

**ORDINANCE NO. 1873**

AN ORDINANCE OF THE CITY OF MONTROSE, COLORADO, ADOPTING THE 1997 UNIFORM FIRE CODE WITH CERTAIN AMENDMENTS.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MONTROSE, COLORADO, AS FOLLOWS:

**SECTION 1**      **Section 7-4-1 is hereby amended to read as follows:**

**7-4-1:      ADOPTION OF CODES**

- (A)      There is hereby adopted for the purpose of providing minimum standards to prevent fires, protect persons and property and to promote the public health, safety and welfare, The Uniform Fire Code, 1997 Edition, including Appendix Chapters 1-A through VII, and The Uniform Fire Code Standards, 1997 Edition, both published by the International **Fire Code Institute**, the subject matter of which is comprehensive regulations for the prevention of fire.
  
- (B)      One copy of each of the above codes are on file in the office of the City Clerk and may be inspected during regular business hours.

**SECTION 2**      **Section 7-4-2 is hereby amended to read as follows:**

**7-4-2:      GENERAL PROVISIONS**

- (A)      The provisions of this Chapter and the Codes, adopted by reference herein, may be administered and enforced by the Chief of the Montrose Fire Protection District. The City Manager is also authorized to administer and enforce the provisions of this Chapter and the Codes adopted by reference in the event of the failure, refusal or inability of the Chief to do so, or as convenient and appropriate in conjunction with the administration and enforcement of City Building, Zoning, or other Ordinances and regulations.
  
- (B)      Whenever the word "jurisdiction" is used in The Uniform Fire Code, it shall mean the City of Montrose, Colorado.

(C) The following amendments or clarifications to the Uniform Fire Code shall apply:

(1) A new Section 103.3.5 is added to read as follows:

**103.3.5 Inspection Fees.**

A schedule of inspection fees shall be established by the Montrose Fire Protection District and approved by the City, which fee schedule may be amended from time to time upon prior City approval. The schedule shall be available at the Montrose Fire Protection District and the City of Montrose Engineering Department.

(2) Section 103.4.1.1 is amended to read as follows:

**Section 103.4.1.1 Authorization to Issue Corrective Orders and Notices.**

When the Chief and or the City Engineer finds in any building or on any premises combustible, hazardous or explosive materials or dangerous accumulations of rubbish; or finds unnecessary accumulations of wastepaper, boxes, shavings or any highly flammable materials which are so situated as to endanger life or property; or finds obstructions to or on fire escapes, stairs, passageways, doors or windows that interfere with the operations of the Fire Department or the safe and emergent exit of occupants of such premises; or finds that the effectiveness of any exit door, attic separation or any fire separation wall is diminished so as to constitute a violation of this Code; or finds that this Code is being violated in any way, the Chief is authorized to issue corrective orders as necessary for the enforcement of these provisions.

(3) Section 103.4.1.3 is amended to read as follows:

**Section 103.4.1.3 Stopping Uses Evacuation**

The Chief is authorized to order an operation or use stopped or the evacuation of any premises, building or vehicle or portion thereof which has or is a fire hazard or hazard to life.

(4) Section 105.6 is amended by the addition of the following paragraph:

The requirements for permits from other agencies or departments shall not waive the requirements for permits required by this Code.

(5) Section 105.8 is amended by the addition of the following paragraphs:

g.1. Gates. A Fire Department permit is required to install or alter a gate or gate operator which obstructs a fire apparatus access road.

x.1. Fire Extinguishing Systems and Equipment. A Fire Department permit is required to install, extend, or alter fire extinguishing systems and equipment; fire alarm systems, equipment and monitoring; smoke control systems and equipment

x.2. Spray Booths. A Fire Department permit is required to install, extend, or alter a spray booth.

x.3. Installation / Removal of aboveground and underground tanks. A Fire Department permit is required to install, extend, or alter aboveground or underground tanks used to contain flammable materials.

(6) Article 2 Definitions is amended by the addition of the following terms and definitions:

**FALSE ALARM** is the activation or reporting, whether intentional or not intentional, of an alarm when no such alarm condition, fire or emergency actually exists.

**FIRE LANES** are Fire Apparatus Access Roads as designated by the Montrose Fire Protection District pursuant to UFC §901.4.2.

