

**ROARING FORK FIRE RESCUE AUTHORITY
RESOLUTION NO. 5
SERIES OF 2023**

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE ROARING FORK FIRE RESCUE AUTHORITY (“DISTRICT”) ADOPTING BY REFERENCE THE INTERNATIONAL FIRE CODE, 2021 Edition, AMENDING CERTAIN SECTIONS OF SAID CODE, AND REPEALING THE PREVIOUS DISTRICT ADOPTION OF THE 2015 INTERNATIONAL FIRE CODE.

WHEREAS, pursuant to C.R.S. 32-1-1002(d). The Board of Directors of the District has the power “[t]o adopts and enforce fire codes, as the Board deems necessary. . . .”; and

WHEREAS, to stay current with new materials handling and construction technology as well as national and state standards, the International Code Council publishes the new applicable standards; and

WHEREAS, coordination between jurisdictions within this district and adjacent jurisdictions to adopt the International Codes will aid in the uniform and effective regulation of persons engaged in services administered under this and other International Codes, ensuring increased and complementary public safety; and

WHEREAS, pursuant to the authority provided by law, the Board of Directors of the Roaring Fork Fire Rescue Authority has considered whether or not it is appropriate for the Roaring Fork Fire Rescue Authority District to adopt the 2021 International Fire Code to apply in the Roaring Fork Fire Rescue Authority District with certain modifications thereto as hereinafter set forth; and

WHEREAS, to provide for and promote the health, safety and welfare of Roaring Fork Fire Rescue Authority residents and visitors, the Board of Directors desires to adopt the International Fire Code, 2021 Edition, with certain amendments and repeal the previous District adoption of the 2015 International Fire Code.

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the Roaring Fork Fire Rescue Authority District as follows:

Section 1. Adoption of International Fire Code – 2021 Edition.

The Board of Directors of the Roaring Fork Fire Rescue Authority hereby adopts that certain Code known as the International Fire Code, 2021 edition, including Appendix Chapters B, C and D of such code as published by the International Code Council Inc. 4051 West Flossmoor Road, Country Club Hills, Illinois, 60478-5795 save and except such portions as are hereinafter deleted, modified or amended as set forth herein (hereinafter "International Fire Code"). The Board further determines that the remaining Appendix Chapters A-N shall be utilized by the District as reference and guidelines to the extent such appendices are applicable. Three (3) copies of the International Fire Code and this Resolution have been and are now filed in the administrative office of the Roaring Fork Fire Rescue Authority District and the same are hereby adopted and incorporated as fully as if set forth verbatim herein, and from

the date on which this Resolution shall take effect, the provisions hereof shall be controlling within the boundary limits of the Roaring Fork Fire Rescue Authority District.

Section 2. Amendments to International Fire Code – 2021 Edition.

The International Fire Code herein adopted shall be amended as follows:

- (a) Section 101.1 **Title** is hereby amended to provide that “**Roaring Fork Fire Rescue Authority District**” shall be the proper name of the jurisdiction.
- (b) Section 102.7 **Referenced codes and standards** and 102.8 **Subjects not regulated by this code** is hereby amended by the addition of the following language:

The most current NFPA code cycle shall be utilized.

Exception: When the current cycle is less than a year from the previous cycle, the previous cycle may be used with the approval of the fire code official.

- (c) Section 103.2 **Appointment** is hereby amended to read as follows:

The fire code official shall be appointed by the fire chief, and the fire code official shall not be removed from office except for cause and after full opportunity to be heard on specific and relevant charges by and before the appointing authority. Unless the fire chief shall otherwise appoint an alternative fire code official, the District Fire Marshal shall be deemed the designated fire code official upon adoption of this Code.

- (d) The following sentence shall be added to the end of Section 104.6.3 **Fire records**:

Copies of all such records shall be forwarded to the fire code official.

