

**TOWN OF EATON, COLORADO
ORDINANCE NO. 626**

**AN ORDINANCE AMENDING SECTION 6-1-6 OF SECTION I OF
CHAPTER VI OF THE EATON MUNICIPAL CODE TO ADOPT THE
INTERNATIONAL FIRE CODE, 2018 EDITION.**

WHEREAS, the Town of Eaton, Colorado (“Town”) is a municipal corporation duly organized and existing under the Constitution and laws of the State of Colorado; and

WHEREAS, the Town Board of Trustees (“Town Board”) is vested with the authority to administer the affairs of the Town; and

WHEREAS, by Resolution 2022-002, the Eaton Fire Protection District, a quasi-municipal corporation and political subdivision of the State of Colorado, adopted the International Fire Code, 2018 edition, with amendments; and

WHEREAS, pursuant to Section I of Chapter VI of the Eaton Municipal Code and Title 31, Article 16, Part 2, C.R.S., and for consistency within the boundaries of the Town, the Town Board similarly desires to adopt the International Fire Code, 2018 edition, with amendments; and

WHEREAS, the Town Board finds, determines and declares that this Ordinance is promulgated under the general police power of the Town, is promulgated for the preservation of public health, welfare, peace, safety and property and is in the best interests of the Town of Eaton.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN BOARD OF TRUSTEES OF THE TOWN OF EATON, COLORADO, THAT:

Section 1. **Repeal and Readoption of Section 6-1-6.** Section 6-1-6 of the Eaton Municipal Code is hereby be repealed in its entirety and readopted to read as follows in its entirety:

Sec. 6-1-6. International Fire Code.

There is hereby adopted by the Town for the purpose of prescribing regulations governing conditions hazardous to life and property from fire, hazardous materials or explosion, that certain codes and standards known as the International Fire Code, including Appendix Chapters. As published by the International Code Council, being particularly the 2018 editions thereof and the whole thereof, save and except such portions as are hereinafter deleted, modified or amended, the same are hereby adopted and incorporated as fully as if set forth herein.

- A. Establishment and Duties of Fire Prevention. Organizational structure and duties of the Fire Prevention Bureau or Division, if any, shall be as provided by the Eaton Fire Protection District’s policies and/or directives.

B. Amendments. The following articles, sections, divisions, subsections and appendices of the International Fire Code, 2018 edition, are hereby added, amended, deleted and renumbered, except as noted, to read as follows:

- (1) *Section 101.1 Title* is hereby amended to read as follows:

101.1 Title. These regulations shall be known as the Fire Code of the Eaton Fire Protection District, adopted by the Town of Eaton, hereinafter referred to as “this code”.

- (2) *Section 105.6 Required operational permits* is hereby amended to read as follows:

105.6 Required operational permits. The Fire Code Official may require and issue an operational permit(s) for the operations set forth in Sections 105.6.1 through 105.6.50.

- (3) A new *subsection 105.36.1 Standby emergency medical services* is hereby added and reads in its entirety as follows:

105.36.1 Standby emergency medical services. Public assembly events that require a special event permit from the District shall provide appropriate and approved ambulance standby services in accordance with the applicable Weld County Code and the current policies and procedures of the District.

- (4) *Section 109.1 Board of appeals established* is hereby amended to read as follows:

109.1 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 and is hereby created a board of appeals. The board of appeals shall be the Board of Directors of the Eaton Fire Protection District. The board shall adopt rules of procedure for conducting its business, and shall render all decisions and findings in writing to the appellant with a duplicate copy to the fire code official.

- (5) A new *subsection 109.1.1 Appeal procedure* is hereby added and reads in its entirety as follows:

109.1.1 Appeal procedure. To request a hearing before the board of appeals, the applicant shall file a request in writing to the Fire Chief. The Fire Chief shall arrange for the board of appeals to meet within 10 working days from the receipt of the request.

- (6) *Section 110.4 Violation penalties* is hereby amended to read as follows:

110.4 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, or of a permit or certificate used under provisions of this code, shall be guilty of a misdemeanor, or by imprisonment or both such fine and imprisonment as determined by the court. The imposition of one (1) penalty for any violation shall not excuse the violation or permit to continue, and all persons shall be required to correct or remedy the violations or defects. The application of any penalty pursuant thereto shall not be held to prevent the enforced removal of prohibited conditions nor the suspension or

removal of a permit or license issued thereunder. Each day that a violation continues is deemed a separate offense.

