

**PLANNING AND DEVELOPMENT MEMORANDUM**  
**#11-06**

February 24, 2011

**TO:** Honorable Mayor Joyce Downing and City Council Members

**FROM:** William Simmons, City Manager *WAS*  
James Hayes, Director, Planning and Development Department *JH*  
Eric Pendley, Chief Building Official *EP*

**SUBJECT:** CR-1737 through CR-1745: Adoption of 2009 International (Building) Codes

**RECOMMENDATION:**

Attached to this memorandum, are nine (9) ordinances, which if approved, will adopt the 2009 International Codes for the City of Northglenn. This memorandum has been prepared to provide the Council with some background information.

**BACKGROUND:**

Every three years, new International Building Codes are released and historically, the City has adopted the codes with some minor amendments. There are several reasons to adopt the most up-to-date codes including advances in building technologies and enhanced life safety improvements. The Building Division is currently operating under the 2006 International Codes and 2008 National Electric Code and is requesting to schedule the 2009 International Codes and an updated Electrical Permit Fee Schedule for adoption by the City Council.

Minor amendments, consistent with previous adoptions, have been made and reviewed by North Metro Fire Rescue Authority and City Attorney.

<i>Current Adopted Code</i>	<i>Proposed Code Adoption</i>
2006 International Residential Code (IRC)	2009 IRC
2006 International Property Maintenance Code (IPMC)	2009 IPMC
2006 International Plumbing Code (IPC)	2009 IPC
2006 International Mechanical Code (IMC)	2009 IMC
2006 International Fuel Gas Code (IFGC)	2009 IFGC
2006 International Fire Code (IFC)	2009 IFC
2006 International Energy Conservation Code (IECC)	2009 IECC
2006 International Existing Building Code (IEBC)	2009 IEBC
2006 International Building Code (IBC)	2009 IBC
2008 National Electric Code (NEC)	No change
(less than) 2008 Electrical Permit Fee Schedule	Sept. 1, 2010 schedule

Staff met with the City Council in a study session on December 2, 2010 to review the process for adopting new international codes and the updated electrical fee. On December 22, 2010, staff met with Council Members Wieneke and Snetzinger and on January 24, 2011 with Council Member Wieneke. A review of the proposed code amendments was completed and minor revisions to the amendments were completed by the Chief Building Official. A second study session was held on February 3, 2011 to review any final comments and to obtain direction to schedule the ordinances for first reading. We believe the latest revision of the codes is ready for

final discussion and approval by the City Council. A complete set of ordinances and summary of amendments is attached to this memorandum for reference purposes.

However, there is an issue with the IFC (fire code) and amendments proposed by the North Metro Fire Rescue District. NMFRD is requesting specific amendments related to false alarm fees and charges, which they prefer to have memorialized in the IFC. Staff is including their proposed language as a separate attachment for the City Council to consider. Staff from NMFRD attended the study session February 3, 2011 to reiterate their position and discuss the issue with City Council. There was no consensus amongst the City Council regarding this issue, and the proposed amendment has been included as a separate attachment for consideration. Staff is requesting final direction at the first reading, and will finalize the ordinance for the second reading, tentatively scheduled for March 24, 2011.

**POTENTIAL OBJECTION:**

Staff notified all licensed contractors via postcard of the proposal to adopt the new International Codes and Electrical Permit Fee Schedule. No objections were received. It is important to note there will be no impact on existing residential or commercial structures in the City. Expansion or enlargement of buildings will require compliance with the new codes, and the adoption of the IEBC (existing buildings) will assist contractors and designers in exempting existing buildings from compliance with the new code.

**BUDGET/TIME IMPLICATIONS:**

The 2009 International Codes have been available for approximately one year and it is important to adopt the latest version to keep pace with all of the latest life safety revisions. The 2009 IPC, IMC, IFGC became effective on April 1, 2010 and the balance of the codes (IRC, IPMC, IFC, IECC, IEBC, IBC) have an effective date of July 1, 2010. These codes apply to all State projects and adoption of these codes on a local level is critical to ensure consistency with State law.

**STAFF REFERENCE:**

If Council members have any questions they may contact James Hayes, Director of Planning and Development at 303-450-8937 or by e-mail at [jhayes@northglenn.org](mailto:jhayes@northglenn.org).

SPONSORED BY: MAYOR DOWNING

COUNCILMAN'S BILL

ORDINANCE NO.

No. CB-1740  
Series of 2011

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Series of 2011

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, 2009 EDITION

WHEREAS, by Ordinance Number 1524, Series 2008, the City adopted the 2006 International Fire Code with amendments; and

WHEREAS, the City Council desires to update the City's Fire Code, and therefore the City Council shall repeal and reenact Article 5 of Chapter 10 of the Northglenn Municipal Code to adopt the 2009 International Fire Code.

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, 2009 EDITION, OF THE INTERNATIONAL CODE COUNCIL, 500 NEW JERSEY AVENUE, NW, 6<sup>TH</sup> FLOOR, WASHINGTON, DC 20001, 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, 2009 EDITION AS ADOPTED, IS ON FILE IN THE OFFICE OF THE CITY CLERK AND MAY BE INSPECTED DURING REGULAR BUSINESS HOURS.

