

EXPLANATORY COVER SHEET

COUNCILMAN'S BILL NO. CB-1591

SPONSOR: MAYOR NOVAK, COUNCIL MEMBERS MARTIN, MONROE & PARSONS

TITLE: A BILL FOR AN ORDINANCE REPEALING AND REENACTING ARTICLE 5 CHAPTER 10 OF THE NORTHGLENN MUNICIPAL CODE TO ADOPT BY REFERENCE WITH AMENDMENTS AS A PRIMARY CODE OF THE CITY OF NORTHGLENN, THE INTERNATIONAL FIRE CODE, 2003 EDITION, OF THE INTERNATIONAL CODE COUNCIL, 4051 WEST FLOSSMOOR ROAD, COUNTRY CLUB HILLS, IL 60478; AND ADOPTING APPENDICES B, C, E, F, AND G OF THE INTERNATIONAL FIRE CODE, AND ESTABLISHING PENALTIES FOR VIOLATIONS OF THE ORDINANCE.

PURPOSE: THE PURPOSE OF THIS BILL IS TO REPEAL THE 1997 EDITION OF THE UNIFORM FIRE CODE WHICH IS CURRENTLY IN EFFECT IN THE CITY OF NORTHGLENN AND ADOPT IN ITS PLACE THE 2003 EDITION OF THE INTERNATIONAL FIRE CODE WITH AMENDMENTS.

ADDITIONAL EXPLANATORY REMARKS:

THIS AND SEVERAL OTHER INTERNATIONAL CODES ARE COMPANION DOCUMENTS TO THE INTERNATIONAL BUILDING CODE. THE 2003 EDITION OF THIS CODE IS RECOMMENDED FOR ADOPTION AT THIS TIME SO THAT COMPATIBILITY EXISTS AMONG ALL CODES ADOPTED. IN ADDITION, THE 1997 EDITION OF THE UNIFORM FIRE CODE CURRENTLY IN EFFECT, IS OUTDATED. ALTHOUGH THE CITY COUNCIL IS RESPONSIBLE FOR ADOPTING THE CODE, ADMINISTRATION AND ENFORCEMENT IS UNDERTAKEN BY THE NORTH METRO FIRE RESCUE DISTRICT. APPEALS OF ADMINISTRATIVE DECISIONS BY THE FIRE CHIEF MAY BE MADE TO THE NORTHGLENN BOARD OF ADJUSTMENT, PURSUANT TO SECTION 10-5-5 OF THE REVISED SECTION 10-5-5 OF THE NORTHGLENN MUNICIPAL CODE. THE NORTH METRO FIRE RESCUE DISTRICT HAS REVIEWED THE 2003 INTERNATIONAL FIRE CODE AND THEIR COMMENTS AND SUGGESTIONS HAVE BEEN INCORPORATED INTO THIS ORDINANCE.

SPONSORED BY: MAYOR NOVAK, COUNCIL MEMBERS MARTIN, MONROE & PARSONS

COUNCILMAN'S BILL

ORDINANCE NO.

No. CB-1591
Series of 2006

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A BILL FOR AN ORDINANCE REPEALING AND REENACTING ARTICLE 5 CHAPTER 10 OF THE NORTHGLENN MUNICIPAL CODE TO ADOPT BY REFERENCE WITH AMENDMENTS AS A PRIMARY CODE OF THE CITY OF NORTHGLENN, THE INTERNATIONAL FIRE CODE, 2003 EDITION, OF THE INTERNATIONAL CODE COUNCIL, 4051 WEST FLOSSMOOR ROAD, COUNTRY CLUB HILLS, IL 60478; AND ADOPTING APPENDICES B, C, E, F, AND G OF THE INTERNATIONAL FIRE CODE, AND ESTABLISHING PENALTIES FOR VIOLATIONS OF THE ORDINANCE.

WHEREAS, in 1998, pursuant to Ordinance No. 1209, Series of 1998, the City Council of Northglenn adopted the 1997 Uniform Fire Code, which was codified at Article 5, Chapter 10 of the Northglenn Municipal Code; and

WHEREAS, the City Council desires to repeal its adoption of the 1997 Uniform Fire Code, and adopt the 2003 International Fire Code with specific amendments and certain appendices, because this will bring the City's fire code up to date and will better serve the City's fire safety needs.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF NORTHGLENN, COLORADO, THAT:

Section 1. Article 5 of Chapter 10 of the Northglenn Municipal Code is hereby repealed in its entirety and re-enacted to read as follows:

SECTION 10-5-1. TITLE. THIS ORDINANCE SHALL BE KNOWN AND CITED AS THE INTERNATIONAL FIRE CODE ORDINANCE.

SECTION 10-5-2. ADOPTION OF THE INTERNATIONAL FIRE CODE. THE INTERNATIONAL FIRE CODE, 2003 EDITION, OF THE INTERNATIONAL CODE COUNCIL, 4051 WEST FLOSSMOOR ROAD, COUNTRY CLUB HILLS, IL 60478, IS ADOPTED BY REFERENCE AS A PRIMARY CODE INCLUDING THE FOLLOWING APPENDICES: APPENDIX B, FIRE-FLOW REQUIREMENTS FOR BUILDINGS; APPENDIX C, FIRE HYDRANT LOCATIONS AND DISTRIBUTION; APPENDIX E, HAZARD CATEGORIES; APPENDIX F, HAZARD RANKING; AND APPENDIX G, CRYOGENIC FLUIDS—WEIGHT AND VOLUME EQUIVALENTS, TO HAVE THE SAME FORCE AND EFFECT AS THOUGH SET FORTH IN THIS CHAPTER IN EVERY PARTICULAR, AS AMENDED IN THIS BELOW.