- (7) A new *subsection 110.4.2 Assistance from other agencies* is hereby added and reads in its entirety as follows:

110.4.2 Assistance from other agencies. Police and other enforcement agencies shall have authority to render necessary assistance in the issuance of a misdemeanor and associated penalties, costs and orders that follow under the International Fire Code 2018 Edition along with the approved amendments outlined in this document.

- (8) *Section 112.4 Failure to comply* is hereby amended to read as follows:

112.4 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 as determined by the court.

- (9) *Section 202. Definitions*, terms are hereby amended or added in alphabetical sequence in the following respects:

“Board” shall mean the Board of Directors of the Eaton Fire Protection District.

“Board of Appeals” shall refer to the Board of Directors of the Eaton Fire Protection District.

“Bureau of Fire Prevention” shall mean either the entire Fire Prevention Division or those employees designated by the Chief to carry out enforcement duties relating to the prevention of fires and suspicion of arson.

“Chief” or “Chief of the Bureau of Fire Prevention” shall mean the Chief of the Eaton Fire Prevention District, or a designated member of the District.

“District” shall mean the Eaton Fire Protection District.

“Jurisdiction” shall mean the boundaries of the Eaton Fire Protection District as they now or may hereafter exist.

“Rural” shall be held to mean the geographic area as determined by the fire code official that traditionally has had limited fire flow.

“Urban” shall be held to mean the geographic area as determined by the fire code official that traditionally has had adequate fire flow.

- (10) *Section 307.1.1 Prohibited open burning* is hereby amended and reads as follows:

307.1.1 Prohibited open burning. Open burning shall be prohibited when atmospheric conditions or local circumstances make such fire hazardous. Open burning shall be specifically prohibited during active Red Flag Warnings.

- (11) *Section 307.2 Permit required* is hereby amended and reads as follows:

307.2 Permit required. A permit shall be obtained from the County Health Department of jurisdiction in accordance with Section 105.6.32 prior to kindling a fire for recognized silvicultural or range or wildlife management practices, prevention or control of disease or pests. Application for such approval shall only be presented by and permits issued to the owner of the land, or owner's designated agent, on which the fire is to be kindled.

- (12) New *Section 319.11 Mobile food preparation vehicle inspections* is hereby added and reads in its entirety as follows:

319.11 Mobile food preparation vehicle inspections. Mobile food preparation vehicle inspections shall be in accordance with this section and section 107. Inspections shall be conducted annually by an approved *fire code official* or by another approved local fire department that has completed an annual inspection. The owner or owner's representative must produce an incompliance annual inspection for that specific year. The fee for a mobile food preparation vehicle annual inspection in Eaton Fire Protection District is \$75.00. The fee is subject to change in accordance with neighboring fire jurisdictions.

- (13) *Section 503.2 Specification* is hereby amended and reads as follows:

503.2 Specifications. Fire apparatus access roads shall be installed and arranged in accordance with Section 503.2.1 through 503.2.8 and Appendix D of this code.

- (14) *Section 505.1 Address identification* is hereby amended and *subsections 505.1.1 and 505.1.2* is hereby added and reads in its entirety as follows:

505.1 Address identification. New and existing buildings and facilities shall be provided with *approved* address identification assigned by the governmental entity having jurisdiction. The address identification shall be legible and placed in a position that is visible from the street or road fronting the property. Address identification characters shall contrast with their background. Address numbers shall be Arabic numbers or alphabetical letters. Numbers shall not be spelled out. Each character shall be not less than 4 inches (102mm) high with a minimum stroke width of ½ inch (12.7mm) and shall comply with sections 505.1.1 and 505.1.2. Where required by the *fire code official*, address identification shall be provided in additional approved locations to facilitate emergency response. Where access by means of a private road and the building cannot be viewed from the public way, a monument, pole or other sign or means shall be used to identify the structure. Address identification shall be maintained by the property owner.

505.1.1 Size of address numbers. Address numbers shall be sized as follows:

1. One- and two-family homes shall have minimum 4-inch-high address numbers, with a minimum stroke width of ½ inch.
2. New multi-family or commercial buildings and facilities shall have minimum 6-inch-high numbers, with a minimum stroke width of 1 inch.
3. Individual unit or suite addresses in multi-family or commercial buildings shall be displayed with minimum 4-inch-high numbers, with a minimum stroke width of ½ inch.
4. New buildings three or more stories in height, or new buildings with a floor area of 15,000 square feet or more, shall have minimum 8-inch-high numbers, with a minimum stroke width of 1 inch.