**FIREWOOD SALES & STORAGE OF WOOD** is any property used for the commercial sale or storage of firewood or wood products

**KNOX BOX** is a key lock box, type specified by the Montrose Fire Protection District

**NUISANCE ALARM** is any alarm caused by mechanical failure, malfunction, improper installation, or lack of proper

maintenance, or any alarm activated by a cause that cannot be determined.

**SMOKE CONTROL, DEDICATED SYSTEMS** are intended for the purpose of smoke control only. They include separate systems of air moving and distribution equipment that do not function under normal building operating conditions. Upon activation, these systems operate specifically to perform the smoke-control function.

**SMOKE CONTROL, NON-DEDICATED SYSTEMS** are those systems that share components with some other system(s) such as building HVAC systems. Activation causes the system to change its mode of operation to achieve the smoke-control objective.

**TUNNEL** is any thoroughfare, public way, walk way, or mechanical / electrical service conduit of dimensions to permit human occupancy for the purpose of service or repair, or conveyance of goods and persons, and which is constructed below grade and cannot be classified as the basement or first story of a building.

- (7) A new Section 901.7 is added to read as follows:

901.7 Access Gates

901.7.1 Permit. A Fire Department Permit is required prior to installing a gate or gate operator, which may serve to obstruct a fire apparatus access road. All access gates will meet the specifications of the Montrose Fire Protection District.

- (8) Section 1001.3 Plans is amended as follows:

1001.3.1. General. Complete plans and specifications for alarm systems; fire extinguishing systems, including automatic sprinklers and wet/dry standpipes; halon systems and other special types of automatic fire extinguishing systems; basement pipe inlets; and other fire protection systems and appurtenances thereto shall be submitted to the Fire Department for review and be approved prior to system installation.

Approved plans shall be kept readily available on the job site.

All high rise, covered mall and atrium buildings, in addition to other major facilities as determined by the Chief, shall have a Fire and Life Safety Package Report submitted to the Fire Prevention Bureau and be approved prior to construction.

1001.3.2 Plans, Alarm Systems. Complete plans and specifications for alarm systems shall include, but not be limited to, a floor plan; location of all alarm-initiating and alarm-signaling devices; alarm control and trouble-signaling equipment; annunciation; power connection; battery calculations; conductor type and sizes; voltage drop calculations; and manufacturer, model numbers and listing information for all equipment, devices and materials.

- (9) Section 1001.5.2 Inspection and Testing is amended by adding one new sub-section as follows:

1001.5.2.1 Fire Protection System. All Fire Protection Systems shall be maintained in accordance with the provisions of the Colorado Division of Fire Safety. A copy of said inspection shall be mailed within 48 hours, to the Fire Prevention Bureau only when any deficiency of the system or violation of the Fire Code is noted. In the event a service/maintenance contract is canceled or not renewed, the Fire Prevention Bureau shall be notified by the service company within 24 hours.

- (10) Section 1001.5.3.1 Problematic Systems and Systems Out of Service is amended as follows:

In the event of a failure of a fire protection system or recurring false or nuisance alarm activation's, the Chief is authorized to require the building owner or occupant to provide firewatch personnel until the system is repaired.

- (11) Section 1003.1.1 Fire Extinguishing Systems is amended as follows:

Main control valves for fire extinguishing systems shall be:

Located in a room with a one-hour occupancy separation and an exterior door, or equipped with exterior indicator posts (wall control valves)

- (12) Section 1003.1.2 Fire Extinguishing Systems is amended as follows:

1003.1.2 Standards. Fire extinguishing systems shall be in accordance with the applicable NFPA Standards.

**EXCEPTIONS:**

1. No change-same as published in 97 UFC
2. Change the word "Building Official" to "City Engineer and or Fire Chief"
3. Occupancies that are not electrically monitored shall provide an approved identification sign below each outside horn and strobe, which reads WHEN ALARM SOUNDS - CALL 9-1-1. This sign shall be of durable material with permanent lettering having a 2" minimum height on a contrasting background.

- (13) A new Section 4502.2.11 Location Prohibited is added as follows:

Section 4502.2.11 Location Prohibited. Spray booth(s) designed for utilizing flammable or combustible liquids, or the application of combustible powders regulated by Article 45 shall not be located outside of buildings.