SECTION 10-5-4. PURPOSE. THE PURPOSE OF THE CODE IS NOT TO RECREATE OR OTHERWISE ESTABLISH OR DESIGNATE ANY

PARTICULAR CLASS OR GROUP OF PERSONS WHO WILL OR SHOULD BE ESPECIALLY PROTECTED OR BENEFITED BY THE TERMS OF THE CODE.

(A) THE PURPOSE OF THIS CHAPTER IS TO ESTABLISH THE MINIMUM REQUIREMENTS CONSISTENT WITH NATIONALLY RECOGNIZED GOOD PRACTICE FOR PROVIDING A REASONABLE LEVEL OF LIFE SAFETY AND PROPERTY PROTECTION FROM THE HAZARDS OF FIRE, EXPLOSION, OR DANGEROUS CONDITIONS IN NEW AND EXISTING BUILDINGS, STRUCTURES, AND PREMISES AND TO PROVIDE SAFETY TO FIRE FIGHTERS AND EMERGENCY RESPONDERS DURING EMERGENCY OPERATIONS.

(B) PROVISIONS IN THE APPENDICES SHALL NOT APPLY UNLESS SPECIFICALLY ADOPTED.

SECTION 10-5-5. AMENDMENTS TO THE INTERNATIONAL FIRE CODE, 2009 EDITION.

(A) SUBSECTION 101.1, TITLE, OF *2009 INTERNATIONAL FIRE CODE*<sup>®</sup> IS AMENDED TO READ AS FOLLOWS:

101.1 TITLE. THESE REGULATIONS SHALL BE KNOWN AS THE *FIRE CODE* OF THE CITY OF NORTHGLENN, HEREINAFTER REFERRED TO AS “THIS CODE.”

(B) SUBSECTION 102.5, APPLICATION OF RESIDENTIAL CODE, OF *2009 INTERNATIONAL FIRE CODE*<sup>®</sup> IS AMENDED BY THE ADDITION OF AN EXCEPTION, TO ITEM 1 ONLY, TO READ AS FOLLOWS:

EXCEPTION: DWELLING UNIT FIRE SPRINKLER SYSTEMS, OR PORTIONS THEREOF, INSTALLED IN ACCORDANCE WITH SECTION P2904 OF THE *2009 INTERNATIONAL RESIDENTIAL CODE*<sup>®</sup> DO NOT REQUIRE A PERMIT. NEVERTHELESS, DWELLING UNIT FIRE SPRINKLER SYSTEMS, OR PORTIONS THEREOF, INSTALLED IN ACCORDANCE WITH NFPA 13D REQUIRE A PERMIT PURSUANT TO SECTION 105.7.1 OF THIS CODE.

(C) SUBSECTION 102.7, REFERENCED CODES AND STANDARDS, OF *2009 INTERNATIONAL FIRE CODE*<sup>®</sup> IS AMENDED BY ADDING THE FOLLOWING SENTENCE: “WHERE THIS CODE REFERS TO THE ICC ELECTRICAL CODE IT MEANS THE LATEST EDITION OF THE *NATIONAL ELECTRICAL CODE*<sup>®</sup> ADOPTED BY THE STATE OF COLORADO.”

(D) SECTION 103.2 (APPOINTMENT) IS DELETED IN ITS ENTIRETY AND IS AMENDED AS FOLLOWS:

THE FIRE CODE OFFICIAL SHALL BE APPOINTED BY THE CHIEF APPOINTING AUTHORITY OF THE JURISTICTION

(E) SUBSECTION 105.4.1, SUBMITTALS, OF *2009 INTERNATIONAL FIRE CODE*<sup>®</sup> IS AMENDED TO READ AS FOLLOWS:

105.4.1 SUBMITTALS. 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, 105.7.5, 105.7.6, 105.7.8, 105.7.13, OR 105.7.15. 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.

(F) A NEW SUBSECTION 105.4.7 OF *2009 INTERNATIONAL FIRE CODE*<sup>®</sup> IS ADDED TO READ AS FOLLOWS:

105.4.7 FIRE PROTECTION AND LIFE SAFETY ANALYSIS. THE FIRE CODE OFFICIAL MAY REQUIRE THE OWNER OR AGENT TO PROVIDE, WITHOUT CHARGE TO THE JURISDICTION, A FIRE PROTECTION AND LIFE SAFETY ANALYSIS PRIOR TO SUBMITTING CONSTRUCTION DRAWINGS FOR HIGH-RISE BUILDINGS; COVERED MALL BUILDINGS; BUILDINGS CONTAINING ATRIUMS CONNECTING MORE THAN TWO STORIES; BUILDINGS CONTAINING HIGH-PILED COMBUSTIBLE STORAGE; GROUP A OCCUPANCIES WITH AN OCCUPANT LOAD OF 300 OR MORE; GROUP H OCCUPANCIES REQUIRING A HAZARDOUS MATERIALS MANAGEMENT PLAN AND/OR A HAZARDOUS MATERIALS INVENTORY STATEMENT IN ACCORDANCE WITH CHAPTER 27; GROUPS I-2 AND I-3 OCCUPANCIES; ANY BUILDING, STRUCTURE, OR FACILITY UTILIZING A PERFORMANCE-BASED APPROACH TO DESIGN IN ACCORDANCE WITH SECTIONS 104.8 OR 104.9; AND OTHER STRUCTURES OR FACILITIES AS REQUIRED BY THE FIRE CODE OFFICIAL. A FIRE PROTECTION AND LIFE SAFETY ANALYSIS SHALL PROVIDE A DESCRIPTION OF THE FIRE PROTECTION AND LIFE SAFETY SYSTEMS DESIGN FOR THE PROPOSED BUILDING AND/OR FACILITY. THIS DESCRIPTION SHALL

INCLUDE THE BASIC CONCEPTS USED FOR SUPPRESSION, ALARM, NOTIFICATION, EGRESS, FIRE-RESISTIVE ASSEMBLIES, SMOKE CONTROL, STAIR PRESSURIZATION, AND OTHER RELATED SYSTEMS; AS WELL AS THE COORDINATION OF THOSE SYSTEMS. UPON COMPLETION OF THE PROJECT, A COPY OF THE APPROVED DOCUMENTATION SHALL BE MAINTAINED AT THE SITE AND BY THE FIRE CODE OFFICIAL UNTIL DEMOLITION OF THE BUILDING AND/OR FACILITY. THE FIRE PROTECTION AND LIFE SAFETY ANALYSIS SHALL:

1. BE PREPARED BY A QUALIFIED ENGINEER, SPECIALIST, LABORATORY, OR FIRE SAFETY SPECIALTY ORGANIZATION ACCEPTABLE TO THE FIRE CODE OFFICIAL;
2. BEAR THE SEAL OF A REGISTERED DESIGN PROFESSIONAL;
3. INCLUDE A PRELIMINARY PLAN OF THE BUILDING, FACILITY, OR STRUCTURE, DRAWN TO SCALE UPON SUITABLE MATERIAL;
4. PROVIDE AN ANALYSIS OF FIRE PROTECTION WATER SUPPLIES FOR THE BUILDING, FACILITY, OR STRUCTURE, IN ACCORDANCE WITH SECTION 507;
5. EXPLAIN THE INTENDED USE OF THE BUILDING, FACILITY, OR STRUCTURE, OR THE APPLICABLE PORTIONS THEREOF, INCLUDING SPECIAL PROCESSES, THE MATERIALS WITHIN THE BUILDING, AND THE MAXIMUM HEIGHT OF ANY STORAGE;
6. DESCRIBE ALL ACTIVE AND PASSIVE FIRE PROTECTION FEATURES OF A SPECIFIC FACILITY, INCLUDING, BUT NOT LIMITED TO, THE BASIC CONCEPTS USED FOR FIRE SUPPRESSION, ALARM, NOTIFICATION, EGRESS, FIRE-RESISTIVE ASSEMBLIES, SMOKE CONTROL, STAIR PRESSURIZATION, AND OTHER RELATED SYSTEMS, AS WELL AS THE COORDINATION AND INTEGRATION OF THOSE SYSTEMS WITH ONE ANOTHER; AND
7. ANALYZE THE DESIGN, OPERATION, USE, COORDINATION, AND INTERACTION OF THE FIRE-PROTECTION AND LIFE-SAFETY SYSTEMS.

PRIOR TO ISSUING OPERATIONAL OR CONSTRUCTION PERMITS REQUIRED BY THIS CODE, THE FIRE CODE OFFICIAL MUST DETERMINE, WITH REASONABLE CERTAINTY, THAT THE FIRE PROTECTION AND LIFE SAFETY FEATURES AS DOCUMENTED IN THE FIRE PROTECTION AND LIFE SAFETY ANALYSIS ACHIEVE MINIMUM CODE COMPLIANCE AND PROVIDE THE LEVEL OF PROTECTION INTENDED BY THIS CODE.

THE FIRE CODE OFFICIAL SHALL SPECIFY THE REQUIRED ORGANIZATION, CONTENT CATEGORIES, AND FORMAT OF THE FIRE PROTECTION AND LIFE SAFETY ANALYSIS.

(G) SUBSECTION 105.7.5, FIRE ALARM AND DETECTION SYSTEMS AND RELATED EQUIPMENT, OF *2009 INTERNATIONAL FIRE CODE*<sup>®</sup> IS AMENDED TO READ AS FOLLOWS:

105.7.5 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) A NEW SUBSECTION 105.7.15, EXPLOSION CONTROL, OF *2009 INTERNATIONAL FIRE CODE*<sup>®</sup> IS ADDED TO READ AS FOLLOWS:

105.7.15 EXPLOSION CONTROL. A CONSTRUCTION PERMIT IS REQUIRED TO INSTALL OR MODIFY EXPLOSION CONTROL PROVIDED AS REQUIRED IN SECTION 911.

