

MEMORANDUM

TO: Honorable Chairman and Members of the Board of County Commissioners

FROM: Kate Newman, Acting County Manager 

RE: Building Safety - Ordinance Adopting Policy Manual Part 3, Chapter 8, Section 3 Regulating The International Fire Code (2018 Edition), Minimum Fire Safety Standard- First Reading to Set Public Hearing for and Order the Ordinance Published

DATE: January 31, 2023

Staff Recommendation: WHEREAS, by virtue of Section 30-15-401, C.R.S., the Board of County Commissioners (BCC) has the power to adopt ordinances for the control of matters of purely local concern, and do all acts and make all regulations which may be necessary or expedient for the promotion of the health, safety and welfare of its citizens, and

WHEREAS, the Colorado Legislature passed SB 21-271, the Misdemeanor Reform Bill, and

WHEREAS, Staff is proposing to amend the International Fire Code Ordinance (2018 Edition), Minimum Fire Safety Standard to comply with state statute.

NOW THEREFORE, BE IT RESOLVED, that the BCC hereby introduces and reads by title the Ordinance entitled "An Ordinance Adopting Policy Part 3, Chapter 8, Section 3 International Fire Code (2018 Edition), Minimum Fire Safety Standard,"

FURTHER RESOLVED, that a public hearing for consideration of the adoption of this Ordinance is hereby set for February 21, 2023.

FURTHER RESOLVED, that the Clerk to the Board shall have the ordinance published in full in a newspaper of general circulation at least 10 days before the public hearing.

Resolution No. CC23-028

Background:

The Misdemeanor Reform Bill impacted several county ordinances. Proposed amendments will bring the International Fire Code (2018 Edition), Minimum Fire Safety Standard Ordinance into compliance with state statute. Provisions of this ordinance have become civil matters.

Fiscal Impact: The proposed ordinance changes may result in increases or decreases to associated revenue, with potential changes varying year to year.

BCC Briefing Presented on: January 10, 2023

Originator: Kate Newman

Distribution: Carey Markel, Deputy County Attorney; Becky Baker, Director of Building Safety

ORDINANCE

An Ordinance Adopting Policy Part 3, Chapter 8, Section 3 Regulating the International Fire Code (2018 Edition), Minimum Fire Safety Standard

Title: Regulatory Policy The International Fire Code (2018 Edition), Minimum Fire Safety Standard	Policy No. Part 3, Regulations Chapter 8, Property Section 3
	Effective Date
Policy Custodian Building Safety	Adoption/Revision Date

Adopting Resolution(s):

References (Statutes/Resos/Policies): C.R.S. § 30-15-401.5; CC13-326, CC15-490, CC16-014, CC18-338. CC18-365

Purpose: An Ordinance, pursuant to the authority granted by C.R.S. § 30-15-401.5, adopting the International Fire Code (2018 Edition) as the minimum fire safety standard within unincorporated Jefferson County.

Policy: The International Fire Code (2018 Edition), Minimum Fire Safety Standards

A. Adoption

The 2018 edition of the International Fire Code, as promulgated by the International Code Council, with Appendices E, F and G only (the "Fire Code") shall serve as the minimum fire safety standards for unincorporated Jefferson County. The full text of the 2018 edition of the International Fire Code is incorporated into this Ordinance as if fully set forth herein, save and except for Appendices A-D and H-N, which are expressly excluded from the Fire Code.

B. Application

1. The Fire Code shall be controlling within the limits of unincorporated Jefferson County to the maximum extent permitted by law.
2. If any fire protection district (or other special district that provides fire protection) organized pursuant to C.R.S., Title 32 adopts its own fire code and such code is approved by the Board of County Commissioners, such code shall be controlling in the unincorporated areas of Jefferson County within the boundaries of the special district.

C. Enforcement

1. Fire protection districts organized pursuant to C.R.S. Title 32 who have adopted the Fire Code shall enforce the Fire Code within their respective jurisdictions.

2. The Jefferson County Sheriff's Office shall enforce the Fire Code in areas of unincorporated Jefferson County that are not within the jurisdiction of a fire protection district.
3. Any decision of the Sheriff based on or made in the enforcement of the Fire Code (including any decision to disapprove an application or refuse to grant a permit applied for, or when it is claimed that the provisions of the Fire Code do not apply or that the true intent and meaning of the Fire Code has been misconstrued or wrongly interpreted) may be appealed to the Board of Appeals within 30 days from the date of the decision appealed. The Board of Appeals shall be the Jefferson County Board of Review.

D. Violations

Any person who violates any of the provisions of the Fire Code commits a civil infraction and, upon conviction thereof, such person shall be punished by a fine of not more than \$1000 for each separate violation, which shall be collected by the Treasurer of Jefferson County and paid into the treasury of Jefferson County. As provided in C.R.S. § 30-15-402(2), any person convicted of violating any of the provisions of the Fire Code shall also pay a \$10 surcharge, which shall be collected by the clerk of the court and transmitted to the court administrator of the judicial district in which the offense occurred for credit to the victims and witnesses assistance and law enforcement fund.

E. Severability

Should any provision of this Ordinance or the Fire Code be adjudged by any court of competent jurisdiction to be invalid for any reason, such judgment shall not affect, impair or invalidate this Ordinance or the Fire Code as a whole or any part thereof other than the part declared to be invalid.

F. Prior Ordinances

This Ordinance shall supersede all prior Ordinances addressing The International Fire Code, Minimum Fire Safety Standards.