

ORDINANCE NO. 123

AN ORDINANCE IMPLEMENTING CROSS-CONNECTION AND BACKFLOW CONTROLS  
RELATIVE TO THE PUBLIC WATER SYSTEM.

BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE TOWN OF MEAD,  
WELD COUNTY, COLORADO.

Section 1. CROSS-CONNECTION CONTROL - GENERAL POLICY.

1.1 Purpose:

- 1.1.1 To protect the public water systems from the possibility of contamination or pollution by isolating within its customers' internal distribution system(s) or its customers' private water system(s) such contaminants or pollutants which could backflow or backsiphon into the public water systems.
- 1.1.2 To promote the elimination or control of existing cross-connections, actual or potential, between its customers' in-plant potable water system(s) and non-potable water systems, plumbing fixtures and industrial piping systems.
- 1.1.3 To provide for the maintenance of a continuing program of cross-connection control which will systematically and effectively prevent the contamination or pollution of the potable water system.

Section 2. DEFINITIONS.

- 2.1 "Agency" means the Town of Mead, and vested with the authority and responsibility for the enactment and enforcement of this ordinance.
- 2.2 "Approved" means accepted by the Town as meeting the applicable specification stated or cited in this ordinance, or as suitable for the proposed use.
- 2.3 "Auxiliary Water Supply." Any water supply on or available to the premises other than the purveyor's approved public potable water supply. These auxiliary waters may include water from another purveyor's public potable water supply or any natural source(s) such as a well, spring, river, stream, harbor, etc., or "used waters" or "industrial fluids". These waters may be polluted or contaminated or may be objectionable and constitute an unacceptable water source over which the water purveyor does not have sanitary control.
- 2.4 "Backflow Preventer." A device or means designed to prevent backflow or back-siphonage.
  - 2.4.1 "Air Gap." The unobstructed vertical distance through the free atmosphere between the lowest opening from any pipe or faucet supplying water

to a tank, plumbing fixture, or other device and the flood level rim of said vessel. An approved air-gap shall be at least double the diameter of the supply pipe, measured vertically, above the top of the rim of the vessel; and, in no case less than one inch. When an air-gap is used at the service connection to prevent the contamination or pollution of the public potable water system, an emergency by-pass shall be installed around the air-gap system and an approved reduced pressure principle device shall be installed in the by-pass system.

2.4.2 "Reduced Pressure Principle Device." An assembly of two independently operating approved check valves with an automatically operating differential relief valve between the two check valves, tightly closing shut-off valves on either side of the check valves, plus properly located test cocks for the testing of the check and relief valves. The entire assembly shall meet the design and performance specifications and approval of a recognized and "agency" approved testing agency for backflow prevention assemblies. The device shall operate to maintain the pressure in the zone between the two check valves at a level less than the pressure on the public water supply side of the device. At cessation of normal flow the pressure between the two check valves shall be less than the pressure on the public water supply side of the device. In case of leakage of either of the check valves the differential relief valve shall operate to maintain the reduced pressure in the zone between the check valves by discharging to the atmosphere. When the inlet pressure is two pounds per square inch or less, the relief valve shall open to the atmosphere. To be approved, these devices must be readily accessible for in-line maintenance and testing and be installed in a location where no part of the device will be submerged.

2.4.3 "Double Check Valve Assembly." An assembly of two independently operating approved check valves with tightly closing shut-off valves on each side of the check valves, plus properly located test cocks for the testing of each check valve. The entire assembly shall meet the design and performance specifications and approval of a recognized and "agency" approved testing establishment for backflow prevention devices. To be approved, these devices must be readily accessible for in-line maintenance and testing.

2.5 "Back Pressure" means backflow caused by a pump, elevated tank, boiler or means that could create pressure within the system greater than the supply pressure.

