Resolution 2025-05

A Resolution Adopting and Amending the 2024 Edition of the International Fire Code®

WHEREAS, the Fire Chief, and their designee, have reviewed the International Fire Code, 2024 Edition, and recommend the adoption of the same by the Nederland Fire Protection District; and

WHEREAS, the Board of Directors of the Nederland Fire Protection District deems it necessary and in the best interest of public safety to adopt and enforce the codes for the purpose of establishing rules of conduct and standards for the protection of life, health, property, security, and welfare of the inhabitants and visitors to the District; and

WHEREAS, the International Fire Code, 2024 Edition, published by the International Code Council, is a model code for the regulation and governing of 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 and property in the occupancy of buildings and premises.

NOW THEREFORE BE IT RESOLVED THAT BY THE BOARD OF DIRECTORS OF THE NEDERLAND FIRE PROTECTION DISTRICT:

1 Adoption of the 2024 International Fire Code

1.1 Code Adopted

The 2024 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; Appendix I, Noncompliant Conditions. The date on which this resolution

shall take effect shall be the date of approval by the County Commissioners of Boulder County for areas of the District located in unincorporated Boulder County, or the date of approval by the Board of Trustees for areas of the District located in the Town of Nederland. This Code shall be in effect within the limits of the Nederland Fire Protection District.

1.2 Code Described

The 2024 International Fire Code is published by the International Code Council, 200 Massachusetts Avenue, NW, Suite 250, Washington, DC 20001.

1.3 Copies on File

At least one copy of the 2024 International Fire Code shall be kept on file in the office of the Nederland Fire Protection District, 650 West 4th Street, Nederland, Colorado 80466, and may be inspected during regular business hours.

1.4 Purpose

The purpose of this code is to establish the minimum standards consistent with nationally recognized good practice for providing a reasonable level of life safety and property protection from the hazards of fire, explosion, and dangerous conditions in new and existing buildings, structures, and premises, and to provide for the safety of firefighters, and emergency responders during emergency operations.

2 Definitions

Wherever the term “Board of Directors” is used, it shall be held to mean the Board of Directors of the Nederland Fire Protection District.

Wherever the word “District” or phrase “Fire District” is used, it shall mean the Nederland Fire Protection District.

Wherever the term “Municipal Code” is used, it shall mean the Municipal Code as adopted, amended, and incorporated into the Nederland, Colorado Municipal Code for areas of the District located in the Town of Nederland.

Wherever the term “International Building Code” is used, it shall mean the Building Code as adopted, amended, and incorporated into the Boulder County Building Code for areas of the District located in unincorporated Boulder County; or the Building Code as adopted, amended, and incorporated into the Municipal Code for areas of the District located in the Town of Nederland.

Wherever the term “International Residential Code” is used, it shall mean the IRC as adopted, amended, and incorporated into the Boulder County Building Code for areas of the District located in unincorporated Boulder County; or the IRC as adopted, amended, and incorporated into the Municipal Code for areas of the District located in the Town of Nederland.

Wherever the term “Electrical Code” is used, it shall mean the current version adopted by the Colorado State Electrical Board of the National Electrical Code (the “NEC”).

3 Amendments

(1) Subsection 101.1 is amended to read:

101.1 Title. These regulations shall be known as the Fire Code of the Nederland Fire Protection District, hereinafter referred to as "this code".

(2) Subsection 102.7.1 is amended to read:

102.7.1 Conflicts. 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) A new section 102.14 is added:

102.14 Other Adopted Codes. Where this document refers to other ICC codes, the currently adopted edition for the jurisdiction of 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 103.1 is amended to read:

103.1 Code Compliance Agency. The Nederland Fire Protection District shall be the code compliance agency. The Chief of the district directly, or through delegation to the Fire Marshal of the district, shall be known as the Fire Code Official. The code compliance agency’s function is the implementation, administration and enforcement of the provisions of this code.

(5) 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 limitation or waiver of rights, privileges, benefits, limitations and immunities provided the Fire District and its directors, officers, employees, volunteers, and agents under federal and state law, including but not limited to, the Colorado Governmental Immunities Act, C.R.S. 24-10-101, et seq., or by other statutes, or by common law."

(6) 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."

