

**TOWN OF PALISADE, COLORADO
ORDINANCE NO. 2020-07**

AN ORDINANCE OF THE TOWN OF PALISADE, COLORADO, ADOPTING AND AMENDING THE LATEST EDITION OF THE INTERNATIONAL FIRE CODE; REPEALING ALL ORDINANCES OF THE TOWN OF PALISADE, IN CONFLICT OR INCONSISTENT HERewith, INCLUDING ARTICLE XI OF CHAPTER 18 OF THE PALISADE MUNICIPAL CODE; PROVIDING PENALTIES FOR VIOLATION OF THE PROVISIONS OF THIS PRIMARY CODE; AND PROVIDING FOR THE EFFECTIVE DATE OF THIS ORDINANCE AND THE CODE ADOPTED HEREIN BY REFERENCE.

WHEREAS, pursuant to C.R.S. § 31-16-201 et seq., the Palisade Board of Trustees has the power to adopt ordinances which adopt uniform codes by reference; and

WHEREAS, the Palisade Board of Trustees finds that it is important for the safety of the citizens of the Town of Palisade to have a current uniform fire code and that it is necessary to adopt and amend the 2018 International Fire Code to be applied throughout the Town of Palisade providing for administration, enforcement, appeals, penalties for violation of the provisions of this code; and

WHEREAS, the Palisade Board of Trustees finds that adoption of this Ordinance is necessary to preserve the health, safety and welfare of the citizens of the Town of Palisade.

NOW THEREFORE, BE IT ORDAINED, BY THE BOARD OF TRUSTEES OF THE TOWN OF PALISADE, AS FOLLOWS:

Section 1. Legislative Declaration. The Town of Palisade Board of Trustees finds that it is important for the safety of the citizens of Town of Palisade to have established a current uniform fire code. Accordingly, it is necessary to adopt and amend the most recent edition of the International Fire Code.

Section 2. Applicability. This Ordinance shall apply throughout the Town of Palisade, Colorado.

Section 3. Purpose. The provisions of this Ordinance have been made with reasonable consideration of, and in accordance with, the public health, safety, morals and general welfare of the public, and the safety, protection, and sanitation of such dwellings, buildings, and structures.

Section 4. That Article XI of Chapter 18 of the Palisade Municipal Code is hereby repealed and reenacted to read as follows:

ARTICLE XI

International Fire Code

Sec. 18-241. Adopted by reference.

- (a) The International Fire Code, 2018 Edition, as published by the International Code Council, Inc., together with amendments set forth below (hereafter “IFC” or “International Fire Code”) is hereby adopted to for regulating and governing the safeguarding of life and property from fire and explosion hazards arising from the storage, handling and use of hazardous substances, materials and providing for the issuance of permits for hazardous uses or operations for buildings, structures and land within the jurisdiction. At least one copy of the International Fire Code, and the appendices thereto, shall be kept on file at Palisade Town. Copies of the IFC and appendices shall be available for sale to the public at a moderate price, as required by C.R.S. §31-16-206.

- (b) The following chapters of the Appendix of the International Fire Code, 2018 Edition, are adopted:
 - (1) Chapter B, Fire-Flow Requirements for Buildings
 - (2) Chapter C, Fire Hydrant Locations and Distribution
 - (3) Chapter D, Fire Apparatus Access Roads
 - (4) Chapter F, Hazard Ranking
 - (5) Chapter H, Hazardous Materials Management Plan (HMMP) and Hazardous Materials Inventory Statement (HMIS) Instructions
 - (6) Chapter I, Fire Protection Systems – Noncompliant Conditions
 - (7) No other appendices of the IFC are adopted

Sec. 18-242. Amendments.

The International Fire Code, 2018, is hereby amended as follows:

- a) Section 101 Scope and General Requirements. Section 101 is amended as follows:
Section

101.1 whenever the word "jurisdiction" is used in the International Fire Code, it shall be held to mean Town of Palisade.