- 2.6 "Backsiphonage" means the flow of water or other liquids, mixtures or substances into the distribution pipes of a potable water supply system from any source other than its intended source caused by the sudden reduction of pressure in the potable water supply system.
- 2.7 "Certified Inspector & Tester" means a person who has passed a State approved and/or sponsored testing and inspection course and who is listed by the State as a certified inspector/tester.
- 2.8 "Check Valve" means a self-closing device which is designed to permit the flow of fluids in one direction and to close if there is a reversal of flow.
- 2.9 "Colorado Department of Health Cross Connection Control Manual." A manual that has been published by the State addressing cross connection control practices which will be used as a guidance document for the agency in implementing a Cross Connection Control Program.
- 2.10 "Contamination" means an impairment of the quality of the potable water by sewage, industrial fluids or waste liquids, compounds or other materials to a degree which creates an actual hazard to the public health through poisoning or through the spread of disease.
- 2.11 "Critical Level" means the critical level C-L or C/L marking on a backflow prevention device or vacuum breaker which is a point conforming to approved standards and established by the testing laboratory (usually stamped on the device by the manufacturer), which determines the minimum elevation above the flood-level rim of the fixture or receptacle served at which the device may be installed. When a backflow prevention device does not bear a critical level marking, the bottom of the vacuum breaker, combination valve, or the bottom of any such approved device shall constitute the critical level.
- 2.12 "Cross-Connection" means any physical arrangement whereby a public water supply is connected, directly or indirectly, with any other water supply system, sewer, drain, conduit, pool,, storage reservoir, plumbing fixture, or other device which contains, or may contain, contaminated water, sewage, or other waste or liquid of unknown or unsafe quality which may be capable of imparting contamination to the public water supply as a result of backflow. Bypass arrangements, jumper connections, removable sections, swivel or change-over devices, and other temporary or permanent devices through which, or because of which, backflow could occur are considered to be cross-connections.
- 2.13 "Cross-Connections - Controlled." A connection between a potable water system and a non-potable water system with an approved backflow prevention device properly installed that will continuously afford the protection commensurate with the degree of hazard.

- 2.14 "Mayor" means the Mayor of the Town of Mead, or his/her duly authorized representative.
- 2.15 "Flood-Level Rim" means the edge of the receptacle from which water overflows.
- 2.16 "Hazard, Degree of." The term is derived from an evaluation of the potential risk to public health and the adverse effect of the hazard upon the potable water system.
- 2.16.1 "Hazard - Health." Any condition, device, or practice in the water supply system and its operation which could create, or in the judgment of the Mayor may create a danger to the health and well-being of the water consumer. An example of a health hazard is a structural defect, including cross-connections, in a water supply system.
- 2.16.2 "Hazard - Plumbing." A plumbing type cross-connection in a consumer's potable water system that has not been properly protected by a vacuum breaker, air-gap separation or backflow prevention device. Unprotected plumbing type cross-connections are considered to be a health hazard.
- 2.16.3 "Hazard - Pollutational." An actual or potential threat to the physical properties of the water system or to the potability of the public or the consumer's potable water system but which would constitute a nuisance or be aesthetically objectionable or could cause damage to the system or its appurtenances, but would not be dangerous to health.
- 2.16.4 "Hazard - System." An actual or potential threat of severe damage to the physical properties of the public potable water system or the consumer's potable water system or of a pollution or contamination which would have a protracted affect on the quality of the potable water in the system.
- 2.17 "Industrial Fluids System." Any system containing a fluid or solution which may be chemically, biologically or otherwise contaminated or polluted in a form or concentration such as would constitute a health, system, pollutational or plumbing hazard if introduced into an approved water supply. This may include, but not be limited to: polluted or contaminated waters; all types of process waters and "used waters" originating from the public potable water system which may have deteriorated in sanitary quality; chemicals in fluid form; plating acids and alkalies, circulated cooling waters connected to an open cooling tower and/or cooling towers that are chemically or biologically treated or stabilized with toxic substances; contaminated natural waters such as from wells, springs, streams, rivers, bays, harbors, seas, irrigation canals or systems, etc.; oils, gases, glycerine, paraffins, caustic and acid solutions and other liquid

and gaseous fluids used in industrial or other purposes or for fire-fighting purposes.

- 2.18 "Non-Potable Water" means water that is not safe for humane consumption or that is of questionable potability.
- 2.19 "Pollution" means the presence of any foreign substance (organic, inorganic, radiological or biological) in the water that may degrade the water quality so as to constitute a hazard or impair its usefulness.
- 2.20 "Potable Water" means water free from impurities in amounts sufficient to cause disease or harmful physiological effects. The bacteriological, chemical, and radiological quality shall conform with State of Colorado Drinking Water Regulations.
- 2.21 "Submerged Inlet" means a water pipe or extension thereto from a public water supply terminating in a tank, vessel, fixture or appliance which may contain water of questionable quality, waste or other contaminant and which is unprotected against backflow.
- 2.22 "Vacuum" means any pressure less than that exerted by the atmosphere.
- 2.23 "Vacuum Breaker, Atmospheric Nonpressure Type" means a vacuum breaker designed so as not to be subjected to static line pressure or installed where it would be under pressure for not more than twelve hours in any twenty-four hour period.
- 2.24 "Vacuum Breaker, Pressure Type" means a vacuum breaker designed so as not to be subjected to static line pressure.
- 2.25 "Water-Service Connection" means the terminal end of a service connection from the public potable water system; i.e., where the water purveyor loses jurisdiction and sanitary control over the water at its point of delivery to the customer's water system. If a meter is installed at the end of the service connection, then the service connection shall mean the downstream end of the meter. There shall be no unprotected takeoffs from the service line ahead of any meter or backflow prevention device located at the point of delivery to the customer's water system. Service connection shall also include water service connection from a fire hydrant and all other temporary or emergency water service connections from the public water system.

