

ORDINANCE NO. 4.93.5, Series of 2018

TITLE: A BILL FOR AN ORDINANCE TO AMEND SECTIONS 11.04.020, 11.04.050, 11.04.060 AND 11.04.080 OF THE PARKER MUNICIPAL CODE CONCERNING THE PARKER FIRE PROTECTION CODE

NOW, THEREFORE, THE TOWN COUNCIL OF THE TOWN OF PARKER, COLORADO, ORDAINS:

Section 1. Section 11.04.020 of the Parker Municipal Code is amended to read as follows:

11.04.020 International Fire Code adopted.

Pursuant to Section 7.7 of the Parker Home Rule Charter, the International Fire Code, 2018 Edition, as published by the International Code Council (ICC), 500 New Jersey Avenue, NW, 6th Floor, Washington, DC 20001 is adopted by reference and incorporated into this Chapter as though fully set forth herein. Except as otherwise provided hereafter, such code is adopted in full, including the outline of contents, index and appendices contained therein.

Section 2. Section 11.04.040 of the Parker Municipal Code is amended to read as follows:

11.04.040 Definitions.

Fire Code Official, wherever used in the International Fire Code, shall mean the Chief Building Official of Parker, Colorado, except as otherwise provided herein. In the event there is a conflict in the information or application of the Fire Code, the Chief Building Official will resolve such conflicts.

Jurisdiction, wherever used in the International Fire Code, shall mean that area within the corporate limits of the Town or any area hereafter annexed to the Town.

Section 3. Section 11.04.050 of the Parker Municipal Code is repealed in its entirety and readopted to read as follows:

11.04.050 Amendments.

The International Fire Code, as adopted by this Chapter, is hereby amended as follows (article numbers correspond with those in the International Fire Code):

- (1) Delete Appendix Chapters A, E, F, G, H, I, J, K, L and M.
- (2) Amend Section 101.1, Title, to read:

"**101.1 Title.** These regulations shall be known as the Parker Fire Protection Code, hereinafter referred to as the 'code.'"

(3) Amend Section 105.6.36, Outdoor assembly event, to read as follows:

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

(4) Amend Section 109.1, Board of appeals established, to read:

"**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 a board of appeals. The board of appeals shall be the Regional Fire Code Board of Appeals and shall hold office at its pleasure."

(5) Amend Section 110.4, Violation penalties, to read:

"**110.4 Violation penalties.** Persons who violate a provision of this code or fail to comply with any of the requirements thereof or who 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 guilty of a misdemeanor, punishable by a fine of not more than four hundred ninety-nine dollars (\$499). Each day that a violation continues after due notice has been served shall be deemed a separate offense."

(6) Amend Section 112.4, Failure to comply, to read:

"**112.4 Failure to comply.** Any person who shall continue any work after having been served with 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 of not more than four hundred ninety-nine dollars (\$499)."

(7) Amend Section 202, General Definitions, by the addition of a new definition, *approved side of the building*, and by amending the definition of *Fire Code Official* to read:

"*Approved side of the building* shall account for at least twenty-five percent (25%) of the building perimeter and will be determined by the fire code official.

"*Fire Code Official* shall mean the Chief Building Official of Parker, Colorado."

(8) Add a new Section 401.1.1, Fire Code Official, to read:

"401.1.1 Fire Code Official. Wherever *Fire Code official* is referred to in this Chapter, it shall mean the Chief of the South Metro Fire Rescue Authority."

(9) Delete the exceptions to Section 503.1.1. Buildings and facilities, and replace with:

"Exception: The dimension of 150 feet (45,720 mm) shall be increased as follows:

"1.1. Where 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; provided access roads are extended to within 150 feet (45,720 mm) of at least one (1) approved side of the building. Fire hydrant requirements of Section **507.5.1** may necessitate additional roads to serve hydrants near large buildings.

"1.2. Where 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 (60,960 mm).

"1.3. Where there are not more than two Group R-3 or Group U occupancies, the dimension shall be unlimited; provided access roads are extended to within 150 feet (45,720 mm) of at least one (1) approved side of the building. Fire hydrant requirements of Section **507.5.1** may necessitate additional roads to serve hydrants near large buildings."

(10) Amend Section 503.1.2, by adding the following sentence to read:

Reference Appendix D for additional requirements

(11) Amend Section 503.2, Specifications, to read:

"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.

"Exception: South Metro Fire Rescue Authority shall default to the current edition of the Roadway Design and Construction Criteria Manual adopted by the Town of Parker."

(12) Amend Section 503.2.3, Surface, to read:

"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.

