

ORDINANCE NO. 2811

AN ORDINANCE ADOPTING THE 1994 EDITIONS OF THE UNIFORM FIRE CODE AND FIRE CODE STANDARDS PRESCRIBING REGULATIONS GOVERNING CONDITIONS HAZARDOUS TO LIFE AND PROPERTY FROM FIRE OR EXPLOSION; OPERATIONS; AMENDING CERTAIN PROVISIONS IN THE ADOPTED CODES; AMENDING ALL ORDINANCES IN CONFLICT OR INCONSISTENT HEREWITH; AND PROVIDING A PENALTY FOR VIOLATION OF ANY PROVISION OF SAID CODES

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

The specified sections of the Code of Ordinances of the City of Grand Junction are hereby amended as follows:

SECTION 1.

Sec. 18-56. Adoption of Uniform Fire Code

For the purpose of prescribing regulations governing conditions hazardous to life and property from fire, explosion, and chemical release, certain Codes and standards known as the Uniform Fire Code, Volume I and Volume II (hereinafter "Uniform Code" or "Uniform Fire Code"), promulgated by the Western Fire Chief's Association, Inc. and the International Conference of Building Officials, 5360 South Workman Mill Road, Whittier, California, including appendices chapters I-C, II-A, II-B, II-D, II-E, II-F, II-G, II-H, II-I, III-C, IV-A, V-A, VI-A, VI-B, VI-D, VI-E, VI-F, VI-G, being particularly the 1994 edition thereof and the whole thereof, save and except such portions as are hereinafter deleted, modified or amended by Section 18-58 of this Ordinance are hereby adopted. Not less than one (1) copy of the Uniform Fire Code Volumes I and II have been, and are now, filed in the office of the City Clerk and the same are hereby adopted by this reference and incorporated herein as fully as if set out at length herein, and from the date on which this ordinance shall take effect, the provisions thereof shall be controlling within the limits of the City of Grand Junction, Colorado.

Sec. 18-57. Definitions

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

(b) Wherever the term "corporation counsel" is used in the Uniform Fire Code, it shall be held to mean the city attorney for the City.

(c) Wherever the term "City manager" is used, it shall mean the City Manager or any employee of the City designated by the City Manager, such as but not limited to the Fire Chief, the Fire Marshal or the Finance Director of the City.

(d) Wherever an officer of the City, such as "City Manager"

or "Fire Chief", is mentioned or designated herein, such officer may delegate, informally or in writing, the duties and responsibilities to a designee which designee shall have the full power and authority of the named or designated officer.

Sec. 18-58. Amendments to the Uniform Fire Code

The Uniform Fire Code is amended and changed in the following respects:

- (1) *Section 103.4.5 Unsafe buildings.* Section 103.4.5 is amended by replacing the last sentence with the following:

The following procedure shall apply.

- (2) *Section 103.4 Enforcement.* Section 103.4 is amended by the addition of the following:

Section 103.4.5.1. In case of failure of any owner or lessee of such building(s) to remove all accumulations of waste or rubbish and abate said building in a manner approved by the Fire Chief, and upon the election by the City to remove said waste or rubbish and/or to secure or remove/install barricading of building(s), the Fire Chief or his designee is authorized to give notice by certified mail addressed to the last known address of the owner of such building, as that address appears in the records of the county assessor, or other address known to the Fire Chief, which notice shall require the removal of such waste or rubbish, or otherwise require the securing of said building(s) or removal of the problem causing the public nuisance, within sixty (60) days of the date of the notice. In the event such work is not done within the sixty (60) days, the City Manager may then proceed to have the work done as soon as practicable. The costs of such work shall be collected by the City in accordance with the provisions of the Uniform Code for the Abatement of Dangerous Buildings. The charge shall be the actual costs for labor, equipment, and materials plus ten (10) percent for administration, supervision and inspection. The Fire Chief or his designee may cause any building to be barricaded or secured immediately after a fire has been extinguished. Any and all barricading or securing shall be at the owners expense. The charge shall be the actual costs for labor, equipment, and materials plus ten (10) percent for administration, supervision and inspection.