### Section 3. REQUIREMENTS.

#### 3.1 Water System

- 3.1.1 The water system shall be considered as made up of two parts: The Utility System and the Customer System.

- 3.1.2 The Utility System shall consist of the source facilities and the distribution system; and shall include all those facilities of the water system under the complete control of the utility, up to the point where the customer's system begins.
- 3.1.3 The source shall include all components of the facilities utilized in the production, treatment, storage, and delivery of water to the distribution system.
- 3.1.4 The distribution system shall include the network of conduits used for the delivery of water from the source to the customer's system.
- 3.1.5 The customer's system shall include those parts of the facilities beyond the termination of the utility distribution system which are utilized in conveying utility-delivered domestic water to points of use.

3.2 Policy

- 3.2.1 No water service connection shall be installed or maintained by the Water Purveyor unless the water supply is protected as required by State laws and regulation and this ordinance. Service of water to any premises shall be discontinued by the Water Purveyor if a backflow prevention device required by the ordinance is not installed, tested and maintained, or if it is found that a backflow prevention device has been removed, by-passed, or if an unprotected cross-connection exists on the premises. Service will not be restored until such conditions or defects are corrected.
- 3.2.2 The customer's system should be open for inspection at all reasonable times to authorized representatives of the Mayor to determine whether cross-connections or other structural or sanitary hazards, including violations of these regulations, exist. When such a condition becomes known, the Mayor shall deny or immediately discontinue service to the premises by providing for a physical break in the service line until the customer has corrected the condition(s) in conformance with State and "agency" statutes relating to plumbing and water supplies and the regulations adopted pursuant thereto.
- 3.2.3 An approved backflow prevention device shall be installed depending on degree of hazard. Such a device shall be installed at or near the property line or immediately inside the building being served; but, in all cases, before the first branch line leading off the service line wherever the following conditions exist:

- 3.2.3.a In the case of premises having an auxiliary water supply which is not or may not be of sanitary, eriological or chemical quality and which is not acceptable as an additional source by the Mayor, the public water system shall be protected against backflow from the premises by installing a backflow prevention device in the service line appropriate to the degree of hazard.
- 3.2.3.b In the case of premises on which any industrial fluids or any other objectionable substance is handled in such a fashion as to create an actual or potential hazard to the public water system, the public system shall be protected against backflow from the premises by installing a backflow prevention device in the service line appropriate to the degree of hazard. This shall include the handling of process waters and waters originating from the utility system which have been subject to deterioration in quality.
- 2.3.3.c In the case of premises having (1) internal cross-connections that cannot be permanently corrected and controlled, or (2) intricate plumbing and piping arrangements or where entry to all portions of the premises is not readily accessible for inspection purposes, making it impracticable or impossible to ascertain whether or not dangerous cross-connections exist, the public water system shall be protected against backflow from the premises by installing a backflow prevention device in the service line.
- 3.2.4 The type of protective device required under subsections 3.2.3a,b, and c shall depend upon the degree of hazard which exists as follows:
- 3.2.4.a In the case of any premises where there is an auxiliary water supply as stated in subsection 3.2.3.a of this section and it is not subject to any of the following rules, the public water system shall be protected by an approved air-gap separation or an approved reduced pressure principle backflow prevention device.
- 3.2.4.b In the case of any premises where there is water or substance that would be objectionable but not hazardous to health, if introduced into the public water system, the public water system shall be protected by an approved double check valve

assembly.

3.2.4.c In the case of any premises where there is any material dangerous to health which is handled in such a fashion as to create an actual or potential hazard to the public water system, the public water system shall be protected by an approved air-gap separation or an approved reduced pressure principle backflow prevention device. Examples of premises where these conditions will exist include sewage treatment plants, sewage pumping stations, chemical manufacturing plants, hospitals, mortuaries, and plating plants.

3.2.4.d In the case of any premises where there are "uncontrolled" cross-connections, either actual or potential, the public water system shall be protected by an approved air-gap separation or an approved reduced pressure principle backflow prevention device at the service connection.

3.2.4.e In the case of any premises where, because of security requirements or other prohibitions or restrictions it is impossible or impractical to make a complete in-plant cross-connection survey, the public water system shall be protected against backflow or back-siphonage from the premises by the installation of a backflow prevention device in the service line. In this case, maximum protection will be required; that is, an approved air-gap separation or an approved reduced pressure principle backflow prevention device shall be installed in each service to the premises.

