

THE COUNTY OF CLEAR CREEK, COLORADO

Resolution No. 1999-150

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS CONSENTING TO THE ADOPTION BY SEVERAL MUNICIPALITIES AND THE CLEAR CREEK COUNTY EMERGENCY SERVICES GENERAL IMPROVEMENT DISTRICT, OF THE UNIFORM FIRE CODE, APPENDICES AND THE UNIFORM FIRE CODE STANDARDS, 1997 EDITION, AS PUBLISHED BY THE INTERNATIONAL FIRE CODE INSTITUTE

Ordinance No. 1999-5

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS ADOPTING THE UNIFORM FIRE CODE, APPENDICES AND THE UNIFORM FIRE CODE STANDARDS, 1997 EDITION, AS PUBLISHED BY THE INTERNATIONAL FIRE CODE INSTITUTE


WHEREAS, the Intergovernmental Agreement establishing the Clear Creek Fire Authority ("Authority") provides in Section 4 that the Authority shall have all of the powers and functions of a fire protection district pursuant to Sections 32-1-1001 and 32-1-1002, C.R.S., and in Section 5-6 that the Authority shall adopt and enforce fire safety codes; and

WHEREAS, Section 31-1-1002(1)(d), C.R.S. authorizes a fire protection district to adopt and enforce fire codes, but that no such code shall apply within any municipality or unincorporated areas of the county unless the county or municipal governing body adopts a resolution stating that such code shall be applicable within the fire protection district's boundaries;

WHEREAS, Section 30-15-401.5, C.R.S. also empowers the Board of County Commissioners ("Board") to adopt ordinances to provide for minimum fire safety standards modeled upon the uniform fire code, and that upon such adoption the fire code shall be enforced by the fire protection districts and County improvement districts providing fire protection services within their boundaries, and contract agencies for areas of the County not receiving fire protection; and

WHEREAS, the governing bodies of the several municipalities and the Board of Directors of the Clear Creek County Emergency Services General Improvement District, within the County of Clear

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Creek have, or are anticipated to adopt by resolution the 1997 Uniform Fire Code, Appendices and Uniform Fire Code Standards; and

WHEREAS, the Board deems it in the best interest of the residents and visitors of the County of Clear Creek to maintain adequate and updated regulations concerning fire and life safety requirements by means of adoption of a resolution pursuant to Section 31-1-1002(1)(d), C.R.S. stating that the Uniform Fire Code, Appendices and Uniform Fire Code Standards, 1997 Edition, shall be applicable within the unincorporated areas of Clear Creek County except areas included within the Evergreen Fire Protection District, and adoption of the same by ordinance pursuant to Section 30-15-401.5, C.R.S.:

Resolution No. 1999-150

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF CLEAR CREEK, COLORADO AS FOLLOWS:

Section 1. Approval of Adoption of Uniform Fire Code. The adoption by the Clear Creek County Emergency Services General Improvement District of the Uniform Fire Code, Appendices and the Uniform Fire Code Standards, 1997 Edition, as published by the International Fire Code Institute ("Uniform Fire Code"), is hereby approved pursuant to Section 32-1-1002(1)(d), C.R.S., with such amendments, changes, and deletions as adopted by the Clear Creek County Emergency Services General Improvement District for application within its jurisdiction.

Section 2. Severability. If any part, section, subsection, sentence, clause or phrase of this Resolution, the Uniform Fire Code, Appendices, Uniform Fire Code Standards, 1997 Edition, is for any reason held to be invalid, such invalidity shall not affect the validity of the remaining provisions. The Board hereby declares that it would have passed and adopted this Resolution, the Code, Appendices, Uniform Fire Code Standards, 1997 Edition, and each part, section, subsection, sentence, clause or phrase thereof, should any other section, subsection, sentence, clause or phrase be declared invalid.

Section 3. Copies on File. A copy of the Uniform Fire Code, Appendices, Uniform Fire Code Standards, 1997 Edition, and amendments approved herein shall be kept on file in the business office of the County of Clear Creek, and shall be available for public inspection.

Section 4. Stipulations. The Uniform Fire Code approved pursuant to this Resolution:

- A. Is the Uniform Fire Code, 1997 Edition, as amended herein;
- B. Shall be interpreted in conformance with state statute;
- C. Shall be interpreted not to conflict with the County of Clear Creek building codes, regulations and ordinances;
- D. Shall, to the extent its provisions are in conflict, be superseded by state statutes or regulations, the County of Clear Creek building codes, resolutions, regulations or ordinances.

Section 5. Repealer. Except as provided in Section 5 of this resolution, all resolutions, or parts thereof, in conflict with this Resolution, are hereby repealed, provided that this section shall not repeal the repealer clauses of any prior resolutions or hereby revive any resolutions previously repealed. This Resolution shall not repeal Ordinance No. 5 adopted herewith, and the powers and authorities granted by this Resolution and Ordinance No. 5, shall co-exist independent of each other.

Section 6. Effective Date. This Resolution shall take effect and be enforced immediately upon its approval by the Board.