- (14) Section 4901.1 Hot Work, Scope is amended by adding a new second exception as follows:

**EXCEPTION 2 Group R-3 and U occupancies**

- (15) Section 7701.7.2 Explosive Materials, Limits Established by Law is amended as follows:

Explosive materials shall be stored only in areas zoned and approved for such use and shall be subject to approval by the Fire Chief.

- (16) A new Section 7801.3.3 Fireworks, Permits for Sale and Storage of Fireworks is added as follows:

The Sale and Storage and Public Display of fireworks within the City limits shall require a permit by the Montrose Fire Protection District.

- (17) Article 90 Standards is amended by adding a new Section as follows:

Section 9004 - NFPA Standards

The most current editions of the National Fire Protection Association (NFPA) Standards referenced in this section are declared to be part of this code as if set forth in full herein.

#### NATIONAL FIRE PROTECTION ASSOCIATION STANDARDS

NFPA 10; Portable Fire Extinguishers, 1997 Edition

NFPA 13; Installation of Sprinkler Systems, 1996 Edition

NFPA 13D; Installation of Sprinkler Systems in One- and Two-Family Dwellings and Mobile Homes, 1996 Edition

NFPA 13R; Sprinkler Systems in Residential Occupancies up to and including four Stories in Height, 1996 Edition

NFPA 14; Installation of Standpipe and Hose Systems, 1996 Edition

NFPA 17; Dry Chemical Extinguishing Systems, 1994 Edition

NFPA 17A; Wet Chemical Extinguishing Systems, 1994 Edition

NFPA 20; Installation of Centrifugal Fire Pumps, 1996 Edition

NFPA 22; Water Tanks for Private Fire Protection, 1996 Edition

NFPA 24; Installation of Private Fire Service Mains and Their Appurtenances, 1995 Edition

NFPA 25; Inspection, Testing and Maintenance of Water-Based Fire Protection Systems, 1995 Edition

NFPA 72; National Fire Alarm Code, 1996 Edition

NFPA 92A, Smoke Control Systems, 1996 Edition

NFPA 92B; Smoke Management Systems in Malls, Atria, Large Areas, 1995 Edition

NFPA 96; Ventilation Control and Fire Protection of Commercial Cooking Operations; 1994 Edition

NFPA 99C; Standard on Gas and Vacuum Systems, 1996 Edition

NFPA 110; Emergency and Standby Power Systems, 1996 Edition

NFPA 231; General Storage, 1995 Edition

NFPA 231C; Rack Storage of Materials, 1995 Edition

NFPA 231D; Storage of Rubber Tires, 1994 Edition

NFPA 231F; Storage of Rolled Paper, 1995 Edition

NFPA 1123; Outdoor Display of Fireworks, 1995 Edition

NFPA 1126; Use of Pyrotechnics before a Proximate Audience, 1996 Edition

NFPA 2001; Clean Agent Fire Extinguishing Systems, 1996 Edition

- (18) Appendix III-B Fire Hydrants and Distributions is amended as follows:

### Section 3 Fire Hydrant Distribution

The number and spacing of fire hydrants shall meet the approval of the Fire Chief. Fire hydrants shall be located adjacent to and accessible from fire apparatus access roads. Fire hydrants shall be spaced along fire apparatus access roads as follows:

1. In developments wherein all lots are at least one acre but less than three acres in area, and the fire-flow requirement is equal to 1,750 gpm or less, a minimum of one fire hydrant shall be placed an average of every one thousand (1,000) feet.
2. In developments where all lots are three acres or more and the fire-flow requirement is equal to 1,750 gpm or less, a minimum of one fire hydrant shall be placed an average of every fifteen hundred (1,500) feet.
3. In developments where any lots are less than one acre and the fire-flow requirements is equal to 1,750 gpm or less, Appendix III-B and the accompanying Table A-III-B-1 shall apply.