- b) Section 105.6. Required operational permits. Section 105.6 is amended as follows: Operational permits are valid for three years from date of issue for Explosives, Hazardous Materials, HPM Facilities and Storage of scrap tires and tire products. Permits are required for new and existing operations. All other permits are valid only for each event or season

Operational permits are required for the following:

<u>Operational Permits:</u>	<u>Code Section</u>
Amusement buildings**	105.6.2
Carnivals and fairs**	105.6.4
Exhibit and trade shows**	105.6.13
Fireworks retail sales**	105.6.14
Explosives**	105.6.14
Pyrotechnic special effects material	105.6.14 & 105.6.40
Hazardous Materials**	105.6.20
HPM Facilities**	105.6.21
Open Burning * (combined)**	105.6.32
Storage of scrap tires and tire byproducts **	105.6.46

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

** Permit fees and rates shall be as established by separate resolutions by the Board of Trustees of the Town of Palisade

- c) Section 105.6.32 OPEN burning the language is deleted and shall read as follows: Permits for bonfires, and open burning shall be secured at the Palisade Fire Department. Such permits shall adhere to all applicable fire codes and ordinances and the Colorado Air Quality Control Act, C.R.S. 1973, section 25-7-128 and the Mesa County Open Burning Control Regulation.
- d) Section 105.6.47 Amend Section 105.6.47 to read as follows: Section 105.6.47 Temporary membrane structures and tents. An operational permit is required to operate an air-supported temporary structure, a temporary special event structure, or a tent having an individual or contiguous area more than 1,000 square feet.

Exception 1. Tents used exclusively for recreational camping purposes.

Exception 2. Funeral tents and curtains, or extensions attached thereto, when used for funeral services.

Exception 3. Temporary membrane structures and tents utilized for the purposes of retail fireworks sales, special amusement buildings or outdoor assembly events such as a circus, carnival, tent show, theater, skating rink, dance hall or other similar use shall require an operational permit when the area exceeds 400 square feet

- e) Section 105.7 Required construction permits. Section 105.7 is amended as follows:

<u>Construction Permits:</u>	<u>Code Section</u>
Plan Review Fees**	
Automatic fire-extinguishing systems**	105.7. 1
Fire Sprinkler Systems	
Hood extinguishing Systems	
Fire pumps and related equipment **	105.7.8
Fire alarm and detection systems and related equipment**	105.7.7
Installation/removal of aboveground storage tanks or underground storage tanks** Flammable and combustible liquids **	105.7.9
LP gas**	105.7.16
Gates and Barricades Across Fire Apparatus	
Access Roads	105.7.12

**Permit fees and rates shall be as established by separate resolutions by the Board of Trustees of the Town of Palisade.

- f) Section 109. Appeals The language is deleted and shall be replaced as follows: The Board of Adjustment established in Section 2.03 of the Palisade Land Development Code shall serve as the Board of Appeals.

- g) Section 110.4 Violation penalties is amended by deletion of this section in its entirety and replaced with: “Any person who violates a provision of the code or fails to comply with any of the requirements thereof shall be subject to the penalties prescribed in Section 18-8’ which states:

1) Any person violating Articles I through XI of this Chapter or any provision of any adopted code herein is guilty of a misdemeanor and, upon conviction thereof, shall be punished by a fine of not more than one hundred dollars (\$100.00) or by imprisonment in the county jail for not more than ten (10) days, or by both such fine and imprisonment.

- 2) Each day during which such illegal erection, construction, reconstruction, alteration, maintenance or use continues shall be a separate offense.
- 3) In case any building or structure is or is proposed to be erected, constructed, reconstructed, altered, remodeled, used or maintained in violation of this Chapter or of any provisions of the area building code, the District Attorney, the Board of County Commissioners, the Board of Trustees or any owner of real estate within the area, in addition to other remedies provided by law, may institute an appropriate action for injunction, mandamus or abatement to prevent, enjoin, abate or remove such unlawful erection, construction, reconstruction, alteration, remodeling, maintenance or use.”

h) Section 112.4 is amended by deletion of this section in its entirety and replaced with: “Any person who violates a provision of the code or fails to comply with any of the requirements thereof shall be subject to the penalties prescribed in Section 18-8, which states:

