



NEDERLAND FIRE PROTECTION DISTRICT
RESOLUTION NO. 2021-09

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE NEDERLAND FIRE PROTECTION DISTRICT (“DISTRICT”) ADOPTING BY REFERENCE THE INTERNATIONAL FIRE CODE, 2018 EDITION, AMENDING CERTAIN SECTIONS OF SAID CODE, AND REPEALING THE PREVIOUS DISTRICT ADOPTION OF THE INTERNATIONAL FIRE CODE, 2012 EDITION. FOR THE TOWN OF NEDERLAND

WHEREAS, pursuant to C.R.S. 32-1-1002(d). The Board of Directors of the District has the power to adopt 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 the Town of Nederland, 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 Nederland Fire Protection District has considered whether or not it is appropriate for the Nederland Fire Protection District to adopt the 2018 International Fire Code to apply in the Town of Nederland with certain modifications thereto as hereinafter set forth;

WHEREAS, to provide for and promote the health, safety and welfare of Nederland Fire District residents and visitors, the Board of Directors desires to adopt the International Fire Code, 2018 Edition, with certain amendments and repeal the previous District adoption of the International Fire Code, 2012 Edition.

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the Nederland Fire Protection District as follows:

Section 1. Adoption of International Fire Code - 2018 Edition.

The Board of Directors of the Nederland Fire Protection District hereby adopts that certain Code known as the International Fire Code, 2018 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 E, F, G and H shall be utilized by the District as guidelines to the extent such appendices are applicable. One (1) copy of the International Fire Code and this Resolution have been and are now filed in the administrative office of the Nederland Fire Protection 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 Town of Nederland.

Section 2. Amendments to International Fire Code - 2018 Edition.

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

The International Fire Code is modified by the following amendments:

- (1) Section 101.1 is amended to read as follows:

101.1 Title. These regulations shall be known as the Fire Code of the Town of Nederland, hereinafter referred to as "this code". The 2018 International Fire Code is adopted in the form including the sections as amended herein, including the following appendices: Appendix B, Fire-Flow Requirements for Buildings; Appendix C, Fire Hydrant Locations and Distribution; Appendix D, Fire Apparatus Access Roads.
- (2) Section 102.3 is amended to read as follows:

102.13 Conflicts with Other Adopted Codes. Where a conflict arises between this Code and the International Building Code and/or the International Residential Code, the more stringent application of the respective codes shall apply.

Exception: When any provision from the respective codes is agreed upon by the Chief Building Official and the Fire Code Official as being applicable and acceptable.
- (3) Section 102.14 is amended to read as follows:

102.14 Other Adopted Codes. Where this document refers to other ICC codes, the currently adopted edition for the location under consideration shall apply.

Exception: When any provision from the respective codes is agreed upon by the Chief Building Official and the Fire Code Official as being applicable and acceptable.
- (4) Subsection 103.4 Liability shall be amended by the addition of the following sentence at the end of the section: "Nothing herein shall be construed as a waiver of any immunities provided by section C.R.S. 24 - 10 - 101, et seq., or by other statutes, or by common law."

- (5) Subsection 104.10 Fire investigations shall be amended by the addition of the following sentence at the end of the section: "The authority of the Chief of the District, or authorize designee, including all fire code officials, to act as peace officers shall extend to the limits as authorized in C.R.S. 16-2.5-109."
- (6) Subsection 104.11 Authority at fires and other emergencies shall be amended by the addition of the following sentence at the end of the section: "the authority of the Chief of the District, or authorized designee, including all fire code officials, to act as peace officers shall extend as far as the authority set forth in C.R.S. Section 32-1-1002, 16-2.5-109, and other applicable state statutes."
- (7) Subsection 105.4.1 is amended to read as follows:
105.4.1 Submittals. Construction documents shall be submitted in one or more sets and in such form and detail as required by the fire code official. The construction documents shall be prepared by registered design professional when said documents are submitted in support of an application for a construction permit. When requested, qualifications statements shall be submitted to the fire code official for the registered design professional to demonstrate compliance with appropriate professional qualifications.
- (8) Section 105.6 is repealed and reenacted to read:
105.6 Required operational permits. The fire code official may issue an operational permit for the following operations:
(a)105.6.14, Explosives
(b)105.6.23, Hot Work
(c)105.6.30, Mobile food preparation vehicles
(d)105.6.32, Open Burning (Recreational fires on private land except)
(e)105.6.36, Outdoor assembly events
(f)105.6.38, Plant extraction systems
(g)105.6.40, Pyrotechnic special effects material
(h)105.6.47, Temporary membrane structures and tents
- (9) Subsection 106 is deleted in its entirety and replaced with:
106 Fees
106.1 Fees. Fees for services pursuant to the provisions of this code shall be established from time to time by resolution of the Nederland Fire Protection District Board of Directors pursuant to Section 32-1-1002(1)(e)(III) C.R.S. Said fees and charges may include a charge for reimbursement to the fire district of any consultation fees, expenses or costs incurred by the fire district in the performance of inspection related services pursuant to provisions of this code.
106.2 Payment of fees. A permit shall not be valid until the fees prescribed by law have been paid; nor shall an amendment to a permit be released until additional fees, if any, has been paid.