103.4.5.2 The City Manager, as soon as may be practicable after such charge is made, shall send by mail, addressed to the owner of such property, at the

address of such owner as it appears in the records of the County Assessor, or other address known to the Fire Chief, a notice of such assessment, which notice shall contain a description of the lots or parcels of land, the name of the owner or owners, and the amount of the assessment, together with a brief description of said assessment.

103.4.5.3. It shall be the duty of the owner to pay such assessment within twenty (20) days after the mailing of such notice, and in case of his failure so to do, he shall be liable personally for the amount of the assessment and the same shall be a lien upon the respective lots or parcels of land from the time of such assessment. In case the owner shall fail to pay such assessment within twenty (20) days after notice has been mailed to him, as provided by this article, then it shall be the duty of the City Manager to certify the amount of the assessment to the Mesa County Treasurer or other officer of Mesa County having custody of the tax list, for the current year and to be collected in the same manner as other taxes are collected, with ten (10) percent penalty thereon to defray the cost of collection; and all of the laws of the State of Colorado for the assessment and collection of general taxes, including the laws for the sale of property for taxes and the redemption thereof, shall apply to and have full effect for the collection of all such assessments.

103.4.5.4. The fact that assessments have been made against property as provided in this article for removal of waste and rubbish, abatement and/or barricading or securing of said building(s) shall not prevent the owner, agent or lessee from being punished by fine or imprisonment under the provisions of Section 1-9 of the Code of Ordinances of the City, but such fine or penalty may be imposed on those found guilty of violating any provision hereof in all cases, whether an assessment has or has not been made in accordance with the provisions hereof.

- (3) *Section 903.4 Fire Hydrant Systems.* Section 903.4 is amended by addition of the following:

903.4.2.1. A permittee shall provide a plan that complies with the provisions of sections 903.4.2.1.1 through 903.4.2.1.3.

903.4.2.1.1. Hydrants shall be on a looped (receiving water from more than one direction) water supply line of at least six (6) inches in diameter; and

903.4.2.1.2. The requirements set forth in the 1974 Guide for Determination of Required Fire Flow published by the Insurance Services Office, 160 Water Street, New York, New York shall be met; and

903.4.2.1.3. Based on accepted engineering methodologies, the water provider should be able to supply the amount of water as calculated pursuant to the 1974 Guide for Determination of Required Fire Flow.

EXCEPTIONS: 1. Hydrants located less than 1,000 feet from a looped water line (measured along the water line between the hydrant and the looped supply source) may be placed on dead-end lines, provided the line feeding the hydrant will supply the required fire flow and be not less than six (6) inches in diameter. Required fire flow shall be determined pursuant to the 1974 Guide for Determination of Required Fire Flow.

903.4.2.1.4. The Fire Chief may allow fire hydrants to be fed by less than a looped water line when the permittee can demonstrate to the satisfaction of the Fire Chief that a looped system is not practicable.

- (4) *Section 1003.2 Required Installations.* Section 1003.2 is amended by addition of the following:

Section 1003.2.9. Where access to any building or structure, not otherwise required to be protected by an automatic fire extinguishing system, is unduly difficult for fire apparatus and equipment, the installation of an automatic fire extinguishing system shall be required.

Section 1003.2.10. Any building four (4) stories or more in height shall have an approved fire protection sprinkler system installed.

Section 1003.2.10.1. "Story" for the purpose of installation of fire protection sprinkler and standpipes is defined as habitable level used or occupied by humans. Definitions of "Story" or "Stories" for purposes of this section, shall not exempt sprinkler requirements required by any other section of the Uniform Code, nor shall it exempt sprinkler protection as required for a basement as specified by Section 1003.2.2.

- (5) *Section 1004.2 Required Installations.* Section 1004.2 is amended by the addition of the following:

Or where, in the opinion of the fire chief, access is

restricted or an undue hardship would be placed on fire personnel extending a hose line in the building due to the arrangement of stairways, area separation walls, or occupancy walls.