SECTION 10-5-3. COPIES ON FILE. AT LEAST ONE CERTIFIED COPY OF THE INTERNATIONAL FIRE CODE, 2003 EDITION AS ADOPTED IS ON FILE IN THE OFFICE OF THE CITY CLERK AND MAY BE INSPECTED DURING REGULAR BUSINESS HOURS. IN ADDITION, COPIES MAY BE AVAILABLE FOR SALE AND DISTRIBUTION TO THE PUBLIC AT A PRICE NOT TO EXCEED THE ACTUAL COST THEREOF TO THE CITY.

SECTION 10-5-4. PURPOSE. THE PURPOSE OF THIS CHAPTER IS TO SAFEGUARD LIFE AND PROPERTY FROM THE HAZARDS OF FIRE, EXPLOSION AND DANGEROUS CONDITIONS.

SECTION 10-5-5. AMENDMENTS TO THE INTERNATIONAL FIRE CODE, 2003 EDITION.

(A) SUBSECTION 101.1 IS AMENDED TO READ AS FOLLOWS:

“THESE REGULATIONS SHALL BE KNOWN AS THE FIRE CODE OF THE CITY OF NORTHGLENN HEREINAFTER REFERRED TO AS ‘THIS CODE.’”

(B) SUBSECTION 102.3 IS AMENDED TO READ AS FOLLOWS:

“CHANGE OF USE OR OCCUPANCY. THE PROVISIONS OF THE 2003 INTERNATIONAL BUILDING CODE SHALL APPLY TO ALL BUILDINGS UNDERGOING A CHANGE OF OCCUPANCY.

EXCEPTION: THE PROVISIONS OF THE 2003 ICC PERFORMANCE CODE FOR BUILDINGS AND FACILITIES SHALL APPLY TO THOSE PORTIONS OF BUILDINGS, STRUCTURES, FACILITIES, AND PREMISES UNDERGOING A CHANGE OF OCCUPANCY WHERE PERFORMANCE-BASED DESIGN WAS EMPLOYED TO PROVIDE AN ACCEPTABLE LEVEL OF LIFE SAFETY AND PROPERTY PROTECTION FROM THE HAZARDS OF FIRE, EXPLOSION, OR DANGEROUS CONDITIONS.”

(C) SUBSECTION 102.4 IS AMENDED TO READ AS FOLLOWS:

“THE DESIGN AND CONSTRUCTION OF NEW STRUCTURES SHALL COMPLY WITH THE 2003 INTERNATIONAL BUILDING CODE. REPAIRS, ALTERATIONS, AND ADDITIONS TO EXISTING STRUCTURES SHALL COMPLY WITH THE 2003 INTERNATIONAL EXISTING BUILDING CODE.

EXCEPTION: THE PROVISIONS OF THE 2003 ICC PERFORMANCE CODE FOR BUILDINGS AND FACILITIES SHALL APPLY TO THOSE PORTIONS OF NEW AND EXISTING BUILDINGS, STRUCTURES, FACILITIES, AND PREMISES WHERE PERFORMANCE-BASED DESIGN WAS EMPLOYED TO PROVIDE AN ACCEPTABLE LEVEL OF LIFE

SAFETY AND PROPERTY PROTECTION FROM THE HAZARDS OF FIRE, EXPLOSION, OR DANGEROUS CONDITIONS.”

(D) SUBSECTION 102.5 IS AMENDED TO READ AS FOLLOWS:

“THE CONSTRUCTION, ALTERATION, REPAIR, ENLARGEMENT, RESTORATION, RELOCATION, OR MOVEMENT OF EXISTING BUILDINGS OR STRUCTURES THAT ARE DESIGNATED AS HISTORIC BUILDINGS WHEN SUCH BUILDINGS OR STRUCTURES DO NOT CONTRIBUTE A DISTINCT HAZARD TO LIFE OR PROPERTY SHALL BE IN ACCORDANCE WITH THE PROVISIONS OF THE 2003 INTERNATIONAL EXISTING BUILDING CODE.”

(E) SUBSECTION 102.6 IS AMENDED BY ADDING THE FOLLOWING SENTENCE:

“WHERE THIS CODE REFERS TO THE ICC ELECTRICAL CODE, IT SHALL MEAN THE NATIONAL ELECTRICAL CODE.”

(F) SUBSECTION 105.4.1 IS AMENDED TO READ AS FOLLOWS:

“CONSTRUCTION DOCUMENTS SHALL BE SUBMITTED IN ONE OR MORE SETS AND IN SUCH FORM AND DETAIL AS REQUIRED BY THE FIRE CODE OFFICIAL. THE CONSTRUCTION DOCUMENTS SHALL BE PREPARED BY A REGISTERED DESIGN PROFESSIONAL WHEN SAID DOCUMENTS ARE SUBMITTED IN SUPPORT OF AN APPLICATION FOR A CONSTRUCTION PERMIT REQUIRED BY SECTIONS 105.7.1, 105.7.3, 105.7.4 105.7.6, 105.7.11, OR 105.7.13. WHEN REQUESTED, QUALIFICATION STATEMENTS SHALL BE SUBMITTED TO THE FIRE CODE OFFICIAL FOR THE REGISTERED DESIGN PROFESSIONAL TO DEMONSTRATE COMPLIANCE WITH THE PROFESSIONAL QUALIFICATIONS DEFINED IN SECTION 202.”