4. Any changes in lot sizes of developments shall trigger the applicable requirements herein.

The following appendices are adopted by reference:

I-C Stairway Identification; II-B Protection of Flammable and Combustible Liquid Tanks in Locations Subject to Flooding; II-C Marinas; II-D Rifle Ranges; II-E Hazardous Materials Management Plans and Hazardous Materials Inventory Statements; II-F Protected Aboveground Tanks for Motor Vehicle Fuel-Dispensing Stations Outside Buildings; II-G Secondary Containment for Underground Tank Systems Containing Flammable or Combustible Liquids; II-H Site Assessments for Determining Potential Fire and Explosion Risks from Underground Flammable or Combustible Liquid Tank Leaks; II-I Ozone Gas- Generating Equipment; II-J Storage of Flammable and Combustible Liquids in Tanks Located with Below-Grade Vaults; III-A Fire Flow Requirements for Buildings; III-B Fire Hydrant Locations and Distribution; VI-A Hazardous Materials Classification; VI-B Hazard Ranking; VI-C Emergency Relief Venting for Fire Exposure for Aboveground Tanks; and VI-F Recommended Separation Distances for Explosive Materials.

- (D) If there is any conflict of any provisions of this Chapter or any Codes adopted by reference herein with any other provision of any ordinance of the City or other applicable State or Federal Regulations, those regulations providing the more stringent or more strict requirements shall apply.

**SECTION 3.** A new Chapter 6-6 is hereby added:

## **CHAPTER 6**

### **OPEN BURNING**

#### **6-6-1: GENERAL PROVISIONS**

It shall be unlawful for the owner, lessee or occupant of any property to burn or allow the burning of rubbish, wastepaper, wood, or other flammable material on any open premises, or on any public street, alley, or other land adjacent to such premises, subject to the following exemptions:

- (A) Open burning may be allowed, subject to the issuance of permit by the Montrose Fire Protection District in accordance with Sections 1101, 1102 and 1103 of the 1997 Uniform Fire Code, for the following uses:
- (1) agricultural open burning, defined as the open burning of cover vegetation for the purpose of preparing the soil for crop production and weed control;
  - (2) fires for instructional or training purposes;
- (B) Open burning may be allowed, without permit by the Montrose Fire Protection District, for fires used exclusively for the cooking of food for persons, when the following criteria are all met:
- (1) Such burning is limited in scope, intensity and duration to that minimally necessary to accomplish such purposes;
  - (2) Such burning is confined to metallic barbeque pits, metallic barbeque equipment and other metallic food heat-processing equipment;
  - (3) Fire-extinguishing equipment must be readily available; and
  - (4) The burning is constantly attended by a person knowledgeable in the use of the fire-extinguishing equipment.
- (C) Open burning in violation of the requirements set forth herein is hereby declared to be a nuisance and subject to abatement action by the City in any lawful manner including the procedures specified in Chapter 4 of this Title.

#### **SECTION 4:**

If any provision of this Ordinance or the application thereof to any person or circumstances is held invalid, such invalidity shall not affect other provisions or applications of the Ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this Ordinance are declared to be severable.

INTRODUCED, READ and PASSED on first reading this 6<sup>th</sup> day of December, 2001.

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Carlos R. Guara, Mayor

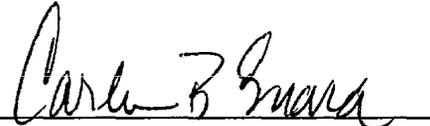
ATTEST:

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Mary L. Watt, City Clerk

You will please take notice that the Montrose City Council will hold a hearing upon the above Ordinance and on the question of its adoption on second reading on Thursday, December 20<sup>th</sup>, 2001 at the hour of 7:00 p.m. at Montrose City Hall in Montrose, Colorado.

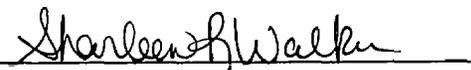
INTRODUCED, READ and ADOPTED on second reading this 20<sup>th</sup> day of December, 2001.

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Carlos R. Guara, Mayor

ATTEST:

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Sharleen R. Walker, Deputy City Clerk

**ORDINANCE NO. 1873**

AN ORDINANCE OF THE CITY OF MONTROSE, COLORADO, ADOPTING THE 1997 UNIFORM FIRE CODE WITH CERTAIN AMENDMENTS.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MONTROSE, COLORADO, AS FOLLOWS:

**SECTION 1**      **Section 7-4-1 is hereby amended to read as follows:**

**7-4-1:      ADOPTION OF CODES**

- (A)      There is hereby adopted for the purpose of providing minimum standards to prevent fires, protect persons and property and to promote the public health, safety and welfare, The Uniform Fire Code, 1991-7Edition, including Appendix Chapters 1-A through VI-~~FI~~, and The Uniform Fire Code Standards, 19917Edition, both published by the International ~~Conference of Building Officials~~**Fire Code Institute, 5360 South Workman Mill Road, Whittier, California 90601**, the subject matter of which is comprehensive regulations for the prevention of fire. ~~(Ord. 1505, 4-7-94)~~
- (B)      One copy of each of the above codes are on file in the office of the City Clerk and may be inspected during regular business hours. **Additional copies are available for purchase.** ~~(Ord. 1505, 4-7-94)~~

**SECTION 2**      **Section 7-4-2 is hereby amended to read as follows:**

**7-4-2:      GENERAL PROVISIONS**

- (A)      The provisions of this Chapter and the Codes, adopted by reference herein, may be administered and enforced by the Chief of the Montrose Fire Protection District. The City Manager is also authorized to administer and enforce the provisions of this Chapter and the Codes adopted by reference in the event of the failure, refusal or inability of the Chief to do so, or as convenient and appropriate in conjunction with the administration and enforcement of City Building, Zoning, or other Ordinances and regulations.
- (B)      Whenever the word "jurisdiction" is used in The Uniform Fire Code, it shall

mean the City of Montrose, Colorado.

- (C) ~~The limits referred to in Section 79.501 of The Uniform Fire Code in which the storage of Class I and Class II liquids in above ground tanks outside of buildings is prohibited includes all residential, commercial and business zoning districts except the "B-3", General Commercial District.(Ord. 1505, 4-7-94).~~ The following amendments or clarifications to the Uniform Fire Code shall apply:

- (1) A new Section 103.3.5 is added to read as follows:

**103.3.5 Inspection Fees.**

A schedule of inspection fees shall be established by the Montrose Fire Protection District and approved by the City, which fee schedule may be amended from time to time upon prior City approval. The schedule shall be available at the Montrose Fire Protection District and the City of Montrose Engineering Department.

- (2) Section 103.4.1.1 is amended to read as follows:

**Section 103.4.1.1 Authorization to Issue Corrective Orders and Notices.**

When the Chief and or the City Engineer finds in any building or on any premises combustible, hazardous or explosive materials or dangerous accumulations of rubbish; or finds unnecessary accumulations of wastepaper, boxes, shavings or any highly flammable materials which are so situated as to endanger life or property; or finds obstructions to or on fire escapes, stairs, passageways, doors or windows that interfere with the operations of the Fire Department or the safe and emergent exit of occupants of such premises; or finds that the effectiveness of any exit door, attic separation or any fire separation wall is diminished so as to constitute a violation of this Code; or finds that this Code is being violated in any way, the Chief is authorized to issue corrective orders as necessary for the enforcement of these provisions.

- (3) Section 103.4.1.3 is amended to read as follows:

**Section 103.4.1.3 Stopping Uses Evacuation**

The Chief is authorized to order an operation or use stopped or the evacuation of any premises, building or vehicle or portion thereof which has or is a fire hazard or hazard to life.

- (4) Section 105.6 is amended by the addition of the following paragraph:

The requirements for permits from other agencies or departments shall not waive the requirements for permits required by this Code.

- (5) Section 105.8 is amended by the addition of the following paragraphs:

g.1. Gates. A Fire Department permit is required to install or alter a gate or gate operator which obstructs a fire apparatus access road.

x.1. Fire Extinguishing Systems and Equipment. A Fire Department permit is required to install, extend, or alter fire extinguishing systems and equipment; fire alarm systems, equipment and monitoring; smoke control systems and equipment

x.2. Spray Booths. A Fire Department permit is required to install, extend, or alter a spray booth.

x.3. Installation / Removal of aboveground and underground tanks. A Fire Department permit is required to install, extend, or alter aboveground or underground tanks used to contain flammable materials.

- (6) Article 2 Definitions is amended by the addition of the following terms and definitions:

**FALSE ALARM** is the activation or reporting, whether intentional or not intentional, of an alarm when no such alarm condition, fire or emergency actually exists.

**FIRE LANES** are Fire Apparatus Access Roads as designated by the Montrose Fire Protection District pursuant to UFC §901.4.2.

**FIREWOOD SALES & STORAGE OF WOOD** is any property used for the commercial sale or storage of firewood or wood

products

**KNOX BOX** is a key lock box, type specified by the Montrose Fire Protection District

**NUISANCE ALARM** is any alarm caused by mechanical failure, malfunction, improper installation, or lack of proper maintenance, or any alarm activated by a cause that cannot be determined.

