



**BOARD OF COUNTY COMMISSIONERS  
COUNTY OF LA PLATA, STATE OF COLORADO**

**ORDINANCE NO. O-2010-01**

**AN ORDINANCE REGARDING ADOPTION OF THE 2003 INTERNATIONAL FIRE CODE  
WITH AMENDMENTS IN UNINCORPORATED LA PLATA COUNTY**

**WHEREAS**, the Board of County Commissioners of La Plata County, Colorado (the “BoCC”) is granted authority pursuant to C.R.S. § 30-15-401.5(1), to adopt a fire code in the unincorporated area of La Plata County; and

**WHEREAS**, the BoCC previously adopted the 1985 edition of the Uniform Fire Code, with certain amendments, currently codified as Chapter 34 of the La Plata County Code (the “La Plata County Fire Code” or “County Fire Code”); and

**WHEREAS**, pursuant to C.R.S. § 30-15-401.5(2), the BoCC created a Fire Code Adoption Revision Commission (the “FCARC”); and

**WHEREAS**, the FCARC recommends updating and amending the County Fire Code by adopting the 2003 edition of the International Fire Code with certain amendments; and

**WHEREAS**, pursuant to C.R.S. § 30-15-401.5(7), the fire protection districts within La Plata County, including Upper Pine River Fire Protection District, Los Pinos Fire Protection District, Fort Lewis Mesa Fire Protection District and Durango Fire and Rescue Authority (collectively, the “Fire Districts”), are entrusted with enforcing the County Fire Code; and

**WHEREAS**, pursuant to C.R.S. § 30-15-406, the BoCC held a duly noticed public hearing on the proposed ordinance adopting the 2003 International Fire Code with amendments on the 16<sup>th</sup> day of February, 2010, whereat the proposed ordinance was introduced and the title read with the full written text submitted to the BoCC prior to the hearing; and

**WHEREAS**, pursuant to C.R.S. § 30-15-406, after publishing the proposed ordinance in the Durango Herald at least ten days prior, the BoCC held a second duly notice public hearing on the 16<sup>th</sup> day of March, 2010, whereat the BoCC heard public testimony on the proposed ordinance; and

**WHEREAS**, based upon the evidence and testimony as presented at both public hearings, the BoCC hereby finds and declares that it is in the best interest of the citizens of La Plata County, Colorado, and in furtherance of their health, safety, and welfare, that the La Plata County Fire Code be amended as specified herein.

**NOW THEREFORE, BE IT ORDAINED**, by the Board of County Commissioners of the County of La Plata, State of Colorado:

1. Chapter 34 of the La Plata County Code, Fire Prevention and Protection, shall be deleted in its entirety and replaced with a new Chapter 34 as more fully set forth in the attached

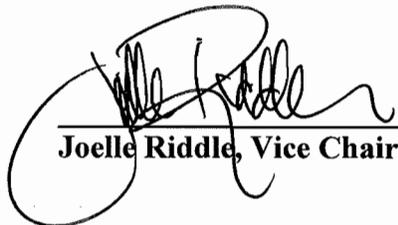
Exhibit A (Exhibit A and the un-amended 2003 International Fire Code may be viewed online at the La Plata County Building Department's web site - <http://co.laplata.co.us/bldg/fireCode.htm> - or by visiting the Building Department located in the La Plata County Courthouse, 1060 E. 2<sup>nd</sup> Ave., Durango, CO 81301).

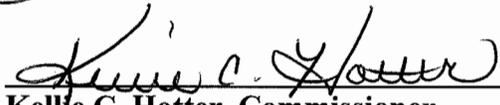
2. This Ordinance shall take effect and be in full force thirty (30) days after publication pursuant to C.R.S. § 30-15-405.

**ADOPTED AND APPROVED FOR FINAL PUBLICATION THIS 16<sup>TH</sup> DAY OF MARCH, 2010**

**By: THE BOARD OF COUNTY COMMISSIONERS OF LA PLATA COUNTY**

  
\_\_\_\_\_  
Wallace "Wally" White, Chair

  
\_\_\_\_\_  
Joelle Riddle, Vice Chair

  
\_\_\_\_\_  
Kelle C. Hotter, Commissioner

Attest:

  
  
\_\_\_\_\_  
Clerk to the Board of County Commissioners

**CERTIFICATION: THE FOREGOING ORDINANCE WAS INTRODUCED AND READ ON THE 16<sup>TH</sup> DAY OF FEBRUARY, 2010, BY THE BOARD OF COUNTY COMMISSIONERS OF LA PLATA COUNTY, COLORADO AND APPROVED FOR PUBLICATION.**

**DATE OF INITIAL PUBLICATION: 28<sup>TH</sup> DAY OF FEBRUARY, 2010 IN THE DURANGO HERALD, A NEWSPAPER OF GENERAL CIRCULATION.**

THE FOREGOING ORDINANCE WAS CONSIDERED AT A SECOND READING ON THE 16<sup>TH</sup> DAY OF MARCH, 2010 AND WAS ADOPTED AND APPROVED FOR PUBLICATION BY THE BOARD OF COUNTY COMMISSIONERS WITH AMENDMENTS.

DATE OF FINAL PUBLICATION: March 17, 2010 IN THE DURANGO HERALD, A NEWSPAPER OF GENERAL CIRCULATION.



\_\_\_\_\_  
La Plata County Clerk and Recorder

**EXHIBIT A TO ORDINANCE O-2010-01  
LA PLATA COUNTY CODE  
CHAPTER 34  
FIRE PREVENTION AND PROTECTION**

**ARTICLE I. IN GENERAL**

**Secs. 34-1 – 34-30. Reserved.**

**ARTICLE II. STANDARDS**

**Sec. 34-31. Adoption of International Fire Code.**

The volumes, parts, chapters and appendices of the International Fire Code 2003 edition including Appendix Chapters B, C, E, F, and G, as published by the International Code Council, together with amendments, additions and deletions as set forth in Article III below, are hereby adopted pursuant to C.R.S. § 30-15-401.5 as an ordinance applicable within the entire unincorporated area of La Plata County including those unincorporated areas of the county within the jurisdiction of Upper Pine River Fire Protection District, Los Pinos Fire Protection District, Fort Lewis Mesa Fire Protection District and Durango Fire and Rescue Authority.

**Sec. 34-32. Definitions.**

As defined below, the following terms shall apply to this Chapter 34 and shall take precedence over any definition, expressed or otherwise, contained within the applicable provisions of the International Fire Code, 2003 edition. Words used in the present tense shall also include the future tense; words used in the singular shall also include the plural; the masculine shall also include the feminine.

*Board of County Commissioners* or *BoCC* shall refer to the Board of County Commissioners of La Plata County, Colorado.

*Board of Appeals* or *Fire Code Board of Appeals* or *BoA* shall refer to the La Plata County Fire Code Board of Appeals created by Section 34-36 below. The Fire Code Board of Appeals is a distinct and separate entity from any entity created by Chapter 18 of the La Plata County Code to hear and decide appeals relating to the Building Code.

*Building Code* or *La Plata County Building Code* shall refer to Chapter 18 of the La Plata County Code.

*Building Official* or *La Plata County Building Official* shall refer to the Building Official appointed by the La Plata County Manager pursuant to Chapter 18 of the La Plata County Code.