(G) SUBSECTION 105.7.3 IS AMENDED TO READ AS FOLLOWS:

“FIRE ALARM AND DETECTION SYSTEMS AND RELATED EQUIPMENT. A CONSTRUCTION PERMIT IS REQUIRED FOR INSTALLATION OF OR MODIFICATION TO FIRE ALARM AND DETECTION SYSTEMS AND RELATED EQUIPMENT, INCLUDING EMERGENCY ALARM SYSTEMS (SECTION 908) AND SMOKE CONTROL SYSTEMS (SECTION 909). MAINTENANCE PERFORMED IN ACCORDANCE WITH THIS CODE IS NOT CONSIDERED A MODIFICATION AND DOES NOT REQUIRE A PERMIT.”

(H) SUBSECTION 105.7 IS AMENDED BY ADDING A NEW SUBSECTION 105.7.13 EXPLOSION CONTROL TO READ AS FOLLOWS:

“SUBSECTION 105.7.13 EXPLOSION CONTROL. A CONSTRUCTION PERMIT IS REQUIRED TO INSTALL OR MODIFY EXPLOSION CONTROL PROVIDED AS REQUIRED IN SECTION 911”.

(I) SECTION 106 IS AMENDED BY ADDING A NEW SUBSECTION 106.4 INSPECTION REQUESTS TO READ AS FOLLOWS:

“SUBSECTION 106.4. INSPECTION REQUESTS. WHENEVER ANY INSTALLATION SUBJECT TO INSPECTION PRIOR TO USE IS REQUIRED, THE FIRE CODE OFFICIAL IS AUTHORIZED TO REQUIRE THAT EVERY SUCH REQUEST FOR INSPECTION BE FILED NOT LESS THAN TWO WORKING DAYS BEFORE SUCH INSPECTION IS DESIRED.”

(J) SECTION 108 IS REPEALED IN ITS ENTIRETY AND RE-ENACTED TO READ AS FOLLOWS:

“SECTION 108.1. APEALS—ADMINISTRATIVE DECISION. ANY PERSON, FIRM OR CORPORATION, INCLUDING THE CITY OF NORTHGLENN, AGGRIEVED BY ANY DECISION, INTERPRETATION, OR ORDER MADE BY FIRE DEPARTMENT PERSONNEL OR OTHER DULY AUTHORIZED PERSONS MADE UNDER ANY PROVISION OF THIS CODE OR THE STANDARDS ADOPTED HEREIN, MAY APPEAL SUCH DECISION, INTERPRETATION OR ORDER TO THE FIRE CHIEF OF THE NORTH METRO FIRE RESCUE DISTRICT BY FILING A WRITTEN NOTICE OF SUCH INTENT TO THE OFFICE OF THE FIRE CHIEF, WITHIN FIFTEEN (15) CALENDAR DAYS FOR FIRE CODE ENFORCEMENT AND WITHIN THIRTY (30) CALENDAR DAYS FOR NEW CONSTRUCTION REQUIREMENTS, OF THE TRANSACTIONS APPEALED FROM. THE FIRE CHIEF, OR HIS DESIGNEE, SHALL CONVENE A HEARING UPON SUCH APPEAL WITHIN FIFTEEN (15) CALENDAR DAYS OF RECEIPT THEREOF AND MAY, WHEN NO IMMEDIATE HAZARD EXISTS, CONTINUE SUCH HEARING FROM TIME TO TIME FOR CAUSE. THE FIRE CHIEF SHALL ESTABLISH REASONABLE RULES FOR SUCH HEARING AND MAKE A RECORD OF PROCEEDINGS. THE DECISION OF THE FIRE CHIEF OR HIS DESIGNEE SHALL BE IN WRITTEN FORM AND DELIVERED TO ALL INTERESTED PARTIES WITHIN FIFTEEN (15) CALENDAR DAYS AFTER THE HEARING IS CLOSED AND FURTHERMORE THE SAID DECISION SHALL BE DEEMED FINAL AS TO THE ORDER OR INTERPRETATION APPEALED FROM. WHERE THERE ARE PRACTICAL DIFFICULTIES IN THE IMPLEMENTATION OF THE STRICT PROVISIONS OF THIS CODE, THE FIRE CHIEF MAY MODIFY SUCH PROVISIONS OF THE CODE, PROVIDED THAT THE INTENT OF THE CODE SHALL BE COMPLIED WITH, PUBLIC SAFETY SECURED AND SUBSTANTIAL JUSTICE DONE. THE PARTICULARS OF SUCH MODIFICATION SHALL BE GRANTED OR ALLOWED AND THE DECISION OF THE CHIEF SHALL BE ENTERED UPON THE RECORDS OF THE DEPARTMENT AND A SIGNED COPY SHALL BE FURNISHED THE

APPLICANT.

SECTION 108.2 APPEALS – NORTHGLENN BOARD OF ADJUSTMENT. THE FINAL DECISION OF THE FIRE CHIEF, OR HIS DESIGNEE, SHALL BE CONSIDERED AN ADMINISTRATIVE DECISION FOR ALL PURPOSES. APPEALS OF ADMINISTRATIVE DECISIONS MAY BE MADE TO THE NORTHGLENN BOARD OF ADJUSTMENT IN ACCORDANCE WITH SECTION 11-42-5 OF THE NORTHGLENN ZONING ORDINANCE.”