- (6) *Section 1103.3.6 Outside Storage of Tires.* Section 1103.3.6 is amended by replacement with the following sections:

Section 1103.3.6.1. No person shall store more than 500 tires on any parcel, tract or lot of land.

Section 1103.3.6.2. Tires shall be arranged as required in sections 1103.6.2.1 - 1103.6.2.5.

Section 1103.3.6.2.1. Maximum pile or stack height shall not exceed six (6) feet.

Section 1103.3.6.2.2. Pile or stack width and length shall not exceed eight (8) feet.

Section 1103.3.6.2.3. Twenty (20) feet of clearance shall be maintained between piles or stacks.

Section 1103.3.6.2.4. Piles or stacks shall not be placed closer than twenty (20) feet to any structure; and

Section 1103.3.6.2.5. Piles or stacks shall be stored so as to provide ready access by the Fire Department in the event of a fire.

- (7) *Section 1110 Vacant Buildings.* Section 1110 shall be amended by addition of the following:

Section 1110.4. In case of failure of any owner or lessee of such building(s) to remove all accumulations of hazardous materials and abate said building, and secure the premises, in a manner approved by the Fire Chief, and upon the election by the Fire Chief to remove said waste or rubbish and/or to secure or remove/install barricading of building(s), the Fire Chief is authorized to give notice by certified mail addressed to the last known address of the owner of such building, as that address appears in the records of the County Assessor, or other address known to the Fire Chief, which notice shall require the removal of such waste or rubbish, or otherwise require the securing of said building(s) or removal of the problem causing the public nuisance, within sixty (60) days of the date of the notice. In the event such work is not done within the sixty (60) days, the City Manager may then proceed to have the work done as soon as

practicable. The costs of such work shall be collected by the City Manager in accordance with the provisions of the Uniform Code for the Abatement of Dangerous Buildings. The charge shall be the actual costs for labor, equipment, and materials plus ten (10) percent for administration, supervision and inspection. The Fire Chief may cause any building to be barricaded or secured immediately after a fire has been extinguished.

Any and all barricading or securing shall be at the owners expense. The charge shall be the actual costs for labor, equipment, and materials plus ten (10) percent for administration, supervision and inspection.

1110.4.1 The City Manager, as soon as may be practicable after such charge is made, shall send by mail, addressed to the owner of such property, at the address of such owner as it appears in the records of the County Assessor, or other address known to the Fire Chief, a notice of such assessment, which notice shall contain a description of the lots or parcels of land, the name of the owner or owners, and the amount of the assessment, together with a brief description of said assessment.

1110.4.2. It shall be the duty of the owner to pay such assessment within twenty (20) days after the mailing of such notice, and in case of his failure so to do, he shall be liable personally for the amount of the assessment and the same shall be a lien upon the respective lots or parcels of land from the time of such assessment. In case the owner shall fail to pay such assessment within twenty (20) days after notice has been mailed to him, as provided by this article, then it shall be the duty of the City Manager to certify the amount of the assessment to the County Treasurer or other officer of the County having custody of the tax list, for the current year and to be collected in the same manner as other taxes are collected, with ten (10) percent penalty thereon to defray the cost of collection; and all of the laws of the State of Colorado for the assessment and collection of general taxes, including the laws for the sale of property for taxes and the redemption thereof, shall apply to and have full effect for the collection of all such assessments.

1110.4.3. The fact that assessments have been made against property as provided in this article for removal of waste and rubbish, abatement and/or barricading or securing of said building(s) shall not prevent the owner, agent or lessee from being punished by fine or imprisonment under the provisions of Section 1-9 of the Code of Ordinances of the City, but such

fine or penalty may be imposed on those found guilty of violating any provision hereof in all cases, whether an assessment has or has not been made in accordance with the provisions hereof.

- (8) *Section 1007.2 Required Installations.* Section 1007.2 is amended by addition of the following:

Section 1007.2.9.3. Smoke detectors shall be installed in lodging houses and hotels, including what are commonly known as 'Bed and Breakfasts'.

