

ORDINANCE NO. 4.93.4, Series of 2015

**TITLE: A BILL FOR AN ORDINANCE TO AMEND SECTIONS 11.04.020, 11.04.050, 11.04.060 AND 11.04.080 OF THE PARKER MUNICIPAL CODE CONCERNING THE PARKER FIRE PROTECTION CODE**

NOW, THEREFORE, THE TOWN COUNCIL OF THE TOWN OF PARKER, COLORADO, ORDAINS:

**Section 1.** Section 11.04.020 of the Parker Municipal Code is amended to read as follows:

**11.04.020 International Fire Code adopted.**

Pursuant to Section 7.7 of the Parker Home Rule Charter, the International Fire Code, 2015 Edition, as published by the International Code Council (ICC), 500 New Jersey Avenue, NW, 6<sup>th</sup> Floor, Washington, DC 20001 is adopted by reference and incorporated into this Chapter as though fully set forth herein. Except as otherwise provided hereafter, such code is adopted in full, including the outline of contents, index and appendices contained therein.

**Section 2.** Section 11.04.040 of the Parker Municipal Code is amended to read as follows:

**11.04.040 Definitions.**

*Fire Code Official*, wherever used in the International Fire Code, shall mean the Chief Building Official of Parker, Colorado, except as otherwise provided herein. In the event there is a conflict in the information or application of the Fire Code, the Chief Building Official will resolve such conflicts.

*Jurisdiction*, wherever used in the International Fire Code, shall mean that area within the corporate limits of the Town or any area hereafter annexed to the Town.

**Section 3.** Section 11.04.050 of the Parker Municipal Code is repealed in its entirety and readopted to read as follows:

**11.04.050 Amendments.**

The International Fire Code, as adopted by this Chapter, is hereby amended as follows (article numbers correspond with those in the International Fire Code):

- (1) Delete Appendix Chapters A, D, E, F, G, H, I, J, K, L and M.
- (2) Amend Section 101.1, Title, to read:

**"101.1 Title.** These regulations shall be known as the Parker Fire Protection Code, hereinafter referred to as the 'code.'"

(3) Amend Section 108.1, Board of appeals established, to read:

**"108.1 Board of appeals established.** In order to hear and decide appeals of orders, decisions or determinations made by the fire code official relative to the application and interpretation of this code, there shall be a board of appeals. The board of appeals shall be the Regional Fire Code Board of Appeals and shall hold office at its pleasure."

(4) Amend Section 109.4, Violation penalties, to read:

**"109.4 Violation penalties.** Persons who violate a provision of this code or fail to comply with any of the requirements thereof or who erect, install, alter, repair or do work in violation of the approved construction documents or directive of the fire code official, or of a permit or certificate used under provisions of this code, shall be guilty of a misdemeanor, punishable by a fine of not more than four hundred ninety-nine dollars (\$499). Each day that a violation continues after due notice has been served shall be deemed a separate offense."

(5) Amend Section 111.4, Failure to comply, to read:

**"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 to a fine of not more than four hundred ninety-nine dollars (\$499)."

(6) Amend Section 202, General Definitions, by the addition of a new definition, *approved side of the building*, and by amending the definition of *Fire Code Official* to read:

*"Approved side of the building* shall account for at least twenty-five percent (25%) of the building perimeter and will be determined by the fire code official.

*"Fire Code Official* shall mean the Chief Building Official of Parker, Colorado."

(7) Add a new Section 401.1.1, Fire Code Official, to read:

**"401.1.1 Fire Code Official.** Wherever *Fire Code official* is referred to in this Chapter, it shall mean the Chief of the South Metro Fire Rescue Authority."

(8) Delete the exceptions to Section 503.1.1. Buildings and facilities, and replace with:

"Exception: The dimension of 150 feet (45,720 mm) shall be increased as follows:

"1. Where the building is equipped throughout with an approved automatic sprinkler system installed in accordance with Section 903.3.1.1 (NFPA 13), the dimension shall be unlimited; provided access roads are extended to within 150 feet (45,720 mm) of at least one (1) approved side of the building. Fire hydrant requirements of Section 508.5.1 may necessitate additional roads to serve hydrants near large buildings.