(I) SUBSECTION 106.2.1, INSPECTION REQUESTS, OF *2009 INTERNATIONAL FIRE CODE*<sup>®</sup> IS AMENDED BY ADDING THE FOLLOWING SENTENCE: “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, OF *2009 INTERNATIONAL FIRE CODE*<sup>®</sup>, IS REPEALED IN ITS ENTIRETY AND RE-ENACTED TO READ AS FOLLOWS:

SECTION 108. APPEALS. APPEALS OF ORDERS, DECISIONS OR DETERMINATIONS MADE BY THE FIRE CODE OFFICIAL RELATIVE TO THE APPLICATION AND INTERPRETATION OF THIS CODE MAY BE MADE TO THE NORTHGLENN BOARD OF ADJUSTMENT. APPEALS SHALL BE IN ACCORDANCE WITH SECTION 11-42-5 OF THE NORTHGLENN ZONING ORDINANCE.

(K) SUBSECTION 109.3, VIOLATION PENALTIES, OF *2009 INTERNATIONAL FIRE CODE*<sup>®</sup> IS AMENDED TO READ AS FOLLOWS:

109.3 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, VIOLATION PENALTIES, OF 2009 *INTERNATIONAL FIRE CODE*<sup>®</sup> IS AMENDED TO READ AS FOLLOWS:

111.4 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) OF THE NORTHGLENN MUNICIPAL CODE.

(M) SECTION 113, FEES, OF 2009 *INTERNATIONAL FIRE CODE*<sup>®</sup> IS REPEALED IN ITS ENTIRETY AND RE-ENACTED TO READ AS FOLLOWS:

#### SECTION 113 FEES

113.1 FEES. THE IMPOSITION OF FEES FOR INSPECTION-RELATED SERVICES PURSUANT TO PROVISIONS OF THIS CODE SHALL BE IN ACCORDANCE WITH THIS SECTION 113. THE FEES SET FORTH IN THIS SECTION 113 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.

113.2 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.

113.3 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.

113.4 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 113.4. 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 113.4 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.
\$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.

<i>TOTAL VALUATION</i>	<i>FEEES</i>
\$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.

FEEES 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.

113.5 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 113.5 IS SEPARATE FROM THE CONSTRUCTION PERMIT FEE REQUIRED BY SECTION 113.4.

113.5.1 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.

113.5.2 OTHER PLAN REVIEWS. OTHER THAN REVIEW OF THE INITIAL SUBMITTAL OF CONSTRUCTION DOCUMENTS PURSUANT TO SECTION 113.5.1, 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.

113.7 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.

113.8 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 113.

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

(N) SECTION 202, GENERAL DEFINITIONS, OF 2009 *INTERNATIONAL FIRE CODE*<sup>®</sup> IS AMENDED BY DEFINING “REGISTERED DESIGN PROFESSIONAL” TO READ AS FOLLOWS:

REGISTERED DESIGN PROFESSIONAL. AN ENGINEER, LICENSED TO PRACTICE PROFESSIONAL ENGINEERING, AS DEFINED BY THE STATUTORY REQUIREMENTS OF THE PROFESSIONAL LICENSURE LAWS OF THE STATE OF COLORADO, WHO SHALL BE RESPONSIBLE AND ACCOUNTABLE TO POSSESS THE REQUIRED KNOWLEDGE AND SKILLS TO PERFORM DESIGN, ANALYSIS, AND VERIFICATION IN ACCORDANCE WITH THE PROVISIONS OF THIS CODE AND APPLICABLE PROFESSIONAL STANDARDS OF PRACTICE.

(O) SUBSECTION 311.5, PLACARDS, OF 2009 *INTERNATIONAL FIRE CODE*<sup>®</sup> IS DELETED IN ITS ENTIRETY.

(P) SUBSECTION 504.3, STAIRWAY ACCESS TO ROOF, OF 2009 *INTERNATIONAL FIRE CODE*<sup>®</sup> IS AMENDED TO READ AS FOLLOWS:

504.3 STAIRWAY ACCESS TO ROOF. NEW BUILDINGS FOUR OR MORE STORIES ABOVE GRADE PLANE, EXCEPT THOSE WITH A ROOF SLOPE GREATER THAN FOUR UNITS VERTICAL IN 12 UNITS HORIZONTAL (33.3-PERCENT SLOPE), SHALL BE PROVIDED WITH A STAIRWAY TO THE ROOF. WHEN AN EXIT ENCLOSURE IS REQUIRED BY SECTION 1022, THE STAIRWAY TO THE ROOF SHALL BE LOCATED WITHIN AN EXIT ENCLOSURE. STAIRWAY ACCESS TO THE ROOF SHALL BE IN ACCORDANCE WITH SECTION 1009.13. SUCH STAIRWAY SHALL BE MARKED AT STREET AND FLOOR LEVELS WITH A SIGN INDICATING THAT THE STAIRWAY CONTINUES TO THE ROOF. WHERE ROOFS ARE USED FOR ROOF GARDENS OR FOR OTHER PURPOSES, STAIRWAYS SHALL BE PROVIDED AS REQUIRED FOR SUCH OCCUPANCY CLASSIFICATION.