Section 1007.2.9.3.1. In lodging houses and hotels, detection and alarm systems shall be installed as required by National Fire Protection Association (N.F.P.A.) 101, 1994 edition, Chapter 20, which Chapter is incorporated herein by this reference and is also adopted.

- (9) *Section 1007.3.3.6 Monitoring.* Section 1007.3.3.6 is amended by addition of the following:

Section 1007.3.3.8. **False alarms.** Whenever the activation of any fire alarm is due to a malfunction of the alarm or alarm system and that alarm or alarm system has had a malfunction within the same calendar year quarter, or more than six times during any calendar year, the owner and/or operator of the alarm or alarm system shall pay a false alarm fee to offset some of the costs involved in the dispatching and responding of fire equipment to the location of the alarm.

Section 1007.3.3.8.1. It is the responsibility of the owner or operator of an alarm system to prevent 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, or more than six during any calendar year, from the same alarm system the fee schedule for false alarms shall become effective.

Section 1007.3.3.8.2. Whenever the Fire Chief cannot determine how a false alarm was activated and three such unexplained alarms occur within a calendar year quarter, the fee schedule for false alarms shall become effective with the fourth and subsequent alarm(s), or alarm(s) exceeding six during any calendar year, the fee schedule for false alarms shall become effective with the seventh and subsequent alarm(s).

Section 1007.3.3.8.3. A fee, in accordance with the fee schedule established by resolution of the City Council and on file with the City Clerk, shall be charged for false alarms.

Section 1007.3.3.8.3.1. A new alarm system shall be allowed thirty (30) days to become stabilized before charges will accrue for false alarms.

(10) *Section 7802.3 Prohibition.* Section 7802 is amended by addition of the following Exception:

3. It shall be lawful to possess, store, offer for sale, expose for sale, sell at retail or use or explode those fireworks that are deemed lawful by sections 12-28-101, *et seq.*, C.R.S. if such fireworks have been submitted by the seller to, and received the approval of, the Fire Chief.

SECTION 2. Public Hearing

A public hearing on the adoption by reference of the Uniform Fire Code, 1994 Edition, Volumes I and II, including the appendices thereto, together with certain amendments, is scheduled in the City-County Auditorium at City Hall in Grand Junction, Colorado, at 7:30 p.m. on the 15th day of February, 1995. The City Clerk is hereby directed to publish Notice of said public hearing in the manner and style and pursuant to the schedule of such publication prescribed in sections 31-16-201, *et seq.*, C.R.S.

SECTION 3. Public Inspection

At least one copy of the Uniform Fire Code, 1994 Edition, Volumes I and II, including the appendices thereto, together with certain amendments, all certified to be true and correct, shall be on file as aforesaid in the office of the City Clerk at least fifteen (15) days preceding said hearing and may be inspected by any interested person between the hours of 7:30 a.m. and 5:30 p.m., Monday through Friday, holidays excepted.

SECTION 4. Validity

Any and all sections or parts of sections of the Code of Ordinances of the City of Grand Junction, Colorado, as amended, in conflict herewith, are hereby repealed.

SECTION 5. Penalty Provision.

Section 1-9 of the Code of Ordinance of the City of Grand Junction, Colorado shall apply as though fully set forth in each code and provision adopted in this ordinance.

Introduced this 18th day of January, 1995.

Passed on second reading this 15th day of February, 1995.

City of Grand Junction

/s/ R.T. Mantlo
R.T. Mantlo
President of the Council

—

Attest:

/s/ Stephanie Nye
Stephanie Nye
City Clerk

I HEREBY CERTIFY that the foregoing ordinance, being Ordinance No. 2811, 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 18th day of Janaury, 1995, 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 mt hand and affixed the official Seal of said City this 16th day of February, 1995.

/s/ Stephanie Nye

Stephanie Nye, CMC
City Clerk

Published: January 27, 1995

Published: February 3, 1995

Effective: March 19, 1995