

ORDINANCE NO. 4.19

AN ORDINANCE ADOPTING THE UNIFORM FIRE CODE OF 1991 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 supersedes
Ordinance No. 4.16 passed and adopted on December 12, 1990)

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, 1991, 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 1991 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 Marshal, 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 of Fire Prevention shall be to assist the Fire Marshal 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 Marshal".

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 Sections 79.501 and 79.1001 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 82.104(b) 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 with 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 77.107 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 last sentence reading "see the procedure specified in Chapters 4 through 9 of the Uniform Code for the Abatement of Dangerous Buildings" shall be deleted.

In Section 2.303, the words "executive body" shall be deleted, and the words "Town Council" substituted therefore.

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 the 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 Marshal 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 Marshal 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 supersedes Ordinance No. 4.16, passed and adopted on December 12, 1990, 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 on 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 five (5) days after it is posted, in accordance with Section 3.20 of the Town Charter.

Introduced as an ordinance at a regular meeting of the Town Council of the Town of Larkspur, Colorado, on the 15th day of December, 1994 and passed by a vote of 16 for, 1 against, and 0 abstentions.

Horace Bunch
Mayor

ATTEST:

Brenda J. Anderson
Town Clerk



I hereby certify that the within Ordinance No. 4.18 was posted on the bulletin board at the Town Hall of the Town of Larkspur from December 19, 1994 to December 24, 1994

Brenda J. Anderson
Town Clerk