"2. Where the building is equipped throughout with an approved automatic sprinkler system installed in accordance with Section 903.3.1.2 (NFPA 13R) or 903.3.1.3 (NFPA 13D), the dimension shall be increased to 200 feet (60,960 mm).

"3. Where there are not more than two Group R-3 or Group U occupancies, the dimension shall be unlimited; provided access roads are extended to within 150 feet (45,720 mm) of at least one (1) approved side of the building. Fire hydrant requirements of Section 508.5.1 may necessitate additional roads to serve hydrants near large buildings."

(9) Delete Section 503.1.2, Additional Access, in its entirety and replace with the following:

**"503.1.2 Additional access.** At least two (2) separate and approved fire apparatus access roads shall be provided to the following occupancies, buildings, and facilities:

"1. Where the designated and/or calculated occupant load is 300 or more occupants in the following occupancies:

"a. Assembly Group (A);

"b. Business Group (B);

"c. Educational Group (E); and

"d. Mercantile Group (M).

"2. Institutional Group (I) occupancies having an occupant load of 100 or more occupants.

"3. Storage Group (S) and Factory Group (F) occupancies where the total fire area exceeds 50,000 square feet.

"4. High-Hazard Group (H) occupancies will be evaluated independently by the fire code official.

"5. Residential Group (R) occupancies where the number of dwelling units exceeds 40."

(10) Amend Section 503.2, Specifications, to read:

**"503.2 Specifications.** Fire apparatus access roads shall be designed in accordance with South Metro Fire Rescue Authority's Fire Access Road Specification Sheet for specific roadway design criteria. Site plans showing an auto turn or equivalent depiction of fire apparatus movements through designated fire lanes in order to verify proper turning radii are required for new fire apparatus access roads and in accordance with Sections 503.2.1 through 503.2.8.

"Exception: South Metro Fire Rescue Authority shall default to the current edition of the Roadway Design and Construction Criteria Manual adopted by the Town of Parker."

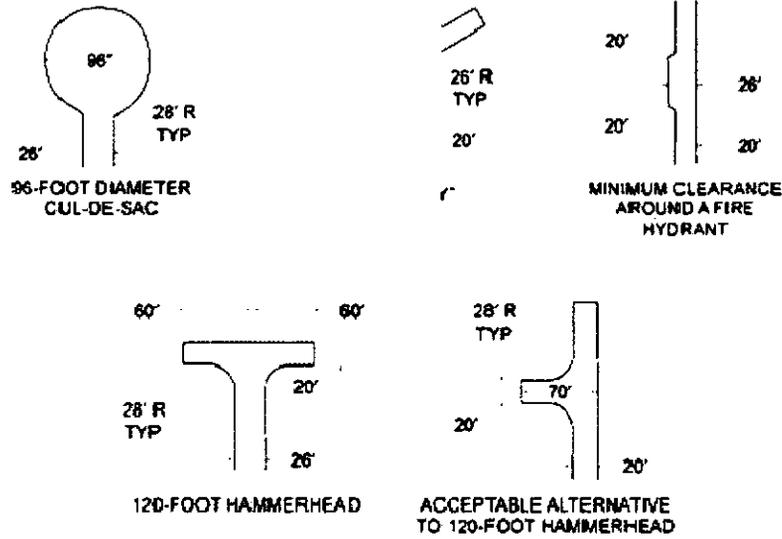
(11) Amend Section 503.2.5, Dead ends, to read:

**"503.2.5 Dead ends.** Dead-end fire apparatus access roads in excess of 150 feet (45,720 mm) in length shall be provided with an approved area for turning around fire apparatus in accordance with Table 503.2.5. The length of the designated fire access road shall be measured from the curb cut to the end of the road surface.