(Q) A NEW SECTION 511, FIRE PROTECTION IN RECREATIONAL VEHICLE, MOBILE HOME, AND MANUFACTURED HOUSING PARKS, SALES LOTS, AND STORAGE LOTS, OF 2009 *INTERNATIONAL FIRE CODE*<sup>®</sup> IS ADDED TO READ AS FOLLOWS:

511 RECREATIONAL VEHICLE, MOBILE HOME, AND MANUFACTURED HOUSING PARKS, SALES LOTS, AND STORAGE LOTS. RECREATIONAL VEHICLE, MOBILE HOME, AND MANUFACTURED HOUSING PARKS, SALES LOTS, AND STORAGE LOTS SHALL PROVIDE AND MAINTAIN FIRE HYDRANTS AND ACCESS ROADS IN ACCORDANCE WITH SECTIONS 503 AND 507.

EXCEPTION: RECREATIONAL VEHICLE PARKS LOCATED IN REMOTE AREAS SHALL BE PROVIDED WITH PROTECTION AND ACCESS ROADWAYS AS REQUIRED BY THE FIRE CODE OFFICIAL.

(R) A NEW SECTION 603.10, CARBON MONOXIDE ALARM AND DETECTOR MAINTENANCE, INSPECTION, AND TESTING, OF 2009 *INTERNATIONAL FIRE CODE*<sup>®</sup> IS ADDED TO READ AS FOLLOWS:

603.10 CARBON MONOXIDE ALARM AND DETECTOR MAINTENANCE, INSPECTION, AND TESTING. THE BUILDING OWNER SHALL BE RESPONSIBLE TO MAINTAIN ALL CARBON MONOXIDE ALARMS AND DETECTORS IN AN OPERABLE CONDITION AT ALL TIMES. MAINTENANCE, INSPECTION, AND TESTING SHALL BE PERFORMED IN ACCORDANCE WITH THE MANUFACTURER'S INSTRUCTIONS OR NATIONALLY RECOGNIZED STANDARDS. A WRITTEN RECORD SHALL BE MAINTAINED AND SHALL BE MADE AVAILABLE TO THE FIRE CODE OFFICIAL.

(S) SUBSECTION 903.2.6, GROUP I, OF 2009 *INTERNATIONAL FIRE CODE*<sup>®</sup> IS AMENDED TO READ AS FOLLOWS:

903.2.6 GROUP I. AN AUTOMATIC SPRINKLER SYSTEM SHALL BE PROVIDED THROUGHOUT BUILDINGS WITH A GROUP I FIRE AREA.

903.2.6.1 GROUP I-1. AN AUTOMATIC SPRINKLER SYSTEM INSTALLED IN ACCORDANCE WITH SECTION 903.3.1.2 OR 903.3.1.3 SHALL BE ALLOWED IN GROUP I-1 FACILITIES.

EXCEPTION: AN AUTOMATIC SPRINKLER SYSTEM INSTALLED IN ACCORDANCE WITH SECTION 903.3.1.1 SHALL BE PROVIDED THROUGHOUT GROUP I-1 FACILITIES THAT MEET THE FEDERAL FAIR HOUSING ACT DEFINITION OF SENIOR HOUSING OR HOUSING FOR OLDER PERSONS.

(T) SUBSECTION 903.2.7, GROUP M, OF 2009 *INTERNATIONAL*

*FIRE CODE*<sup>®</sup> IS AMENDED BY REPLACING CONDITION 4 IN ITS ENTIRETY WITH:

4. A GROUP M OCCUPANCY THAT IS USED FOR THE DISPLAY AND SALE OF UPHOLSTERED FURNITURE OR MATTRESSES EXCEEDS 5,000 SQUARE FEET (464 M<sup>2</sup>).

(U) SUBSECTION 903.2.8, GROUP R, OF *2009 INTERNATIONAL FIRE CODE*<sup>®</sup> IS AMENDED TO READ AS FOLLOWS:

903.2.8 GROUP R. AN AUTOMATIC SPRINKLER SYSTEM INSTALLED IN ACCORDANCE WITH SECTION 903.3 SHALL BE PROVIDED THROUGHOUT ALL BUILDINGS WITH A GROUP R FIRE AREA.

EXCEPTION 1: 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.

EXCEPTION 2: SINGLE FAMILY AND TOWNHOMES IN ACCORDANCE WITH THE 2009 INTERNATIONAL RESIDENTIAL CODE

(V) SUBSECTION 905.2, INSTALLATION STANDARD, OF *2009 INTERNATIONAL FIRE CODE*<sup>®</sup> IS AMENDED TO READ AS FOLLOWS:

905.2 INSTALLATION STANDARD. STANDPIPE SYSTEMS SHALL BE INSTALLED IN ACCORDANCE WITH THIS SECTION AND NFPA 14. FIRE HOSE IS NOT REQUIRED FOR ANY CLASS OF STANDPIPE SYSTEM.