*Chief* or *Fire Chief* shall refer to the chief officer of a Fire Department duly appointed by the respective board of directors, or a duly authorized representative.

*Code Official* or *Fire Code Official* shall refer to the Fire Chief or other designated authority charged with the administration and enforcement of this Code by the Fire Department, or a duly authorized representative.

*Fire Code* or *La Plata County Fire Code* or *County Fire Code* shall refer to the International Fire Code 2003 edition as adopted in section 34-36, as amended in Article III below.

*Fire Code Adoption and Revision Commission* or *FCARC* shall refer to the fire code adoption and revision commission having been lawfully created by the BoCC pursuant to Colorado law.

*Fire Protection Districts* or *Fire Departments* or *Fire Districts* shall refer collectively to any and all fire authorities, fire protection districts, and fire departments created pursuant to Colorado law and operating wholly or partially within La Plata County within whose boundaries the Fire Code applies.

*Jurisdiction*, depending on the context, shall refer to La Plata County, any individual Fire Departments within whose boundaries the Fire Code applies, or any and all of the aforementioned entities.

*Land Use Code* or *La Plata County Land Use Code* shall refer to Subpart B of the La Plata County Code.

### **Sec. 34-33. Applicability of code and standards to farms or ranches.**

Pursuant to Colorado law, the Fire Code, shall not apply to farms or ranches located within the unincorporated area of the county. A property shall be considered to be a farm or ranch, for the purposes of this article, if it is classified as agricultural and so listed by the county assessor for tax purposes.

### **Sec. 34-34. No private cause of action established.**

Notwithstanding the adoption of this Fire Code, the creation of the FCARC, the creation of the Fire Code Board of Appeals, the appointment of such boards and commissions as are designated in this Fire Code, and the enumeration in this Fire Code of certain duties and responsibilities of such officials, commissions and personnel, nothing in this article or any code, standard, regulation, protocol or procedure adopted pursuant hereto, or the enforcement or failure to enforce this article, or any rule, regulation, protocol, code or standard adopted pursuant hereto, shall be construed to relieve any person owning buildings, structures or property governed by this article, or any code, standard, rule, regulation or protocol adopted pursuant to this article, from full responsibility for compliance with and liability for any violations of this article, or any code, standard, rule, regulation or protocol adopted pursuant to this article. The adoption, enforcement or failure to enforce this article, and any code, rule, standard, procedure or protocol adopted pursuant hereto shall not be deemed to create any liability on the part of the county, its officers, agents, servants, employees, the county fire code adoption and revision commission, or the county fire code board of appeals, nor shall any cause of action or claim against such persons or entities be created hereby. In adopting this article, it is the intent of the BoCC

to create a duty for the benefit of the public generally and not to create a remedy or benefit for any particular individuals or classes thereof.

**Sec. 34-35. Contract for Fire Protection.**

Pursuant to Colorado law, the BoCC may contract with an enforcement agency to provide fire protection and fire code enforcement in unincorporated areas of the county not within the jurisdiction of a Fire Department.

**ARTICLE III. AMENDMENTS, ADDITIONS, AND DELETIONS TO THE  
INTERNATIONAL FIRE CODE 2003 EDITION.**

**Division 1. Chapter 1 of the International Fire Code, 2003 edition.**

**Sec. 34-36. Chapter 1 of the International Fire Code, 2003 edition.**

Chapter 1 of the International Fire Code, 2003 edition, is hereby deleted and reenacted to read as follows:

**Section 101**

**General**

**101.1 Title.** These regulations shall be known as the La Plata County Fire Code, hereinafter referred to as “this Code” or the “Fire Code.”

**101.2 Scope.** This Code establishes regulations affecting or regulating structures, process, premises and safeguards regarding:

1. The hazard of fire and explosion arising from the storage, handling or use of structures, materials or devices;
2. Conditions hazardous to life, property or public welfare in the occupancy of structures or premises;
3. Fire hazards in the structure or on the premises from occupancy or operation;
4. Matters related to the construction, extension, repair, alteration or removal of fire suppression or alarm systems.

**101.2.1 Appendices.** Provisions in Appendix Chapters B, C, E, F, and G of the International Fire Code, 2003 edition, shall apply as part of this Code.

**101.2.2 Date effective.** This Code shall take effect and be in full force thirty (30) days after publication pursuant to Colorado Law. All prior resolutions and fire codes previously adopted are hereby repealed and revoked in their entirety.

**101.2.3 Standards.** Whenever any State law or regulation imposes higher or more stringent standards than are required by this Code, the provision of that law or regulation shall govern. Whenever the standards imposed by this Code are higher or more stringent than the standards imposed by any other applicable law, or regulation or resolution of any governmental body, then the standards of this Code shall govern.

**101.3 Intent.** The purpose of this Code is to establish minimum fire safety standards to safeguard the public health, safety, and general welfare from the hazards of fire, explosion or dangerous conditions in new and existing buildings, structures and premises and to provide safety to fire fighters and emergency responders during emergency operations.

**101.4 Severability and Validity.** If a section, subsection, sentence, clause or phrase of this Code is, for any reason, declared invalid or becomes inoperative for any reason, such invalidity or failure shall not affect the validity of any other section, subsection, sentence, clause or phrase, and it shall be presumed that this Code would have been adopted without such illegal or invalid parts or provisions.

## **Section 102**

### **Applicability**

**102.1 Construction and design provisions.** The construction and design provision of this Code shall apply to:

1. Structures, facilities and conditions arising after the adoption of this Code.
2. Existing structure, facilities and conditions not legally in existence at the time of adoption of this Code.
3. Existing structures, facilities and conditions when identified in specific sections of this Code.
4. Existing structures, facilities and conditions which, in the opinion of the code official, constitute a distinct hazard to life or property.

**102.2 Administrative, operational and maintenance provisions.** The administrative, operational and maintenance provisions of this Code shall apply to:

1. Conditions and operations arising after the adoption of this Code.
2. Existing conditions and operations.

**102.3 Conflict with other codes.** Should a conflict arise or exist between any Fire Code term or provision, Building Code term or provision, or Land Use Code term or provision, or if any Fire Code, Building Code, or Land Use Code term or provision imposes on any party irreconcilable duties or obligations, then the applicable Building Code or Land Use Code term or provision shall apply. Should a conflict arise between a Fire Department and the La Plata County Building Department or the La Plata County Land Use Department regarding the interpretation of any Fire Code term or provision, the La Plata County Attorney's interpretation of the applicable Fire Code term or provision shall apply. When any such conflicts arise, the La Plata County Attorney shall send written notification documenting his or her interpretation of the appropriate Fire Code term or provision within a reasonable time to all of the Fire Departments. Determinations specifically delegated to be made at the discretion of a Fire Chief shall not be subject to the County Attorney's interpretation as provided herein.

**102.4 Referenced codes and standards.** The codes and standards referenced in this Code shall be those that are listed in Chapter 45 and the National Fire Protection Association's Standard Reference Number 96-00 - Ventilation Control and Fire Protection of Commercial Cooking Operations. Such codes and standards shall be considered part of the requirements of this Code to the prescribed extent of each such reference. Where differences occur between the provisions of this Code and the referenced standards, the provisions of this Code shall apply.