(K) SUBSECTION 109.3 IS AMENDED TO READ AS FOLLOWS:

“VIOLATION PENALTIES. PERSONS WHO SHALL VIOLATE A PROVISION OF THIS CODE OR SHALL FAIL TO COMPLY WITH ANY OF THE REQUIREMENTS THEREOF OR WHO SHALL ERECT, INSTALL, ALTER, REPAIR, OR DO WORK IN VIOLATION OF THE APPROVED CONSTRUCTION DOCUMENTS OR DIRECTIVE OF THE FIRE CODE OFFICIAL, OF A PERMIT OR CERTIFICATE USED UNDER PROVISIONS OF THIS CODE, SHALL BE PUNISHABLE AS PRESCRIBED IN SECTION 1-1-10(A)(2) OF THE NORTHGLENN MUNICIPAL CODE. EACH DAY THAT A VIOLATION CONTINUES AFTER DUE NOTICE HAS BEEN SERVED SHALL BE DEEMED A SEPARATE OFFENSE.”

(L) SUBSECTION 111.4 IS AMENDED TO READ AS FOLLOWS:

“FAILURE TO COMPLY. ANY PERSON WHO SHALL CONTINUE ANY WORK AFTER HAVING BEEN SERVED WITH A STOP WORK ORDER, EXCEPT SUCH WORK AS THAT PERSON IS DIRECTED TO PERFORM TO REMOVE A VIOLATION OR UNSAFE CONDITION, SHALL BE LIABLE FOR SUCH PENALTIES AS PRESCRIBED IN SECTION 1-1-10(A)(2), NORTHGLENN MUNICIPAL CODE.”

(M) A NEW SECTION 112 IS ADDED TO READ AS FOLLOWS:

“112.1 FEES. THE IMPOSITION OF FEES FOR INSPECTION-RELATED SERVICES PURSUANT TO PROVISIONS OF THIS CODE SHALL BE IN ACCORDANCE WITH SECTION 112. THE FEES SET FORTH IN THIS SECTION SHALL BE PAID TO THE NORTH METRO FIRE RESCUE DISTRICT.

EXCEPTION: THE GOVERNMENT OF THE UNITED STATES OF AMERICA, THE STATE AND ITS POLITICAL SUBDIVISIONS, THE CITY AND COUNTY, AND ALL AGENCIES AND DEPARTMENTS THEREOF SHALL BE EXEMPT FROM THE PAYMENT OF FEES FOR WORK PERFORMED ON BUILDINGS OR STRUCTURES OWNED WHOLLY BY SUCH AGENCIES OR DEPARTMENTS AND DEVOTED TO GOVERNMENTAL USE.

112.2 PAYMENT OF FEES. A PERMIT SHALL NOT BE VALID UNTIL THE FEES PRESCRIBED BY LAW HAVE BEEN PAID; NOR SHALL AN AMENDMENT TO A PERMIT BE RELEASED UNTIL THE ADDITIONAL FEE, IF ANY, HAS BEEN PAID.

112.3 OPERATIONAL PERMIT FEE. AN INSPECTION FEE SHALL BE CHARGED FOR ANY OPERATIONAL PERMIT REQUIRED BY SECTION 105.6. THE INSPECTION FEE SHALL BE BASED UPON THE TIME REQUIRED TO CONDUCT INSPECTIONS AUTHORIZED BY SECTION 105.2.2 AND ASSOCIATED ACTIVITIES, TO DETERMINE COMPLIANCE WITH THIS CODE AND OTHER APPLICABLE LAWS AND ORDINANCES AS REQUIRED BY SECTION 105.2.4, AND TO ISSUE THE PERMIT AS SPECIFIED IN SECTION 105.3.7.

THE OPERATIONAL PERMIT FEE SHALL BE CALCULATED AT THE RATE OF \$50.00 PER HOUR, WITH A MINIMUM OPERATIONAL PERMIT FEE OF \$25.00.

112.4 CONSTRUCTION PERMIT FEE. A FEE SHALL BE CHARGED FOR ANY CONSTRUCTION PERMIT REQUIRED BY SECTION 105.7 OF THIS CODE. THE FEE FOR A CONSTRUCTION PERMIT SHALL BE ESTABLISHED PURSUANT TO TABLE 112.4. THE CONSTRUCTION PERMIT FEE IS INTENDED TO COVER THE COST OF INSPECTIONS REQUIRED OR REQUESTED IN CONNECTION WITH THE WORK FOR WHICH THE PERMIT IS GRANTED, AND THE ASSOCIATED COSTS OF PROCESSING THE APPLICATION. AN APPLICATION FOR A PERMIT SHALL INCLUDE AN ESTIMATE OF THE TOTAL VALUE OF THE WORK, INCLUDING MATERIALS AND LABOR, FOR WHICH THE PERMIT IS BEING SOUGHT. IF, IN THE OPINION OF THE FIRE CODE OFFICIAL, THE VALUATION IS UNDERESTIMATED ON THE APPLICATION, THE PERMIT SHALL BE DENIED, UNLESS WRITTEN ESTIMATES ARE PROVIDED IN A FORM ACCEPTABLE TO THE FIRE CODE OFFICIAL, AND THAT SUPPORT THE VALUATION SET FORTH IN THE APPLICATION. FINAL CONSTRUCTION PERMIT VALUATION SHALL BE SET BY THE FIRE CODE OFFICIAL.