106.3 Operational permit fee. An inspection fee may be charged for any operational permit required by Section 105.6. The inspection fee shall be based upon the time required to conduct inspections authorized by Section 105.2.2 and associated activities, to determine compliance with this code and other applicable laws and ordinances as required by Section 105.2.4, and to issue the permit as specified in Section 105.3.7.

106.4 Construction permit fee. A fee may be charged for any construction permit required by Section 105.7 of this code. The construction permit fee is intended to cover the cost of inspections required or requested in connection with the work for which the permit is granted, and the associated costs of processing the application

106.5 Other inspection fee. Fees for re-inspections, for inspections outside normal business hours, or for inspections for which no fee is otherwise established may be charged.

106.6 Plan review fee. The plan review fee is intended to cover the significant costs and expenses incurred by the fire district in reviewing materials necessary to perform appropriate inspections of construction, uses, processes, and operations. The fee shall be assessed based on the reasonable, customary, and necessary time associated with reviewing or evaluating site plans; construction documents and calculations; changes, additions, or revisions to approved plans; construction documents resubmitted after the fire code official's issuing a statement explaining the reasons that a previous submittal does not conform to the requirements of this code. When submittal documents are incomplete or changed so as to require additional plan review, an additional plan review fee shall be charged. The plan review fee required by this Section 106.6 is separate from the construction permit fee required by Section 106.4.

106.7 Unauthorized Work Inspection Fee. Any person or entity that commences any work before obtaining a construction permit required by Section 105.7 shall be subject to an inspection fee in an amount equal to the amount of the construction permit fee. The fee shall be separate from and in addition to a construction permit fee. Payment of the inspection fee shall not relieve any person from compliance with all other provisions of this code or from any penalty prescribed by law. The inspection fee shall be assessed regardless whether or not a construction permit is then or subsequently issued.

EXCEPTION: When approved in writing by the fire code official, work may commence prior to obtaining a construction permit so long as other appropriate permits are in place.

106.8 Related Fees. The payment of the fee for construction, uses, processes, or operations authorized by an operational permit or construction permit shall not relieve the applicant or holder of the permit from the payment of other fees that are prescribed by law or required by Section 113.

(9) Subsection 109.1 is repealed in its entirety and reenacted to read as follows:

109.1 Appeals Procedure-General. Any person, firm, or corporation who are grieved by an application, interpretation, or order made by fire district personnel, pursuant to any provision of the code for the standards adopted, may

file within three days a written notice of appeal with the fire district requesting a hearing before the Fire Chief. All appeals must be made in writing to the Fire Chief at the district's administrative office. The Fire Chief shall establish reasonable rules for such appeal and shall make a record of all proceedings the decision of the Fire Chief shall be considered a final administrative decision.

109.1.1 Appeals Procedure-Administrative Decisions. To determine the suitability of alternate materials and types of construction and to provide for reasonable interpretations of the provisions of this code, upon request of an interested party, including the Fire Chief or designee, there shall be, and is hereby created a board of appeals consisting of five members who are qualified by experience and training to pass judgment upon pertinent matters. The board of appeals shall be appointed by the Town Board of Trustees and shall hold office at its pleasure. The board of appeals shall adopt reasonable rules of procedure for conducting its business, and shall render all interpretations, decisions, and findings in writing to the appellant or requesting party with a duplicate copy to the Fire Chief. All appeals of the Fire Chief's decision shall be made in writing, within three days of the date of the Fire Chief's decision, to the Town Board of Trustees by delivery to the district Fire Chief or his representative at the district's administrative office.