**102.5 Subjects not regulated by this Code.** Where no applicable standards or requirements are set forth in this Code, or are contained within other laws, codes, regulations, ordinances or bylaws adopted by the jurisdiction, compliance with applicable standards of the National Fire Protection Association or other nationally recognized fire safety standards, as approved, shall be *prima facie* evidence of compliance with the intent of this Code. Nothing herein shall derogate from the authority of the Fire Code Official to determine compliance with codes or standards for those activities or installations within the code official's jurisdiction or responsibility.

**102.6 Matters not provided for.** Requirements that are essential for the public safety of an existing or proposed activity, building or structure, or for the safety of the occupants thereof, which are not specifically provided for by this Code shall be determined by the Fire Code Official.

**102.7 Conflicting provisions.** Where there is a conflict between a general requirement and a specific requirement, the specific requirement shall be applicable.

## Section 103

### Departments, Boards, and Commissions

**103.1 Establishment and duties of Bureau of Fire Prevention.** Each Fire Department shall establish a Bureau of Fire Prevention to implement, administer, and enforce the provisions of this Code in the Fire Department's jurisdiction. Each Bureau of Fire Prevention shall be operated under the supervision of the Fire Chief of the respective Fire Department or another duly appointed authority of the respective Fire Department, which appointees shall hereinafter be referred to collectively as the "Fire Code Official" or "Code Official." The Fire Code Official shall be appointed by the boards of directors or the Fire Chief of the respective Fire Departments. The Fire Code Official may detail such members of the Fire Department as inspectors within the Bureau of Fire Prevention as may be necessary.

**103.2 Duties of the La Plata County Fire Code Adoption and Revision Commission.** Having been duly created by the BoCC pursuant to Colorado law, the FCARC shall serve two primary functions: (1) make recommendations to the BoCC on matters relating to the adoption or amendment of this Code, and (2) ensure consistent interpretation and enforcement of this Code by the Fire Departments. The FCARC shall at a minimum meet biannually at a time and place of its choosing. To ensure consistent interpretation and enforcement of the Fire Code, the FCARC may issue statements regarding the proper interpretation of Fire Code provisions, or recommend that the BoCC amend Fire Code provisions.

**104.1.1 Reports to the FCARC.** At every meeting, the La Plata County Attorney or the La Plata County Attorney's designee shall present to the FCARC the facts and circumstances leading to the La Plata County Attorney's written interpretation of a Fire Code term or provision pursuant to Section 102.3. Also at every meeting, the Fire Chief of each of the Fire Departments or each of the Chief's representatives shall present to the FCARC the following:

1. The total number of requested, granted, and denied Fire Code Permits pursuant to Section 105. For any denied Fire Code Permit, the Fire Chief shall also relate the facts and circumstances resulting in the denial and the provision of the Fire Code utilized as the basis of denial.
2. The total number of land use permits for which the Fire Department sent comments to the La Plata County Planning Department pursuant to Section 104.2(2) and any issues related to the Fire Code resulting from such comments.

3. The total number of building permits for which the Fire Department sent comments to the La Plata County Building Department pursuant to Section 104.2(3) and any issues related to the Fire Code resulting from such comments.
4. The total number of inspections conducted pursuant to Section 104.2(4) and any issues related to the Fire Code resulting from such inspections.

**103.3 Establishment and duties of the Fire Code Board of Appeals.** In order to hear and decide appeals from the decision of any administrative officer or agency based upon or made in the course of the administration or enforcement of the provisions of this Code, there shall be and is hereby created a Board of Appeals.

**103.3.1 Authority.** The Board of Appeals may hear appeals brought by any person aggrieved by his or her inability to obtain a Fire Code Permit, building code permit, or land use permit because of a decision of any administrative officer or agency based upon or made in the course of the administration or enforcement of the provisions of this Code. The Board of Appeals may make special exceptions to the provisions of this Code provided the Board of Appeals shall first find that special individual reason makes the strict letter of this Code impractical and the modification is in compliance with the intent and purpose of this Code and that such modification does not lessen health, life and fire safety requirements.

**103.3.2 Eligibility; membership.** All members of the Fire Code Board of Appeals shall be residents of La Plata County and shall have reached the age of eighteen (18) years on the effective date of their appointment. The Fire Code Board of Appeals shall consist of five (5) members appointed by, and serving at the pleasure of, the Board of County Commissioners. When possible, the five (5) members of the Fire Code Board of Appeals shall consist of the five (5) professionals described below. If any one or all of the professional qualifications described below cannot be practicably met, the Board of County Commissioners may appoint a reasonable qualified replacement.

1. **Design professional.** One member shall be a practicing design professional registered in the practice of engineering or architecture in the state of Colorado.
2. **Fire protection engineering professional.** One member shall be a qualified engineer, technologist, technician or safety professional trained in fire protection engineering, fire science or fire technology. Qualified representatives in this category shall include fire protection contractors and certified technicians engaged in fire protection system design.
3. **Industrial safety professional.** One member shall be registered industrial or chemical engineer, certified hygienist, certified safety professional, certified hazardous materials manager or comparably qualified specialist experienced in chemical process safety or industrial safety.
4. **General contractor.** One member shall be a contractor regularly engaged in the construction, alteration, maintenance, repair or remodeling of buildings or building services and systems regulated by this Code.
5. **General industry or business representative.** One member shall be a representative of business or industry not represented by a member from one of the other categories of board members described above.

**103.3.3 Rules and Procedures.** The Board of Appeals members shall elect from their membership a Chair, Vice Chair, and any other officers they deem appropriate for the accomplishment of their task. Meetings of the Board of Appeals shall be held at the call of the Chair and at such other times as necessary to fulfill its responsibilities. Meetings of the Board of Appeals shall be open to the public and conducted in accordance with the Colorado open meetings law, C.R.S. § 24-6-402. Notices and agendas of the Board of Appeal’s meetings shall be posted at the La Plata County Courthouse located at 1060 East Second Avenue, Durango, Colorado. The presence of a majority of the Board of Appeals shall constitute a quorum for the transaction of business. The Chair, or in the Chair’s absence, the Vice Chair may administer oaths and compel the attendance of witnesses. The Board of Appeals shall keep minutes of its proceedings showing the vote of each member upon each question, or if absent or failing to vote, indicating such fact, and it shall keep records of its examinations and other official actions, all of which shall be immediately filed in the office of the board and shall be a public record. The Board of Appeals shall render all decisions and findings in writing to the appellant with duplicate copies to all of the Fire Departments, the La Plata County Attorney, the La Plata County Building Department, and the La Plata County Planning Department. The Board of Appeals may adopt supplemental rules of procedure not inconsistent with this Code.

**103.3.4 Notice of right to appeal.** Any and all written decisions made by an administrative officer of agency based upon or made in the course of the administration or enforcement of the provisions of this Code shall include a statement notifying a potentially aggrieved person that he or she may appeal that decision to the Board of Appeals.

**103.4 Liability.** La Plata County, the Fire Departments, the Fire Chiefs, members of the Fire Code Board of Appeals and the FCARC, or any employees charged with the enforcement of this Code, while acting within their scope of employment in accordance with Colorado law, in the discharge of the duties required by this Code or other pertinent law or ordinance, shall not thereby be rendered liable personally and are hereby relieved from personal liability for any damage accruing to persons or property as a result of any act or be reason of an act or omission in the discharge of official duties.