505.1.2 Placement of address. The address numerals for any commercial or industrial buildings shall be placed at a height to be clearly visible from the street. Where required by the *fire code official*, address identification shall be provided in additional, approved locations to facilitate emergency response.

- (15) *Section 507.5 Fire hydrant systems* is hereby amended and reads as follows:

507.5 Fire hydrant systems. Fire hydrant systems shall comply with Sections 507.5.1 through 507.5.6, and Appendix C of this code.

- (16) *Section 507.5.1 Where required under Exceptions* is hereby added to read as follows:

Exceptions:

5. The *fire code official* may allow an alternate, approved means of water supply in accordance with NFPA 1142: *Standard on Water Supplies for Suburban and Rural Fire Fighting*.

- (17) *Section 903.2.8 Group R* is hereby 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 commercial buildings with a Group R fire area, unless otherwise regulated by local ordinance.

- (18) *Section 1206.2 Stationary storage battery systems* is hereby amended to read as follows:

1206.2 Stationary storage battery systems. Stationary storage battery systems having capacities exceeding the values shown in Table 1206.2 shall comply with section 1206.2.1 through 1206.2.12.6, as applicable. Installation of stationary energy storage systems shall comply with *NFPA 855 Standard for the Installation of Stationary Energy Storage Systems*.

- (19) *Section 5601.1.3 Fireworks* is hereby amended to read as follows:

5601.1.3 Fireworks. The possession, manufacture, storage, sale, handling and use of fireworks are prohibited unless permitted by state and local laws.

- (20) *Section 5601.1.3 Fireworks under Exceptions* is hereby amended to read as follows:

Exceptions:

6. The possession, storage, sale, handling and use of Permissible Fireworks in accordance with state statute and local municipal codes.

- (21) *Section 5601.2.2 Sale and retail display* is hereby amended to read as follows:

5601.2.2 Sale and retail display. Persons shall not construct a retail display nor offer for sale explosives, explosive materials or fireworks on highways, sidewalks, public property or in any permanent building.

- (22) *Section 5602 Definitions* is hereby amended with the addition of the following definition:

Permissible Fireworks. As defined in Colorado Revised Statutes, 12-28-101 § CRS.

- (23) *Section 5704.2.9.6.1 Locations where above-ground tanks are prohibited* is hereby amended to read as follows:

5704.2.9.6.1 Locations where above-ground tanks are prohibited. Storage of Class I and II liquids in above-ground tanks outside of buildings is prohibited within the limits established by law as follows:

1. As addressed by ordinance and/or zoning regulation adopted by a branch of local government within the District.
2. Any area within unincorporated parts of the District which are not zoned industrial or agricultural by the zoning ordinance of Weld County.

- (24) *Subsection 5704.2.14.1 Removal* is hereby added to and reads as follows:

7. Removal of above-ground and underground tanks shall be in accordance with the International Fire Code, federal, state and local regulations.

- (25) *Section 5706.2.4.4 Locations where above-ground tanks are prohibited* is hereby amended to read as follows:

5706.2.4.4 Locations where above-ground tanks are prohibited. The storage of Class I and II liquids in above-ground or underground tanks outside of buildings is prohibited within the limits established as follows:

1. As addressed by ordinance and/or zoning regulation adopted by a branch of local government within the District.
2. Any area within unincorporated parts of the District which are not zoned industrial or agricultural by the zoning ordinance of Weld County.

- (26) *Section 5706.3 Well drilling and operating* is hereby added to and reads as follows:

5706.3.9 Portable fire extinguishers. Portable fire extinguishers shall be located throughout the site in accordance with Colorado Oil and Gas Conservation Commission (COGCC) series 600 rules and in locations approved by the fire code official.

5706.3.10 Identification of hazards. All hazardous material tanks or containers shall be appropriately labeled in accordance with NFPA 704, or other standard as approved by the fire code official. All hazard markings shall be maintained by the operator.

5706.3.11 Access roads. All access roads to well drilling and operating facilities shall comply with Section 503.1 and Appendix D of this code, and the established Weld County access road requirements and processes.

5706.3.12 Facility security. All fences and gates installed to provide facility security shall comply with Section 503.6 of this code. The code official may require a Knox Box, Knox Switch, or Knox Padlock to be installed by the operator to provide fire department access to the site if the operator does not have other approved methods in place to provide fire department access.