- (e) Section 107.2 **Schedule of Permit Fees**. A fee for each permit shall be paid as required, in accordance with the schedule established within Appendix A of this document that is subject to being amended from time to time.

- (f) Section 111 **Means of appeal** is hereby amended to read:

In order to hear and decide appeals of orders, decisions or determinations made by the Fire Chief and/or fire code official relative to the application and interpretation of this code, there shall be and hereby is created a board of appeals consisting of the existing District Board of Directors. The Fire Chief shall be an *ex officio* member, but shall have no vote on any matter before the Board. The Board shall render all decisions and findings in writing to the appellant with a duplicate copy to the Fire Chief and/or fire code official.

- (g) The definition of “guest” shall be added to Section 202 as follows:

GUEST. Any person hiring or occupying a room or bed for living or sleeping purposes.

- (h) Section 307.1.1 **Prohibited open burning** is hereby added to read as follows:

Open burning shall be prohibited from May 31 to October 1 of each calendar year.

EXCEPTION: Open burning may be permitted or prohibited at any time when, in the opinion of the fire code official, the atmospheric conditions are conducive for safe burning. Such modifications shall be made by the fire code official in writing and posted in the District fire stations.

(i) Section 308 **Open Flames** is hereby amended to add Indoor Pyrotechnics is Prohibited.

(j) ADD Section 903.2.13 is hereby added to read as follows:

Any building 5,000 square feet or more, or in a location that is difficult to access, as determined by the fire code official, shall be equipped with an approved automatic sprinkler system including the installation of a fire department connection. A minimum of a three-sprinkler head hydraulic calculation shall be submitted for approval by the fire code official, and the official may require a larger number of sprinkler heads, depending upon the structural design submitted. Fire separations shall not constitute separate buildings for this purpose, including all R-3 occupancies

(k) Section 903.3.1.3 NFPA 13D sprinkler systems – The following is added to the end of the section

NFPA 13D Current Edition, ONE- AND TWO-FAMILY DWELLINGS AND MANUFACTURED HOMES IS SPECIFICALLY AMENDED AS FOLLOWS:

A.903.3.1.3.1 **FDC.** A fire department connection (FDC) will be required on all sprinkler systems and located within 6 feet of the Knox box or in an approved location by the jurisdiction having authority. A 1 ½ inch hose connection is required, or as indicated by fire official.

B.903.3.1.3.2 **Water Supply Sources.** Add the following: (6). Water supply systems that require a fire pump shall be provided with a fire department connection (FDC) in a location approved by the jurisdiction having authority.

C.903.3.1.3.3 **Number of Design Sprinklers.** Section 8.1.2 Number of Design Sprinklers is amended to read as follows: The number of design sprinklers shall include all sprinklers within a compartment, up to a maximum of two sprinklers, under a flat, smooth, horizontal ceiling. In occupancies with sloped, beamed, or pitched ceilings over 10' the system shall be calculated with three or more heads operating per manufactures specs and (note-appendix A.8.1.1.2.2, A.8.1.2, A.8.2.5 NFPA 13D) Structures greater than 3,500 square feet shall be calculated with a minimum of three heads operating.

D.903.3.1.3.4 Residential sprinklers shall be installed in residential attached garages. Sprinklers are not required in open attached porches, carports and similar structures.

E.903.3.1.3.5 Crawl spaces or attics with fuel burning appliances and/or storage to be protected with residential sprinklers and ceilings to be protected with drywall within a 3-foot arc of the perimeter of the appliance.

(l) The following shall be added to the end of Section 903.4.2 **Alarms:**

903.4.2.1 **Unmonitored residential systems.** Automatic sprinkler systems protecting one, two or multiple family dwellings that are not monitored shall operate in the following manner:

1. All water flow activations shall be capable of sounding an interior audible alarm notifying all occupants simultaneously;
2. All water flow activations shall be capable of activating an exterior audible/visual alarm. This alarm shall be located so as to be visible nearest the street side fire department connection.

