

TOWN OF LARKSPUR

ORDINANCE NO. 4.06

AN ORDINANCE ADOPTING THE UNIFORM FIRE CODE AND UNIFORM FIRE CODE STANDARDS PRESCRIBING REGULATIONS GOVERNING CONDITIONS HAZARDOUS TO LIFE AND PROPERTY FROM FIRE OR EXPLOSION, PROVIDING FOR THE ISSUANCE OF PERMITS FOR HAZARDOUS USES OR OPERATIONS, ESTABLISHING A BUREAU OF FIRE PREVENTION AND PROVIDING OFFICERS THEREFOR AND DEFINING THEIR POWERS AND DUTIES

BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF LARKSPUR, COLORADO, as follows:

SECTION I.

Adoption of Uniform Fire Code, 1982 Edition

1.01 There is hereby adopted by the Town of Larkspur, Colorado for the purpose of prescribing regulations governing conditions hazardous to life and property from fire or explosion, that certain code and standards known as the Uniform Fire Code including the appendixes thereto, and the Uniform Fire Code Standards published by the Western Fire Chiefs Association and the International Conference of Building Officials, being particularly the 1982 editions thereof, save and except such portions as are hereinafter deleted, modified or amended by Section IV. of this Ordinance, and the Code and Standards are hereby adopted and incorporated as fully as if set out at length herein, and from the date on which this Ordinance shall take effect, the provision thereof shall be controlling within the limits of the Town of Larkspur, Colorado.

SECTION II.

Establishment and Duties of Bureau of Fire Protection

2.01 The Uniform Fire Code shall be enforced by the Bureau of Fire Prevention which is hereby established within the Larkspur Fire Protection District under the direction of the District Fire Chief, and which shall consist of such fire protection district personnel as may be assigned thereto by the fire chief. The function of this Bureau shall be to assist the fire chief in the administration and enforcement of the fire prevention provisions of this Code.

SECTION III.

Definitions

3.01 Whenever the word "jurisdiction" is used in the Uniform Fire Code, it is Town of Larkspur, Colorado.

SECTION IV.

Amendments Made in the Uniform Fire Code

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

In Section 2.102, the word administrator shall be deleted, and the words Town Council substituted instead.

In Section 2.107, the words "demand entry" shall be deleted and the words "request entry" shall be substituted.

In Section 2.201 (b) the portion of the last sentence reading "the procedure specified in Chapters 4 through 9 of the Uniform Fire Code for the abatement of dangerous buildings or by any other" shall be deleted.

In Section 2.302, the words "executive body" shall be deleted, and the words "Town Council" substituted instead.

In Section 4.101, Subsection 4 "bonfires or rubbish fires" shall be deleted.

Section 11.101 (a) shall be deleted.

In Appendix II-A, 3., the words "the Chief" appearing in the first line shall be deleted and the words "the Town Council" shall be substituted.

Throughout Appendix II-A, 4., the words "the Chief" appearing in the first line shall be deleted and the words "the Town Council" shall be substituted.

Throughout Appendix II-A, 5., the words "the Chief" shall be deleted and the words "the Town Council upon the advice of the Chief" shall be substituted and, in Subsection 5(a), the words "he shall" appearing in the fourth and fifth lines shall be deleted and the words "it may" shall be substituted.

## SECTION V.

### Application

5.01 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.

5.02 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.

5.03 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 VI.

### Liability

6.01 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 indemnitors if, as a result of a Code violation, fire occurs.

## SECTION VII.

### Authority

7.01 The Fire Chief and the Town Council 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 mean 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 VIII.

Appeals

8.01 Whenever the Chief disapproves an application or refuses to grant a permit applied for, or when it is claimed that the provisions of the Code do not apply or that the true intent and meaning of the Code have been misconstrued or wrongly interpreted, the applicant may appeal from the decision of the Chief to the Town Council of the Town of Larkspur within thirty (30) days from the date of the decision appealed.

SECTION IX.

Penalties

9.01 Any person who shall violate any of the provisions of this Code or Standards hereby adopted or fail to comply therewith, or who shall violate or fail to comply with any order made thereunder, or who shall build in violation of any detailed statement or specification or plan submitted and approved thereunder, or any certificate or permit issued thereunder, and from which no appeal has been taken, or who shall fail to comply with such an order as affirmed or modified by the Town Council or by a court of competent jurisdiction, within the time affixed herein, shall severally for each and every such violation and non-compliance, respectively, and for each and every day of a continuing violation, be subject to punishment by a fine of not more than Three Hundred Dollars (\$300.00) or by imprisonment of not more than ninety (90) days, or both. The imposition of one penalty for any violation shall not excuse a violation or permitted to continue; and all such persons shall be required to correct or remedy such violations or defects within a reasonable time; and when not otherwise specified, each day the prohibited conditions are maintained shall constitute a separate offense.

9.02 The application of the above penalty shall not be held to prevent the enforced removal of prohibited conditions nor to prevent the Town Council from taking any action as may be deemed appropriate in a court of competent jurisdiction to obtain an injunction or an abatement to remove a continuing violation.

SECTION X.

Repeal of Conflicting Ordinances

10.01 All former ordinances or parts thereof conflicting or inconsistent with the provisions of this Ordinance or of the Code or Standards hereby adopted are hereby repealed.

SECTION XI.

Validity

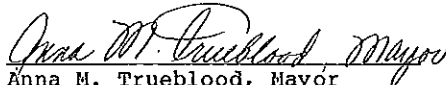
11.01 The Town Council hereby declares that should any section, paragraph, sentence, word of this Ordinance or of the Code or Standards hereby adopted be declared for any reason to be invalid, it is the intent of the Town Council that it would have passed all other portions of this Ordinance independent of the elimination herefrom of any such portion as may be declared invalid.

SECTION XII.


Date of Effect

12.01 This Ordinance shall take effect and be enforced from and after its approval as required by law.

INTRODUCED AND APPROVED this 25<sup>th</sup> day of APRIL, 1984 by a vote of the Town Council of the Town of Larkspur, of 6 for and 0 against.

  
Anna M. Trueblood, Mayor  
Town of Larkspur

ATTEST:

  
Jody McDonald, Town Clerk  
Town of Larkspur