3.2.5 Any backflow prevention device required herein shall be of a model and size approved by the Mayor. The term "Approve Backflow Prevention Device" shall mean a device that has been manufactured in full conformance with the standards established by the American Water Works Association entitled:

AWWA C506-78 Standards for Reduced Pressure Principle and Double Check Valve Backflow Prevention Devices:

and, have met completely the laboratory and filed performance specifications of the Foundation for Cross-Connection Control and Hydraulic Research of the University of Southern California established by:



Specifications of Backflow Prevention Devices - #69-2 dated March 1969 or the most current issue.

Said AWWA and FCCC&HR Standards and specifications have been adopted by the Town. Final approval shall be evidenced by a "Certificate of Approval" issued by an approved testing laboratory certifying full compliance with said AWWA standards and FCCC&HR Specifications.

The following testing laboratory has been qualified by the Mayor to test and certify backflow preventers

Foundation for Cross-Connection Control  
& Hydraulic Research  
University of Southern California  
University Park  
Los Angeles, California 90007

Testing laboratories other than the laboratory listed above will be added to an approved list as they are qualified by the Mayor.

Backflow preventers which may be subjected to back pressure or back siphonage that have been fully tested and have been granted a Certificate of Approval by said qualified laboratory and are listed on the laboratory's current list of "Approved Devices" may be used without further test or qualification.

- 3.2.6 It shall be the duty of the customer-user at any premise where backflow devices are installed to have certified inspections and operational tests made at least once per year. In those instances where the Mayor deems the hazard to be great enough, he/she may require certified inspections at more frequent intervals. These inspections and tests shall be at the expense of the water user and shall be performed by a certified inspector/tester. These devices shall be repaired, overhauled or replaced at the expense of the customer-user whenever said devices are found to be defective. Records of such tests, repairs and overhauls shall be kept and made available to the Mayor. The attached form shall be submitted to the agency within 30 days after the device has been tested and/or inspected.

Section 4. EXISTING CROSS-CONNECTIONS.

- 4.1 Within a reasonable time following the adoption of the regulation, existing cross-connections between a public water system and any secondary water system shall be eliminated or protected by means of an approved backflow preventer. The following will install devices within 1 year: Sewage

Treatment Plants, Hospitals, Mortuaries, and industrial establishments that manufacture materials that can exhibit health hazards.

Section 5.. SPECIFIC SYSTEM REQUIREMENTS.

- 5.1 Irrigation Systems. The following guidelines relating to backflow prevention devices for irrigation systems shall apply:
- 5.1.1 Atmospheric vacuum breakers shall be installed after the last control valve of each sprinkler circuit and at a minimum of six inches above the highest irrigation head. The atmospheric vacuum breaker shall be installed only on irrigation circuits with heads that will not return any pressure in the circuit when the circuit control valve is closed.
  - 5.1.2 Pressure vacuum breakers shall be installed at the beginning of each irrigation circuit and at a minimum of twelve inches above the highest irrigation head on the circuit. Individual irrigation circuits having quick coupling valves or other similar type heads that will permit pressure to be retained in the circuit shall have a pressure vacuum breaker installed as a minimum requirement for each circuit. Irrigation systems using the subsurface drip method shall have a pressure vacuum breaker on each circuit. A pressure vacuum breaker may not be installed where a double check valve assembly, reduced pressure principle backflow prevention device, or air-gap separation is required.
  - 5.1.3 A double check valve assembly may be installed to serve multiple irrigation circuits in lieu of vacuum breakers on each individual irrigation circuit.
  - 5.1.4 A reduced pressure principle backflow preventor or air-gap separation shall be required before any piping network in which fertilizers, pesticides and other chemicals or toxic contaminants are injected or siphoned into the irrigation system.
- 5.2 Fire Systems. Water systems for fighting fire, derived from a supply that cannot be approved as safe or potable for human use shall, whenever practicable, be kept wholly separate from drinking water pipelines and equipment. In cases where the domestic water system is used for both drinking and fire fighting purposes, approved backflow prevention devices shall be installed to protect such individual drinking water lines as are not used for fire fighting purposes. It is hereby declared that it is the responsibility of the person or persons causing the introduction of said unapproved or unsafe water into the pipelines to see (1) that a procedure

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be developed and carried out to notify and protect users of this piping system during the emergency; (2) that special precautions be taken to disinfect thoroughly and flush out all pipelines which may have become contaminated before they are again used to furnish drinking water. In the event the means of protection of water customers is by disinfection of the auxiliary fire fighting supply, the installation and its use shall be thoroughly reliable.