(m) Section 907.1.4 **Fire alarm and detection** is hereby added to read as follows:

All plans for fire alarm systems submitted for approval shall have affixed the signature of a person possessing NICET Level 3, or higher, level certification in fire alarm design. In the alternative, such signature may be provided by a fire alarm system designer possessing the equivalent of NICET Level 3 training, if all certificates and documentation of such training is presented and approved by the fire code official. The aforementioned requirement shall require compliance within six (6) months following adoption of the Code.

(n) Section 907.1.5 **Installation** is hereby added to read as follows:

All fire alarm system installations shall be supervised by a person possessing NICET Level 2, or higher, level certification in fire alarm installation. In the alternative, such supervision may be completed by a person possessing the equivalent of NICET Level 2 training, if all certificates and documentation of such training is presented and approved by the fire code official. The aforementioned requirement shall require compliance within six (6) months following adoption of the Code.

(o) Section 907.2.1 is hereby amended to read as follows:

A manual and automatic fire alarm system shall be installed in accordance with NFPA 72 in Group A occupancies having an occupant load of 100 or more. Portions of Group E occupancies occupied for assembly purposes shall be provided as required for the Group E occupancy.

(p) Section 913.4 “Locking valves open” , valve supervision method 3, identified in Section 913.4 is hereby deleted.

(q) The following shall be added to the end of Section 2304.3 **Unattended self-service motor fuel-dispensing facilities:**

A safety plan and safety equipment technical data shall be submitted for review prior to approval. Unsupervised private dispensing shall be by permit only.

(r) The following exception 5 shall be added to the end of Section 5601.1.3 **Fireworks:**

Exception 5: The storage, sale, use and handling of toy caps, sparklers and smoke snakes shall be permitted.

(s) Section 5604.10.8 **Storage – Large Quantities** is hereby added to read as follows:

Storage of explosives in quantities exceeding fifty (50) pounds shall be in a Type I magazine, except that a Type 3 magazine may be used for temporary storage of a larger quantity of explosives at the site of blasting operations where such amount constitutes not more than one day's supply for use in current operations. At the end of the day's operations, any remaining explosives shall be safely destroyed or returned to a Type 1 magazine.

(t) Section 5604.10.9 **Storage – Small Quantities** is hereby added to read as follows:

Storage of explosives in quantities of fifty (50) pounds or less shall be in Type I or Type II magazines, except that explosives in any quantity when stored in remote locations shall be in Type I, bullet resistant magazines.

(u) Section 5604.10.10 **Handling** is hereby added to read as follows:

The handling and firing of explosives shall only be performed by the person possessing a valid explosives certificate issued by the State of Colorado.

(v) Section 5608.2.2 **Use of pyrotechnics before a proximate audience** is hereby to read as follows:

The use of pyrotechnics before a proximate audience shall be prohibited.

(w) Section 5704.2.1.2 **Change of tank contents** is hereby adding a new section as follows:

No tank for the storage of flammable fluid in excess of ten (10) gallons shall be erected, repaired, renewed or replaced either wholly or partially above ground or where in the opinion of the fire code official an existing tank constitutes a fire hazard through neglect or disrepair, he shall order such tank removed; however, tanks or other facilities for the storage of Class 6 fuel oil may be installed above ground if approved by the fire code official and in accordance with existing codes and regulations pertaining to above ground storage.

(x) Section 5706.2.4 **Permanent and temporary tanks** is hereby amended to read as follows:

The capacity of permanent above-ground tanks containing Class I or II liquids shall not exceed 1,100 gallons (4164 L). The capacity of temporary above-ground tanks containing Class I or II liquids shall not exceed 500 gallons (1892 L). Tanks shall be of the single-compartment design. A permit shall be obtained from the fire code official for the storage or keeping of Class I or II liquids in excess of five (5) gallons in any building and of ten (10) gallons on any premises. The fire code official is further authorized to issue temporary permits for the above-ground storage of such liquids in tanks which shall not exceed a five hundred (500) gallon capacity for the purpose of providing fuel for heavy equipment used in building construction, earth moving, earth grading or similar operations and such permits may be issued only for sites without proximate hazards. Such temporary permits shall be issued with the time limits set which shall conform to the reasonably necessary time for completion of the individual job for which the permit is issued.

