

ORDINANCE NO. 4.04

ORDINANCE TO ADOPT BY REFERENCE

THE UNIFORM FIRE CODE OF 1979

TOGETHER WITH ALL REFERENCES THERETO

BE IT ORDAINED by the Board of Trustees of the Town of Larkspur as follows:

Section 1 - Adoption: Pursuant to the powers conferred upon it by the Colorado Revised Statutes, the Town of Larkspur through its Board of Trustees, does hereby adopt by reference the Uniform Fire Code of 1979, together with all referenced therein, except as amended in Section 2 below, the same being adopted as if set out at length herewith. Three copies of such Code shall be maintained on file at the office of the Town Clerk of the Town of Larkspur, Colorado and may be inspected during regular business hours.

Section 2 - Amendment: The Uniform Fire Code as adopted by the Town of Larkspur shall be amended to read as follows:

A) In section 2.102 of the Uniform Fire Code, 1979 Edition, the approval required of the administration shall be vested in the Town Board.

B) Whenever, in section 2.107 of the Uniform Fire Code, 1979 Edition, the words "demand entry" appear in said code the words "request entry" shall be substituted. Also the words "Any person violating this subdivision shall be guilty of a misdemeanor" shall be deleted.

C) In section 2.201 (b) of the Uniform Fire Code, 1979 Edition, the portion of the last sentence reading "the procedure specified in Chapters 4 through 9 of the Uniform Code for the Abatement of Dangerous Buildings or by any other" shall be deleted.

D) Wherever, in section 2.302 of the Uniform Fire Code, 1979 Edition, the words "executive body" appear in said code the words "Town Board" shall be substituted.

E) In section 4.101 of the Uniform Fire Code, 1979 Edition the permit required for Bonfires, Rubbish Fires, or Open Burning shall be deleted.

F) Section 11.101 (a) of the Uniform Fire Code, 1979 Edition shall be deleted.

G) In Appendix E, Number 3, of the Uniform Fire Code, 1979 Edition the words "The Chief Shall" will be changed to read "The Town Board Shall".

H) In Appendix E, Number 4, of the Uniform Fire Code, 1979 Edition the words "The Chief Shall" will be changed to read "The Town Board upon advice of the Chief may".

I) In Appendix E, Number 5, of the Uniform Fire Code, 1979 Edition the words "The Chief Determines" will be changed to read "The Town Board upon the advice of the Chief determines", and the words "he shall" will be changed to read "it may".

Section 3 - Application:

A. The provisions of the Uniform Fire Code shall be applicable to all buildings and structures, including, but not limited to, business, commercial and residential, located within the Town of Larkspur.

B. Any and all additions, alterations, repairs and changes of use or occupancy to any buildings or structures shall be accomplished in such manner as to cause said buildings or structures to come into compliance with the Uniform Fire Code.

C. If, in any specific instance, different sections of the Uniform Fire Code or any other applicable code, appear to be in conflict or specify the use of different material or methods of construction, the most restrictive code section shall apply.

Section 4 - Liability: The passage of the within Ordinance shall impose no liability upon the Town of Larkspur, it's Fire Department, or any of it's employees or officers to any citizen or entity with respect to compliance with the Uniform Fire Code. The Town, it's agents, employees and officers shall not be deemed to be indemnifiers if, as a result of a Code violation, fire occurs.

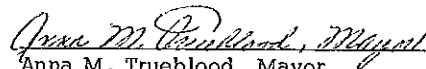
Section 5 - Authority: The Fire Chief and the Town Board of Larkspur shall be empowered and authorized to inspect any building or structure within the municipal limits of the Town of Larkspur at any time upon reasonable notice. Reasonable notice in the case of business and commercial buildings shall give said persons the authority to conduct forthwith inspections during normal business

hours. The officers of the Larkspur Fire Department shall forthwith institute a program of inspections for all business and commercial buildings or other structures wherein the public may be found, such inspection program to be conducted in such a manner as may be deemed feasible by the Fire Chief considering the present volunteer structure of the Department.


Section 6 - Penalties: The Fire Chief and the Town Board of Larkspur shall be empowered to issue Summons and Complaints, Stop Work Orders, Cease and Desist Orders or Closure Orders to any person or persons or other entity found to be in violation of the Fire Code. Any person convicted of violation of any provision of the Uniform Fire Code may be punished by a fine not to exceed \$300.00. Nothing herein shall prevent the Town of Larkspur from taking such action as may be deemed appropriate in a Court of law to obtain an injunction or abatement to remove a continuing violation.

Section 7 - Emergency Clause: It is hereby determined by the Board of Trustees of the Town of Larkspur that an emergency exists for the following reasons; that the Town of Larkspur has not heretofore adopted a fire code and is without a fire code and that the adoption thereof is necessary for the immediate preservation of the public peace, health, safety and welfare. Therefore this ordinance is hereby declared necessary for the preservation of the public peace, health, safety and welfare and shall be in full force and effect immediately upon adoption by the Board of Trustees.

INTRODUCED AND APPROVED THIS 14 day of April, 1982 by a vote of the Board of Trustees of the Town of Larkspur, of 7 for and 0 against.


Anna M. Trueblood, Mayor
Town of Larkspur

ATTEST:


Dean Sprigg, Town Clerk
Town of Larkspur

Publication Date

I hereby certify that the within Ordinance was published on the 26th day
of May, 1982 in the News-Press, a Newspaper of general
circulation published in the Town of Castle Rock, County of Douglas, State of
Colorado.

Dean Sprigg
Dean Sprigg, Town Clerk
Town of Larkspur

(SEAL)