TABLE 112.4 CONSTRUCTION PERMIT FEE

<i>TOTAL VALUATION</i>	<i>FEES</i>
\$1.00 TO \$500.00	\$23.50
\$500.01 TO \$2,000.00	\$23.50 FOR THE FIRST \$500.00, PLUS \$3.05 FOR EACH ADDITIONAL \$100.00 OR FRACTION THEREOF, TO AND INCLUDING \$2,000.00.

<i>TOTAL VALUATION</i>	<i>FEES</i>
\$2,000.01 TO \$25,000.00	\$69.25 FOR THE FIRST \$2,000.00, PLUS \$14.00 FOR EACH ADDITIONAL \$1,000.00 OR FRACTION THEREOF, TO AND INCLUDING \$25,000.00.
\$25,000.01 TO \$50,000.00	\$391.75 FOR THE FIRST \$25,000.00, PLUS \$10.10 FOR EACH ADDITIONAL \$1,000.00 OR FRACTION THEREOF, TO AND INCLUDING \$50,000.00.
\$50,000.01 TO \$100,000.00	\$643.75 FOR THE FIRST \$50,000.00, PLUS \$7.00 FOR EACH ADDITIONAL \$1,000.00 OR FRACTION THEREOF, TO AND INCLUDING \$100,000.00.
\$100,000.01 TO \$500,000.00	\$993.75 FOR THE FIRST \$100,000.00, PLUS \$5.60 FOR EACH ADDITIONAL \$1,000.00 OR FRACTION THEREOF, TO AND INCLUDING \$500,000.00.
\$500,000.01 AND UP	\$3,233.75 FOR THE FIRST \$500,000.00, PLUS \$4.75 FOR EACH ADDITIONAL \$1,000.00 OR FRACTION THEREOF.

FEES FOR RE-INSPECTIONS, FOR INSPECTIONS OUTSIDE NORMAL BUSINESS HOURS, OR FOR INSPECTIONS FOR WHICH NO FEE IS OTHERWISE ESTABLISHED SHALL BE \$50.00 PER HOUR FOR EACH INSPECTOR. THE MINIMUM FEE FOR MISCELLANEOUS INSPECTIONS AND FOR RE-INSPECTIONS SHALL BE \$50.00. THE MINIMUM FEE FOR REQUESTED INSPECTIONS OUTSIDE NORMAL BUSINESS HOURS SHALL BE \$100.00.

112.5 PLAN REVIEW FEE. THE PLAN REVIEW FEE IS INTENDED TO COVER THE SIGNIFICANT COSTS AND EXPENSES INCURRED BY THE FIRE DISTRICT IN REVIEWING MATERIALS NECESSARY TO PERFORM APPROPRIATE INSPECTIONS OF CONSTRUCTION, USES, PROCESSES, AND OPERATIONS. THE FEE SHALL BE ASSESSED BASED ON THE REASONABLE, CUSTOMARY, AND NECESSARY TIME ASSOCIATED WITH REVIEWING OR EVALUATING SITE PLANS; CONSTRUCTION DOCUMENTS AND CALCULATIONS; CHANGES, ADDITIONS, OR REVISIONS TO APPROVED PLANS; CONSTRUCTION

DOCUMENTS RESUBMITTED AFTER THE FIRE CODE OFFICIAL'S ISSUING A WRITTEN STATEMENT EXPLAINING THE REASONS THAT A PREVIOUS SUBMITTAL DOES NOT CONFORM TO THE REQUIREMENTS OF THIS CODE AND THE LAWS AND ORDINANCES APPLICABLE THERETO; RATIONAL ENGINEERING ANALYSES; REQUESTS TO USE ALTERNATE MATERIALS AND METHODS; PERFORMANCE-BASED DESIGNS; TECHNICAL OPINIONS AND REPORTS; HAZARDOUS MATERIALS MANAGEMENT PLANS AND HAZARDOUS MATERIALS INVENTORY STATEMENTS REQUIRED BY THE FIRE CODE OFFICIAL PURSUANT TO SECTIONS 407, 2701.5, OR 3305.2.1; AND ALL OTHER TYPES OF PLANS NECESSARY TO IMPLEMENT, ADMINISTER, AND ENFORCE THE PROVISIONS OF THIS CODE. WHEN SUBMITTAL DOCUMENTS ARE INCOMPLETE OR CHANGED SO AS TO REQUIRE ADDITIONAL PLAN REVIEW, AN ADDITIONAL PLAN REVIEW FEE SHALL BE CHARGED.

THE PLAN REVIEW FEE REQUIRED BY THIS SECTION 112.5 IS SEPARATE FROM THE CONSTRUCTION PERMIT FEE REQUIRED BY SECTION 112.4.

112.5.1 INITIAL CONSTRUCTION-DOCUMENT REVIEW. THE PLAN REVIEW FEE FOR THE INITIAL SUBMITTAL OF CONSTRUCTION DOCUMENTS IN SUPPORT OF AN APPLICATION FOR A CONSTRUCTION PERMIT SHALL BE EQUAL TO 65 PERCENT OF THE CONSTRUCTION PERMIT FEE. THE PLAN REVIEW FEE SHALL BE PAID AT THE TIME OF SUBMITTING CONSTRUCTION DOCUMENTS FOR PLAN REVIEW.

112.5.2 OTHER PLAN REVIEWS. OTHER THAN REVIEW OF THE INITIAL SUBMITTAL OF CONSTRUCTION DOCUMENTS PURSUANT TO SECTION 112.5.1, ALL OTHER PLAN REVIEW FEES SHALL BE CALCULATED AT THE RATE OF \$50.00 AN HOUR, WITH A MINIMUM PLAN REVIEW FEE OF \$25.00.