- (10) Subsection 110.4 is amended to read as follows:

110.4 Violation penalties. Persons who violate a provision of this code or shall fail to comply with any of the requirements thereof or who shall correct install alter repair, or do work in violation of the approved construction documents, or directions of the fire code official, or of a permit or certificate used under the provisions of this code, shall be guilty of a misdemeanor, punishable by a fine of not more than \$250. Each day that a violation continues after due notice has been served shall be deemed a separate offense.

- (11) Subsection 112.4 is amended to read as follows:

112.4 Failure to comply. Any person who shall continue any work after having been served a stop work order except such work as that person is directed to perform to remove a violation or unsafe condition shall be liable to a fine and/or imprisonment up to the maximum specified in CRS Section 32-1-1001 and CRS section 32-1-1002. Each day in which such violation occurs shall constitute a separate violation pursuant to CRS Section 32-1-1002 (3) (d).

Section 202, Definitions, Occupancy Classifications:

“Uses other than Group H”

Add items:

18. Distilling or brewing of beverages conforming to the requirements of the International Fire Code.

19. The storage of beer, distilled spirits and wines in barrels and casks conforming to the requirements of the International Fire Code.

“Moderate-hazard storage, Group S-1”

Add: Beverages over 16-percent alcohol content

- (12) Subsection 903.3.1.3.1 is added to read as follows:
- 903.3.1.3.1 Fire Department Connections.** Residential sprinkler systems which are supplied by atmospheric pressure tanks and fire pumps shall be installed with a Fire Department Connection, the size and location of which shall be determined by the Fire Code Official. Fire Department Connections are not required on residences that are less than 400 Sq. ft. in size.
- (13) Subsection 903.3.1.3.2 is added to read as follows:
- 903.3.1.3.2 Attached Garage Sprinklers.** Residences with attached garages, where the garage may serve as an egress path or are below living space, shall have the garage sprinkled, as determined by the Fire Code Official.
- (14) Subsection 903.3.1.3.3 is added to read as follows:
- 903.3.1.3.3 Interior and Exterior Notification.** Residential sprinkler systems shall have adequate interior notification of the occupants provided to alert them that the sprinkler system is activated, in accordance with NFPA 72. Additionally, a horn and strobe device shall be installed on the exterior of the building visible from the street side of the building, or above the Fire Department Connection noted in Section 903.3.1.3.1 if installed.
- (15) A new Chapter 40 for Storage of Distilled Spirits and Wines is added to read as follows:

CHAPTER 40 STORAGE OF DISTILLED SPIRITS AND WINES

User note:

About this chapter: Chapter 40 provides specific requirements for the storage of distilled spirits and wines. In accordance with Section 307.1.1 of the International Building Code®, these occupancies are not classified as a Group H occupancy. Instead, as listed in Sections 311.2 and 311.3 of the International Building Code, the storage of beverages that contain up to and including 16-percent alcohol are classified as a Group S-2 occupancy, and those that contain over 16-percent alcohol content are classified as a Group S-1 occupancy. Note that those that are classified as a Group S-1 occupancy are required to be provided with an automatic sprinkler system throughout the Group S-1 fire area, regardless of size, in accordance with Section 903.

SECTION 4001-GENERAL

4001.1 General.

The storage of distilled spirits and wines in barrels and casks shall comply with this chapter in addition to other applicable requirements of this code.

4001.1.1 Nonapplicability.

Chapter 50 and Chapter 57 are not applicable to the storage of distilled spirits and wines in barrels and casks as identified in Section 5001.1, Exception 10, and Section 5701.2, Item 10.

SECTION 4002-DEFINITIONS

4002.1 Definitions.

Words and terms used in this chapter and defined in Chapter 2 shall have the meanings ascribed to them as defined therein.

SECTION 4003-PRECAUTIONS AGAINST FIRE

4003.1 Spill control.

Drainage or containment systems shall be provided by means of curbs, scuppers, special drains or other suitable means to prevent the flow of spills throughout the building.