## **Section 104**

### **General Authority and Responsibilities**

**104.1 General.** The Fire Code Official is hereby authorized to enforce the provisions of this Code and shall have the authority to render interpretations of this Code, and to adopt policies, procedures, rules and regulations in order to clarify the application of its provisions. Such interpretations, policies, procedures, rules and regulations shall be in compliance with all terms and provisions of this Code, the intent and purpose of this Code, and any interpretation rendered by the La Plata County Attorney or the FCARC, and shall not have the effect of waiving requirements specifically provided for in this Code.

**104.2 Applications, permits, and inspections.** The Fire Code Official is hereby authorized to receive applications and issue construction and/or operational permits, to offer comments regarding land use or building permits issued by the La Plata County, and pursuant to Colorado law, inspects buildings, premises, and public places as follows:

**104.2.1 Fire Code Permits.** Pursuant to Section 105 below, the Fire Code Official may review applications and issue those construction and/or operational permits as are required by this Code. These permits shall be referred to as “Fire Code Permits” and shall be distinguished from land use or building permits issued by La Plata County. When a Fire Code Permit concerns new construction also requiring a Building Permit pursuant to Chapter 18 of the La Plata County Code, the Building Code Official shall not issue a certificate of occupancy until the respective Fire Department certifies that the applicant has complied with all applicable Fire Code Permit requirements

**104.2.2 Comments regarding Land Use Permits.** Pursuant to Section 82-84 of the La Plata County Code, the Fire Code Official may review land use applications and offer comments regarding the proposed development to the La Plata County Planning Department. Pursuant to Section 82-171, any comments offered shall be constrained to (1) this Code’s applicability or potential applicability to the proposed development, and/or (2) the need for and the details of a fire response plan. A fire response plan shall be required for all development requiring a land use permit and shall be submitted on paper or an equivalent electronic document corresponding to the following paper sizes: 8.5 x 11; 8.5 x 14; or 11” x 17”. The following items, if applicable, shall be shown on the fire response plan:

1. Building footprint and building dimensions;
2. Exterior doors;
3. Interior walls and fire walls (area separation wall), include fire rating;
4. Fire hydrant locations for this structure;
5. Gas and electric meter (shut offs);
6. Curb box water meter (shut off);
7. Fire Department key box location;
8. Fire Department Connection (FDC);
9. Location of standpipes (if applicable);
10. Location of fire alarm panel and annunciators, elevator and elevator room;
11. Sprinkler riser location;
12. Roof access and vent;
13. Type of construction for exterior walls and roof;
14. Exterior LP Storage tanks;
15. Hazardous material storage;
16. Underground storage tank locations;
17. Aboveground storage tank locations; and
18. Other special areas as required by the respective Fire Department.

**104.2.3 Comments regarding a Building Permit.** The Fire Code Official may review construction documents and corresponding applications for building permits governed by Chapter 18 of the La Plata County Code. If requested by a Fire Department or determined by the Building Official to be necessary, the Building Official shall notify applicants that an exact copy of all construction documents and corresponding application materials must be delivered to the appropriate Fire Department within forty-eight (48) hours. In addition to reviewing construction documents and application materials, the Fire Code Official may inspect projects under-construction in conjunction with the Building Code Official's inspection. After reviewing construction documents and application materials or inspecting projects under-construction, the Fire Code Official may offer comments to the La Plata County Building Official. Any comments shall be offered within a reasonable period of time as specified by the Building Official and shall be constrained to this Code's applicability or potential applicability to the proposed project or project under-construction. Prior to issuing a certificate of occupancy, the Building Official shall determine that an applicant has complied with the Fire Code Official's comments or request that the La Plata County Attorney send written notice documenting a differing interpretation of the relevant Fire Code provision to the Fire Departments pursuant to Paragraph 102.3 above.

**104.2.4 Inspections pursuant to Colorado law.** Pursuant to Colorado law, the Fire Code Official shall inspect or cause to be inspected as often as the Fire Code Official deems is necessary, all buildings, premises, and public places, except the interior of any private dwelling, for the purpose of ascertaining and causing to be corrected any condition liable to cause fire or for the purpose of obtaining information relative to the violation of the various provisions of Colorado law or this Fire Code.

**104.3 Right of entry.** Whenever it is necessary to make an inspection pursuant to Paragraph 104.2 above or any other law, the Fire Code Official is authorized to enter into all structures and upon all premises at reasonable times during business hours or such times as such structures or premises are open for the purpose of examination in conformity with the duties imposed by Paragraph 104.2, and it is unlawful for any person to interfere with the Fire Code Official's discharge of his/her duties or to hinder or prevent the Fire Code Official from inspecting or entering into or upon any building, establishments, enclosures, or premises in the discharge of his/her duties. If entry is refused for any reason, the Fire Code Official shall have recourse to the remedies provided by Colorado law to secure entry.

**104.4 Identification.** The Fire Code Official shall carry on his/her person properly-authorized fire department identification which shall be shown, on request, to the owner, lessee, agent, or occupant of any structure or premises prior to the inspection of the same.

**104.5 Department records.** The Fire Code Official shall keep official records of applications received, construction and operational permits issued, comments offered to La Plata County regarding land use or building permits, fees collected, and reports of inspections. Such records shall be retained in the official records for the period required for retention of public records.

**104.5.1 Records.** The Fire Code Official shall keep a permanent, accurate account of all fees and other monies collected or received under this Code, the names of the persons upon whose account the same were paid, the date and amount thereof, together with the location of the building or premises to which they relate.

**104.6 Approved materials and equipment.** All materials, equipment and devices approved by the Fire Code Official shall be constructed and installed in accordance with such approval.

**104.6.1 Material and equipment reuse.** Materials, equipment and devices shall not be reused or reinstalled unless such elements have been reconditioned, tested and placed in good and proper working condition and approved.

**104.6.2 Technical assistance.** To determine the acceptability of technologies, processes, products, facilities, materials and uses attending the design, operation or use of a building or premises subject to inspection by the Fire Code Official, the Fire Code Official is authorized to require the owner or agent to provide, without charge to the jurisdiction, a technical opinion and report. The opinion and report shall be prepared by a qualified engineer, specialist, laboratory or fire safety specialty organization acceptable to the Fire Code Official and shall analyze the fire safety properties of the design, operation or use of the building or premises and the facilities and appurtenances situated thereon, to recommend necessary changes. The Fire Code Official is authorized to require design submittals to be prepared by, and bear the stamp of, a registered design professional.

**104.7 Modifications.** Whenever there are practical difficulties involved in carrying out the provisions of this Code, the Fire Code Official shall have the authority to grant modifications for individual cases, provided the Fire Code Official shall first find that special individual reason makes the strict letter of this Code impractical and the modification is in compliance with the intent and purpose of this Code and that such modification does not lessen health, life and fire safety requirements. The details of action granting modifications shall be recorded and entered in the files of the department of fire prevention.

**104.8 Alternative materials and methods.** The provisions of this Code are not intended to prevent the installation of any material or to prohibit any method of construction not specifically prescribed by this Code, provided that any such alternative has been approved. The Fire Code Official is authorized to approve an alternative material or method of construction where the Fire Code Official finds that the proposed design is satisfactory and complies with the intent of the provisions of this Code, and that the material, method or work offered is, for the purpose intended, at least the equivalent of that prescribed in this Code in quality, strength, effectiveness, fire resistance, durability and safety.

