

SOUTH METRO/CUNNINGHAM FIRE RESCUE AUTHORITY

RESOLUTION NO. 2019 - 03

A RESOLUTION ADOPTING THE 2018 EDITION OF THE *INTERNATIONAL FIRE CODE*, 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 DEVICES, AND FROM CONDITIONS HAZARDOUS TO LIFE OR PROPERTY IN THE OCCUPANCY OF BUILDINGS AND PREMISES IN THE SOUTH METRO/CUNNINGHAM FIRE RESCUE AUTHORITY; PROVIDING FOR THE ISSUANCE OF PERMITS AND COLLECTION OF FEES THEREFOR.

WHEREAS, the South Metro/Cunningham Fire Rescue Authority (the “Authority”) is a separate governmental entity created pursuant to Section 29-1-203, C.R.S., by the South Metro/Cunningham Fire Rescue Authority Creation and Pre-Unification Agreement dated November 16, 2017 (the “Creation Agreement”) by and between Cunningham Fire Protection District and South Metro Fire Rescue Fire Protection District, both of which are fire protection districts operating under the powers and authorities of Article 1, Title 32, C.R.S.; and

WHEREAS, the Authority is organized and operated with all the authorities of, and to provide the services authorized to, a fire protection district organized and operated pursuant to Article 1, Title 32, C.R.S.; and

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

WHEREAS, the Board of Directors of the Authority (the “Board”) desires to adopt by reference the 2018 edition of the *International Fire Code*, including Appendix Chapters B, C, and D, with the amendments set forth herein; and

WHEREAS, the Board hereby finds and determines that adopting the 2018 edition of the *International Fire Code*, as set forth herein, for application within the Authority for the purpose of establishing rules of conduct and standards for the protection of life, health, property, security and welfare of the inhabitants and property owners of the Authority is appropriate and necessary for the health, safety and welfare of the residents and visitors of the Authority and to the function and operation of the Authority.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE SOUTH METRO/CUNNINGHAM FIRE RESCUE AUTHORITY, AS FOLLOWS:

1. **Adoption of Fire Code.** That a certain document, three (3) copies of which are on file in the Fire Marshal's Office of the South Metro/Cunningham Fire Rescue Authority, being marked and designated as the *International Fire Code*, 2018 edition, including Appendix Chapters B, C, and D, as published by the International Code Council, be and is hereby adopted as the Fire Code of the South Metro/Cunningham Fire Rescue Authority, in the State of Colorado 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 devices, and from conditions hazardous to life or property in the occupancy of buildings and premises as herein provided; providing for the issuance of permits and collection of fees therefor; and each and all of the regulations, provisions, penalties, conditions and terms of said Fire Code on file in the office of the Authority are hereby referred to, adopted, and made a part hereof, as if fully set out in this Resolution, with the additions, insertions, deletions and changes, if any, prescribed in Sections 2, 3, 4 and 5 of this Resolution.

2. **Town of Parker Stipulations.** The Fire Code adopted pursuant to this Resolution is modified within the Town of Parker's jurisdictional boundaries, as follows:

(a) Except as set forth in this Section 2, in the event of a conflict between this Resolution and Town of Parker ordinances, as they may be amended from time to time, such ordinances shall control, including without limitation Town of Parker Ordinance No. 4.93.5, Series of 2018.

(b) Sections 105 with the exception of Section 105.6.14 Explosives, 105.6.32 Open Burning, Section 105.6.33 Open Flame or torches, Section 105.6.40 Pyrotechnic special effects material, and 112 of the Fire Code shall not apply within the Town of Parker, except that the Authority may enforce and collect any and all fees pursuant to Section 106 for those limited permits, and associated fees, as listed above.

(c) A new Section 107.1.1 is added to read as follows:

107.1.1 Annual Inspections. The Chief of the South Metro/Cunningham Fire Rescue Authority is authorized to inspect, or cause to be inspected by members or officers of his department, as often as he shall deem 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 the Fire Code, and for such purposes shall have all authorities and responsibilities of the Fire Code Official under Section 104 of the Fire Code.