When disinfection of the auxiliary supply itself is depended upon to render the water safe, the means of applying the disinfectant under this regulation shall be automatic with operation of the pump or pumps employed with the dangerous water in question. Adequate supplies of chlorine or its compounds must be kept on hand at all times. Chlorine dosing equipment shall be tested daily and kept in good operating condition.

The public water supply must be protected against backflow from dual domestic fire systems.

#### Section 6. VIOLATIONS AND PENALTIES.

- 6.1 The Mayor shall notify the owner, or authorized agent of the owner, of the building or premise in which there is found a violation(s) of these regulations. The Mayor shall set a specific time for the owner to have the violation removed or corrected. If the owner fails to correct the violation(s) in the specified time, the Mayor may, if in his/her judgment an imminent health hazard exists, request that the water service to the building or premise be terminated. Additional fines or penalties may also be invoked following termination of service.
- 6.2 The owner or authorized agent of the owner responsible for the maintenance of the plumbing system in the building who knowingly permits a violation to remain uncorrected after the specified time set by the Mayor, shall upon conviction thereof by the court, be required to pay a fine of not more than \$300.00 or by imprisonment in jail for a period of time not to exceed 90 days or both such fine and imprisonment.

#### Section 7. SEVERABILITY.

If any provision of this chapter, or its application to any person or circumstance is held invalid, the application of such provision to other persons or circumstances, and the remainder of this chapter, shall not be affected thereby.

In the opinion of the Board of Trustees of the Town of Mead, Weld County, Colorado, this Ordinance is necessary for the immediate protection and preservation of the public health, safety, convenience and general welfare, and it is enacted for that purpose and shall be in full force and effect after passage and final publication.

Approved, adopted and ordered published by the Board of Trustees of the Town of Mead on this 13 day of August, 1984.

TOWN OF MEAD, By:

Harvey D. Potts  
Mayor

ATTEST:

Diane Hodge  
Town Clerk

( S E A L )

# BACKFLOW DEVICE TEST REPORT

RETURN NO LATER THAN \_\_\_\_\_

NAME OF PREMISES \_\_\_\_\_

SERVICE ADDRESS \_\_\_\_\_

LOCATION OF DEVICE \_\_\_\_\_

DEVICE: \_\_\_\_\_  
Manufacturer \_\_\_\_\_ Model \_\_\_\_\_ Size \_\_\_\_\_ Serial No. \_\_\_\_\_

LINE PRESSURE AT TIME OF TEST \_\_\_\_\_ LBS.

PRESSURE DROP ACROSS FIRST CHECK VALVE \_\_\_\_\_ LBS.

	CHECK VALVE NO. 1	CHECK VALVE NO. 2	DIFFERENTIAL PRESSURE RELIEF VALVE
INITIAL TEST	1. LEAKED ..... <input type="checkbox"/> 2. CLOSED TIGHT ..... <input type="checkbox"/>	1. LEAKED ..... <input type="checkbox"/> 2. CLOSED TIGHT ..... <input type="checkbox"/>	1. OPENED AT _____ LBS. <sup>4</sup> REDUCED PRESSURE 2. DID NOT OPEN ..... <input type="checkbox"/>
REPAIRS	CLEANED ..... <input type="checkbox"/> REPLACED: DISC ..... <input type="checkbox"/> SPRING ..... <input type="checkbox"/> GUIDE ..... <input type="checkbox"/> PIN RETAINER ..... <input type="checkbox"/> HINGE PIN ..... <input type="checkbox"/> SEAT ..... <input type="checkbox"/> DIAPHRAGM ..... <input type="checkbox"/> OTHER, DESCRIBE .... <input type="checkbox"/>	CLEANED ..... <input type="checkbox"/> REPLACED: DISC ..... <input type="checkbox"/> SPRING ..... <input type="checkbox"/> GUIDE ..... <input type="checkbox"/> PIN RETAINER ..... <input type="checkbox"/> HINGE PIN ..... <input type="checkbox"/> SEAT ..... <input type="checkbox"/> DIAPHRAGM ..... <input type="checkbox"/> OTHER, DESCRIBE .... <input type="checkbox"/>	CLEANED ..... <input type="checkbox"/> REPLACED: DISC, UPPER ..... <input type="checkbox"/> DISC, LOWER ..... <input type="checkbox"/> SPRING ..... <input type="checkbox"/> DIAPHRAGM, LARGE UPPER ..... <input type="checkbox"/> LOWER ..... <input type="checkbox"/> DIAPHRAGM, SMALL UPPER ..... <input type="checkbox"/> LOWER ..... <input type="checkbox"/> SPACER, LOWER ..... <input type="checkbox"/> OTHER, DESCRIBE ..... <input type="checkbox"/>
FINAL TEST	CLOSED TIGHT ..... <input type="checkbox"/>	CLOSED TIGHT ..... <input type="checkbox"/>	OPENED AT _____ LBS. REDUCED PRESSURE