- 1) Any person violating Articles I through XI of this Chapter or any provision of any adopted code herein is guilty of a misdemeanor and, upon conviction thereof, shall be punished by a fine of not more than one hundred dollars (\$100.00) or by imprisonment in the county jail for not more than ten (10) days, or by both such fine and imprisonment.
- 2) Each day during which such illegal erection, construction, reconstruction, alteration, maintenance or use continues shall be a separate offense.
- 3) In case any building or structure is or is proposed to be erected, constructed, reconstructed, altered, remodeled, used or maintained in violation of this Chapter or of any provisions of the area building code, the District Attorney, the Board of County Commissioners, the Board of Trustees or any owner of real estate within the area, in addition to other remedies provided by law, may institute an appropriate action for injunction, mandamus or abatement to prevent, enjoin, abate or remove such unlawful erection, construction, reconstruction, alteration, remodeling, maintenance or use.”

i) Section 308.1.4.1. Add a new section to read as follows: 308.1.4.1. Egress from buildings. Barbecues shall not be used or stored in or near stairwells, corridors or other areas that are intended to be used as a means of egress or considered an interior living space.

j) Section 319 Mobile Food Preparation Vehicles Section 319 will become effective July 1, 2020.

k) Section 503.2.5. Add a new exception to read as follows: Exceptions: 1. When all buildings are equipped throughout with approved automatic sprinkler systems installed in accordance with NFPA 13, NFPA 13R, NFPA 13D or IRC P2409 the fire code official is authorized to allow a dead-end fire apparatus road to extend to 300 feet before a turnaround is required.

l) Section 505.1 Address identification this is amended by adding the following: All residential house numbers shall be located on the portion of the residence which projects

nearest to the street. In cases where a structure is built far enough from the roadway that it is impossible to place numbers that are legible from the roadway, a sign post placed at the intersection of the roadway and driveway denoting the address of the structure may be required by the Fire Chief. Address and building numbers shall be a minimum of 12 inches high with a minimum stroke width of two inches for commercial properties and as required by the Fire Chief on other buildings and structures, which cannot be readily identified from access roadways or streets.

- m) Section 901.3.1. Add a new Section 901.3.1 to read as follows: 901.3.1 Relocations and additions to fire sprinkler and fire alarm systems in existing facilities. Any addition or remodeling to existing commercial fire sprinkler systems that involve 20 sprinkler heads or less, or fire alarm systems that involve 5 devices or less, will not require a permit when approved by the fire code official via a scope of work letter review process. The review letter process shall comply with the guidance document established and provided by the Palisade Fire Department.
- n) Section 903.3.1.3 NFPA 13D sprinkler systems this is hereby amended to read as follows: Where domestic water is provided by a public water system, any required 13D system must be supplied by the public water system. The water tap must be adequate to supply the hydraulic demand of the fire sprinkler system. Automatic sprinkler systems installed in one- and two-family dwellings shall be installed throughout in accordance with NFPA 13D. Where NFPA 13D systems are installed, they shall be designed and operate in the following manner: (A) All water flow activations shall be capable of sounding an interior audible alarm notifying all occupants simultaneously. (B) All water flow activations shall be capable of activating an exterior audible/visual alarm. This alarm shall be located so as to be visible from the nearest fire department access road. (C) The light used shall be a strobe light producing at least 110-185 candela. (D) Where public water service cannot provide required flows for NFPA 13D systems the following design criteria shall be used: (1) Water supply storage capacity shall be the minimum required by NFPA 13D plus an additional amount based upon the expected response time of the fire department, not to exceed a 20-minute response time.
- o) Section 903.3.7 Fire department connections. Section 903.3 .7 is amended by the addition of the following: Fire department connections must be located within 150 feet of the nearest fire hydrant unless waived by the Fire Chief.
- p) Section 907.1.2 Fire alarm shop drawings. The following shall be added 907.1.2 System designers shall have a NICET Level III certification or equivalent. 907.1.3 New systems shall be designed with addressable devices. Exception: systems which monitor and transmit alarms from automatic fire sprinkler systems only.
- q) Section 907.8.6 False Alarms: Alarm system malfunctions or malicious false alarms. A new section to be added as follows:

Section 907.8.6 Whenever the activation of any fire alarm is due to a malfunction of the system and that system has had another malfunction within the same quarter of a calendar year, or more than six during any calendar year, the owner and/or operator of the system may have violation penalties imposed in accordance with Section 110.4.