3. **Arapahoe County Stipulations.** The Fire Code adopted pursuant to this Resolution:

(A) Is modeled after the International, Fire Code and is intended to be uniform generally with other fire districts within Arapahoe County;

(B) Is in conformance with State statute;

(C) Shall not conflict with the Arapahoe County Building Department or other County resolutions and ordinances, as they may be amended from time to time; in the event of a conflict between this Resolution and Arapahoe County resolutions and ordinances, such resolutions and ordinances shall control; and

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

4. **Amendments.** The International Fire Code, 2018 Edition, shall be amended as follows:

(a) The following Appendices are hereby adopted as part of this code:

(i) Appendix B, Fire-Flow Requirements for Buildings, as amended.

(ii) Appendix C, Fire Hydrant Locations and Distribution.

(iii) Appendix D, Fire Apparatus Access Roads, as amended.

(b) Section 101.1 is deleted and replaced by the following:

101.1 Title. These regulations shall be known as the Fire Code of the unincorporated counties and municipalities within the boundaries of the South Metro Fire Rescue Authority or the South Metro Fire Protection District.

(c) Section 103.1 is deleted and replaced by the following:

103.1 General. The South Metro Fire Rescue Authority or, following termination of the Authority, the South Metro Fire Rescue Fire Protection District Fire Marshal's Office is hereby designated as the Fire Marshal's Office within the jurisdiction of the unincorporated counties and municipalities within the boundaries of the South Metro Fire Rescue Authority or the South Metro Fire Protection District under the direction of the fire code official. The function of the Fire Marshal's Office shall be the implementation, administration and enforcement of the provisions of this code.

(d) Section 103.2 is deleted and replaced by the following:

103.2 Appointment. The Fire Marshal of the South Metro Fire Rescue Authority or, following termination of the Authority, the South Metro Fire Rescue Fire Protection District, or a designee is hereby appointed as the fire code official.

- (e) Section 105.6.36 is deleted and replaced by the following:

105.6.36 Outdoor assembly event. An operational permit is required to conduct an outdoor assembly event where planned attendance exceeds 500 persons.

- (f) Section 105.6.47 is deleted and replaced by the following:

105.6.47 Temporary membrane structures and tents. An operational permit is required to operate a membrane structure, air-inflated membrane structure, air-supported membrane structure, a temporary special event structure, or a tent having an area in excess of 400 square feet (37 m²).

Exceptions:

- (1) [no change]
- (2) [no change]

- (g) Section 105.7 is amended to read as follows:

105.7 Required construction permits. The fire code official is authorized to issue construction permits for work as set forth in Section 105.7.1 through 105.7.26

- (h) Section 105.7.25 is deleted and replaced by the following:

105.7.25 Temporary membrane structures and tents. A construction permit is required to erect a membrane structure, air-inflated membrane structure, air-supported membrane structure, a temporary special event structure, or a tent having an area in excess of 400 square feet (37 m²).

Exceptions:

- (1) [no change]
- (2) [no change]
- (3) [no change]

- (i) Section 105.7.26 is added to read as follows:

105.7.26 Buildings and facilities. Any owner or owner's authorized agent who intends to construct, enlarge, alter, repair, move, demolish or change occupancy of a

building, or structure, or facility, or to cause any such work to be performed, shall first make application to the fire code official and obtain the required permit.

(j) Section 109.1 is deleted and replaced by the following:

109.1 Board of appeals established. In order to hear and decide appeals of orders, decisions or determinations made by the fire code official relative to the application and interpretation of this code, there shall be created a Regional Fire Code Board of Appeals by the entry of various fire districts into an intergovernmental agreement ("IGA"). The board of appeals shall be appointed through the operation of the IGA. The fire code official shall be an ex officio member of said board but shall have no vote on any matter before the board. The board shall adopt rules of procedure for conducting its business, and shall render all decisions and findings in writing to the appellant with a duplicate copy to the fire code official.