**104.9 Fire investigations.** Pursuant to Colorado law, the Fire Departments shall investigate the cause, origin, and circumstance of any fire, explosion or other hazardous condition occurring within the Fire Department's jurisdiction by which property is destroyed or damaged and, so far as is possible, determine whether the fire was the result of carelessness or design. Such investigations shall begin immediately upon the occurrence of the fire, and if, after such investigation, the Fire Chief is of the opinion that the facts in relation to such fire indicate that a crime has been committed, he/she shall present the facts of such investigation and the testimony taken from any person involved, together with any other data in his/her possession, to the appropriate district attorney, with his/her request that the district attorney institute such criminal proceedings as the investigation, testimony, or data may warrant.

**104.10 Authority at fires.** The Fire Chief shall have authority over the supervision of all fires within the respective Fire Department's jurisdiction except as otherwise provided by law.

## **Section 105**

### **Permits**

**105.1 General.** Permits shall be in accordance with Section 105.

**105.1.1 Permits Required.** Permits required by this Code shall be obtained from the Fire Code Official for the respective Fire Departments. Permit fees, if any, shall be paid prior to issuance of the permit. Issued permits shall be kept on the premises designated therein at all times and shall be readily available for inspection by the Fire Code Official.

**105.1.2 Types of permits.** There shall be two types of permits as follows:

**1. Operational permit.** An operational permit allows the applicant to conduct an operation or a business for which a permit is required by Section 105.6 for either:

**1.1.** A prescribed period.

**1.2.** Until renewed or revoked.

**2. Construction permit.** A construction permit allows the applicant to install or modify systems and equipment for which a permit is required by Section 105.7.

**105.1.3 Permits for the same location.** When more than one permit is required for the same location, the Fire Code Official is authorized to consolidate such permits into a single permit provided that each provision is listed in the permit.

**105.2 Application.** Application for a permit required by this Code shall be made to the Fire Code Official in such form and detail as prescribed by the Fire Code Official. Applications for permits shall be accompanied by such plans as prescribed by the Fire Code Official.

**105.2.1 Refusal to issue permit.** If the application for a permit describes a use that does not conform to the requirements of this Code and other pertinent laws and ordinances, the Fire Code Official shall not issue a permit, but shall return the application to the applicant with the refusal to issue such permit. Such refusal shall, when requested, be in writing and shall contain the reasons for refusal.

**105.2.2 Inspection authorized.** Before a new operational permit is approved, the Fire Code Official is authorized to inspect the receptacles, vehicles, buildings, devices, premises, storage spaces or areas to be used to determine compliance with this Code or any operational constraints required.

**105.2.3 Time limitation of application.** An application for a permit for any proposed work or operation shall be deemed to have been abandoned six months after the date of filing, unless such application has been diligently prosecuted or a permit shall have been issued; except that the Fire Code Official is authorized to grant one or more extensions of time for additional periods not exceeding 90 days each if there is reasonable cause.

**105.2.4 Action on application.** The Fire Code Official shall examine or cause to be examined applications for permits and amendments thereto within a reasonable time after filing. If the application or the construction documents do not conform to the requirements of pertinent laws, the Fire Code Official shall reject such application in writing, stating the reasons therefore. If the Fire Code Official is satisfied that the proposed work or operation conforms to the requirements of this Code and laws and ordinances applicable thereto, the Fire Code Official shall issue a permit therefore as soon as practicable.

**105.3 Conditions of a permit.** A permit shall constitute permission to maintain, store or handle materials; or to conduct processes which produce conditions hazardous to life or property; or to install equipment utilized in connection with such activities; or to install or modify any fire protection system or equipment or any other construction, equipment installation or modification in accordance with the provisions of this Code where a permit is required by Section 105.6 or 105.7. Such permission shall not be construed as authority to violate, cancel or set aside any of the provisions of this Code or other applicable regulations or laws of the jurisdiction.

**105.3.1 Expiration.** An operational permit shall remain in effect until reissued, renewed, or revoked or for such a period of time as specified in the permit. Construction permits shall automatically become invalid unless the work authorized by such permit is commenced within 180 days after its issuance, or if the work authorized by such permit is suspended or abandoned for a period of 180 days after the time the work is commenced. Before such work recommences, a new permit shall be first obtained and the fee to recommence work, if any, shall be one-half the amount required for a new permit for such work, provided no changes have been made or will be made in the original construction documents for such work, and provided further that such suspension or abandonment has not exceeded one year. Permits are not transferable and any change in occupancy, operation, tenancy or ownership shall require that a new permit be issued.

**105.3.2 Extensions.** A permittee holding an unexpired permit shall have the right to apply for an extension of the time within which the permittee will commence work under that permit when work is unable to be commenced within the time required by this section for good and satisfactory reasons. The Fire Code Official is authorized to grant, in writing, one or more extensions of the time period of a permit for periods of not more than 90 days each. Such extensions shall be requested by the permit holder in writing and justifiable cause demonstrated.

**105.3.3 Occupancy prohibited before approval.** The building or structure shall not be occupied prior to the Fire Code Official issuing a permit that indicates that applicable provisions of this Code have been met.

**105.3.4 Conditional permits.** Where permits are required and upon the request of a permit applicant, the Fire Code Official is authorized to issue a conditional permit to occupy the premises or portion thereof before the entire work or operations on the premises is completed, provided that such portion or portions will be occupied safely prior to full completion or installation of equipment and operations without endangering life or public welfare. The Fire Code Official shall notify the permit applicant in writing of any limitations or restrictions necessary to keep the permit area safe. The holder of a conditional permit shall proceed only to the point for which approval has been given, at the permit holder's own risk and without assurance that approval for the occupancy or the utilization of the entire premises, equipment or operations will be granted.

**105.3.5 Posting the permit.** Issued permits shall be kept on the premises designated therein at all times and shall be readily available for inspection by the Fire Code Official.

**105.3.6 Compliance with code.** The issuance or granting of a permit shall not be construed to be a permit for, or an approval of, any violation of any of the provisions of this Code or of any other ordinance of the jurisdiction. Permits presuming to give authority to violate or cancel the provisions of this Code or other ordinances of the jurisdiction shall not be valid. The issuance of a permit based on construction documents and other data shall not prevent the Fire Code Official from requiring the correction of errors in the construction documents and other data. Any addition to or alteration of approved construction documents shall be approved in advance by the Fire Code Official, as evidenced by the issuance of a new or amended permit.

**105.3.7 Information on the permit.** The Fire Code Official shall issue all permits required by this Code on an approved form furnished for that purpose. The permit shall contain a general description of the operation or occupancy and its location and any other information required by the Fire Code Official. Issued permits shall bear the signature of the Fire Code Official or other approved legal authorization.

**105.4 Construction documents.** Construction documents shall be in accordance with this section.

**105.4.1 Submittals.** Construction documents shall be submitted in one or more sets 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 Fire Code Official or other applicable law.

**105.4.2 Information on construction documents.** Construction documents shall be drawn to scale upon suitable material. Electronic media documents are allowed to be submitted when approved by the Fire Code Official. Construction documents shall be of sufficient clarity to indicate the location, nature and extent of the work proposed and show in detail that it will conform to the provisions of this Code and relevant laws, ordinances, rules and regulations as determined by the Fire Code Official.

