed by ~~the governing body~~ the Board of Directors and shall hold office at its pleasure. Whenever the fire code official disapproves an application or refuses to grant a permit applied for, or when it is claimed that the intent of this code has been incorrectly interpreted, the provisions of this code do not fully apply, or an equivalent

method of protection or safety is proposed, the applicant may appeal the decision of the fire code official to the designated Board of Fire Code Appeals within thirty (30) days from the date the decision being appealed was made. The fire code official shall be an ex officio member of said board but shall have no vote on any matter before the board. The board shall adopt rules of procedure for conducting its business, and shall render all decisions and findings in writing to the appellant with a duplicate copy to the fire code official.

Section 109.4, modify as follows:

**109.4 Violation penalties.** Persons who shall violate a provision of this code or shall fail to comply with any of the requirements thereof or shall 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 subject to fine and/or imprisonment in accordance with Section 32-1-1001 and 32-1-1002, C.R.S. ~~guilty of a [SPECIFY OFFENSE], punishable by a fine of not more than [AMOUNT] dollars or by imprisonment not exceeding [NUMBER OF DAYS], or both such fine and imprisonment.~~ Each day that a violation continues after due notice has been served shall be deemed a separate offense.

Section 111.4, modify as follows:

**111.4 Failure to comply.** Any person who shall continue any work after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be liable to a fine in accordance with Section 32-1-1001 and 32-1-1002, C.R.S. ~~of not less than [AMOUNT] or more than [AMOUNT] dollars.~~

## B. CHAPTER 2 DEFINITIONS

Section 202, modify by adding the following:

**Section 202 General definitions.**

**REGISTERED DESIGN PROFESSIONAL.** An engineer, licensed to practice professional engineering, as defined by the statutory requirements of the professional licensure laws of the State of Colorado, who shall be responsible and accountable to possess the required knowledge and skills to perform design, analysis, and verification in accordance with provisions of this code and applicable professional standards of practice.

## C. CHAPTER 5 FIRE SERVICE FEATURES

Section 503.2.1, modify as follows:

**Section 503.2.1, Dimensions.** Fire apparatus access roads shall have an unobstructed width of not less than twenty feet ~~(6096 mm) exclusive of shoulders, except for approved security gates in accordance with Section 503.6,~~ and an unobstructed vertical clearance of not less than thirteen (13) feet six (6) inches.

Section 503.2.2, modify as follows:

**Section 503.2.2, Authority.** 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 size of fire department's apparatus.

Subsection 504.3, modify as follows:

**504.3 Stairway access to roof.** New buildings four or more stories above grade plane, except those with a roof slope greater than four units vertical in 12 units horizontal (33.3-percent slope), shall be provided with a stairway to the roof. When an exit enclosure is required by Section 1022, the stairway to the roof shall be located within an exit enclosure. Stairway access to the roof shall be in accordance with Section 1009.13. Such stairway shall be marked at street and floor levels with a sign indicating that the stairway continues to the roof. Where roofs are used for roof gardens or for other purposes, stairways shall be provided as requires for such occupancy classification.

Add a new section, 511, as follows:

**Section 511. Recreational vehicle, mobile home, and manufactured housing parks, sales lots, and storage lots.** Recreational vehicle, mobile home, and manufactured housing parks, sales lots, and storage lots shall provide and maintain access roads and fire hydrants in accordance with Section 503 and 507.

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

## **D. CHAPTER 6 BUILDING SERVICES AND SYSTEMS**

Add a new section, 603.10, as follows:

**603.10 Carbon monoxide alarm and detector maintenance, inspection, and testing.** The building owner shall be responsible to maintain all carbon monoxide alarms and detectors in an operable condition at all times. Maintenance, inspection, and testing shall be performed in accordance with



manufacturer's instructions or nationally recognized standards. A written record shall be maintained and shall be made available to the fire code official upon request.

Subsection 605.11.3, Access and pathways, modify as follows:

**605.11.3.2 Residential systems for Group R-3 buildings.** Access to residential systems for ~~one and two family dwellings~~ Group R-3 buildings shall be provided in accordance with Sections 605.11.3.2.1 through 605.11.3.2.4.

**605.11.3.3 Other than residential buildings.** Access to systems for occupancies other than ~~one and two family dwellings~~ Group R-3 buildings shall be provided in accordance with Section 605.11.3.3 through 605.11.3.3.3.

EXCEPTION: Where it is determined by the fire code official that the roof configuration is similar to that of ~~one and two family dwellings~~ Group R-3 buildings, the residential access and ventilation requirements in Sections 605.11.3.2.1 through 605.11.3.2.4 shall be permitted to be used.

## E. CHAPTER 9 FIRE PROTECTION SYSTEMS

Section 903.2.5.1, modify as follows:

**Section 903.2.5.1 General.** An approved automatic sprinkler system shall be provided in ~~high hazard occupancies as required in Sections 903.2.5.1 through 903.2.5.3.~~

**903.2.5.1 General.** throughout all buildings containing Group H occupancy.

Add a new subsection, 903.2.6.1, as follows:

**903.2.6.1 Group I-1.** An automatic sprinkler system installed in accordance with Section 903.3.1.2 or 903.3.1.3 shall be allowed in Group I-1 facilities.

EXCEPTION: An automatic sprinkler system installed in accordance with Section 903.3.1.1 shall be provided throughout Group I-1 facilities that meet the federal Fair Housing Act definition of senior housing or housing for older persons.

Section 903.2.8, modify as follows:

**Section 903.2.8, 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 1: An automatic sprinkler system need not be installed in detached one and two-family homes.

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.

Subsection 903.2.11.1.3, modify as follows:

**Subsection 903.2.11.1.3, Basements.** Where any portion of a basement is located more than 75 feet (22860 mm) from openings required by Section 903.2.11.1, ~~or where walls, partitions or other obstructions are installed that restrict the application of water from hose streams,~~ the basement shall be equipped throughout with an approved automatic sprinkler system.

**F. CHAPTER 56 EXPLOSIVES AND FIREWORKS**

Section 5601.1.3, delete and restate as follows:

**Section 5601.1.3, Fireworks.** The possession, manufacture, storage, sale, handling or use of fireworks are prohibited, except as allowed by federal, state and local law.

**G. CHAPTER 57 FLAMMABLE AND COMBUSTIBLE LIQUIDS**

Subsection 5704.2.9.6.1, modify as follows:

**Subsection 5704.2.9.6.1, Locations where above-ground tanks are allowed.** Storage of Class I and II liquids in above-ground tanks outside of buildings is ~~prohibited within the limits established by law as the limits of districts in which such storage is prohibited (see Section 3 of the Sample Legislation for Adoption of the *International Fire Code* on page xxi)~~ allowed when such storage complies with Sections 5704.2.9.6.1 through 5704.2.9.6.3.