(W) SUBSECTION 912.1, INSTALLATION, OF *2009 INTERNATIONAL FIRE CODE*<sup>®</sup> IS AMENDED TO READ AS FOLLOWS:

912.1 INSTALLATION. FIRE DEPARTMENT CONNECTIONS SHALL BE INSTALLED IN ACCORDANCE WITH THIS SECTION AND THE NFPA STANDARD APPLICABLE TO THE SYSTEM DESIGN AND SHALL COMPLY WITH SECTIONS 912.2 THROUGH 912.6. 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.

(X) SECTION 3301.1.3, FIREWORKS, OF *2009 INTERNATIONAL FIRE CODE*<sup>®</sup> IS AMENDED BY DELETING EXCEPTION 4.

(Y) SUBSECTION 3404.2.9.6.1, LOCATIONS WHERE ABOVE-GROUND TANKS ARE PROHIBITED, OF *2009 INTERNATIONAL FIRE CODE*<sup>®</sup> IS AMENDED TO READ AS FOLLOWS:

3404.2.9.6.1 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 3404.2.9.6.1.1 AND 3404.2.9.6.1.2 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 3404.2.9.7 AND TANKS IN AT-GRADE OR ABOVE-GRADE VAULTS IN ACCORDANCE WITH SECTION 3404.2.8. FOR SUCH TANKS PROVIDED WITH INTRINSIC SECONDARY CONTAINMENT, THE DISTANCES IN TABLE 22.4.1.1(B) OF NFPA 30 SHALL APPLY AND SHALL BE REDUCED BY ONE-HALF, BUT NOT TO LESS THAN 5 FEET (1524 MM).

(Z) SUBSECTION 3406.2.4.4, LOCATIONS WHERE ABOVE-GROUND TANKS ARE PROHIBITED, OF *2009 INTERNATIONAL FIRE CODE*<sup>®</sup> IS AMENDED TO READ AS FOLLOWS:

3406.2.4.4 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.

(AA) SUBSECTION 3804.2, MAXIMUM CAPACITY WITHIN ESTABLISHED LIMITS, OF *2009 INTERNATIONAL FIRE CODE*<sup>®</sup>, RETAINING THE EXCEPTION AS PRINTED, IS 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 GALLONS (7570 L).

(BB) SUBSECTION 4601.1, SCOPE, OF 2009 INTERNATIONAL FIRE CODE® IS AMENDED TO READ AS FOLLOWS:

4601.1 SCOPE. THE PROVISIONS OF THIS CHAPTER SHALL APPLY TO EXISTING BUILDINGS CONSTRUCTED PRIOR TO THE ADOPTION OF THIS CODE.

EXCEPTION: BUILDINGS, PORTIONS OF BUILDINGS, AND LIFE SAFETY COMPONENTS THEREIN, INCLUDING THE MEANS OF EGRESS, THAT CURRENTLY COMPLY WITH THE CODE UNDER WHICH CONSTRUCTED.

(CC) THE NFPA STANDARDS IN CHAPTER 47, REFERENCED STANDARDS, OF 2009 INTERNATIONAL FIRE CODE® ARE RETAINED EXCEPT AS MODIFIED IN THE FOLLOWING TABLE:

NFPA

<b>STANDARD REFERENCE NUMBER</b>	<b>CHANGE TO</b>
12—05	12—08
12A—04	12A—09
13—07	13—10
13D—07	13D—10
13R—07	13R—10
17—02	17—09
17A—02	17A—09
20—07	20—10
22—03	22—08
24—07	24—10
59A—06	59A—09
72—07	72—10
80—07	80—10
101—06	101—09
105—07	105—10
170—06	170—09
241—04	241—09
260—03	260—09
261—03	261—09
484—06	484—09
703—06	703—09
1123—06	1123—10



SECTION 10-5-6. APPLICATION. THE PROVISIONS OF THIS ARTICLE AND THE PROVISIONS OF THE INTERNATIONAL FIRE CODE AND APPENDICES ADOPTED BY REFERENCE SHALL APPLY TO EVERY BUILDING OR STRUCTURE LOCATED EITHER WITHIN OR WITHOUT THE CORPORATE LIMITS OF THE CITY OF NORTHGLENN, THE USE OF WHICH THE CITY HAS JURISDICTION AND AUTHORITY TO REGULATE.

SECTION 10-5-7. VIOLATIONS—PENALTY.

(A) IT SHALL BE UNLAWFUL FOR ANY PERSON TO VIOLATE ANY OF THE PROVISIONS OF THE INTERNATIONAL FIRE CODE, 2006 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, 2009 EDITION, AS ADOPTED, SHALL UPON CONVICTION, BE PUNISHABLE AS PROVIDED IN SECTION 1-1-10(A)(2) OF THIS CODE.