**105.4.3 Applicant responsibility.** It shall be the responsibility of the applicant to ensure that the construction documents include all of the fire protection requirements and the shop drawings are complete and in compliance with the applicable codes and standards.

**105.4.4 Approved documents.** Construction documents approved by the Fire Code Official are approved with the intent that such construction documents comply in all respects with this Code. Review and approval by the Fire Code Official shall not relieve the applicant of the responsibility of compliance with this Code.

**105.4.5 Corrected documents.** Where field conditions necessitate any substantial change from the approved construction documents, the Fire Code Official shall have the authority to require the corrected construction documents to be submitted for approval.

**105.4.6 Retention of construction documents.** One set of construction documents shall be retained by the Fire Code Official until final approval of the work covered therein. One set of approved construction documents shall be returned to the applicant, and said set shall be kept on the site of the building or work at all times during which the work authorized thereby is in progress.

**105.5 Revocation.** The Fire Code Official is authorized to revoke a permit issued under the provisions of this Code when it is found by inspection or otherwise that there has been a false statement or misrepresentation as to the material facts in the application or construction documents on which the permit or approval was based including, but not limited to, any one of the following:

1. The permit is used for a location or establishment other than that for which it was issued.

2. The permit is used for a condition or activity other than that listed in the permit.
3. Conditions and limitations set forth in the permit have been violated.
4. There have been any false statements or misrepresentations as to the material fact in the application for permit or plans submitted or a condition of the permit.
5. The permit is used by a different person or firm than the name for which it was issued.
6. The permittee failed, refused or neglected to comply with orders or notices duly served in accordance with the provisions of this Code within the time provided therein.
7. The permit was issued in error or in violation of an ordinance, regulation or this Code.

**105.6 Required operational permits.** The Fire Code Official is authorized to issue operational permits for the following operations and only the following operations:

**105.6.1 Amusement buildings.** An operational permit is required to operate a special amusement building.

**105.6.2 Battery systems.** A permit is required to install stationary lead-acid battery systems having a liquid capacity of more than 50 gallons (189 L).

**105.6.3 Explosives.** An operational permit is required for the manufacture, storage, handling, sale or use of any quantity of explosive, explosive material, fireworks, or pyrotechnic special effects within the scope of Chapter 33.

**105.6.4 Hazardous materials.** An operational permit is required to store, transport on site, dispense, use or handle hazardous materials in excess of the amounts listed in Table 105.6.21.

**105.6.5 High-piled storage.** An operational permit is required to use a building or portion thereof as a high-piled storage area exceeding 500 square feet (46 m<sup>2</sup>).

**105.6.6 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. Instruction and stipulations of the permit shall be adhered to.

**Exception:** Recreational Fires.

**105.6.7 Pyrotechnic special effects material.** An operational permit is required for use and handling of pyrotechnic special effects materials.

**105.6.8 Temporary membrane structures, tents and canopies.** An operational permit is required to operate an air-supported temporary membrane structure or tent having an area in excess of 200 square feet (19 m<sup>2</sup>), or a canopy in excess of 400 square feet (37 m<sup>2</sup>).

**Exceptions:**

1. Tents used exclusively for recreational camping purposes.
2. Fabric canopies open on all sides which comply with all of the following:
  - 2.1. Individual canopies having a maximum size of 700 square feet (65 m<sup>2</sup>).
  - 2.2. The aggregate area of multiple canopies placed side by side without a fire break clearance of not less than 12 feet (3658 mm) shall not exceed 700 square feet (65 m<sup>2</sup>) total.

**2.3.** A minimum clearance of 12 feet (3658 mm) to structures and other tents shall be provided.

**3.** Tents used exclusively by the building industry to protect construction projects from adverse weather conditions.

**105.7 Required Construction Permits.** The Fire Code Official is authorized to issue construction permits for the following work, and only for the following work:

**105.7.1 Automatic fire-extinguishing systems.** A construction permit is required for installation of or modification to an automatic fire-extinguishing system. Maintenance performed in accordance with this Code is not considered a modification and does not require a permit.

**105.7.2 Commercial kitchen hoods.** A construction permit is required for installation of or modification to a commercial kitchen hoods. Maintenance performed in accordance with this Code is not considered a modification and does not require a permit.

**105.7.3 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. Maintenance performed in accordance with this Code is not considered a modification and does not require a permit.

**105.7.4 Fire pumps and related equipment.** A construction permit is required for installation of or modification to fire pumps and related fuel tanks, jockey pumps, controllers, and generators. Maintenance performed in accordance with this Code is not considered a modification and does not require a permit.

**105.7.5 Hazardous materials.** A construction permit is required to install, repair damage to, abandon, remove, place temporarily out of service, or close or substantially modify a storage facility or other area regulated by Chapter 27 when the hazardous materials in use or storage exceed the amounts listed in Table 105.6.21.

**Exceptions:**

1. Routine maintenance.
2. For emergency repair work performed on an emergency basis, application for permit shall be made within two working days of commencement of work.

**105.7.6 Private fire hydrants.** A construction permit is required for the installation or modification of private fire hydrants.

**105.7.7 Standpipe systems.** A construction permit is required for the installation, modification, or removal from service of a standpipe system. Maintenance performed in accordance with this code is not considered a modification and does not require a permit.

**105.7.8 Temporary membrane structures, tents and canopies.** A construction permit is required to erect an air-supported temporary membrane structure or a tent having an area in excess of 200 square feet (19 m<sup>2</sup>), or a canopy in excess of 400 square feet (37 m<sup>2</sup>).

**Exceptions:**

1. Tents used exclusively for recreational camping purposes.
2. Funeral tents and curtains or extensions attached thereto, when used for funeral services.

3. Fabric canopies and awnings open on all sides which comply with all of the following:

3.1. Individual canopies shall have a maximum size of 700 square feet (65 m<sup>2</sup>).

3.2. The aggregate area of multiple canopies placed side by side without a fire break clearance of not less than 12 feet (3658 mm) shall not exceed 700 square feet (65 m<sup>2</sup>) total.

3.3. A minimum clearance of 12 feet (3658 mm) to structures and other tents shall be maintained.

## Section 106

### Maintenance

**106.1 Maintenance of safeguards.** Whenever or wherever any device, equipment, system, condition, arrangement, level of protection, or any other feature is required for compliance with the provisions of this Code, or otherwise installed, such device, equipment, system, condition, arrangement, level of protection, or other feature shall thereafter be continuously maintained in accordance with this Code and applicable referenced standards.

**106.2 Testing and operation.** Equipment requiring periodic testing or operation to ensure maintenance shall be tested or operated as specified in this Code.

**106.2.1 Test and inspection records.** Required test and inspection records shall be available to the Fire Code Official at all times or such records as the Fire Code Official designates shall be filed with the Fire Code Official.

**106.2.2 Reinspection and testing.** Where any work or installation does not pass an initial test or inspection, the necessary corrections shall be made so as to achieve compliance with this Code. The work or installation shall then be resubmitted to the Fire Code Official for inspection and testing.

**106.3 Supervision.** Maintenance and testing shall be under the supervision of a responsible person who shall ensure that such maintenance and testing are conducted at specified intervals in accordance with this Code.