**SMOKE CONTROL, DEDICATED SYSTEMS** are intended for the purpose of smoke control only. They include separate systems of air moving and distribution equipment that do not function under normal building operating conditions. Upon activation, these systems operate specifically to perform the smoke-control function.

**SMOKE CONTROL, NON-DEDICATED SYSTEMS** are those systems that share components with some other system(s) such as building HVAC systems. Activation causes the system to change its mode of operation to achieve the smoke-control objective.

**TUNNEL** is any thoroughfare, public way, walk way, or mechanical / electrical service conduit of dimensions to permit human occupancy for the purpose of service or repair, or conveyance of goods and persons, and which is constructed below grade and cannot be classified as the basement or first story of a building.

(7) A new Section 901.7 is added to read as follows:

901.7 Access Gates

901.7.1 Permit. A Fire Department Permit is required prior to installing a gate or gate operator, which may serve to obstruct a fire apparatus access road. All access gates will meet the specifications of the Montrose Fire Protection District.

(8) Section 1001.3 Plans is amended as follows:

1001.3.1. General. Complete plans and specifications for alarm systems; fire extinguishing systems, including automatic sprinklers

and wet/dry standpipes; halon systems and other special types of automatic fire extinguishing systems; basement pipe inlets; and other fire protection systems and appurtenances thereto shall be submitted to the Fire Department for review and be approved prior to system installation.

Approved plans shall be kept readily available on the job site.

All high rise, covered mall and atrium buildings, in addition to other major facilities as determined by the Chief, shall have a Fire and Life Safety Package Report submitted to the Fire Prevention Bureau and be approved prior to construction.

1001.3.2 Plans, Alarm Systems. Complete plans and specifications for alarm systems shall include, but not be limited to, a floor plan; location of all alarm-initiating and alarm-signaling devices; alarm control and trouble-signaling equipment; annunciation; power connection; battery calculations; conductor type and sizes; voltage drop calculations; and manufacturer, model numbers and listing information for all equipment, devices and materials.

- (9) Section 1001.5.2 Inspection and Testing is amended by adding one new sub-section as follows:

1001.5.2.1 Fire Protection System. All Fire Protection Systems shall be maintained in accordance with the provisions of the Colorado Division of Fire Safety. A copy of said inspection shall be mailed within 48 hours, to the Fire Prevention Bureau only when any deficiency of the system or violation of the Fire Code is noted. In the event a service/maintenance contract is canceled or not renewed, the Fire Prevention Bureau shall be notified by the service company within 24 hours.

- (10) Section 1001.5.3.1 Problematic Systems and Systems Out of Service is amended as follows:

In the event of a failure of a fire protection system or recurring false or nuisance alarm activation's, the Chief is authorized to require the building owner or occupant to provide firewatch personnel until the system is repaired.

(11) Section 1003.1.1 Fire Extinguishing Systems is amended as follows:

Main control valves for fire extinguishing systems shall be:

Located in a room with a one-hour occupancy separation and an exterior door, or equipped with exterior indicator posts (wall control valves)

(12) Section 1003.1.2 Fire Extinguishing Systems is amended as follows:

1003.1.2 Standards. Fire extinguishing systems shall be in accordance with the applicable NFPA Standards.

EXCEPTIONS:

1. No change-same as published in 97 UFC
2. Change the word "Building Official" to "City Engineer and or Fire Chief"
3. Occupancies that are not electrically monitored shall provide an approved identification sign below each outside horn and strobe, which reads WHEN ALARM SOUNDS - CALL 9-1-1. This sign shall be of durable material with permanent lettering having a 2" minimum height on a contrasting background.

(13) A new Section 4502.2.11 Location Prohibited is added as follows:

Section 4502.2.11 Location Prohibited. Spray booth(s) designed for utilizing flammable or combustible liquids, or the application of combustible powders regulated by Article 45 shall not be located outside of buildings.

(14) Section 4901.1 Hot Work, Scope is amended by adding a new second exception as follows:

EXCEPTION 2 Group R-3 and U occupancies

(15) Section 7701.7.2 Explosive Materials, Limits Established by Law is amended as follows:

Explosive materials shall be stored only in areas zoned and approved for such use and shall be subject to approval by the Fire Chief.