(13) Amend Section 503.4.1, Traffic calming devices, to read:

"503.4.1 Traffic calming devices. Traffic calming devices on public streets shall be prohibited, unless approved by the Public Works Director. For all other fire apparatus access roads, traffic calming devices shall be permitted, subject to the approval of the fire code official and the Public Works Director."

(14) Amend Section 503.4, Obstruction of fire apparatus access roads, by adding the following to the end of the sentence:

“. . . in Sections 503.2.1, 503.2.2, and Appendix D, shall be maintained at all times.”

(15) Amend Section 503.6, Security gates, to read:

"Section 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.”

(16) Amend Section 507.3, Fire flow, to read:

"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."

(17) Amend Section 507.5, Fire hydrant systems, to read:

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

(18) Amend Chapter 9 to add a new Section 903.3.1.2.4, Location of sprinklers, to read:

"903.3.1.2.4 Location of sprinklers. Sprinklers shall be installed in any closet used for heating or air-conditioning equipment, washers, dryers or water heaters.”

(19) Amend Chapter 9 to add a new Section 903.3.1.2.5, Stock of spare sprinklers, to read:

"903.3.1.2.5 Stock of spare sprinklers. On a single property with multiple buildings under the same ownership, it shall be required that each individual riser room be provided with the required sprinkler box, spare sprinkler heads and wrench.”

(20) Amend Section 905.4 (1), Location of Class I standpipe hose connections, by deleting the exception in its entirety.

(21) Amend Section 1103.7.6(3), Group R-2, to read:

“Section 1103.7.6(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, exceptions 3.2 to 3.5.”

(22) Amend Exception #4 of Section 5601.1.3, Fireworks, to read:

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

"Exceptions:

"1. Unchanged.

"2. Deleted.

"3. The use of fireworks for fireworks displays as allowed in Section 5608.

"4. The possession, storage, sales, handling, and use of permissible fireworks, as defined by Section 12-28-101, C.R.S., as amended, as follows:

"Permissible fireworks as defined by Section 12-28-101, C.R.S. as amended, are permitted in the Town, except as provided by Chapter 6.04 of the Parker Municipal Code, as amended. Permissible fireworks include the following:

"a. Cylindrical fountains, total pyrotechnic composition not to exceed seventy-five grams each for a single tube or, when more than one tube is mounted on a common base, a total pyrotechnic composition of no more than two hundred grams;

"b. Cone fountains, total pyrotechnic composition not to exceed fifty grams each for a single cone or, when more than one cone is mounted on a common base, a total pyrotechnic composition of no more than two hundred grams;

"c. Wheels, total pyrotechnic composition not to exceed sixty grams for each driver unit or two hundred grams for each complete wheel;

"d. Ground spinner, a small device containing not more than twenty grams of pyrotechnic composition venting out of an orifice usually in the side of the tube, similar in operation to a wheel, but intended to be placed flat on the ground;

"e. Illuminating torches and colored fire in any form, total pyrotechnic composition not to exceed two hundred grams each;

"f. Dipped sticks and sparklers, the total pyrotechnic composition of which does not exceed one hundred grams, of which the composition of any chlorate or perchlorate shall not exceed five grams;

"g. Any of the following that do not contain more than fifty milligrams of explosive composition:

- "1. Explosive auto alarms;
- "2. Toy propellant devices;
- "3. Cigarette loads;
- "4. Strike-on-box matches; or
- "5. Other trick noise makers;

"h. Snake or glow worm pressed pellets of not more than two grams of pyrotechnic composition and packaged in retail packages of not more than twenty-five units;

"i. Multiple tube devices with:

- "1. Each tube individually attached to a wood or plastic base;
- "2. The tubes separated from each other on the base by a distance of at least one-half of one inch;
- "3. The effect limited to a shower of sparks to a height of no more than fifteen feet above the ground;
- "4. Only one external fuse that causes all of the tubes to function in sequence; and
- "5. A total pyrotechnic composition of no more than five hundred grams.

"j. 'Permissible fireworks' do not include aerial devices or audible ground devices, including, but not limited to, firecrackers. "

(23) Amend Section 5704.2.9.6, Above-ground tanks outside of buildings, (geographic limits in which the storage of Class I and Class II liquids in above-ground tanks outside of buildings is prohibited), by the addition of the following:

"The storage of Class I and Class II liquids in above-ground tanks outside of buildings shall conform to the provisions of the Town of Parker Zoning Ordinances."

(24) Amend Section 5706.2.4.4, Locations where above-ground tanks are prohibited (geographic limits in which the storage of Class I and Class II liquids in above-ground tanks outside of buildings is prohibited), by the addition of the following:

"The storage of Class I and Class II liquids in above-ground tanks outside of buildings shall conform to the provisions of the Town of Parker Zoning Ordinances."