(k) Section 110.4 is amended to read as follows:

Section 110.4 Violation penalties. Persons who shall violate a provision of this code or shall fail to comply with any of the requirements thereof or who shall erect, install, alter, repair or do work in violation of the approved construction documents or directive of the fire code official, or of a permit or certificate used under provisions of this code, shall be subject to fine and/or imprisonment in accordance with Section 32-1-1001 and Section 32-1-1002, C.R.S.. Each day that a violation continues after due notice has been served shall be deemed a separate offense.

(l) Section 112.4 is amended to read as follows:

Section 112.4 Failure to comply. Any person who shall continue any work after having been served with a stop work order, except such as that person is directed to perform to remove a violation or unsafe condition, shall be subject to fine and/or imprisonment in accordance with Section 32-1-1001 and Section 32-1-1002, C.R.S..

(m) Section 503.1 is deleted and replaced by the following:

503.1 Where required. Fire apparatus access roads shall be provided and maintained in accordance with Sections 503.1.1 through 503.1.3 and Appendix D.

(n) Section 503.1.1 is deleted and replaced by the following:

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 (45 720 mm) 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.

Exceptions:

(1) The fire code official is authorized to increase the dimension of 150 feet (45 720mm) where any of the following conditions occur:

a) The building is equipped throughout with an approved automatic sprinkler system installed in accordance with Section 903.3.1.1 (NFPA 13), the dimension shall be unlimited, as approved, provided access roads are extended to within 150 feet (45 720mm) of at least one, approved side of the building or structure. Fire hydrant requirements of Section 507 may necessitate additional roads to serve hydrants near large buildings.

b) The building is equipped throughout with an approved automatic sprinkler system installed in accordance with Section 903.3.1.2 (NFPA 13R) or 903.3.1.3 (NFPA 13D), the dimension shall be increased to 200 feet (60 960mm).

c) The 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.

d) There are not more than two Group R-3 or Group U occupancies.

(2) Where approved by the fire code official, fire apparatus access roads shall be permitted to be exempted or modified for solar photovoltaic power generation facilities.

(o) Section 503.2 is amended to read as follows:

503.2 Specifications. Fire apparatus access roads shall be installed and arranged in accordance with Sections 503.2.1 through 503.2.8 and Appendix D.

(p) Section 503.2.3 is deleted and replaced by the following:

503.2.3 Surface. Fire apparatus access roads shall be designed and maintained to support the imposed loads of fire apparatus weighing up to 80,000 pounds and shall be surfaced so as to provide all-weather driving capabilities and in accordance with Section D102.

(q) Section 503.2.7 is deleted and replaced by the following:

503.2.7 Grade. The grade of the fire apparatus access road shall be a maximum of 6% or as otherwise determined by the fire code official based on fire department apparatus specifications.

- (r) Section 503.3 is deleted and replaced by the following:

503.3 Marking. Where required by the fire code official, approved signs or other approved notices or markings that include the words NO PARKING – FIRE LANE shall be provided for fire apparatus access roads to identify such roads or prohibit the obstruction thereof. The means by which the fire lanes are designated shall be maintained in a clean and legible condition at all times and be replaced or repaired when necessary to provide adequate visibility. Marking of the fire apparatus access roads shall be in accordance with the fire code official's specifications.

- (s) Section 503.4 is deleted and replaced by the following:

503.4 Obstruction of fire apparatus access roads. Fire apparatus access roads shall not be obstructed in any manner, including the parking of vehicles. The minimum widths and clearances in Sections 503.2.1, 503.2.2, and Appendix D shall be maintained at all times.

- (t) Section 503.6 is deleted and replaced by the following:

503.6 Security gates. The installation of security gates across a fire apparatus access road shall be approved by the fire code official and shall be in accordance with Section D103.5.