5706.3.13 Safety regulations. All oil and gas locations shall comply with all Colorado Oil and Gas Conservation Commission (COGCC) rules and regulations. COGCC Series 600 shall be specifically addressed for all site safety requirements.

(27) *Section 5806.2 Limitations* is hereby amended and reads as follows:

5806.2 Limitations. Storage of flammable cryogenic fluids in stationary containers outside of buildings is prohibited within the limits established as follows:

1. As addressed by ordinance and/or zoning regulation adopted by branch of local government within the District.
2. Any area within unincorporated parts of the District which are not zoned industrial or agricultural by the zoning ordinance of Weld County.

(28) *Section 6104.2 Maximum capacity within established limits* is hereby amended and reads as follows:

6104.2 Maximum capacity within established limits. Within the limits established by law restricting the storage of liquefied petroleum gas for the protection of heavily populated or congested areas, the aggregate capacity of any one installation shall not exceed a water capacity of 2,000 gallons (7570 L) or the following limits, whichever is more restrictive:

1. As addressed by ordinance and/or zoning regulation adopted by a branch of local government within the District.
2. Any area within unincorporated parts of the District which are not zoned industrial or agricultural by the zoning ordinance of Weld County.

Exception: In particular installations, this capacity limit shall be determined by the fire code official, after consideration of special features such as topographical conditions, nature of occupancy, and proximity to buildings, capacity of proposed LP-gas containers, degree of fire protection to be provided and capabilities of the local fire department. These provisions shall not be interpreted so as to conflict with the provisions of Colorado Revised Statutes Title 8, Article 20 or Title 34 as amended. In the event of any conflict, the more restrictive provision shall prevail.

(29) *Chapter 80 Referenced Standards* is hereby amended by adding the following additional referenced standard in alphabetical and numerical sequence:

COGCC

Colorado Oil and Gas Conservation Commission
1120 Lincoln Street, suite 801
Denver, CO 80203

Rules and regulations: Series 600 Safety and Facility Operations
Regulations
610. Fire Prevention and Protection – 610 q
Referenced in Section 5706.3.9

Rules and regulations: Series 600 Safety and Facility Operations
Regulations
Referenced in section 5706.3.12

CRS

Colorado Revised Statutes
Colorado General Assembly
200 E. Colfax Avenue
Denver, CO 80203

CRS part 20 article 33.5 to title 24. Definition.
Referenced in Section 5601.2.2
CRS article 20 title 8. Division of Oil and Public Safety.
Referenced Section 6104.2 Exception
CRS Title 34 Mineral Resources.
Referenced in Section 6104.2 Exception

NFPA – 17

National Fire Protection Association
1 Batterymarch Par
Quincy, MA 02169-7471

NFPA 1142: Standard on Water Supplies for Suburban and Rural
Firefighting
Referenced in Section 507.5.1

NFPA – 855

National Fire Protection
1 Batterymarch Par
Quincy, MA 02169-7471

NFPA 855: Standard for the Installation of Stationary Energy Storage
Systems
Referenced in Section 1206.2

(30) *Appendix A Board of Appeals* is hereby adopted in its entirety.

(31) *Appendix B Fire-Flow Requirements for Buildings* is hereby adopted and amended and reads as follows:

Section B105.1 One- and two- family dwellings, group R-3 and R-4 buildings and townhouses is hereby deleted to be replaced with B105.1, B105.1.1 and Table B105.2(1) that reads as follows:

B105.1 One- and two-family dwellings. The minimum fire-flow for one- and two-family dwellings shall be calculated by Table B102.2(1).

B105.1.1 Group R-3 and R-4 Buildings and townhouses. Group R-3 and R-4 buildings and townhouses shall be as specified in Tables B105.1(1) and B105.1(2).

Exception: Buildings that do not contain more than two dwelling units.

Table B105.2(1)
Water Flow and Duration for One- and Two- Family Dwelling

Type	Fire-flow requirements (GPM)	Flow duration (hours)	Hydrant spacing (feet) ^A	Maximum distance from a structure to a hydrant (feet)
Urban one- and two-family dwelling	1000	1	600	300
Rural one- and two-family dwelling	500	1	TBD ^B	TBD ^B

^A Reduce by 100 feet for dead-end streets or roads.