REMARKS: \_\_\_\_\_

THE ABOVE REPORT IS CERTIFIED TO BE TRUE:

INITIAL TEST PERFORMED BY \_\_\_\_\_ OF \_\_\_\_\_ DATE \_\_\_\_\_

REPAIRED BY \_\_\_\_\_ DATE \_\_\_\_\_

FINAL TEST PERFORMED BY \_\_\_\_\_ OF \_\_\_\_\_ DATE \_\_\_\_\_

Approved by establishment representative \_\_\_\_\_

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*adopted 8-13-84*

LONGMONT FIRE PROTECTION DISTRICT

A RESOLUTION ADOPTING THE UNIFORM FIRE CODE, UNIFORM FIRE CODE STANDARDS, FLAMMABLE AND COMBUSTIBLE LIQUIDS CODE, N.F.P.A. 30, NATIONAL FUEL GAS CODE, N.F.P.A. 54; NATIONAL ELECTRIC CODE, N.F.P.A. 70; AND THE LIFE SAFETY CODE, N.F. P.A. 101 PRESCRIBING REGULATIONS GOVERNING CONDITIONS HAZARDOUS TO LIFE AND PROPERTY FROM FIRE OR EXPLOSION, AND PROVIDING FOR THE ISSUANCE OF PERMITS FOR HAZARDOUS USES OR OPERATION.

WHEREAS, the Board of Directors of the Longmont Fire Protection District deems it necessary to adopt the following code for the purpose of establishing rules of conduct and standards for the protection of life, health, property, security and welfare of the inhabitants of the District; and

WHEREAS, the Board of Directors has considered the effect of fire code enforcement within the boundaries of the District and has determined that enforcement of the proposed codes would not cause undue hardship or suppression of economic growth within the District; and

WHEREAS, the Board of Directors has studied the necessity for realistic and reasonable level of fire protection to be provided by a rural fire protection district;

NOW, THEREFORE, BE IT RESOLVED THAT:

SECTION I: Adoption of Uniform Fire Code and Uniform Fire Code Standards, Flammable and Combustible Liquids Code, NFPA 30, National Fuel Gas Code, NFPA 54; National Electric Code, NFPA 70; and the Life Safety Code, NFPA 101.

There is hereby adopted by the Longmont Fire Protection District for the purpose of prescribing regulations governing conditions hazardous to life and property from fire or explosion, that certain codes and standards known as the Uniform Fire Code, including Appendix Chapters I-A, I-B, II-A, II-B, II-C, II-D, III-A, III-B, III-C, IV-A, V-A, VI-A, VI-C, VI-D, and the Uniform Fire Code Standards, being particularly the 1982 editions and the Flammable and Combustible Liquids Code NFPA 30, 1981 Edition; the National Fuel Gas Code, NFPA 54, 1980 edition; National Electric Code, NFPA 70, 1984 edition, and the Life Safety Code, NFPA 101, 1981 edition thereof modified, or amended by this Resolution of which said code and Standards are now filed in the offices of the Longmont Fire Protection District, and the same are hereby adopted and incorporated as fully as if set forth herein. The date on which this Resolution shall take effect within the incorporated municipalities within this District shall be the date of approval by the governing board of said municipality and the date on which it shall take effect within the unincorporated portions of Boulder/Weld Counties shall be on the date of approval by the Boards of County Commissioners in and for the Coun-

ties of Boulder/Weld, State of Colorado. This Code shall be in effect within the territorial limits of the Longmont Fire Protection District.

SECTION II: Establishment and duties of fire prevention inspectors.

Organizational structure and duties of the fire prevention bureau or department, if any, shall be as provided by the District's bylaws.

SECTION III: Definitions.

Wherever the word "District" is used, it shall mean The Longmont Fire Protection District.

Wherever the word "jurisdiction" is used in the adopted Codes and Standards, it is meant to be inclusive of the boundaries of the Longmont Fire Protection District as they now or may hereafter exist.

Where the term "Chief" or "Chief of the Bureau of Fire Prevention" is used, it shall be held to mean the Chief of the Longmont Fire District, or a designated member of the District.

Where the term "Bureau of Fire Prevention" is used, it shall be held to mean either the entire department or those employees designated by the Chief to carry out enforcement duties relating to the prevention of fires and the suppression of arson.

Where the term "Board" is used, it shall be held to mean the Board of Directors of The Longmont Fire Protection District.

Wherever the term "Uniform Building Code" is used, it shall be held to mean the Uniform Building Code as amended and incorporated into the Boulder/Weld County Building Code.

SECTION IV: Storage of flammable or combustible liquids above ground.