SECTION 10-5-8. SEVERABILITY CLAUSE. IF ANY ARTICLE, SECTION, PARAGRAPH, SENTENCE, CLAUSE OR PHRASE OF THIS ORDINANCE IS HELD TO BE UNCONSTITUTIONAL OR INVALID FOR ANY REASON, SUCH DECISION SHALL NOT AFFECT THE VALIDITY OR CONSTITUTIONALITY OF THE REMAINING PORTIONS OF THIS ORDINANCE. THE CITY COUNCIL HEREBY DECLARES THAT IT WOULD HAVE PASSED THIS ORDINANCE AND EACH PART OR PARTS THEREOF, IRRESPECTIVE OF THE FACT THAT ANY ONE PART OR PARTS BE DECLARED INVALID OR UNCONSTITUTIONAL.

SECTION 10-5-9. SAFETY CLAUSE. THE CITY COUNCIL HEREBY FINDS, DETERMINES, AND DECLARES THAT THIS ORDINANCE IS NECESSARY FOR THE PRESERVATION OF THE PUBLIC HEALTH, SAFETY AND WELFARE.

SECTION 10-5-10. CONFLICTS. IF THE PROVISIONS OF THE CONSTRUCTION BUILDING CODES, AS ADOPTED IN THIS ARTICLE, CONFLICT WITH ANY OTHER PROVISIONS OF THE MUNICIPAL CODE THEN THE MORE RESTRICTIVE OF THE TWO SHALL GOVERN. WHERE THERE IS A CONFLICT BETWEEN A GENERAL REQUIREMENT AND A SPECIFIC REQUIREMENT, THE SPECIFIC REQUIREMENT SHALL BE APPLICABLE.

INTRODUCED, READ AND ORDERED POSTED this \_\_\_\_ day of \_\_\_\_\_,  
2011.

\_\_\_\_\_  
JOYCE DOWNING  
Mayor

ATTEST:

\_\_\_\_\_  
JOHANNA SMALL, CMC  
City Clerk

PASSED ON SECOND AND FINAL READING this \_\_\_\_ day of \_\_\_\_\_,  
2011.

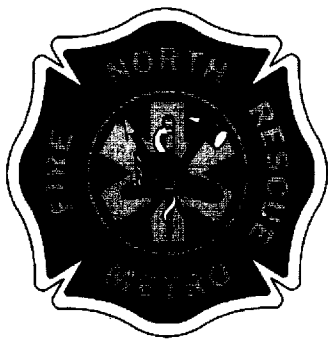
\_\_\_\_\_  
JOYCE DOWNING  
Mayor

ATTEST:

\_\_\_\_\_  
JOHANNA SMALL, CMC  
City Clerk

APPROVED AS TO FORM:

\_\_\_\_\_  
COREY Y. HOFFMANN  
City Attorney



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101 Lamar Street  
Broomfield, Colorado 80020  
303.452.9910 Fax 303.451.0289

**Joseph A. Bruce**  
Fire Chief

February 18, 2011

Mr. Bill Simmons  
City Manager  
City of Northglenn  
11701 Community Center Drive  
Northglenn, CO 80233

Mr. Simmons;

Attached for your review and consideration is a memo to me from the Division Chief of Fire Prevention, Steve Gosselin. This enclosed memo outlines several of the issues discussed during the Northglenn City Council Study session on February 3.

If you have any questions or would like to discuss this further, please don't hesitate to contact me.

Joseph A Bruce  
Fire Chief  
North Metro Fire Rescue District  
303-452-9910



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101 Lamar Street  
Broomfield, Colorado 80020  
303.452.9910 Fax 303.451.0289

**Joseph A. Bruce**  
Fire Chief

## MEMORANDUM

February 10, 2011

**TO:** Joseph A. Bruce, Fire Chief

**FROM:** Steven Gosselin, Division Chief – Fire Prevention

**RE:** **Supplemental Emergency Alarm Inspection Fee Information for Northglenn City Council**

This memorandum is a follow-up to the discussion at the Northglenn City Council Study Session on February 3, 2011. As you know, some of the members of the Council questioned why the City should include a False Alarm Inspection provision in the version of the 2009 International Fire Code that will be adopted in Northglenn. As you may recall, the Councilpersons expressing concern with including a false alarm fee in the City Fire Code took the position that the Fire District should adopt its own false alarm fee regulations rather than having the City put the fee in its Fire Code.

### **Program Background**

Including a false alarm fee in the Northglenn Fire Code is not a new concept. The false alarm fee is part of the Emergency Alarm Inspection Fee Program. The Emergency Alarm Inspection Fee Program was first implemented in the Cities of Northglenn and Broomfield when they adopted the 2003 International Fire Code (IFC). The Emergency Alarm Inspection Fee Program (including the false alarm fee) was continued with the adoption of the 2006 IFC in both Cities. The language that the Fire District has asked Northglenn to include in the version of the 2009 International Fire Code that will be adopted in Northglenn is unchanged from the provisions in the existing Broomfield and Northglenn Fire Codes.