^B To Be Determined (TBD) based on water supply and alternative methods as mentioned in 903.1.1, 904.2 and B105.4.

Section B105 Fire-flow requirements for buildings is hereby added to and reads as follows:

B105.4 Fire flow agreement. In locations throughout the District where required fire flows cannot be provided, Eaton Fire Protection District may enter into a written agreements in accordance with 903.1.1 and 904.2. Said agreement will provide enforcement and compliance with the owner, lessee, occupant, or authorized agent thereof, or any property building or structure, or interested person directly affected by the application of this code. Said agreements may extend the time for compliance with this code, and may contain such terms and conditions that the *fire code official* deems appropriate to adequately protect the life, health, property, security and welfare of the general public. However, said agreement may expire once the infrastructure improvements for water lines in Eaton Fire Protection District have been made available for building or portions of building.

- (32) *Appendix C Fire hydrant locations and distribution* is hereby adopted and amended and reads as follows:

Section C102 Number of fire hydrants is hereby amended and reads as follows:

C102.1 Minimum number of fire hydrants for a building. The number of fire hydrants available to a building shall be not less than the minimum specified in Table C102.1 and Table B105.2(1).

Section C106 Placement of fire hydrants is hereby added and reads as follows:

C106 Placement of Fire Hydrants.

1. Hydrants shall not be more than 10 feet from an approved fire access or roadway. The grade from the roadway or access and the hydrant shall be near to level.
2. Hydrants in developments without a grid type street design will be based upon an evaluation by the fire department to ensure operational needs.

3. Hydrants in dead end streets shall be based upon the distance of the street from the intersection to the end of the street.
4. Hydrants at the end of dead-end streets where the water line is a dead end shall be used as a blowout and it is not credited for use in firefighting operations.
 - a. Blowouts shall be designed to ensure that the blowout will not adversely affect fire-fighting operations due to failure. (2" single outlet with a 2" valve off of the main water line with a like seal such as the Waterous Pacer with equivalent pressure ratings and an isolated resilient wedge valve).
5. Streets and islands may require additional hydrants unless the hydrants are placed in the island.

(33) *Appendix D Fire apparatus access roads* is hereby adopted in its entirety.

(34) *Appendix E Hazard categories* is hereby adopted in its entirety.

(35) *Appendix F Hazard ranking* is hereby adopted in its entirety.

(36) *Appendix G Cryogenic fluids-weight and volume equivalents* is hereby adopted in its entirety.

(37) *Appendix H Hazardous materials management plan (HMMP) and hazardous materials inventory statement (HMIS) instructions* is hereby adopted in its entirety.

(38) *Appendix I Fire protection systems-noncompliant conditions* is hereby adopted in its entirety.

Section 2. Severability. If any part or provision of this Ordinance, or its application to any person or circumstance, is adjudged to be invalid or unenforceable, the invalidity or unenforceability of such part, provision, or application shall not affect any of the remaining parts, provisions or applications of this Ordinance that can be given effect without the invalid provision, part or application, and to this end the provisions and parts of this Ordinance are declared to be severable.

Section 3. Repealer. All prior ordinances or resolutions enacted by the Town or parts thereof conflicting or inconsistent with the provisions of this Ordinance are hereby repealed, except that this repealer shall not repeal the repealer clauses of such other ordinances or resolutions nor revive any such ordinance or resolution.

Section 4. Code revisions. Minor changes such as the format and other changes to unify the revised Code may be necessary. The Town Clerk is hereby authorized to make such changes, provided that neither the intent nor substantive content will be altered by such changes.

Section 5. Effective Date. This Ordinance shall be effective thirty (30) days after its publication. The Town Clerk shall certify the date of publication and such certification shall be maintained with the original of this Ordinance. The Town Clerk shall make not less than three copies of the adopted Town Code available for inspection by the public during regular business hours.

INTRODUCED, AND APPROVED on first reading by the Board of Trustees of the Town of Eaton, Colorado, this 20th day of October, 2022.

TOWN OF EATON, COLORADO

ATTEST:

By: _____
Margaret Jane Winter, Town Clerk

By: _____
Scott E. Moser, Mayor

PASSED UPON FINAL APPROVAL AND ADOPTED on second reading by the Board of Trustees of the Town of Eaton, Colorado, this 17th day of November, 2022.

TOWN OF EATON, COLORADO

ATTEST:

By: _____
Margaret Jane Winter, Town Clerk

By: _____
Scott E. Moser, Mayor