



ORDINANCE NO. 18

**AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS ADOPTING THE
2018 UNIFORM FIRE CODE AND FINES, FEES, AND CHARGES FOR UNIFORM
FIRE CODE VIOLATIONS AND INSPECTIONS**

WHEREAS, the Board of County Commissioners of Clear Creek County, Colorado (hereinafter “Board”) is authorized by C.R.S. § 30-15-401.5(1), to provide for minimum fire safety standards modeled upon those contained in the uniform fire code which apply to all or a portion of the unincorporated area of the county and any incorporated town or city which elects to have the provisions thereof apply, by enacting an Ordinance for that purpose;

WHEREAS, in 1998, the Clear Creek County Emergency Services General Improvement District joined with the municipalities located within Clear Creek County and entered into an intergovernmental agreement (“CCFA IGA”) to establish the Clear Creek Fire Authority (“CCFA”); and

WHEREAS, the CCFA IGA authorized the CCFA to enforce such fire safety codes as deemed appropriate for its service area and authorized the members, after consultation with the CCFA to amend their respective fire codes to meet their needs, subject to the CCFA’s acceptance; and

WHEREAS, the CCFA adopted the 2018 Edition of the International Fire Code by the approval of Authority Resolution #2022-03 on June 8, 2022, and recommended its adoption by the parties to the CCFA IGA; and

WHEREAS, the CCFA adopted fines, fees and charges for Uniform Fire Code violations and inspections for its service area by the approval of Authority Resolution #2023-03 on April 12, 2023, and recommended their adoption by the parties to the CCFA IGA; and

WHEREAS, as a prerequisite of the Board’s action, the Board shall have approved the formation of and received the recommendations of the fire code adoption and revision commission (“Commission”), as provided in C.R.S. § 30-15-401.5(2); and

WHEREAS, the Board approved the CCFA Board together with the CCFA Fire Chief to constitute the fire code adoption and revision commission by Resolution 2024-22 and received the recommendation of that commission on February 7, 2024; the commission recommended adoption of the 2018 Edition of the International Fire Code with the modifications the Clear Creek Fire Authority adopted; and

WHEREAS, this Ordinance No. 18 will adopt the 2018 Uniform Fire Code and the fines, fees, and charges for Uniform Fire Code violations and inspections for Clear Creek County as recommended by the CCFA; and

NOW THEREFORE BE IT ORDAINED, by the Board of County Commissioners of Clear Creek County, Colorado, as follows:



Section 1. Adoption of the Uniform Fire Code. The Uniform Fire Code, Appendices, and the Uniform Fire Code Standards, 2018 Edition, as published by the International Fire Code Institute (“Uniform Fire Code”) is hereby adopted pursuant to C.R.S. § 30-15-401.5, with such amendments, changes and deletions as were adopted by CCFA, applicable within all unincorporated areas of Clear Creek County except areas within the Evergreen Fire Protection District.

Section 2. Adoption of Amendments Made to the Uniform Fire Code. The Uniform Fire Code is amended and changed as set forth in Exhibit A, attached hereto and incorporated herein by this reference.

Section 3. Adoption of Fees and Charges. The schedule of fees and charges for inspection and review activities adopted by CCFA , attached hereto as Exhibit B, and as may be amended by the Board of County Commissioners from time to time, is adopted in full. Such fees and charges shall be imposed as provided in Exhibit B, and in conjunction with inspections and reviews conducted under the Uniform Fire Code.

Section 4. Adoption of Fines.

4.1 Any person who fails to comply with the provisions of the Uniform Fire Code, as adopted by the Board of County Commissioners, commits a civil infraction and shall be punished by a fine not to exceed \$1000.00, per occurrence. Each day of a violation of the Uniform Fire Code shall be deemed a separate occurrence.

4.2 Surcharges as required by law, including pursuant to Pursuant to C.R.S. § 30-15-402(2), shall also be assessed and paid in accordance with the statutes imposing the surcharges.