The storage of flammable or combustible liquids in outside above-ground tanks, containers or receptacles of any kind is prohibited within the following limits:

1. Within 50 feet of any inhabitable structure.
2. As addressed by any ordinance or regulation adopted by Boulder/Weld Counties or any municipality.

This provision shall not be interpreted as to conflict with the provisions of Section 8-20-101 et seq., and Section 34-64-101 et seq., CRS.

SECTION V: Establishment of limits in which storage of liquified petroleum gases is to be restricted.

The limits referred to in Section 82.105(a) of the Uniform Fire Code, in which the storage of liquified petroleum gas is restricted, are hereby established as follows: as addressed by any ordinance or zoning regulation adopted by Boulder/Weld Counties, or municipalities. This section shall not be interpreted so as to be in conflict with the provisions of Section 8-2-101 et seq. and Section 34-64-101 et seq., CRS.

SECTION VI: Establishment of limits of districts in which storage of explosives and blasting agents is to be prohibited.

The limits referred to in Section 77-106(b) of the Uniform Fire Code, in which storage of explosives and blasting agents is prohibited in the following areas: municipalities and any area within the unincorporated parts of Boulder/Weld Counties within the fire protection district which are not zoned industrial districts as defined by the Boulder/Weld County Zoning Regulation or Ordinance or the zoning regulation or ordinance of any municipality.

SECTION VII: Amendments made in the Uniform Fire Code.

The Uniform Fire Code is amended and changed in the following respects:

1. That Article 78, pertaining to a ban on fireworks, be deleted in its entirety and that Section 12-28-101, et seq., CRS as amended, pertaining to fireworks, shall be the governing law as to fireworks within the District. Further, the definition of "fireworks" contained in Section 9.108 and reference to Fireworks in Section 4-101-13, be deleted.

2. That Article 2, Section 2.302 shall be amended by the deletion of Section 2.302 in its entirety and by the insertion of the following:

"2.302 (a) In addition to the authority of the Chief to modify provisions of this code as set forth in Section 2.301, any owner, lessee, occupant or the authorized agent thereof, of any property, building or structure, or any interested person directly affected by the application of this code may apply in writing to the Board of Directors of The Longmont Fire Protection District for a variance or waiver of one or more provisions of this code where there are practical difficulties in the application of this code. The application for waiver or variance may be submitted to the Board in conjunction with, or independently of, an appeal of any notice or order issued pursuant to this code, statute or this resolution.



(b) The Board shall hear all such applications for a variance or waiver and render its decision thereon in accordance with its bylaws, rules and regulations.

(c) The Board, upon recommendation of the Chief or upon its own motion, may enter into written agreements for enforcement or compliance with the owner, lessee, occupant or authorized agent thereof, of any property, building or structure, or any 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 Board deems appropriate to adequately protect the life, health, property, security and welfare of the general public.

3. That Section 2.105 of the Uniform Fire Code shall be amended to read, "The authority of the Chief of the fire district or designated members of the department to act as police officers shall only extend as far as the authority set forth in Section 32-1-1002, CRS, or other applicable state statutes."

4. Section 4.101 shall be amended in line three, last sentence, as follows: "Permits may be required from the Bureau of Fire Prevention." Section 4.101.4 and 4.101.6 shall both be amended by the addition of a sentence reading as follows: "No such permit shall be required where burning is regulated pursuant to regulations promulgated under Section 25-7-123, CRS, and regulated by the Boulder/Weld County Health Department or municipal authorities."

5. Section 3.105 shall be added to read as follows: "This Article shall be interpreted to be consistent with the provisions of Section 32-1-1002(3), CRS."

6. Section 2.108 shall be amended to read as follows: "This code shall not be construed to relieve from or lessen the responsibility of any person owning, operating or controlling any building or structure for any damages to persons or property caused by defects or conditions, nor shall the Fire District be held as assuming any such liability by reason of this inspection authorized by this code or any certificates of inspection issued under this code."

#### SECTION VIII: Enforcement Procedures and Appeals.

1. The Chief shall enforce this code and shall inspect or cause to be inspected all buildings, structures, property, premises, and public places, except the interior of any private dwelling, in accordance with the procedures set forth in Section 32-1-1002(3), CRS. All inspections shall be recorded on an inspection report.

2. A "Notice of Violation or Hazard" may be issued by the Chief concerning violations or hazards which are not corrected on-site during an inspection. Said Notice shall be signed by the inspector and contain, as a minimum, the following information:

- a. date of inspection;
- b. name/address of premises inspected;
- c. name of inspector;
- d. nature of violations, including specific reference to section/subsections of code;
- e. date of compliance/reinspection;
- f. suggested methods of correction, if applicable;
- g. right to appeal to Board;
- h. consequences of failure to correct the violation.