4003.2 Ventilation.

For rooms and spaces where distilled spirits and wines in barrels and casks are stored, ventilation shall be provided in accordance with the International Mechanical Code and one of the following:

1. The rooms and spaces shall be ventilated at a rate sufficient to maintain the concentration of vapors within the area at or below 25 percent of the lower flammable limit (LFL). This shall be confirmed by sampling the actual vapor concentration under normal operating conditions. The sampling shall be conducted throughout the enclosed storage area, extending to or toward the bottom and the top of the enclosed storage area. The vapor concentration used to determine the required ventilation rate shall be the highest measured concentration during the sampling procedure. The sampling shall be conducted manually or by installation of a continuously monitoring flammable vapor detection system.

2. The rooms and spaces shall be provided exhaust ventilation at a rate of not less than 1 cfm per square foot [0.00508 m³/(s × m²)] of solid floor area. The exhaust ventilation shall be accomplished by natural or mechanical means, with discharge of the exhaust to a safe location outside the building.

4003.3 Sources of ignition.

Sources of ignition shall be controlled in accordance with Sections 4003.3.1 through 4003.4.

4003.3.1 Smoking.

Smoking shall be prohibited and “No Smoking” signs provided as follows:

1. In rooms or areas where hazardous materials are stored or dispensed or used in open systems in amounts requiring a permit in accordance with Sections 105.5 and 105.6.

2. Within 25 feet (7620 mm) of outdoor storage, dispensing or open-use areas.

3. Facilities or areas within facilities that have been designated as totally “no smoking” shall have “No Smoking” signs placed at all entrances to the facility or area. Designated areas within such facilities where smoking is permitted either

permanently or temporarily shall be identified with signs designating that smoking is permitted in these areas only.

4. In rooms or areas where flammable or combustible hazardous materials are stored, dispensed or used.

Signs required by this section shall be in English as a primary language or in symbols allowed by this code and shall comply with Section 310.

4003.3.2 Open flame.

Open flames and high-temperature devices shall not be used in a manner that creates a hazardous condition and shall be listed for use with the hazardous materials stored or used.

4003.3.3 Industrial trucks.

Powered industrial trucks used in areas designated as hazardous (classified) locations in accordance with NFPA 70 shall be listed and labeled for use in the environment intended in accordance with NFPA 505.

4003.3.4 Electrical.

Electrical wiring and equipment shall be installed and maintained in accordance with Section 608 and NFPA 70.

4003.4 Lightning.

Structures containing barrel storage should be protected from lightning. The lightning protection equipment shall be installed in accordance with NFPA 70 and NFPA 780.

SECTION 4004

STORAGE

4004.1 Storage.

Storage shall be in accordance with this section and Section 315.

4004.2 Empty containers.

The storage of empty containers previously used for the storage of flammable or combustible liquids, unless free from explosive vapors, shall be stored as required for filled containers.

4004.3 Basement storage.

Class I liquids shall be allowed to be stored in basements in amounts not exceeding the maximum allowable quantity per control area for use-open systems in Table 5003.1.1(1), provided that automatic suppression and other fire protection are provided in accordance with Chapter 9. Class II and IIIA liquids shall also be allowed to be stored in basements, provided that automatic

suppression and other fire protection are provided in accordance with Chapter 9.

4004.4 Bulk beverage storage areas.

There shall be no storage of combustible materials in the bulk beverage storage areas not related to the beverage storage activities.

SECTION 4005

FIRE PROTECTION

4005.1 Automatic sprinkler system.

The storage of distilled spirits and wines shall be protected by an approved automatic sprinkler system as required by Chapter 9.

4005.2 Portable fire extinguishers.

Approved portable fire extinguishers shall be provided in accordance with Section 906.

SECTION 4006

SIGNAGE

4006.1 Hazard identification signs.

Unless otherwise exempted by the fire code official, visible hazard identification signs, as specified in NFPA 704 for the specific material contained, shall be placed on stationary containers and above-ground tanks; at entrances to locations where hazardous materials are stored, dispensed, used or handled in quantities requiring a permit; and at specific entrances and locations designated by the fire code official.

4006.1.1 Maintenance and style.

Signs and markings required by Section 4006.1 shall not be obscured or removed; shall be in English as a primary language or in symbols allowed by this code; shall be durable; and the size, color and lettering shall be approved.

INTRODUCED, READ, AND ORDERED PUBLISHED as provided by law by the Nederland Fire Protection District on the 8th day of December, 2021.

Attest:

Iain Irwin-Powell, President

Guy Falsetti , Vice President

Nederland Fire Protection District, 650 Lower W 4th Street, PO Box 155, Nederland, CO 80466
Ph: 303-258-9161. In an emergency call 911.