(25) Amend Section 5708.2, Locations where above-ground tanks are prohibited (geographic limits in which the storage of flammable cryogenic fluids in stationary containers outside of buildings is prohibited), by the addition of the following:

"The storage of flammable cryogenic fluids in stationary containers outside of buildings shall conform to the provisions of the Town of Parker Zoning Ordinances."

(26) Amend to Section 6104.2, Maximum capacity within established limits (geographic limits in which the storage of liquefied petroleum gas is restricted for the protection of heavily populated or congested areas), by the addition of the following:

"Restricted use. Bulk storage of liquefied petroleum gas within all business and commercial zones is restricted for the protection of heavily populated or congested commercial areas. The aggregate capacity of any one installation shall not exceed two thousand (2,000) gallons water capacity, except that in particular installations this capacity limit may be altered at the discretion of the Fire Code Official after consideration of any special features, such as topographical conditions, nature of occupancy and proximity of buildings, capacity of proposed tanks, degree of private fire protection to be provided and the facilities of the South Metro Fire Rescue Authority. Storage and use of propane in cylinders that are designed to hold more than forty (40) pounds is prohibited on any residential lot in the Town. Storage and use of propane in cylinders with an aggregate capacity of more than one hundred fifty (150) pounds is prohibited on any residential lot in the Town."

(27) Amend Section D102.1, Access and loading to read:

"D102.1, Access and loading. Facilities, building 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. "

(28) Amend Section D103.1, Access road width with a hydrant, by deleting it in its entirety.

(29) Amend Section D103.2, Grade, by deleting and replace with 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 district apparatus specifications.”

(30) Amend Section D103.4, Dead ends, to read:

“D103.4 Dead ends. Dead-end fire apparatus access roads in excess of 150 feet (45,720mm) shall be provided with width and turnaround provisions in accordance with Table D103.4 and the Town of Parker roadway design standards.”

(31) Amend Section D106.1, Projects having more than 100 dwelling units, by deleting the exception in its entirety.

Section 4. Section 11.04.060 of the Parker Municipal Code is amended to read as follows:

11.04.060 Violation; penalty.

In addition to the penalty provisions contained in the Parker Fire Protection Code, any person who violates any of the provisions of this Chapter shall be guilty of a misdemeanor and, upon conviction thereof, shall be fined the sum of not more than four hundred ninety-nine dollars (\$499.00) for each such violation. Each day that a violation continues after due notice has been served shall be deemed a separate offense.

Section 5. Section 11.04.080 of the Parker Municipal Code is amended to read as follows:

11.04.080 Effective date.

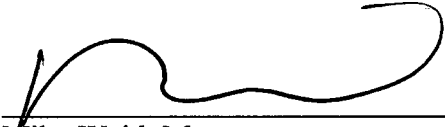
The ordinance codified in this Chapter shall take effect on January 1, 2019.

Section 5. Safety Clause. The Town Council hereby finds, determines and declares that this Ordinance is promulgated under the general police power of the Town of Parker, that it is promulgated for the health, safety and welfare of the public, and that this Ordinance is necessary for the preservation of health and safety and for the protection of public convenience and welfare. The Town Council further determines that the Ordinance bears a rational relation to the proper legislative object sought to be obtained. The Town Council further finds that the title to this Ordinance was posted in two public places two days before the Town Council meeting, as provided by Section 7.5e. of the Town of Parker Home Rule Charter.

Section 6. Severability. If any clause, sentence, paragraph or part of this Ordinance or the application thereof to any person or circumstances shall for any reason be adjudged by a court of competent jurisdiction invalid, such judgment shall not affect application to other persons or circumstances.


Section 7. This Ordinance shall become effective ten (10) days after final publication.

INTRODUCED AND PASSED ON FIRST READING this 15th day of October, 2018.



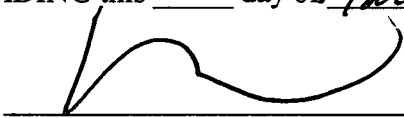
Mike Waid, Mayor

ATTEST:




Carol Baumgartner, Town Clerk

ADOPTED ON SECOND AND FINAL READING this 5th day of November, 2018.



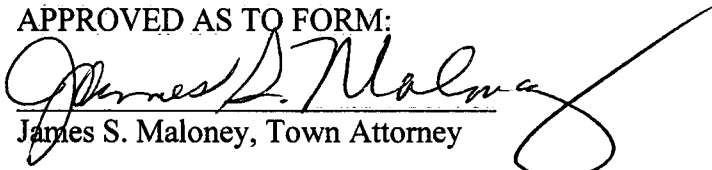
Mike Waid, Mayor

ATTEST:



Carol Baumgartner, Town Clerk

APPROVED AS TO FORM:



James S. Maloney, Town Attorney