**106.4 Rendering equipment inoperable.** Portable or fixed fire-extinguishing systems or devices and fire-warning systems shall not be rendered inoperative or inaccessible except as necessary during emergencies, maintenance, repairs, alterations, drills or prescribed testing.

**106.5 Owner/occupant responsibility.** Correction and abatement of violations of this Code shall be the responsibility of the owner. If an occupant creates, or allows to be created, hazardous conditions in violation of this Code, the occupant shall be held responsible for the abatement of such hazardous conditions.

**106.6 Overcrowding.** Overcrowding or admittance of any person beyond the approved capacity of a building or a portion thereof shall not be allowed. The Fire Code Official, upon finding any overcrowding conditions or obstructions in aisles, passageways or other means of egress, or upon finding any condition which constitutes a life safety hazard, shall be authorized to cause the event to be stopped until such condition or obstruction is corrected.

## Section 107

### Violations

**107.1 Violations.** 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 the same to be done, in conflict with or in violation of any of the provisions of this Code. Violations of this Code may be remedied in accordance with Colorado law and the following provisions by either La Plata County or the Fire Department within whose boundaries the violation occurs. The jurisdiction enforcing the violations shall be responsible for any expenses incurred in pursuing enforcement of the violation. No jurisdiction shall have the obligation to prosecute violations. It is within the discretion of the entity enforcing the violation to determine whether to pursue civil penalties, criminal remedies, or both.

**107.1.1 County Procedure.** If La Plata County elects to remedy a suspected Fire Code violation, it shall act according to Colorado law and the following provisions.

**107.1.1.1 Notice.** The Building Official, upon finding a violation, shall notify the person in violation by letter. The letter shall specify the details of the violation and a deadline by which the violation is to be corrected. If the violation continues beyond the deadline established, a court action may be pursued, a notice of violation may be recorded in the property records in the La Plata County Clerk and Recorder's Office, or the permit may be revoked.

**107.1.1.2 Recording of violations.** If the violation is not timely corrected, the Building Official may cause a notice of the violation to be recorded in the real property records in the La Plata County Clerk and Recorder's Office for the property or properties on which the violation exists. Such notice shall be in a form prescribed by the Building Official. The recorded notice shall not constitute a lien or encumbrance upon the property but shall be constructive notice of the violation to subsequent purchasers. Upon adequate demonstration to the building official that all violations are satisfactorily cured, the Building Official shall cause a release of the notice to be filed in the real property records.

**107.1.1.3 Penalties.** Any person who violates any provision of this Code, shall be guilty of a class 2 petty offense and fined not more than one thousand dollars (\$1,000.00) for each offense. Each violation of this Code and each day's continuation of such violations shall be a separate offense.

**107.1.1.4 Civil action.** The County may institute an injunction, mandamus, abatement, or other appropriate action or proceeding to prevent, enjoin, abate, or remove any building, structure, or equipment violating any provision of this Code. The civil actions referenced in this section may be pursued in conjunction with the penalties described in paragraph 107.1.1.3 above.

**107.1.2 Fire Department Procedure.** If a Fire Department elects to remedy a suspected Fire Code violation, it shall act according to Colorado law and the following provisions.

**107.1.2.1 Notice.** The Fire Chief, upon finding a violation, shall notify the person in violation by letter. The letter shall specify the details of the violation and a deadline by which the violation is to be corrected. If the violation continues beyond the deadline established, a court action may be pursued, or the permit may be revoked.

**107.1.2.2 Penalties.** Any person who violates any provision of this Code, shall be guilty of a misdemeanor and fined not less than fifty dollars (\$50.00) and no more than two hundred fifty dollars (\$250.00) for each offense. Each violation of this Code and each day's continuation of such violations shall be a separate offense.

**107.1.2.3 Civil action.** A Fire Department may institute an injunction, mandamus, abatement, or other appropriate action or proceeding to prevent, enjoin, abate, or remove any building, structure, or equipment violating any provision of this Code. The civil actions referenced in this section may be pursued in conjunction with the penalties described in paragraph 107.1.2.2 above.

**107.1.2.4 Fire Department orders to correct.** Whenever any Fire Chief finds any building or other structure which, for want of repair of or lack of or insufficient fire escapes, automatic or other fire alarm apparatus, or fire extinguishing equipment as may be required by law or for reasons of age, dilapidated condition, or any other cause, is especially liable to fire or is hazardous to the safety of the occupants thereof and which is so situated as to endanger other property, and whenever such officer finds in any building combustible or explosive matter or inflammable conditions, dangerous to the safety of such building or its occupants, the Fire Chief shall order the same to be removed or remedied, and such order shall forthwith be complied with by the owner, lessee, agent, or occupant of such premises or buildings. Any such owner, lessee, agent, or occupant who feels himself aggrieved by any such order may file, within five days after the making of any such order, a petition with the district court of the county in which such premises or building is located, requesting a review of such order, and it is the duty of such court to hear the same at the first convenient day and to make such order in the premises as justice may require, and such decision shall be final.

## **Division 2. Additional Amendments, Additions, and Deletions to the International Fire Code, 2003 edition.**

### **Sec. 34-37. Amendments to the International Fire Code, 2003 edition.**

The following provisions of the 2003 International Fire Code are hereby deleted and reenacted to read as follows:

- (1) **502.1 Definitions.** The following words and terms shall, for the purposes of this chapter and as used elsewhere in this code, have the meanings shown herein.

**AERIAL FIRE APPARATUS ACCESS ROAD.** A fire apparatus access road capable of accommodating fire department aerial apparatus.

**FIRE APPARATUS ACCESS ROAD.** A road that provides fire apparatus access from a fire station to a facility, building or portion thereof except driveways governed by Section 74-97 of the La Plata County Code. This is a general term inclusive of all other terms such as fire lane, public street, private street, parking lot lane and access roadway.

**FIRE APPARATUS APPROACH.** The access in the vicinity of the structure that allows for strategic placement of fire apparatus.

**FIRE COMMAND CENTER.** The principal attended or unattended location where the status of the detection, alarm communications and control systems is displayed, and from which the system(s) can be manually controlled.

**FIRE DEPARTMENT MASTER KEY.** A limited issue key of special or controlled design to be carried by fire department officials in command which will open key boxes on specified properties.

**FIRE LANE.** A road or other passageway developed to allow the passage of fire apparatus. A fire lane is not necessarily intended for vehicular traffic other than fire apparatus.

**KEY BOX.** A secure, tamperproof device with a lock operable only by a fire department master key, and containing building entry keys and other keys that may be required for access in an emergency.

- (2) **503.1 Where required.** Fire apparatus access roads shall be provided and maintained in accordance with Sections 503.1.1 through 503.1.4 except that, as determined by the Fire Code Official, this Section 503 shall only apply to infrastructure arising after the adoption of this Code and existing infrastructure not legally in existence at the time of the adoption of this Code.
- (3) **503.1.1 Buildings and facilities.** Approved fire apparatus access roads shall be provided for every facility, building or portion of a building hereafter constructed or moved into or within the jurisdiction. The fire apparatus access road shall comply with the requirements of this section and shall extend to within 150 feet of all portions of the facility and all portions of the exterior walls of the first story of the building as measured by an approved route around the exterior of the building or facility.