112.6 EMERGENCY ALARM INSPECTION FEE. AN EMERGENCY ALARM INSPECTION FEE SHALL BE CHARGED FOR ALL CATEGORY II FIRE ALARMS, AS DEFINED IN SECTION 112.6.1, TRANSMITTED AFTER DECEMBER 31, 2003.

EXCEPTION: WHEN WAIVED, FOR CAUSE, BY THE FIRE CODE OFFICIAL.

112.6.1 DEFINITIONS. FOR THE PURPOSE OF THIS SECTION 112.6, THE FOLLOWING TERMS SHALL HAVE THE FOLLOWING MEANINGS:

CATEGORY I ALARMS. AN ALARM REQUIRING A FIRE DEPARTMENT RESPONSE WHERE THE SYSTEM OPERATED

PROPERLY AND A FIRE DEPARTMENT INSPECTION REVEALS THE ALARM WAS CAUSED BY A MALICIOUS OR MISCHIEVOUS ACTION; A GUEST; CIRCUMSTANCES BEYOND THE CONTROL OF THE OWNER, OCCUPANT, OR LESSEE; OR BY AN ACTUAL SMOKE OR FIRE CONDITION.

CATEGORY II ALARMS. AN ALARM REQUIRING A FIRE DEPARTMENT RESPONSE WHERE A FIRE DEPARTMENT INSPECTION REVEALS THE ALARM WAS CAUSED BY A SYSTEM MALFUNCTION, BY A USER ERROR, OR BY AN UNDETERMINED CAUSE.

SYSTEM MALFUNCTION. AN ALARM WHICH A FIRE DEPARTMENT INSPECTION REVEALS WAS CAUSED BY: (1) POOR OR IMPROPER MAINTENANCE; (2) IMPROPER INSTALLATION OF ALARM EQUIPMENT, HARDWARE, OR WIRING; OR, (3) IMPROPER ACTION OF THE ALARM MONITORING CENTER OR FIRE ALARM INSTALLATION/TESTING COMPANY.

UNDETERMINED CAUSE. ANY ALARM FOR WHICH A FIRE DEPARTMENT INSPECTION DOES NOT REVEAL THE APPARENT CAUSE.

USER ERROR. THE INTENTIONAL OR NEGLIGENT ACT OR OMISSION OF AN AGENT, EMPLOYEE, CONTRACTOR, OR REPRESENTATIVE OF THE OWNER, OCCUPANT, OR LESSEE.

112.6.2 EMERGENCY ALARM INSPECTION FEE SCHEDULE.

112.6.2.1 CATEGORY I ALARMS. A FEE SHALL NOT BE ASSESSED.

112.6.2.2 CATEGORY II ALARMS. THE OWNER, OR A REPRESENTATIVE OF THE OWNER, OF A FIRE ALARM SYSTEM TRANSMITTING A CATEGORY II ALARM SHALL BE ASSESSED A FEE IN ACCORDANCE WITH TABLE 112.6.2.2. THERE IS NO LIMIT ON THE AMOUNT OF CATEGORY II ALARM FEES THAT MAY BE ASSESSED IN A CALENDAR YEAR OR CALENDAR QUARTER.

WHERE MULTIPLE BUILDINGS ARE PROTECTED BY A SINGLE SYSTEM, THE NUMBER OF CATEGORY II ALARMS CAUSED BY SYSTEM MALFUNCTION SHALL BE COUNTED SEPARATELY FOR EACH BUILDING, IF THE LOCATION OF THE MALFUNCTION CAN BE ASCERTAINED.

EXCEPTION: CATEGORY II ALARMS TRANSMITTED IN THE FIRST 30 CALENDAR DAYS AFTER THE FIRE DEPARTMENT ACCEPTS A NEW SYSTEM FOR SERVICE SHALL NOT BE INCLUDED IN THE NUMBER OF ALARMS.

TABLE 112.6.2.2 CATEGORY II EMERGENCY ALARM INSPECTION FEE

THE FEES SET FORTH IN TABLE 112.6.2.2 SHALL PROGRESSIVELY INCREASE BY AN ADDITIONAL \$100.00 FOR EACH CATEGORY II ALARM AFTER THE FIRST CHARGEABLE ALARM, WITH NO FEE LIMIT IN ANY ONE CALENDAR YEAR OR CALENDAR QUARTER.

NUMBER OF ALARMS	FEE FOR EACH ALARM	
	ALARMS WITHIN A CALENDAR YEAR FOR A SYSTEM SERVING: 1.ANY APARTMENT BUILDING; OR 2. COMMERCIAL BUILDINGS ¹ : (A) LESS THAN 180,000 SQ. FT.; AND, (B) WITH 5 OR FEWER TENANTS	ALARMS WITHIN A CALENDAR QUARTER FOR A SYSTEM SERVING COMMERCIAL BUILDINGS ¹ : 1. 180,000 SQ. FT. OR LARGER OR 2. WITH MORE THAN 5 TENANTS
1	\$0.00	\$0.00
2	\$0.00	\$0.00
3	\$0.00	\$200.00
4	\$200.00	\$300.00
5	\$300.00	\$400.00
6	\$400.00	\$500.00
7 OR MORE	PROGRESSIVELY INCREASING.	PROGRESSIVELY INCREASING.

¹ FOR THE PURPOSE OF THIS TABLE, COMMERCIAL BUILDINGS INCLUDE ALL BUILDINGS OTHER THAN APARTMENT HOUSES AND ONE- OR TWO-FAMILY DWELLINGS.