3. a. An "Order for Immediate Correction of Hazard" may be issued by the Chief:

i. for failure to correct a violation or hazard within the time specified in a previously issued Notice of Violation or Hazard; or

ii. for violating the code or state statute and said violation renders the building, structure or premises especially liable to fire or is hazardous to the safety of the occupants thereof, or which is so situated as to endanger other property as set forth in Section 32-1-1002(3)(c), whether or not a Notice has been previously issued.

b. An Order shall be signed by the Chief and shall contain, as a minimum, the following information:

- i. date of issuance;
- ii. name/address of premises inspected;
- iii. nature of violation or hazard;
- iv. time limit for correction;
- v. right of appeal, if any, to the Board;

vi. right of appeal to the District Court and time limit;

v. penalties for violation of order;

vi. signature of the Chief;

vii. acknowledgement of receipt signed by owner, lessee, agent or other responsible person.

4. An appeal of a Notice of Violation or Hazard may be made to the Board by delivery to the Chief in writing a notice of appeal within five days of the issuance of the Notice of Violation or Hazard. The appeal shall be heard at the next regular meeting or special meeting called for that purpose. The Board may affirm, rescind, or modify the Notice and may enter into such enforcement agreements as it deems proper.

5. An appeal of an Order for Immediate Correction of Hazard may be made to the Board only if no previous appeal has been made of a previously issued Notice of Violation or Hazard concerning the same violation or hazard. An appeal of an Order must be in writing and filed with the Board within three days of issuance of the Order.

6. The Board shall hear all such appeals and application for relief and render its decision thereon in accordance with its bylaws, rules and regulations.

7. In the event no appeal is made to the Board pursuant to this code and resolution or to the court pursuant to §32-1-1002(3), CRS, and compliance with the Order and/or correction of the hazard has not occurred, the Board may, upon recommendation by the Chief or upon its own motion, refer the matter to the district attorney of the county in which the violation occurs.

8. An appeal shall suspend the time limits for compliance or correction until the appeal is resolved for appeals of a Notice of Violation or Hazard and of an Order for Immediate Correction of Hazard which is issued pursuant to Section VIII, paragraph 3(a)(i) herein. An appeal of an Order issued pursuant to Section VIII, paragraph 3(a)(ii) herein shall not suspend the time limits for compliance or correction, and compliance or correction shall be made or rendered forthwith, unless the Order is suspended by the Board.

#### SECTION IX: Penalties.

1. Any owner, lessee, agent, or occupant of any building or premises maintaining any condition likely to cause fire or to constitute an additional fire hazard or any condition which

impedes or prevents the egress of persons from such building or premises in violation of the provisions of Section 32-1-1002(3), CRS, shall be deemed to be maintaining a fire hazard. Any person who violates any provision of said subsection 3 is guilty of a misdemeanor and, upon conviction thereof, shall be punished by a fine of not less than \$50.00 or no more than \$250.00. Each day in which such violation occurs shall constitute a separate violation of Section 32-1-1002(3), CRS.

2. The application of the above penalty shall not be construed to prevent the enforced removal or correction of prohibited conditions or other injunctive relief.

SECTION X: Repeal of conflicting ordinances or resolutions.

All former ordinances or resolutions enacted by the District or parts thereof conflicting or inconsistent with the provisions of this resolution or of the Code or standards hereby adopted are hereby repealed.

SECTION XI: Validity and Conflict.

The Longmont Fire Protection District Board of Directors hereby declare that should any section, paragraph, sentence or word of this resolution or of the code or standards hereby adopted be declared for any reason to be invalid, it is the intent of The Longmont Fire Protection District Board of Directors that it would have passed all other portions of this resolution independent of elimination herefrom of any such portion as may be declared invalid. It is further the declaration of the Longmont Fire Protection District Board of Directors that no provision of this resolution or the code or standards adopted herein be interpreted in conflict with existing State law. In the event there is a conflict between State law and this code, State law shall take precedent. In the event there is a conflict between the standards or requirements of Life Safety Code N.F.P.A. 101 and the Uniform Building Code and/or the Uniform Fire Code, the Uniform Building Code and/or Uniform Fire Code shall prevail.

SECTION XII: Date of effect.

This resolution shall take effect and be enforced within incorporated municipalities and unincorporated portions of Boulder/Weld Counties from and after its approval as set forth in Section 32-1-1002(1)(d), CRS.

Adopted this 21<sup>st</sup> day of May, 1984.

LONGMONT FIRE PROTECTION DISTRICT

By Edward Van Wazer (President)

ATTEST:

Richard N. Lyons  
Secretary