## **Proposed Program Language**

113.6 Emergency Alarm Inspection Fee. An Emergency Alarm Inspection Fee shall be charged for all Category II fire alarms, as defined in Section 113.6.1.

EXCEPTION: When waived, for cause, by the fire code official.

113.6.1 Definitions. For the purpose of this Section 113.6, 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.

113.6.2 Emergency Alarm Inspection Fee Schedule.

113.6.2.1 Category I Alarms. A fee shall not be assessed.

113.6.2.2 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 113.6.2.2. 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 113.6.2.2  
Category II Emergency Alarm Inspection Fee

The fees set forth in Table 113.6.2.2 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 <sup>1</sup> : (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 <sup>1</sup> : 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 at \$100 increments	Progressively increasing at \$100 increments

<sup>1</sup> For the purpose of this table, commercial buildings include all buildings other than apartment houses and one- or two-family dwellings.

113.6.2.2.1 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.

**Purpose of the Program**

The purpose of the Emergency Alarm Inspection Fee Program is to encourage maintenance and repair of fire alarm systems. Of primary concern is the health and

safety of building occupants and emergency personnel who respond. A second purpose is to reduce false alarms. False alarms cause an inconvenience to property management and occupants. In addition to the inconvenience, numerous false alarms also create an apathetic response from occupants when actual fire alarms are initiated (analogous to the fable of the little boy that cried "wolf"). Responding to false alarms also places a financial burden on Fire Department operations, a burden that is ultimately borne by the taxpayers. More important, when Fire District equipment and personnel are responding to a false alarm, they may be unavailable or delayed if there is a true emergency.

Only false alarms which the fire alarm system owner should have been able to avoid are subject to fees, and only if there is an excessive number of alarms due to improper maintenance and repair. Malicious alarms or alarms operating as designed are not charged fees because they are beyond the control of the property owner. The Fire District also has rebated a large portion of fees charged to business owners when systems are repaired in a timely manner.

### **Legal Issues**

For the Fire District, a Special District formed under the Colorado Special District Act, to legally and effectively impose and collect emergency alarm inspection fees, a provision for the fee should be inserted in the City Fire Code.

Although § 32-1-1001 allows Special Districts to adopt fees, § 32-1-1002 limits the type of fees a Fire District can adopt:

**32-1-1001. Common powers – definitions.** (1) For and on behalf of the special district the board has the following powers:

\* \* \*

(j) (I) To fix and from time to time to increase or decrease fees, rates, tolls, penalties, or charges for services, programs, or facilities furnished by the special district; except that fire protection districts may only fix fees and charges as provided in section 32-1-1002(1)(e).

\* \* \*

**32-1-1002. Fire protection districts – additional powers and duties.** (1) In addition to the powers specified in section 32-1-1001, the board of any fire protection district has the following powers for and on behalf of such district:

\* \* \*

(e) To fix and from time to time increase or decrease fees and charges as follows,

\* \* \*

(I) For ambulance or emergency medical services;

(II) For requested or mandated inspections if a fire code is in existence on June 30, 1981, as specified in paragraph (d) of this subsection (I) or has been adopted thereafter pursuant to said paragraph (d);

(III) For requested inspections if a fire code has been adopted by the board of the fire protection district, whether or not the code has been adopted by a municipality or county pursuant to paragraph (d) of this subsection (1).

Cities have no such limit on the type of fees they can charge. Here, the Fire District believes that because Fire District personnel inspect the alarm system when they arrive on scene due to a false alarm, imposing an inspection fee would be appropriate and would comply with § 32-1-1002. However, the Fire District recognizes that imposing a false alarm fee based on the fact that the Fire Department inspects the alarm system when it responds to a false alarm could be characterized as a call-out charge or penalty, not an inspection fee. To avoid a challenge of this nature, fire districts across the State, and in other States, have requested that cities include a false alarm fee in their Fire Codes. This enables a fire district, the entity charged with enforcement of the City Fire Code, to impose a false alarm fee without giving property owners who do not properly repair or maintain their alarm systems, a basis for attacking whether the fee is proper. In this manner the deterrent effect of the fee, and the public safety benefits of having properly functioning fire alarm systems can be realized.

### **What Other Cities Are Doing**

A recent survey put out to members of the Fire Marshal's Association of Colorado confirmed that many other communities in Colorado have similar emergency alarm inspection programs. There are probably more, but the following Cities have similar programs: Brighton, Thornton, Boulder, Golden, Arvada, Wheat Ridge, Lakewood, Morrison, Grand Junction, Winter Park, Fraser, Tabernash, and Snowmass. The survey also confirmed that fire department personnel in these communities strongly believe that false alarm programs and fees are effective tools at reducing false alarms from fire alarm systems.



## **Conclusion**

The Emergency Alarm Inspection Fee program is an important tool for the Fire District, and is an effective way the Fire District can work with business owners to assure proper maintenance and repair of their fire alarm systems. The Fire District should not withdraw its request that the City Council retain this valuable tool when it adopts its local amendments to the 2009 IFC.