112.6.2.2.1 REBATE ELIGIBILITY. THE FIRE DEPARTMENT MAY REBATE ONE-HALF OF AN EMERGENCY ALARM INSPECTION FEE IF, WITHIN 30 CALENDAR DAYS OF THE ALARM, THE OWNER, OCCUPANT, OR LESSEE SUBMITS TO THE FIRE DEPARTMENT WRITTEN DOCUMENTATION, ACCEPTABLE TO THE FIRE DEPARTMENT, ESTABLISHING THAT NECESSARY REPAIRS OR CORRECTIONS HAVE BEEN MADE TO THE SYSTEM BY A QUALIFIED AGENT.

112.7 UNAUTHORIZED WORK INSPECTION FEE. ANY PERSON OR ENTITY WHO COMMENCES ANY WORK BEFORE OBTAINING A CONSTRUCTION PERMIT REQUIRED BY SECTION 105.7 SHALL BE SUBJECT TO AN INSPECTION FEE IN AN AMOUNT EQUAL TO THE AMOUNT OF THE CONSTRUCTION PERMIT FEE OR \$250.00, WHICHEVER IS GREATER. THE FEE SHALL BE SEPARATE FROM AND IN ADDITION TO A CONSTRUCTION PERMIT FEE. PAYMENT OF THE INSPECTION FEE SHALL NOT RELIEVE ANY PERSON FROM COMPLIANCE WITH ALL OTHER PROVISIONS OF THIS CODE OR FROM ANY PENALTY PRESCRIBED BY LAW. THE INSPECTION FEE SHALL BE ASSESSED REGARDLESS WHETHER OR NOT A CONSTRUCTION PERMIT IS THEN OR SUBSEQUENTLY ISSUED.

EXCEPTION: WHEN APPROVED IN WRITING BY THE FIRE CODE OFFICIAL, WORK MAY COMMENCE PRIOR TO OBTAINING A CONSTRUCTION PERMIT.

112.8 RELATED FEES. THE PAYMENT OF THE FEE FOR CONSTRUCTION, USES, PROCESSES, OR OPERATIONS AUTHORIZED BY AN OPERATIONAL PERMIT OR CONSTRUCTION PERMIT SHALL NOT RELIEVE THE APPLICANT OR HOLDER OF THE PERMIT FROM THE PAYMENT OF OTHER FEES THAT ARE PRESCRIBED BY LAW OR REQUIRED BY SECTION 112.

112.9 FEE REFUNDS. THE FIRE CODE OFFICIAL IS AUTHORIZED TO ESTABLISH A FEE REFUND POLICY.”

(N) SUBSECTION 202, "GENERAL DEFINITIONS," IS AMENDED TO READ AS FOLLOWS:

“REGISTERED DESIGN PROFESSIONAL. AN INDIVIDUAL LICENSED BY OR REGISTERED WITH THE STATE OF COLORADO TO PRACTICE ARCHITECTURE OR ENGINEERING, AND WHO DEMONSTRATES THAT HE OR SHE POSSESSES THE MINIMUM REQUIRED KNOWLEDGE AND SKILL TO PERFORM DESIGN, ANALYSIS, AND VERIFICATION IN ACCORDANCE WITH THE PROVISIONS OF THIS CODE AND APPLICABLE PROFESSIONAL STANDARDS IN THE AREA OF PRACTICE OR DISCIPLINE INVOLVED.”

(O) SUBSECTION 903.2.7 IS AMENDED BY THE ADDITION TO READ AS FOLLOWS:

“EXCEPTIONS:

(1) BUILDINGS THAT FALL WITHIN THE SCOPE OF THE INTERNATIONAL RESIDENTIAL CODE FOR ONE- AND TWO-FAMILY DWELLINGS AND THAT DO NOT CONTAIN A GROUP R-4 OCCUPANCY.

(2) AN AUTOMATIC SPRINKLER SYSTEM INSTALLED IN ACCORDANCE WITH SECTION 903.3.1.1 SHALL BE PROVIDED THROUGHOUT ALL GROUP R-2 OCCUPANCIES THAT MEET THE FEDERAL FAIR HOUSING ACT DEFINITION OF SENIOR HOUSING OR HOUSING FOR OLDER PERSONS.”

(P) SUBSECTION 905.2 IS AMENDED WITH THE ADDITION OF THE FOLLOWING:

“FIRE HOSE IS NOT REQUIRED FOR ANY CLASS OF STANDPIPE SYSTEM. STANDPIPE HOSE OUTLETS SHALL BE 2.5-INCH OUTLETS WITH 2.5-INCH TO 1.5-INCH REDUCING CAPS.”

(Q) SUBSECTION 907.20 IS HEREBY AMENDED BY CHANGING CHAPTER “7” TO CHAPTER “10”.

(R) SUBSECTION 907.20.2 IS HEREBY AMENDED TO READ AS FOLLOWS:

“TESTING SHALL BE PERFORMED IN ACCORDANCE WITH THE SCHEDULES IN CHAPTER 10 OF NFPA 72 OR MORE FREQUENTLY WHERE REQUIRED BY THE FIRE CODE OFFICIAL.”