(7) 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. § 32-1-1002, 16-2.5-109, and other applicable state statutes."

(8) 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 a 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.

(9) Subsection 105.5 is amended to read:

105.5 Required operational permits. The fire code official is authorized to issue operational permits for the operations set forth in the following sections:

(a) 105.5.16 Explosives.

(b) 105.5.17 Fire hydrants and valves.

(c) 105.5.25 Hot work.

(d) 105.5.34 Mobile food preparation vehicles.

(e) 105.5.36 Open burning.

(f) 105.5.37 Open flames and torches.

(g) 105.5.40 Outdoor assembly events.

(h) 105.5.42 Plant extraction systems.

(i) 105.5.44 Pyrotechnic special effects material.

(j) 105.5.51 Temporary membrane structures, special event structures and tents.

(k) 105.5.56 Temporary heating or cooking in wildfire risk areas.

(10) Subsection 105.6 is amended to read:

105.6 Required construction permits. The fire code official is authorized to issue construction permits for the work set forth in the following sections:

(a) 105.6.1 Automatic fire-extinguishing systems.

(b) 105.6.2 Automatic sprinkler systems.

(c) 105.6.5 Emergency responder communication coverage system.

(d) 105.6.6 Energy storage systems.

(e) 105.6.7 Fire alarm and detection systems and related equipment.

(f) 105.6.8 Fire pumps and related equipment.

(g) 105.6.12 Gates and barricades across fire apparatus access roads.

(h) 105.6.13 Hazardous materials.

(i) 105.6.14 High-piled combustible storage.

(j) 105.6.18 Plant extraction systems.

(k) 105.6.19 Emergency water supplies.

(l) 105.6.20 Smoke control or smoke exhaust systems.

(m) 105.6.21 Solar photovoltaic power systems.

(n) 105.6.22 Special event structures.

(o) 105.6.24 Standpipe systems.

(p) 105.6.25 Temporary membrane structures and tents.

(q) 105.6.26 Emergency vehicle access.

(11) Subsection 105.5.36 is amended to add the following exception:
No permit shall be required if burning is regulated pursuant to the regulations promulgated under CRS Section 25-7-123 or regulated by Boulder County.

(12) Section 108 is deleted in its entirety and replaced with:

Section 108 - Fees

108.1 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)(j) 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 and plan review related services pursuant to provisions of this code.

108.2 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, have been paid.

108.3 Operational permit fee. An inspection fee may be charged for any operational permit required by Section 105.5. 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.

108.4 Construction permit fee. A fee may be charged for any construction permit required by Section 105.6 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.

108.5 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.

108.6 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 is separate from the construction permit fee required by Section 108.4.

108.7 Unauthorized Work Inspection Fee. Any person or entity that commences any work before obtaining a construction permit required by Section 105.6 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.

108.8 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.

(13) Subsection 112.1 is repealed in its entirety and reenacted to read as follows:

112.1 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.

112.1.1 Administrative decisions. To determine the suitability of alternate materials and types of construction and to provide for reasonable interpretations of the provisions of this Fire Code, upon request of an interested party, including the Fire Chief or their designee, the Board of Directors shall act as a board of appeals. The Board of Directors 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 five days of the date of the Fire Chief's decision, to the Board of Directors by delivery to the Fire Chief or designee at the Fire District's administrative office.

(14) Subsection 113.4 is amended to read as follows:

113.4 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 and 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.

(15) Subsection 114.4 is amended to read:

114.4 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).

(16) Subsection 503.2.9 is added to read:

503.2.9 Driveway Access. Driveways from platted roads to single-family residences shall be sized to meet the Municipal or Boulder County specifications and required apparatus, however approval will be determined by the Fire Code Official to accommodate the fire apparatus expected to respond to the residence.

(17) Subsection 507.2.3 is added to read:

507.2.3 In-ground Cisterns. In ground cisterns for fire protection shall be designed, installed, and maintained to meet the requirements of the Municipal or Boulder County specifications and the Fire Code Official.

(18) Subsection 507.2.4 is added to read:

507.2.4 Community Cisterns. Where an occupancy is close enough and has adequate access by firefighting apparatus, in the opinion of the fire code official, a community cistern may provide firefighting water supply, instead of an In-ground Cistern, as described in Subsection 507.2.3. In such cases, a contribution to the

Community Cistern Fund, in an amount as established by the District Board, will meet the requirements of Section 507.