- (u) Section 507.3 is deleted and replaced by the following:

507.3 Fire flow. Fire flow requirements for buildings or portions of buildings and facilities shall be determined in accordance with Appendix B, as amended, or by an approved method.

- (v) Section 507.5 is deleted and replaced by the following:

507.5 Fire hydrant systems. Fire hydrant systems shall comply with Sections 507.5.1 through 507.5.6 and Appendix C.

- (w) Section 510.1 is deleted and replaced by the following:

510.1 Emergency responder radio coverage in new buildings. New buildings shall have approved radio coverage for emergency responders within the building based on the existing coverage levels of the public safety communication systems utilized by the jurisdiction, measured at the exterior of the building. This section shall not require improvement of the existing public safety communication systems.

Exceptions:

(1) Where approved by the fire code official, a wired communication system in accordance with Section 907.2.12.2 shall be permitted to be installed or maintained instead of an approved radio coverage system.

(2) [no change]

(3) [no change]

(x) Section 903.3 is amended to read as follows:

903.3 Installation requirements. Automatic sprinkler systems shall be designed and installed in accordance with Section 903.3.1 through 903.3.9

(y) Section 903.3.9 is added and reads as follows:

903.3.9 Spare sprinklers. Spare sprinklers shall be provided per NFPA 13, NFPA 13R, NFPA 13D and in accordance with the fire code official's supplemental documents outlining specific provisions for multiple buildings under the same ownership.

(z) Section 905.4, (1) is amended to read as follows:

1. In every required interior exit stairway, a hose connection shall be provided for each story above and below grade plane. Hose connections shall be located at the main floor landing unless otherwise approved by the fire code official.

Exception: Deleted in its entirety.

(aa) Section 1103.7.6(3) Group R-2, is amended to read as follows:

3. A fire alarm system is not required in buildings that do not have interior corridors serving dwelling units, provided that dwelling units either have a means of egress door opening directly to an exterior exit access that leads directly to the exits or are served by open-ended corridors designed in accordance with Section 1027.6, Exception 3.2 to 3.5.

(bb) Section 5601.1.3 Fireworks, is deleted and replaced by the following:

5601.1.3 Fireworks. The possession, manufacture, storage, sale, handling and use of fireworks are prohibited.

Exceptions:

(1) The use of fireworks for display as allowed in Section 5608.

(2) The possession, storage, sale, handling and use of permissible fireworks as defined by Section 12-28-101, C.R.S., and in accordance with applicable provisions of the Fire Code.

(cc) Section 5704.2.9.6.1 Locations where above-ground tanks are prohibited, is deleted in its entirety.

(dd) Section 5706.2.4.4 Locations where above-ground tanks are prohibited, is deleted in its entirety.

(ee) Section 5806.2 Limitations, is deleted in its entirety.

(ff) Section 6104.2 Maximum capacity within established limits, is deleted in its entirety.

(gg) Section B105.1 is deleted and replaced by the following:

B105.1 One- and two-family dwellings, Group R-3 and R-4 buildings. The minimum fire-flow and flow duration requirements for one- and two-family dwellings, Group R-3 and R-4 buildings having a fire flow calculation area that does not exceed 3,600 square feet (344.5 m²) shall be 1,000 gallons per minute (3785 L/min) for 1 hour. Fire-flow and flow duration for one- and two-family dwellings, Group R-3 and R-4 buildings having a fire-flow calculation area in excess of 3,600 square feet (344.5 m²) shall not be less than that specified in Table B105.1.

Exception: A reduction in required fire-flow of 25 percent, as approved, is allowed when the building is equipped with an approved automatic fire sprinkler system.

(hh) Section B105.2 is deleted and replaced by the following:

B105.2 Buildings other than one- and two-family dwellings, Group R-3 and R-4 buildings. The minimum fire-flow and flow duration for buildings other than one- and two-family dwelling, Group R-3 and R-4 buildings shall be as specified in Table B105.1.