ORDINANCE NO. 5

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS THE COUNTY OF CLEAR CREEK, COLORADO AS FOLLOWS:

Section 1. Adoption of Uniform Fire Code. The Uniform Fire Code, Appendices and the Uniform Fire Code Standards, 1997 Edition, as published by the International Fire Code Institute ("Uniform Fire Code"), is hereby adopted pursuant to Section 30-15-401.5, C.R.S., with such amendments, changes, and deletions as hereinafter set forth, within all unincorporated areas of Clear Creek County except areas within the Evergreen Fire Protection District.



Section 2. Enforcement by the Clear Creek Fire Authority.  
The Uniform Fire Code as adopted herein shall be enforced within the County of Clear Creek by the bureau of fire prevention established by the Clear Creek Fire Authority.

Section 3. Definitions. Whenever used in the Uniform Fire Code, or amendments to the Uniform Fire Code provided herein, the following terms have the meanings provided.

A. "Jurisdiction" shall mean the jurisdiction of the Clear Creek Fire Authority.

B. "Chief of the bureau of fire prevention" shall mean the persons appointed by the board of directors of the Clear Creek Fire Authority.

C. "Administrator" shall mean the board of directors of the Clear Creek Fire Authority, or its designee.

D. "Board" shall mean the board of directors of the Clear Creek Fire Authority.

Section 4. Amendments Made to the Uniform Fire Code. The 1997 Uniform Fire Code is amended and changed in the following respects:

A. Section 103.1.4 is amended to read: "To determine the suitability of alternate materials and types of construction and to provide for reasonable interpretations of the provisions of this Code, there is hereby created a board of appeals consisting of the Board and such additional persons as the Board deems necessary who are qualified by experience and training to pass upon pertinent matters. (Balance of section to remain unchanged.)"

B. Article 78, Fire Works and Pyrotechnic Special Effects Materials, is superseded to the extent of any inconsistency by the provisions of Sections 12-28-101 through 12-28-113, C.R.S., and rules and regulations promulgated thereunder. Appendices I-A, I-B and II-C are deleted in total.

Section 5. Severability. If any part, section, subsection, sentence, clause or phrase of this Ordinance, the Uniform Fire Code, Appendices, Uniform Fire Code Standards, 1997 Edition, is for any reason held to be invalid, such invalidity shall not affect the validity of the remaining provisions. The Board hereby declares that it would have passed and adopted this Ordinance, the

Code, Appendices, Uniform Fire Code Standards, and each part, section, subsection, sentence, clause or phrase thereof, should any other section, subsection, sentence, clause or phrase be declared invalid.

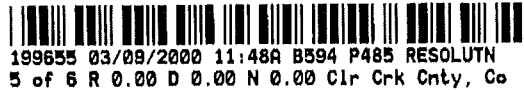
Section 6. Copies on File. A copy of the Uniform Fire Code, Appendices, Uniform Fire Code Standards, 1997 Edition, and amendments adopted herein shall be kept on file in the business office of the County of Clear Creek Department of Development Services, and shall be available for public inspection.

Section 7. Stipulations. The Uniform Fire Code adopted pursuant to this Ordinance:

- A. Is the 1997 Uniform Fire Code as amended herein;
- B. Shall be interpreted in conformance with state statute;
- C. Shall be interpreted not to conflict with the County of Clear Creek building codes, regulations and ordinances;
- D. Shall, to the extent its provisions are in conflict, be superseded by state statutes or regulations, the County of Clear Creek building codes, resolutions, regulations or ordinances.

Section 8. Repealer. Except as provided in Section 7 of this Ordinance, all resolutions and ordinances, or parts thereof, in conflict with this Ordinance, are hereby repealed, provided that this section shall not repeal the repealer clauses of any prior resolutions or ordinances or hereby revive any resolutions or ordinance previously repealed. This Ordinance shall not repeal Resolution 1999-150 adopted herewith, and the powers and authorities granted by this Ordinance and Resolution 1999-150, shall co-exist independent or each other.


Section 9. Effective Date. This Ordinance shall take effect and be enforced thirty (30) days following the date of final publication.



Section 10. Amendments or Modifications. This Ordinance, and the provisions of the Uniform Fire Code adopted by this Ordinance, may be amended, modified, or repealed at any time by adoption and publication of an ordinance by the Board of County Commissioners for the County of Clear Creek, Colorado.

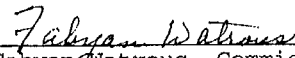
Signed this 21st day of December, 1999.

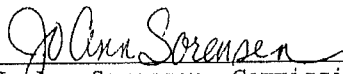
THE COUNTY OF CLEAR CREEK BOARD OF COMMISSIONERS

  
Robert J. Polrot, Chairman

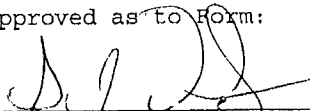
ATTEST AND CERTIFICATION:

  
County Clerk or ~~Deputy~~ County Clerk

  
Fabyan Watrous, Commissioner

  
Jo Ann Sorensen, Commissioner

Approved as to Form:

  
County Attorney