- (16) A new Section 7801.3.3 Fireworks, Permits for Sale and Storage of Fireworks is added as follows:

The Sale and Storage and Public Display of fireworks within the City limits shall require a permit by the Montrose Fire Protection District.

- (17) Article 90 Standards is amended by adding a new Section as follows:

Section 9004 - NFPA Standards

The most current editions of the National Fire Protection Association (NFPA) Standards referenced in this section are declared to be part of this code as if set forth in full herein.

NATIONAL FIRE PROTECTION ASSOCIATION STANDARDS

NFPA 10; Portable Fire Extinguishers, 1997 Edition

NFPA 13; Installation of Sprinkler Systems, 1996 Edition

NFPA 13D; Installation of Sprinkler Systems in One- and Two-Family Dwellings and Mobile Homes, 1996 Edition

NFPA 13R; Sprinkler Systems in Residential Occupancies up to and including four Stories in Height, 1996 Edition

NFPA 14; Installation of Standpipe and Hose Systems, 1996 Edition

NFPA 17; Dry Chemical Extinguishing Systems, 1994 Edition

NFPA 17A; Wet Chemical Extinguishing Systems, 1994 Edition

NFPA 20; Installation of Centrifugal Fire Pumps, 1996 Edition

NFPA 22; Water Tanks for Private Fire Protection, 1996 Edition

NFPA 24; Installation of Private Fire Service Mains and Their Appurtenances, 1995 Edition

NFPA 25; Inspection, Testing and Maintenance of Water-Based Fire

Protection Systems, 1995 Edition

NFPA 72; National Fire Alarm Code, 1996 Edition

NFPA 92A. Smoke Control Systems, 1996 Edition

NFPA 92B; Smoke Management Systems in Malls, Atria, Large Areas, 1995 Edition

NFPA 96; Ventilation Control and Fire Protection of Commercial Cooking Operations; 1994 Edition

NFPA 99C; Standard on Gas and Vacuum Systems, 1996 Edition

NFPA 110; Emergency and Standby Power Systems, 1996 Edition

NFPA 231; General Storage, 1995 Edition

NFPA 231C; Rack Storage of Materials, 1995 Edition

NFPA 231D; Storage of Rubber Tires, 1994 Edition

NFPA 231F; Storage of Rolled Paper, 1995 Edition

NFPA 1123; Outdoor Display of Fireworks, 1995 Edition

NFPA 1126; Use of Pyrotechnics before a Proximate Audience, 1996 Edition

NFPA 2001; Clean Agent Fire Extinguishing Systems, 1996 Edition

- (18) Appendix III-B Fire Hydrants and Distributions is amended as follows:

Section 3 Fire Hydrant Distribution

The number and spacing of fire hydrants shall meet the approval of the Fire Chief. Fire hydrants shall be located adjacent to and accessible from fire apparatus access roads. Fire hydrants shall be spaced along fire apparatus access roads as follows:

1. In developments wherein all lots are at least one acre but less than three acres in area, and the fire-flow requirement is equal

to 1,750 gpm or less, a minimum of one fire hydrant shall be placed an average of every one thousand (1,000) feet.

2. In developments where all lots are three acres or more and the fire-flow requirement is equal to 1,750 gpm or less, a minimum of one fire hydrant shall be placed an average of every fifteen hundred (1,500) feet.
3. In developments where any lots are less than one acre and the fire-flow requirements is equal to 1,750 gpm or less, Appendix III-B and the accompanying Table A-III-B-1 shall apply.
4. Any changes in lot sizes of developments shall trigger the applicable requirements herein.

The following appendices are adopted by reference:

I-C Stairway Identification; II-B Protection of Flammable and Combustible Liquid Tanks in Locations Subject to Flooding; II-C Marinas; II-D Rifle Ranges; II-E Hazardous Materials Management Plans and Hazardous Materials Inventory Statements; II-F Protected Aboveground Tanks for Motor Vehicle Fuel-Dispensing Stations Outside Buildings; II-G Secondary Containment for Underground Tank Systems Containing Flammable or Combustible Liquids; II-H Site Assessments for Determining Potential Fire and Explosion Risks from Underground Flammable or Combustible Liquid Tank Leaks; II-I Ozone Gas- Generating Equipment; II-J Storage of Flammable and Combustible Liquids in Tanks Located with Below-Grade Vaults; III-A Fire Flow Requirements for Buildings; III-B Fire Hydrant Locations and Distribution; VI-A Hazardous Materials Classification; VI-B Hazard Ranking; VI-C Emergency Relief Venting for Fire Exposure for Aboveground Tanks; and VI-F Recommended Separation Distances for Explosive Materials.

