


M E M O R A N D U M

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 The International Fire Code (2018 Edition), Minimum Fire Safety Standard

DATE: February 21, 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 to 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, the Board of County Commissioners of Jefferson County hereby finds that an amendment to its current International Fire Code (2018 Edition), Minimum Fire Safety Standard Ordinance is necessary, and

WHEREAS, the International Fire Code (2018 Edition), Minimum Fire Safety Standard (2018 Edition) Ordinance, including the proposed amendments thereto, was introduced and read into the record at a public hearing of the Board of County Commissioners of Jefferson County on January 31, 2023, and

WHEREAS the International Fire Code (2018 Edition), Minimum Fire Safety Standard Ordinance, including the proposed amendments thereto, was published in full in the Golden Transcript, a newspaper of general circulation published in Jefferson County, on February 9, 2023, and

WHEREAS, a public hearing for consideration of the adoption of the proposed amendments to the International Fire Code (2018 Edition), Minimum Fire Safety Standard Ordinance was held on February 21, 2023 at 8:00 a.m., and

NOW THEREFORE, BE IT ORDAINED, that the International Fire Code (2018 Edition), Minimum Fire Safety Standard Ordinance, as amended, is hereby adopted by the Board

of County Commissioners of Jefferson County in the form attached hereto, and the Chairman of the Board of County Commissioners is authorized to authenticate the amended ordinance by his/her signature on the face thereof.

BE IT FURTHER RESOLVED that the Clerk and Recorder shall record the International Fire Code (2018 Edition), Minimum Fire Safety Standard Ordinance, as amended, in a book kept for that purpose.

BE IT FURTHER RESOLVED that the International Fire Code (2018 Edition), Minimum Fire Safety Standard Ordinance, as amended, shall be published by title only in a newspaper of general circulation published in Jefferson County in accordance with the requirements of C.R.S. Section 30-15-405.

BE IT FURTHER RESOLVED that the International Fire Code (2018 Edition), Minimum Fire Safety Standard Ordinance, as amended, shall take effect on April 10, 2023, or 30 days after publication of the title of the ordinance, whichever date occurs last.

Resolution No. 10.4

Background:

The Misdemeanor Reform Bill, SB 21-271, 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, by Kate Newman

BCC First Reading Presented on: January 31, 2023, by Kate Newman

Originator: Kate Newman, Acting County Manager

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

ORDINANCE

An Ordinance Adopting Policy Part 3, Chapter 8, Section 3 The International Fire Code (2018 Edition), Minimum Fire Safety Standard. BE IT ORDAINED by the Board of County Commissioners of Jefferson County, Colorado as follows:

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 April 10, 2023
Policy Custodian Building Safety	Adoption/Revision Date February 21, 2023

Adopting Resolution(s):

References (Statutes/Resos/Policies): C.R.S. § 30-15-401.5; CC13-326, CC15-490, CC16-014, CC18-338. CC18-365, CC23-028

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.