(19) Subsection 507.5.1 Exception 2 is deleted.

(20) Subsection 507.5.3.1 is added to read:

507.5.3.1 Privately Owned Hydrant Maintenance. Privately owned hydrants shall be maintained at the expense of the private property owner, subject to the direction and requirements of the fire code official. Such private hydrants shall be flushed and tested periodically according to this code. If such testing reveals that the flow from private hydrants is inadequate according to applicable standards, modifications necessary to meet these standards shall be ordered by the fire code official and made at the expense of the property owner. All private hydrants shall be painted, as directed by the fire code official, to designate a private fire hydrant. Appropriate markings or signs restricting parking in front of or next to fire hydrants shall be designated by the fire code official and implemented at the expense of the property owner. No point of connection to any private fire hydrant shall be left uncapped without permission of the fire code official.

(21) Subsection 507.5.7 is added to read:

507.5.7 Existing Private Fire Hydrants. Existing hydrants that do not conform to the District's specifications or that do not face in the direction most consistent with emergency use by the District, as established by the fire code official, shall be changed to meet the District's requirements by the property owner and at the property owner's expense, within 30 days of service of notice of the required changes upon the property owner or its resident agent.

(22) Subsection 903.2.8 is amended to read:

903.2.8 Group R and Residences constructed under the International Residential Code. An automatic sprinkler system installed in accordance with Section 903.3 shall be provided throughout all residences.

(23) Subsection 903.3.1.3 is amended to read:

903.3.1.3 Residential Sprinkler Systems. Automatic sprinkler systems installed in one and two-family dwellings, Group R-3, and R-4 Congregate living facilities and townhouses shall be permitted to be installed throughout in accordance with the Building Code, its amendments, and Subsections 903.3.1.3.1 through 903.3.1.3.3.

(24) Subsection 903.3.1.3.1 is added to read:

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.

(25) Subsection 903.3.1.3.2 is added to read:

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.

(26) Subsection 903.3.1.3.3 is added to read:

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.

4 Enforcement and Appeals

1. The Fire Chief shall enforce this code in accordance with the procedures set forth in this code and C.R.S 32-1-1002.
2. A Notice of Violation or Hazard may be issued by the Fire Chief or his designee concerning violations or hazards which are not corrected on-site during an inspection and an Order to Comply may be issued by the Fire Chief or his designee for:
   a. Failure to correct a violation or hazard within the time specified in a previously issued a Notice of Violation or Hazard; or
   b. Violating the code or state statute and said violation renders the building, structure, or premises especially liable to fire or is a hazard to the safety of the occupants thereof, or which is so situated as to endanger other property is set forth in CRS Section 32-1-1002 (3), whether or not a Notice has been previously issued.
3. An appeal of a Notice of Violation or Hazard may be made in accordance with the provisions of this code and resolution.
4. An appeal of an Order to Comply may be made in accordance with the provisions of this code and resolution only if no previous appeal has been made of a previously issued Notice of Violation or Hazard concerning the same a violation or hazard.

5. If no appeal is made pursuant to this code and resolution, or to the court pursuant to CRS Section 32-1-1002 (3), and compliance with an Order and or correction of a hazard has not occurred, the Fire Chief or his designee may instruct a Boulder County Sheriff's deputy to issue a summons or a citation for the Boulder County District Court.
6. An appeal shall suspend the time limits for compliance or correction of a fire hazard or hazards, until the appeal is resolved for appeals of a Notice of Violation or Hazard which is issued pursuant to Section 4, paragraph 2a herein. An appeal shall not suspend the time limit for compliance or correction of life safety deficiencies. An appeal of an Order issued pursuant to section 4, paragraph 2b herein shall not suspend the time limits for compliance or correction, and compliance or correction shall be made or render forth with unless the Order is suspended pursuant to the procedures set forth in this code and resolution.

Approved _____ , 2025 by the Board of Directors of the Nederland Fire Protection District.

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Guy Falsetti, President, Board of Directors

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Russ Panneton, Vice President, Board of Directors