**"Table 503.2.5  
Requirements for Dead-End Fire Apparatus Access Roads**

<i>Length (feet)</i>	<i>Width (feet)</i>	<i>Turnarounds Required</i>
0-150	20	Not required
151-600	20	120-foot Hammerhead 96-foot-diameter cul-de-sac in accordance with Figure 503.2.5
Over 600	Special approval required	

**"Figure 503.2.5  
Dead-End Fire Apparatus Access Road Turnaround**



(12) Amend Section 503.4.1, Traffic calming devices, to read:

**"503.4.1 Traffic calming devices.** Traffic calming devices on public streets shall be prohibited, unless approved by the Public Works Director. For all other fire apparatus access roads, traffic calming devices shall be permitted, subject to the approval of the fire code official and the Public Works Director."

(13) Amend Section 507.3, Fire flow, to read:

**"507.3 Fire flow.** Fire flow requirements for buildings or portions of buildings and facilities shall be determined in accordance with Appendix B."

(14) Amend Section 507.5, Fire hydrant systems, to read:

**"507.5 Fire hydrant systems.** Fire hydrant systems shall comply with Sections 507.5.1 through 507.5.6 and Appendix C."

(15) Amend Exception #4 of Section 5601.1.3, Fireworks, to read:

**"5601.1.3 Fireworks.** The possession, manufacture, storage, sale, handling and use of fireworks are prohibited.

"Exceptions:

"1. Unchanged.

"2. Deleted.

"3. The use of fireworks for fireworks displays as allowed in Section 5608.

"4. The possession, storage, sale, handling and use of permissible fireworks, as defined by Section 12-28-101(8)(a), C.R.S., as amended, as follows:

"Permissible fireworks as defined by Section 12-28-101(8)(a), C.R.S. as amended, are permitted in the Town, except as provided by Chapter 6.04 of the Parker Municipal Code, as amended. Permissible fireworks include the following:

"a. Cylindrical fountains, total pyrotechnic composition not to exceed seventy-five grams each for a single tube or, when more than one tube is mounted on a common base, a total pyrotechnic composition of no more than two hundred grams;

"b. Cone fountains, total pyrotechnic composition not to exceed fifty grams each for a single cone or, when more than one cone is mounted on a common base, a total pyrotechnic composition of no more than two hundred grams;

"c. Wheels, total pyrotechnic composition not to exceed sixty grams for each driver unit or two hundred grams for each complete wheel;

"d. Ground spinner, a small device containing not more than twenty grams of pyrotechnic composition venting out of an orifice usually in the side of the tube, similar in operation to a wheel, but intended to be placed flat on the ground;

"e. Illuminating torches and colored fire in any form, total pyrotechnic composition not to exceed two hundred grams each;

"f. Dipped sticks and sparklers, the total pyrotechnic composition of which does not exceed one hundred grams, of which the composition of any chlorate or perchlorate shall not exceed five grams;

"g. Any of the following that do not contain more than fifty milligrams of explosive composition:

"1. Explosive auto alarms;

"2. Toy propellant devices;

- "3. Cigarette loads;
- "4. Strike-on-box matches; or
- "5. Other trick noise makers;

"h. Snake or glow worm pressed pellets of not more than two grams of pyrotechnic composition and packaged in retail packages of not more than twenty-five units;

"i. Multiple tube devices with:

"1. Each tube individually attached to a wood or plastic base;

"2. The tubes separated from each other on the base by a distance of at least one-half of one inch;

"3. The effect limited to a shower of sparks to a height of no more than fifteen feet above the ground;

"4. Only one external fuse that causes all of the tubes to function in sequence; and

"5. A total pyrotechnic composition of no more than five hundred grams.

"j. 'Permissible fireworks' do not include aerial devices or audible ground devices, including, but not limited to, firecrackers. "

(17) Amend Section 5704.2.9.6, Above-ground tanks outside of buildings, (geographic limits in which the storage of Class I and Class II liquids in above-ground tanks outside of buildings is prohibited), by the addition of the following:

"The storage of Class I and Class II liquids in above-ground tanks outside of buildings shall conform to the provisions of the Town of Parker Zoning Ordinances."

(18) Amend Section 5706.2.4.4, Locations where above-ground tanks are prohibited (geographic limits in which the storage of Class I and Class II liquids in above-ground tanks outside of buildings is prohibited), by the addition of the following:

"The storage of Class I and Class II liquids in above-ground tanks outside of buildings shall conform to the provisions of the Town of Parker Zoning Ordinances."