Section 4. Purpose.

That the International Fire Code, 2021 Edition, hereinabove adopted by reference is to govern the maintenance of buildings and premises; to safeguard life, health, property and public welfare by regulating the storage, use and handling of dangerous and hazardous materials, substances and processes and by regulating the maintenance of adequate egress facilities.

Section 5. Public Inspection.

That three copies of the International Fire Code being considered for adoption by this ordinance, all certified to be true copies by the District Board, shall be on file with the Administrative Office and shall be open for public inspection in the office at the El Jebel Fire Station No 42 located at 1089 JW Drive Carbondale, Colorado, or Station No 45 located at 5275 Owl Creek Road, Snowmass Village, Colorado, any weekday between the hours of 9 a.m. and 5 p.m., at least fifteen days preceding the public hearing on this ordinance.

Section 6. Repeal of Prior Resolutions.

Existing resolutions or parts of resolutions covering the same matters as embraced in this resolution are hereby repealed and all resolutions or parts of resolutions inconsistent with the provisions of this resolution are hereby repealed, except that this repeal shall not affect or prevent the prosecution or punishment of any person for any act done or committed in violation of any resolution hereby repealed prior to the taking effect of this resolution.

Section 7. Violation.

Any person in violation of any of the provisions of the International Fire Code, 2021 Edition, as adopted and amended herein, or who fails to comply therewith, or who violates or fails to comply with any order made thereunder, and from which no appeal has successfully been taken, shall severally for each and every such violation and incident of non-compliance, respectively, be guilty of a misdemeanor and subject to all penalties set forth in §30-15-402, C.R.S., as amended, including but not limited to payment of a fine not to exceed \$1,000.00 per violation. In addition, any person in violation of any of the provisions of the International Fire Code, 2021 Edition, as adopted and amended herein, shall be subject to the terms and conditions outlined in Section 112 Violations of the International Fire Code, 2021 Edition. The imposition of one penalty upon any violation shall not excuse the violation or permit such violation to continue; and all such persons shall be required to correct or remedy such violations or defects within a reasonable time; and when not otherwise specified by the fire code official, each ten (10) days that any prohibited condition is maintained shall constitute a separate offense.

The Roaring Fork Fire Rescue Authority District shall be responsible for enforcement of the provisions of the International Fire Code, 2021 Edition, pursuant to the authority granted in §30-15-401.5, C.R.S., as amended. Such enforcement shall be limited to areas within the territorial jurisdiction of the Roaring Fork Fire Rescue Authority District, and this Resolution shall not serve to place enforcement responsibility upon the underlying county or municipality within which the area is located.

Section 8. Severability.

If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held invalid or unconstitutional in a court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision and shall not affect the validity of the remaining portions thereof.

Section 9. Public Hearing.

A public hearing on this resolution shall be held on the 15th day of August, 2023, at 1089 JW Drive, Carbondale, Colorado or 5275 Owl Creek Road, Snowmass Village, Colorado. Pursuant to the provisions of Section 31-12-403, C.R.S., as amended, notice of the hearing shall be published at least twice, once at least eight (8) days preceding the hearing and once at least fifteen (15) days preceding it.

INTRODUCED, READ, AND ORDERED PUBLISHED as provided by law by the Roaring Fork Fire Rescue Authority District on the 15th day of August, 2023.



Ed Van Walraven, President

Attest:



Jennifer Diamond, Secretary

FINALLY adopted, passed and approved this 15th day of August, 2023.

Appendix A – Fees

Fees: Fees for the following services that are in areas not established by other jurisdictions fee schedules are subject to the following: