

ORDINANCE NO. 1923

AN ORDINANCE PRESCRIBING REGULATIONS CONSISTENT WITH NATIONALLY RECOGNIZED GOOD PRACTICE FOR THE SAFEGUARDING TO A REASONABLE DEGREE OF LIFE AND PROPERTY FROM THE HAZARDS OF FIRE AND EXPLOSION ARISING FROM THE STORAGE, HANDLING AND USE OF HAZARDOUS SUBSTANCES, MATERIALS AND DEVICES, AND FROM CONDITIONS HAZARDOUS TO LIFE OR PROPERTY IN THE USE OR OCCUPANCY OF BUILDINGS OR PREMISES IN THE CITY OF GRAND JUNCTION, COLORADO; ADOPTING BY REFERENCE THERETO THE UNIFORM FIRE CODE OF THE INTERNATIONAL CONFERENCE OF BUILDING OFFICIALS AND WESTERN FIRE CHIEFS ASSOCIATION, 1979 EDITION, TOGETHER WITH THE APPENDICES THERETO; PROVIDING PENALTIES FOR THE VIOLATION THEREOF; AND REPEALING ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT THEREWITH.

BE IT ORDAINED BY THE CITY COUNCIL OF THE GRAND JUNCTION:

Section 1. Adoption of Uniform Fire Code.

There is hereby adopted by the City Council of the City of Grand Junction for the purpose of prescribing regulations governing conditions hazardous to life and property from fire or explosion, that certain code known as the Uniform Fire Code recommended by the Western Fire Chiefs Association and the International Conference of Building Officials being particularly the 1979 edition thereof and the whole thereof, of which code not less than three (3) copies have been and are now filed in the office of the clerk of the City of Grand Junction and the same are hereby adopted and incorporated as fully as if set out at length herein, and from the date on which this Ordinance shall take effect the provision thereof shall be controlling within the limits of the City of Grand Junction.

Section 2. Establishment and Duties of Bureau of Fire Prevention.

(a) The Uniform Fire Code shall be enforced by the Bureau of Fire Prevention in the fire department of the City of Grand Junction which is hereby established and which shall be operated under the supervision of the Chief of the fire department.

(b) The chief in charge of the bureau of fire prevention shall be appointed by the fire chief on the basis of examination to determine his qualifications.

(c) The chief of the fire department may detail such members of the fire department as inspectors as shall from time to time be necessary. The chief of the fire department shall recommend to the city manager the employment of technical inspectors, who, when such authorization is made, shall be selected through an examination to determine their fitness for the position. The examination shall be open to members and nonmembers of the fire department, and appointments made after examination shall be for an indefinite term with removal only for cause.

### Section 3. Definitions.

(a) Wherever the word "jurisdiction" is used in the Uniform Fire Code, it shall be held to mean the City of Grand Junction.

(b) Wherever the term "Corporation Counsel" is used in the Uniform Fire Code, it shall be held to mean the attorney for the City of Grand Junction.

### Section 4. Establishment of Limits of Districts in which Storage of Flammable or Combustible Liquids in Outside Aboveground tanks is to be Prohibited.

(a) The limits referred to in Section 79.201 of the Uniform Fire Code in which storage of flammable or combustible liquids in outside aboveground tanks is permitted, are hereby established as follows: Lands within the City of Grand Junction that are zoned in the categories of C-2 (Heavy Commercial), I-1 (Light Industrial) and I-2 (Heavy Industrial); provided, however, the fire chief may permit such use in C-1 (Light Commercial) when it can be demonstrated that such use may be safely undertaken in the particular location.

(b) The limits referred to in Section 79.601 of the Uniform Fire Code, in which new bulk plants for flammable or combustible liquids are prohibited, are hereby established as follows: Lands within the City of Grand Junction that are zoned in the categories of C-2 (Heavy Commercial), I-1 (Light Industrial) and I-2 (Heavy Industrial); provided, however, the fire chief may permit such use in C-1 (Light Commercial) when it can be demonstrated that such use may be safely undertaken in the particular location.

### Section 5. Establishments of Limits in which Bulk Storage of Liquefied Petroleum Gases is to be Restricted.

The limits referred to in Section 82.105(a) of the Uniform Fire Code, in which bulk storage of liquefied petroleum gas is restricted, are hereby established as follows: Lands within the City of Grand Junction that are zoned in the categories of C-2 (Heavy Commercial), I-1 (Light Industrial) and I-2 (Heavy Industrial); provided, however, the fire chief may permit such use in C-1 (Light Commercial) when it can be demonstrated that such use may be safely undertaken in the particular location.

### Section 6. Establishments of Limits of Districts in which Storage of Explosives and Blasting Agents is to be Prohibited.

The limits referred to in Section 77.106(b) of the Uniform Fire Code in which storage of explosives and blasting agents is prohibited, are hereby established as follows: Within the limits of the City of Grand Junction; provided, however, this restriction shall not prohibit such use where the storage is made by an individual or company for use of that individual or company and under proper safeguard as may be prescribed.

## Section 7. Appeals.

Whenever the chief shall disapprove an application or refuse to grant a permit applied for, or when it is claimed that the provisions of the code do not apply or that the true intent and meaning of the code have been misconstrued or wrongly interpreted, the applicant may appeal from the decision of the chief to the board of adjustment and appeals within 30 days from the date of the decision appealed.

## Section 8. New Materials, Processes or Occupancies which May Require Permits.

The city manager, the chief and the chief of the bureau of fire prevention shall act as a committee to determine and specify, after giving affected persons an opportunity to be heard, any new materials, processes or occupancies, which shall require permits, in addition to those now enumerated in said code. The chief of the bureau of fire prevention shall post such list in a conspicuous place in his office, and distribute copies thereof to interested persons.

## Section 9. Penalties.

(a) Any person who shall violate any of the provisions of this code hereby adopted or fail to comply therewith, or who shall violate or fail to comply with any order made thereunder, or who shall build in violation of any detailed statement of specifications or plans submitted and approved thereunder, or any certificate or permit issued thereunder, and from which no appeal has been taken, or who shall fail to comply with such an order as affirmed or modified by the City of Grand Junction or by a court of competent jurisdiction, within the time fixed herein, shall severally for each and every such violation and noncompliance respectively, be guilty of a misdemeanor, punishable by a fine of not more than \$300 or by imprisonment for not more than 90 days or by both such fine and imprisonment. The imposition of one penalty for any violation shall not excuse the violation or permit it 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, each 10 days that prohibited conditions are maintained shall constitute a separate offense.

(b) The application of the above penalty shall not be held to prevent the enforced removal of prohibited conditions.

## Section 10. Repeal of Conflicting Ordinances.

All former ordinances or parts thereof conflicting or inconsistent with the provisions of this ordinance or of the code hereby adopted are hereby repealed.

## Section 11. Validity.

The City Council of the City of Grand Junction hereby declares that should any section, paragraph, sentence or word of this ordinance or of the code hereby adopted be declared for any reason to be invalid, it is the intent of the City Council that it would have passed all other portions of this ordinance independent of the elimination herefrom of any such portion as may be declared invalid.

Section 12. Date of Effect.

This ordinance shall take effect and be in force from and after its approval as required by law.

PASSED and ADOPTED this 19th day of November, 1980.

Jane S. Quimby

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President of the Council

Attest:

Neva B. Lockhart, CMC

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City Clerk

I HEREBY CERTIFY that the foregoing ordinance, being Ordinance No. 1923, was introduced, read, and ordered published by the City Council of the City of Grand Junction, Colorado, at a regular meeting of said body held on the 1st day of October, 1980, and that the same was published in The Daily Sentinel, a newspaper published and in general circulation in said City, at least ten days before its final passage.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of said City this 20th day of November, 1980.

Neva B. Lockhart

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Neva B. Lockhart, CMC  
City Clerk

Published: October 31, 1980

Published: November 21, 1980

Effective: December 21, 1980