(19) Amend to Section 6104.2, Maximum capacity within established limits (geographic limits in which the storage of liquefied petroleum gas is restricted for the protection of heavily populated or congested areas), by the addition of the following:

"Restricted use. Bulk storage of liquefied petroleum gas within all business and commercial zones is restricted for the protection of heavily populated or congested commercial areas. The aggregate capacity of any one installation shall not exceed two thousand (2,000) gallons water capacity, except that in particular installations this capacity limit may be altered at the discretion of the Fire Code Official after consideration of any special features, such as topographical conditions, nature of occupancy and proximity of buildings, capacity of proposed tanks, degree of private fire protection to be provided and the facilities of the South Metro Fire Rescue Authority. Storage and use of propane in cylinders that are designed to hold more than forty (40) pounds is prohibited on any residential lot in the Town. Storage and use of propane in cylinders with an aggregate capacity of more than one hundred fifty (150) pounds is prohibited on any residential lot in the Town."

**Section 4.** Section 11.04.060 of the Parker Municipal Code is amended to read as follows:

**11.04.060 Violation; penalty.**

In addition to the penalty provisions contained in the Parker Fire Protection Code, any person who violates any of the provisions of this Chapter shall be guilty of a misdemeanor and, upon conviction thereof, shall be fined the sum of not more than four hundred ninety-nine dollars (\$499.00) for each such violation. Each day that a violation continues after due notice has been served shall be deemed a separate offense.

**Section 5.** Section 11.04.080 of the Parker Municipal Code is amended to read as follows:

**11.04.080 Effective date.**

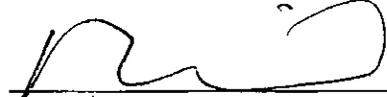
The ordinance codified in this Chapter shall take effect on January 1, 2016.

**Section 5.** Safety Clause. The Town Council hereby finds, determines and declares that this Ordinance is promulgated under the general police power of the Town of Parker, that it is promulgated for the health, safety and welfare of the public, and that this Ordinance is necessary for the preservation of health and safety and for the protection of public convenience and welfare. The Town Council further determines that the Ordinance bears a rational relation to the proper legislative object sought to be obtained. The Town Council further finds that the title to this Ordinance was posted in two public places two days before the Town Council meeting, as provided by Section 7.5e. of the Town of Parker Home Rule Charter.

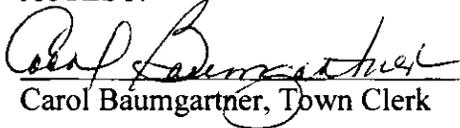
**Section 6. Severability.** If any clause, sentence, paragraph or part of this Ordinance or the application thereof to any person or circumstances shall for any reason be adjudged by a court of competent jurisdiction invalid, such judgment shall not affect application to other persons or circumstances.

**Section 7.** This Ordinance shall become effective ten (10) days after final publication.

INTRODUCED AND PASSED ON FIRST READING this 16<sup>th</sup> day of November, 2015.

  
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Mike Waid, Mayor

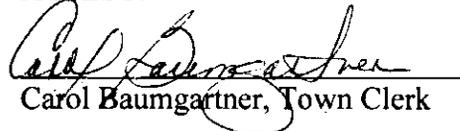
ATTEST:

  
\_\_\_\_\_  
Carol Baumgartner, Town Clerk

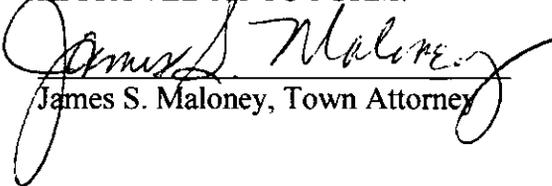
ADOPTED ON SECOND AND FINAL READING this 7<sup>th</sup> day of December, 2015.

  
\_\_\_\_\_  
Mike Waid, Mayor

ATTEST:

  
\_\_\_\_\_  
Carol Baumgartner, Town Clerk

APPROVED AS TO FORM:

  
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James S. Maloney, Town Attorney