Section 907.8.6.1 It is the responsibility of the owner or operator of an alarm system to police the improper use of the system, such as the intentional activating of a false alarm or the intentional activation of a smoke or heat detector to produce a false alarm. After three such activations within the same quarter of a calendar year from the same fire alarm system, or more than six during any calendar year violation penalties may be imposed in accordance with Section 110.4.

Section 907.8.6.2 Whenever the Fire Chief cannot determine how a false alarm was activated and three such unexplained alarms occur within the same calendar year quarter effective with the fourth and subsequent alarms, or alarms exceeding six during any calendar year, penalties shall become effective with the seventh and subsequent alarms in accordance with Section 110.4.

Section 907 .8.6.3 A new fire alarm system shall be allowed 30 days to become stabilized before this false alarm section will be applied.

- r) Section 1006. Number of Exits and Exit Access doorways: Section 1006 is amended by adding the following: Section 1006.2.2.7 Outdoor Patios within the Town limits of Palisade, Colorado. All Group A-2 Assembly and other occupancies that have a fenced or enclosed outdoor patio shall have an alarmed second exit equipped with panic hardware direct to the exterior.
- s) Appendix C Fire Hydrant Locations and Distribution Section C103.4. The following shall be added to existing wording of this section: "In all subdivisions, commercial areas, industrial parks and where required by the Fire Chief fire hydrants shall be located on the corner of a street intersection, either between the curb and sidewalk or behind the sidewalk where it is adjacent to the street curbs. The following new section is added to Appendix C Section C 103.5 Fire Hydrants. "Fire hydrant pumper connections shall be equipped with a five-inch non-threaded sexless connection (commonly referred to as Storz) and metal cap which can be removed by a standard pentagon nut hydrant wrench. Pumper connections shall face the street or as directed by the Fire Chief."

Section 5. **Repeal.** Any ordinance of the Town of Palisade, or part thereof, whose provisions are in conflict with this ordinance, including but limited to, Article XI of Chapter 18 of the Palisade Municipal Code is hereby repealed. Provided, however, this ordinance shall not affect the construction of buildings for which permits were issued prior to the effective date of this ordinance. All buildings now under construction pursuant to existing permits shall be constructed in conformance with the fire code applicable at the time of issuance of such permit. Provided further however, no construction authorized by an existing permit shall be altered without complying with the newly adopted fire code. The adoption of this ordinance shall not in any way

prevent the prosecution of violations of any previous ordinance adopting previous fire code which occurred prior to the effective date of this ordinance. Where this ordinance and the code adopted by reference herein are in conflict with other resolutions or ordinances of the Town of Palisade, Colorado, the more restrictive provision shall apply.

Section 6. Severability. Each section of this ordinance is an independent section and the holding of any section or part thereof to be unconstitutional, void or ineffective for any cause shall not be deemed to affect the validity or constitutionality of any other section or part thereof.

Section 7. Public Notice. Pursuant to Section 31-16-203, C.R.S., as amended, a public notice shall be published twice in a newspaper of general circulation within the Town, once at least fifteen (15) days preceding a public hearing, and once at least eight (8) days preceding the public hearing. The notice shall state the time and place of the hearing, shall state that copies of the primary code to be considered for adoption are on file with the Town Clerk and are open to public inspection, shall contain a description deemed sufficient to give notice to interested persons of the purpose of the primary code, the subject matters of said code and the name and address of the agency by which it has been enacted. The public hearing on the adoption of this ordinance is hereby set for March 24, 2020.

This ordinance shall be in full force and effect following adoption and approval by the Board of Trustees and thirty (30) days following the publication of the within ordinance.

INTRODUCED, READ, AND PUBLIC NOTICE ORDERED PUBLISHED, at a regular meeting of the Palisade Board of Trustees, on the 10th day of March 2020.

Public Notice Publication Dates:

March 11, 2020

March 13, 2020

INTRODUCED A SECOND TIME at a regular meeting of the Board of Trustees of the Town of Palisade, Colorado at a public hearing held on March 24, 2020, PASSED, ADOPTED AND ORDERED PUBLISHED PURSUANT TO LAW.

TOWN OF PALISADE, COLORADO

By: 
Roger L. Granat, Mayor

ATTEST:


Town Clerk