Exception: A reduction in required fire-flow of 50 percent, as approved, is allowed when the building is equipped with an approved automatic fire sprinkler system installed in accordance with Section 903.3.1.1. A reduction in required fire-flow of 25 percent, as approved, is allowed when the building is equipped with an approved automatic fire sprinkler system installed in accordance with Section 903.3.1.2. The resulting fire-flow shall not be less than 1,500 gallons per minute (5678 L/min) for the prescribed duration in Table B105.1.

(ii) Section B105.3 is deleted in its entirety.

(jj) Table B105.1(1) is deleted in its entirety.

(kk) Table B105.2 is deleted in its entirety.

(ll) Table B105.1(2) title only is amended to read as follows:

“Table B105.1: MINIMUM REQUIRED FIRE-FLOW AND FLOW DURATION FOR BUILDINGS”.

(mm) Section D102.1 is deleted and replaced by the following:

D102.1 Access and loading. Facilities, buildings or portions of buildings hereafter constructed shall be accessible to fire department apparatus by way of an approved fire apparatus access road with an asphalt, concrete or other approved driving surface capable of supporting the imposed load of fire apparatus weighing up to 80,000 pounds (34 050 kg).

(nn) Section D103.1 is deleted in its entirety.

(oo) Section D103.2 is deleted and replaced by the following:

D103.2 Grade. The grade of the fire apparatus access road shall be a maximum of 6% or as otherwise determined by the fire code official based on fire department apparatus specifications.

(pp) Section D103.4 is deleted and replaced by the following:

D103.4 Dead ends. Dead-end fire apparatus access roads in excess of 150 feet (45 720 mm) shall be provided with width and turnaround provisions in accordance with Table D103.4 and the roadway design standards of the unincorporated counties and municipalities within the boundaries of the South Metro Fire Rescue Authority or the South Metro Fire Protection District.

(qq) Section D103.6 is deleted in its entirety.

(rr) Section D104.1 is deleted and replaced by the following:

D104.1 Buildings exceeding three stories or 30 feet in height. Buildings or facilities where the vertical distance between the grade plane and the highest roof surface exceeds 30 feet (9144 mm) or three stories in height shall have not fewer than two means of fire apparatus access for each structure. For purposes of this section, the highest roof surface shall be determined by measurement to the eave of a pitched roof, the intersection of the roof to the exterior wall, or the top of parapet walls, whichever is greater.

(ss) Section D106.1 is deleted and replaced by the following:

D106.1 Projects having more than 100 dwelling units. Multiple-family residential projects having more than 100 dwelling units shall be equipped throughout with two separate and approved fire apparatus access roads.

Exception: Deleted in its entirety.

5. Miscellaneous.

(a) If any section, subsection, sentence, clause or phrase of this Resolution is, for any reason, held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this Resolution. The Board hereby declares that it would have passed this Resolution, and each section, subsection, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses and phrases be declared unconstitutional.

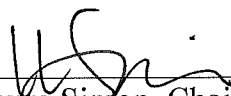
(b) Nothing in this Resolution or in the Fire Code hereby adopted shall be construed to affect any suit or proceeding impending in any court, or any rights acquired, or liability incurred, or any cause or causes of action acquired or existing, under any act or resolution hereby repealed; nor shall any just or legal right or remedy of any character be lost, impaired or affected by this Resolution.

(c) All resolutions, or parts thereof, in conflict with this Resolution, are hereby repealed, provided that this section shall not repeal the repealer clauses of any prior resolutions or hereby revive any ordinances or resolutions previously repealed.

(d) This Resolution and the rules, regulations, provisions; requirements, orders and matters established and adopted hereby shall take effect and be in full force and effect immediately upon adoption.

Adopted this 20th day of February, 2019.

SOUTH METRO/CUNNINGHAM FIRE
RESCUE AUTHORITY

By: 
Laura Simon, Chairman

Attest:


Mark L. Lampert, Secretary

