

ORDINANCE NO. 148

AN ORDINANCE OF THE TOWN OF MEAD, WELD COUNTY, COLORADO, ADOPTING BY REFERENCE THE FIRE CODE OF THE LONGMONT FIRE PROTECTION DISTRICT WHICH IN TURN ADOPTS THE SECONDARY CODES: UNIFORM FIRE CODE, UNIFORM FIRE CODE STANDARDS AND THE LIFE SAFETY CODE, NFPA 101. AND PROVIDING PENALTIES FOR VIOLATIONS OF THE PROVISIONS OF THESE CODES, SETTING FORTH AMENDMENTS TO THE PUBLISHED CODES; PROVIDING FOR REPEAL OF CERTAIN CODE SECTIONS; PROVIDING FOR THE MAINTENANCE OF OFFICIAL COPIES OF SUCH CODES; PROVIDING FOR THE EFFECTIVE DATE OF THIS ORDINANCE AND THE CODES ADOPTED BY REFERENCE HEREIN.

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

Section 1. Section 10-1-1 of the code of the Town of Mead is hereby repealed and re-enacted as follows:

10-1-1. Adoption. The Fire Code of the Longmont Fire Protection District as promulgated by the Longmont Fire District, is hereby adopted and enacted by reference, including the secondary codes:

A) Uniform Fire Code, including Appendix Chapters I-A, I-B, I-C, II-A, II-B, II-C, II-D, III-A, III-B, III-C, IV-A, V-A, VI-A, VI-C, VI-D, 1985 Edition, as promulgated by the International Conference of Building Officials, 5360 South Workman Mill Road, Whittier, California 90601, and the Western Fire Chiefs Association, 5360 South Workman Mill Road, Whittier, California 90601.

B) Uniform Fire Code Standards, 1985 Edition as promulgated by the International Conference of Building Officials, 5360 South Workman Mill Road, Whittier, California 90601, and the Western Fire Chiefs Association, 5360 South Workman Mill Road, Whittier, California 90601

C) Life Safety Code, 1985 Edition, as promulgated by the National Fire Protection Association, 470 Atlantic Avenue, Boston, Massachusetts, 02210.

Section 2. Chapter 10 of the Code of the Town of Mead, is amended by the addition of new sections, to read as follows:

10-1-2. Purpose. The purpose for adopting the Fire Code of the Longmont Fire Protection District is to establish rules of conduct and standards for protection of the life, health, property, security and welfare of the citizens of the Town of Mead.

10-1-3. Amendments. The Fire Code of the Longmont Fire Protection District and the secondary codes adopted therein by reference are hereby amended as follows:

A) The Uniform Fire Code is amended and modified 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 4.101.16, 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 4.101.4 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."

7. That the following be added as a new section:

2.205 Inspections

"A. Pursuant to Section 32-1-1002(1)(e)(II) C.R.S., the Board may fix and from time to time may increase or decrease fees and charges, in its discretion, for inspections and review of plans and specifications which are:

(1) Requested or mandated for existing structures, buildings and improvements; and

(2) Necessitated in conjunction with any county regulation, resolution or condition of development; or

(3) Performed in conjunction with the construction of new structures, buildings, and improvements.

B. Said fees and charges may, in the discretion of the Board, include a charge for reimbursement to the District of any consultation fees, expenses or costs incurred by the District in the performance of the inspections or review of the plans and specifications."

B. The Fire Code of the Longmont Fire Protection District is amended and modified as follows:

1. Section IX: Penalties. is hereby repealed.

10-1-4 Penalties.

A. 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 this chapter, shall be deemed to be maintaining a fire hazard. Any person who violates any provision of this chapter 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.

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

10-1-5 Copies Available. Copies of the Fire Code of the Longmont Fire Protection District and secondary codes adopted therein are available for purchase at the Mead Town Hall.

Section 3. Validity. Should any section, clause, sentence, or part of this Ordinance be adjudged by any Court of competent jurisdiction to be unconstitutional and/or invalid, the same shall not affect the validity of the Ordinance as a whole or part thereof, other than the part so declared to be unconstitutional or invalid.

Section 4. Conflicts. Any part of any Ordinance which is in conflict herewith is hereby repealed.

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 its passage and final publication.

Approved, adopted, and ordered published by the Board of Trustees of the Town of Mead, on the 20th day of October, 1986.

Harvey O. Potts
Mayor

ATTEST:

Diane Hodge
Town Clerk

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