

ORDINANCE NO. 4.16

AN ORDINANCE ADOPTING THE UNIFORM FIRE CODE OF 1988 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, AND ESTABLISHING
A BUREAU OF FIRE PREVENTION AND PROVIDING OFFICERS THEREFOR
AND DEFINING THEIR POWERS AND DUTIES
(This Ordinance hereby repeals and supercedes
Ordinance No. 4.12 passed and adopted on September 2, 1987)

BE IT ORDAINED by the Town Council of the Town of Larkspur,
Colorado as follows:

SECTION 1. ADOPTION OF UNIFORM FIRE CODE: 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, 1988, including the
Appendices thereto and the Uniform Fire Code Standards published
by the Western Fire Chiefs Association and the International
Conference of Building Officials, being particularly the 1988
editions thereof and the whole thereof, save and except such
portions as are hereinafter deleted, modified or amended by
Section 7 of this ordinance, a copy of which Code and Standards
have been and are now filed in the office of the Larkspur Fire
Protection District, Larkspur, Colorado, and the same 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
provisions thereof shall be controlling within the limits of the
Town of Larkspur, Colorado.

SECTION 2. ESTABLISHMENT AND DUTIES OF BUREAU OF FIRE
PREVENTION.

A. The Uniform Fire Code shall be enforced by the Larkspur
Fire Protection District (sometimes hereinafter referred to as
the "Bureau of Fire Prevention"), under the direction of the
District Fire Marshall, and which enforcement shall be undertaken
by such fire protection district personnel as may be assigned
thereto by the Fire Chief.

B. The function of the bureau shall be to assist the Fire
Marshall in the administration and enforcement of the fire
prevention provisions of this Code.

SECTION 3. DEFINITIONS:

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

B. Wherever the words "Chief of the Bureau of Fire
Prevention" are used, they shall mean the "Fire Marshall".

SECTION 4. ESTABLISHMENT OF LIMITS OR DISTRICTS IN WHICH STORAGE OF FLAMMABLE OR COMBUSTIBLE LIQUIDS IN OUTSIDE ABOVEGROUND TANKS IS PROHIBITED: The limits referred to in Section 79.501 of the Uniform Fire Code in which the storage of flammable or combustible liquids is restricted are hereby established as follows:

Residential Zone Districts and Residential Use Areas within a Planned Development District or a Planned Unit Development District

SECTION 5. ESTABLISHMENTS OF LIMITS IN WHICH STORAGE OF LIQUEFIED PETROLEUM GASES IS TO BE RESTRICTED: The limits referred to in Section 82.105(a) of the Uniform Fire Code, in which storage of liquefied petroleum gas is restricted, are hereby established as follows:

Residential Zone Districts and Residential Use Areas within a Planned Development District or a Planned Unit Development District

SECTION 6. ESTABLISHMENTS OF LIMITS OF DISTRICTS IN WHICH STORAGE OF EXPLOSIVES AND BLASTING AGENTS IS TO BE PROHIBITED: The limits referred to in Section 77.106(b) of the Uniform Fire Code, in which storage of explosives and blasting agents is prohibited, are hereby established as follows:

Residential Zone Districts and Residential Use Areas within a Planned Development District or a Planned Unit Development District, the Business Zone District; and Business Use Areas within a Planned Development District or a Planned Unit Development District

SECTION 7. AMENDMENTS MADE IN THE UNIFORM FIRE CODE: 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 therefor.

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 2.303, the words "executive body" shall be deleted, and the words "Town Council" substituted therefor.

SECTION 8. APPEALS: 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 Board of Appeals appointed by the Town Council, within 30 days from the date of the decision appealed.

SECTION 9. NEW MATERIALS, PROCESSES OR OCCUPANCIES WHICH MAY REQUIRE PERMITS: The Mayor, the District Fire Chief, and the Fire Marshall shall act as a committee to determine and specify, after giving affected persons an opportunity to be heard, any new materials, processes or occupancies for which permits are required in addition to those now enumerated in said Code. The Fire Marshall shall post such list in a conspicuous place in his office, and distribute copies thereof to interested persons.

SECTION 10. PENALTIES:

A. 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 of specifications or plans 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 Appeal Board or by a court of competent jurisdiction, within the time fixed herein, shall severally for each and every such violation and noncompliance, respectively, be guilty of an ordinance violation, punishable by a fine not to exceed \$300.00 or by imprisonment for a period not to exceed 90 days or by both such fine and imprisonment. The imposition of one penalty for any violation shall not excuse the violation or permit it 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 that prohibited conditions are maintained shall constitute a separate offense.

B. The application of the above penalty shall not be held to prevent the enforced removal of prohibited conditions.

SECTION 11. REPEAL OF CONFLICTING ORDINANCES: This ordinance repeals and supercedes Ordinance No. 4.12, passed and adopted on September 2, 1987, and all former ordinances or parts thereof conflicting or inconsistent with the provisions of this ordinance or of the Code or Standards hereby adopted. The repeal of this Ordinance shall not affect or prevent the prosecution or punishment of any person for the violation of the Ordinance repealed hereby for any offense committed prior to the repeal.

SECTION 12. VALIDITY: The Town Council hereby declares that should any section, paragraph, sentence or 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 13. DATE OF EFFECT: This Ordinance shall take effect and be in force from and after the date of its approval.

Introduced as an ordinance at a regular meeting of the Town Council of the Town of Larkspur, Colorado, on the 12th day of December, 1990, and passed by a vote of 7 for, 0 against, and 0 abstentions, and ordered published.

Jim Williams
Mayor

ATTEST:

Jessa Lee Bell
Town Clerk

Publication Date: January 24, 1991

I hereby certify that the within Ordinance No. 4.16 was published on the 24th day of January, 1990, in the Douglas County News-Press, the newspaper of general circulation published in the County of Douglas, State of Colorado; and I further certify that the within Ordinance No. 4.16 was posted on the bulletin board at the Town Hall of the Town of Larkspur from December 24, 1990 to February 28, 1991.

Jessa Lee Bell
Town Clerk

EXHIBIT "A"

PROPERTY DESCRIPTION

A tract of land situated in the Northeast 1/4 of Section 33, Township 9 South, Range 67 West of the 6th Principal Meridian, Douglas County, Colorado, more particularly described as follows; Commencing at the Northeast corner of said Section 33; Thence S65° 35' 15" W a distance of 1039.32 feet to a point on the centerline of the Larkspur Road (County Road No. 60) and to the true point of beginning; Thence N89° 24' 00" W along said centerline a distance of 287.85 feet; Thence N0° 36' 00" E a distance of 443.89 feet; Thence S89° 24' 00" E a distance of 282.67 feet; Thence S0° 04' 08" E a distance of 443.92 feet to the point of beginning; Containing 2.907 acres, more or less.