**(D)** ~~The limits referred to in Section 82.104(b) of The Uniform Fire Code in which the storage of liquified petroleum gas is restricted are hereby established as follows:~~

~~All Business, Commercial and Residential Zoning Districts except "B-3", General Commercial Districts. (Ord. 1505, 4-7-94)~~

If there is any conflict of any provisions of this Chapter or any Codes adopted by reference herein with any other provision of any ordinance of the City or other applicable State or Federal Regulations, those regulations providing the more stringent or more strict requirements shall apply.

- ~~(E) The limits referred to in Section 77.107(a) of The Uniform Fire Code in which the storage of explosives and blasting agents is prohibited are hereby established as follows:~~

~~The entire City except for "I 2" General Industrial Districts. (Ord. 1505. 4-7-94)~~

- ~~(F) If there is any conflict of any provisions of this Chapter or any Codes adopted by reference herein with any other provision of any ordinance of the City or other applicable State or Federal Regulations, those regulations providing the more stringent or more strict requirements shall apply. (Ord. 1257, 11-15-84)~~

**SECTION 3. A new Chapter 6-6 is hereby added:**

**CHAPTER 6**

**OPEN BURNING**

**6-6-1: GENERAL PROVISIONS**

It shall be unlawful for the owner, lessee or occupant of any property to burn or allow the burning of rubbish, wastepaper, wood, or other flammable material on any open premises, or on any public street, alley, or other land adjacent to such premises, subject to the following exemptions:

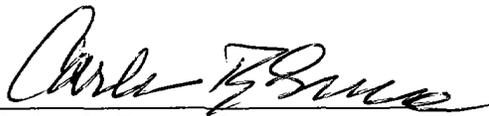
- (A) Open burning may be allowed, subject to the issuance of permit by the Montrose Fire Protection District in accordance with Sections 1101, 1102 and 1103 of the 1997 Uniform Fire Code, for the following uses:
- (1) agricultural open burning, defined as the open burning of cover vegetation for the purpose of preparing the soil for crop production, weed control, and other agricultural cultivation purposes;
  - (2) fires for instructional or training purposes;

- (B) Open burning may be allowed, without permit by the Montrose Fire Protection District, for fires used exclusively for the cooking of food for persons, when the following criteria are all met:
- (1) Such burning is limited in scope, intensity and duration to that minimally necessary to accomplish such purposes;
  - (2) Such burning is confined to metallic barbeque pits, metallic barbeque equipment and other metallic food heat-processing equipment;
  - (3) Fire-extinguishing equipment must be readily available; and
  - (4) The burning is constantly attended by a person knowledgeable in the use of the fire-extinguishing equipment.
- (C) Open burning in violation of the requirements set forth herein is hereby declared to be a nuisance and subject to abatement action by the City in any lawful manner including the procedures specified in Chapter 4 of this Title.

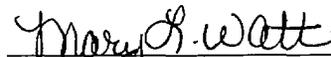
**SECTION 4:**

If any provision of this Ordinance or the application thereof to any person or circumstances is held invalid, such invalidity shall not affect other provisions or applications of the Ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this Ordinance are declared to be severable.

INTRODUCED, READ and PASSED on first reading this 6<sup>th</sup> day of December, 2001.

  
Carlos R. Guara, Mayor

ATTEST:

  
Mary L. Watt, City Clerk

You will please take notice that the Montrose City Council will hold a hearing upon the above Ordinance and on the question of its adoption on second reading on Thursday, 12-20, 2001 at the hour of 7:00 p.m. at Montrose City Hall in Montrose, Colorado.

INTRODUCED, READ and ADOPTED on second reading this \_\_\_\_\_ day of \_\_\_\_\_, 2001.

\_\_\_\_\_  
Carlos R. Guara, Mayor

ATTEST:

\_\_\_\_\_  
Mary L. Watt, City Clerk