(S) SUBSECTION 912.1 IS HEREBY AMENDED BY THE ADDITION OF THE FOLLOWING:

“WHERE FIRE DEPARTMENT CONNECTIONS ARE REQUIRED, THE NUMBER OF 2.5-INCH INLETS PROVIDED SHALL NOT BE LESS THAN ONE FOR EACH 250 GALLONS PER MINUTE OF SYSTEM DEMAND OR MAJOR FRACTION THEREOF, TO A MAXIMUM OF SIX 2.5-INCH INLETS. EACH 2.5-INCH INLET SHALL BE EQUIPPED WITH A CLAPPER VALVE TO ALLOW EACH HOSE TO BE CONNECTED AND CHARGED BEFORE THE ADDITION OF MORE HOSES.”

(T) THE SECOND PARAGRAPH OF SUBSECTION 3204.3.1.1 IS AMENDED TO READ AS FOLLOWS:

“STORAGE OF FLAMMABLE CRYOGENIC FLUIDS IN STATIONARY CONTAINERS OUTSIDE OF BUILDINGS IS PROHIBITED WITHIN THE CITY OF NORTHGLENN, EXCEPT WHEN APPROVED BY THE FIRE CODE OFFICIAL.”

(U) SUBSECTION 3301.1.3 FIREWORKS IS HEREBY AMENDED BY DELETING EXCEPTION NUMBER 4.

(V) SUBSECTION 3404.2.9.5.1 IS HEREBY AMENDED TO READ AS FOLLOWS:

“LOCATIONS WHERE ABOVE-GROUND TANKS ARE PROHIBITED. THE STORAGE OF CLASS I AND II LIQUIDS IN ABOVE-GROUND TANKS OUTSIDE OF BUILDINGS IS PROHIBITED WITHIN THE CITY OF NORTHGLENN.

EXCEPTIONS:

(1) WHEN APPROVED BY THE FIRE CODE OFFICIAL. NOTWITHSTANDING OTHER PROVISIONS OF THIS CHAPTER FOR ABOVE-GROUND TANKS, SECTIONS 3404.2.9.5.1.1 AND 3404.2.9.5.1.2 SHALL NOT APPLY TO CLASS I AND II LIQUIDS UNLESS THE STORAGE OF SUCH LIQUIDS IS APPROVED BY THE FIRE CODE OFFICIAL.

(2) PROTECTED ABOVE-GROUND TANKS IN ACCORDANCE WITH SECTION 3404.2.9.6. FOR SUCH TANKS PROVIDED WITH INTRINSIC SECONDARY CONTAINMENT, THE DISTANCES IN TABLE 2.3.2.1.1(B) OF NFPA 30 SHALL APPLY AND BE REDUCED BY ONE-HALF, BUT NOT TO LESS THAN 5 FEET (1524 MM).”

(W) SUBSECTION 3406.2.4.4 IS HEREBY AMENDED TO READ AS FOLLOWS:

“3046.2.4.4. LOCATIONS WHERE ABOVE-GROUND TANKS ARE PROHIBITED. THE STORAGE OF CLASS I AND II LIQUIDS IN ABOVE-GROUND TANKS IS PROHIBITED WITHIN THE CITY OF NORTHGLENN.

EXCEPTION: WHEN APPROVED BY THE FIRE CODE OFFICIAL.”

(X) SUBSECTION 3804.2 IS HEREBY AMENDED TO READ AS FOLLOWS:

“3804.2 MAXIMUM CAPACITY WITHIN ESTABLISHED LIMITS. WITHIN THE CITY OF NORTHGLENN, THE AGGREGATE CAPACITY OF ANY ONE INSTALLATION SHALL NOT EXCEED A WATER CAPACITY OF 2,000 GALLON (7570L).”

(Y) CHAPTER 45 REFERENCED STANDARDS. THE NFPA STANDARDS ARE RETAINED EXCEPT AS MODIFIED AS FOLLOWS:

NFPA
STANDARD REFERENCE NUMBER: CHANGE TO:

11-98	11-02
13-99	13-02
13D-99	13D-02
13R-99	13R-02
15-96	15-01

17-98	17-02
17A-98	17A-02
24-95	24-02
25-98	25-02
40-97	40-01
52-98	52-02
57-99	57-02
61-99	61-02
69-97	69-02
72-99	72-02
99-99	99-02
110-99	110-02
407-96	407-01
430-95	430-00
490-98	490-02
498-96	498-01
505-99	505-02
655-93	655-01
664-98	664-02
1122-97	1122-02
1125-99	1125-01
1127-98	1127-02

SECTION 10-5-6. VIOLATIONS—PENALTY.

(A) IT SHALL BE UNLAWFUL FOR ANY PERSON TO VIOLATE ANY OF THE PROVISIONS OF THE INTERNATIONAL FIRE CODE, 2003 EDITION, AS ADOPTED, OR THE PROVISIONS OF THIS ORDINANCE.

(B) ANY VIOLATION OF THE PROVISIONS OF THIS ORDINANCE, AND ANY VIOLATION OF ANY OF THE PROVISIONS OF THE INTERNATIONAL FIRE CODE, 2003 EDITION, AS ADOPTED, SHALL UPON CONVICTION, BE PUNISHABLE AS PROVIDED IN SECTION 1-1-10(A)(2) OF THIS CODE.

INTRODUCED, READ AND ORDERED POSTED this ____ day of _____, 2006.

KATHLEEN M. NOVAK
Mayor

ATTEST:

DIANA L. LENTZ, CMC
City Clerk

PASSED ON SECOND AND FINAL READING this ____ day of _____,
2006.

KATHLEEN M. NOVAK
Mayor

ATTEST:

DIANA L. LENTZ, CMC
City Clerk

APPROVED AS TO FORM:

COREY Y. HOFFMANN
City Attorney