**Exception:** The Fire Code Official is authorized to increase the dimension of 150 feet where:

1. The building is equipped throughout with an approved automatic sprinkler system installed in accordance with Section 903.3.1.1, 903.3.1.2 or 903.3.1.3.
  2. Fire apparatus access roads cannot be installed because of location on property, topography, waterways, nonnegotiable grades or other similar conditions, and an approved alternative means of fire protection is provided.
- (4) **503.1.2 Additional fire apparatus access roads.** Facilities, buildings, or portions thereof exceeding sixty-two thousand (62,000) square feet in area shall be provided with two separate and approved fire apparatus access roads except that projects having a gross building area of up to one hundred twenty-four thousand (124,000) square feet may have only one approved fire apparatus access road when all buildings are equipped throughout with approved automatic sprinkler systems. For all other facilities, buildings, or portions thereof, the fire code official shall have the authority to require more than one fire apparatus access road based on the potential for impairment of a single road by vehicle congestion, condition of terrain, climatic conditions or other factors that could limit access.
- (5) **503.1.2.1 Remoteness.** Where two access roads are required, they shall be placed a distance apart equal to not less than one half of the length of the maximum overall diagonal dimension of the property area to be served, measured in a straight line between accesses.

- (6) **503.1.4 Aerial fire apparatus access roads.** Buildings or portions of buildings or facilities exceeding thirty (30) feet in height above the lowest level of fire department vehicle access shall be provided with aerial fire apparatus access roads. Aerial fire apparatus access roads shall comply with the same requirements of a fire apparatus access road except the following additional or more stringent requirements shall also apply:
1. Aerial fire apparatus access roads shall have a minimum unobstructed width of twenty-six (26) feet in the immediate vicinity of any building or portion of building requiring an aerial fire apparatus access road.
  2. Overhead utility and power lines shall not be located within the aerial fire apparatus access roadway.
  3. At least one aerial fire apparatus access roads providing access to a building shall be located within a minimum of fifteen (15) feet and a maximum of thirty (30) feet from the building and shall be positioned parallel to one entire side of the building.
- (7) **503.2.4 Turning radius.** The required turning radius of a fire apparatus access road shall be not less than a thirty (30) foot radius.
- (8) **503.2.5 Dead ends.** Dead-end fire apparatus access roads in excess of one hundred fifty (150) feet shall be provided with width and turnaround provisions in accordance with Figure F503.1.

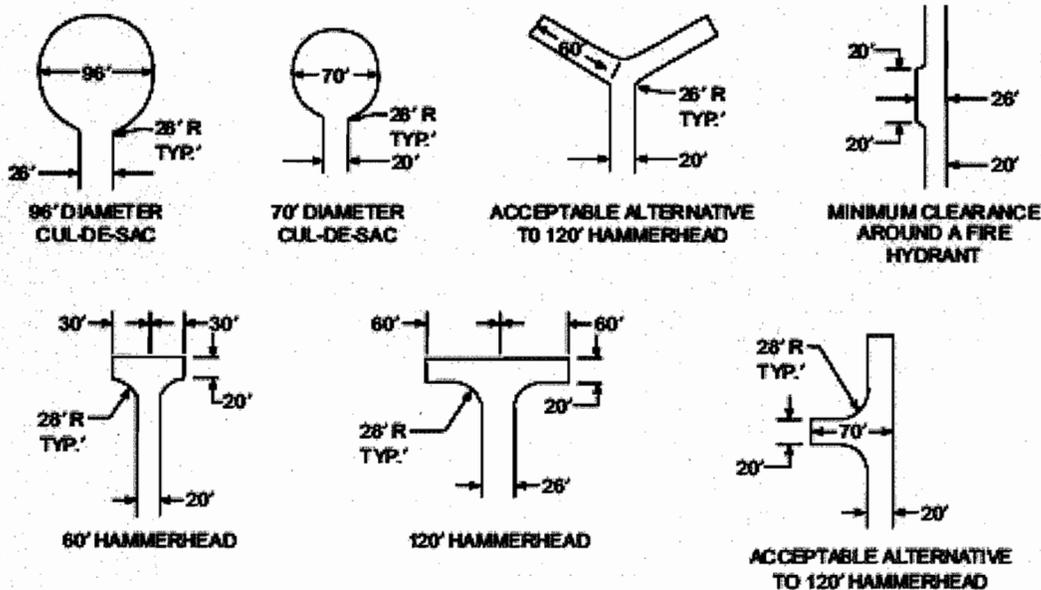


Figure 503.1

**DEAD-END FIRE APPARATUS ACCESS ROAD TURNAROUND**

- (9) **503.2.7 Grade for Dead-End Fire Apparatus Access Road Turnaround.** The grade of a dead-end fire apparatus access road turnaround shall be not greater than five (5) percent.
- (10) **605.3.1 Labeling** Doors into electrical control panel rooms shall be marked with a plainly visible and legible sign, letters having a principal stroke of not less than ¼ inch (6 mm) wide and at least 2 inches (51 mm) high on a contrasting background, stating

ELECTRICAL ROOM or similar approved wording. The disconnecting means for each service, feeder or branch circuit originating on a switchboard or panel board shall be legibly and durably marked to indicate its purpose unless such purpose is clearly evident.

- (11) **3301.1.3 Fireworks:** The possession, manufacturer, storage, sale, handling and use of fireworks, other than toy caps, sparklers and smoke snakes, are prohibited:

**Exceptions:**

1. Storage and handling of fireworks as permitted in Section 3304.
2. Manufacture, assembly and testing of fireworks as permitted in Section 3305.
3. The use of fireworks for display as permitted in Section 3308.
4. The possession, storage, sale, handling and use of specific types of Division 1.4G fireworks where allowed by applicable local or state laws, ordinances and regulations provided such fireworks comply with CPSC 16 CFR, Parts 1500 and 1507, and DOTn 49 CFR, Parts 100-178, for consumer fireworks.

**Sec. 34-38. Additions to the International Fire Code, 2003 edition.**

The following provisions are hereby added to the 2003 International Fire Code and read as follows:

- (1) **503.2.1.1 Access road width with a hydrant.** Where a fire hydrant is located on a fire apparatus access road, the minimum road width shall be twenty-six (26) feet). See Figure 503.1.
- (2) **503.7 Fire apparatus access road gates.** Gates securing the fire apparatus access roads shall comply with all of the following criteria:
  1. The minimum gate width shall be twenty (20) feet.
  2. Gates shall be of the swinging type.
  3. Construction of gates shall be of materials that allow manual operation by one person.
  4. Gate components shall be maintained in an operative condition at all times and replaced or repaired when defective.
  5. Electric gates shall be equipped with a means of opening the gate by fire department personnel for emergency access. Emergency opening devices shall be approved by the Fire Code Official.
  6. Manual opening gates shall not be locked with a padlock or chain and padlock unless they are capable of being opened by means of forcible entry tools.
  7. Locking device specifications shall be submitted for approval by the Fire Code Official.
- (3) **503.8 Fire apparatus approaches.** Buildings exceeding three (3) stories or thirty (30) feet in height shall have at least three fire apparatus approaches, the placement of which shall be determined by the Fire Code Official.
- (4) **902.2.2 Plan certification for fire alarm systems and occupant notification.** All fire alarm and occupant notification system plans submitted to the fire department for review