4.3 Any person having the authority and responsibility to enforce the ordinances of Clear Creek County and having knowledge of any violation of the rules and regulations stated herein may use the Penalty Assessment Procedure defined under C.R.S. § 16-2-201, as amended, by issuing the violator a penalty assessment notice and releasing the violator upon its terms or, as the law allows, by taking the violator before a county court judge. The penalty assessment notice shall be a summons and complaint and shall contain the identification of the offender, the specification of the offense, and the applicable fine. When using the penalty assessment procedure, the fine for the second or subsequent offense during any 24 month period shall be not less than five hundred dollars (\$500.00).

Section 5. Authority. This ordinance is adopted pursuant to the authority of C.R.S. §§ 30-15-401.5, 32-1-1002(1)(d), and Section 6 of the Intergovernmental Agreement establishing the Clear Creek Fire Authority.

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Section 6. Repealer. All Resolutions and Ordinances, or parts thereof, in conflict with this Ordinance or otherwise setting fees and charges for inspection or review activities under the Uniform Fire Code, are hereby repealed.

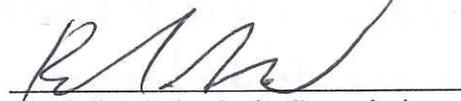
Section 7. Effective Date. Pursuant to C.R.S. § 30-15-405, this Ordinance shall take effect immediately upon adoption.

INTRODUCED, READ, ORDERED PUBLISHED IN FULL AND SET FOR PUBLIC HEARING THIS 19th DAY OF March, 2024.

BOARD OF COUNTY COMMISSIONERS
CLEAR CREEK COUNTY, COLORADO

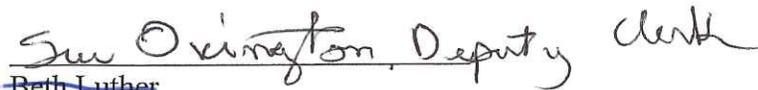

Sean C. Wood, Chair


George Marlin, Commissioner


Randall P. Wheelock, Commissioner

CERTIFICATION: THE FOREGOING ORDINANCE WAS INTRODUCED AND READ ON March 19, 2024, BY THE BOARD OF COUNTY COMMISSIONERS OF CLEAR CREEK COUNTY, COLORADO, AND APPROVED FOR PUBLICATION.

DATE OF PUBLICATION: April 4, 2024
~~March 27, 2024~~


~~Beth Luther~~
Deputy Clerk & Recorder
Clear Creek County

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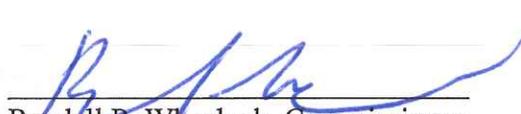


APPROVED AND ADOPTED AFTER PUBLIC HEARING AND ORDERED
PUBLISHED BY TITLE ONLY THIS 16th DAY OF April, 2024.

BOARD OF COUNTY COMMISSIONERS
CLEAR CREEK COUNTY, COLORADO


Sean C. Wood, Chair


George Marlin, Commissioner


Randall P. Wheelock, Commissioner

CERTIFICATION: THE FOREGOING ORDINANCE WAS APPROVED AND ADOPTED
AFTER PUBLIC HEARING ON April 16, 2024, BY THE BOARD OF
COUNTY COMMISSIONERS OF CLEAR CREEK COUNTY, COLORADO, AND
APPROVED FOR PUBLICATION BY TITLE ONLY.

DATE OF PUBLICATION: 4/25/2024


Beth Luther
Deputy Clerk & Recorder
Clear Creek County

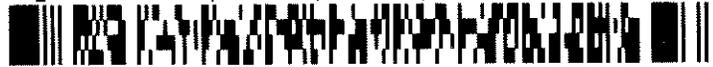


Exhibit A

Amendments to International Fire Code, 2018 Edition

The following sections of the International Fire Code are hereby revised by the addition of the words underlined and the deletion of the words stricken:

Section 101.1, insert: Clear Creek Fire Authority as the “name of jurisdiction.”

Section 110.4, amended 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 subject to fine and/or imprisonment in accordance with Section 32-1-1001 and 32-1-1002, C.R.S. Each day that a violation continues after due notice has been served shall be deemed a separate offense.

Section 112.4, amended as follows:

112.4 Failure to comply. Any person who shall continue any work after having been served a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be subject to fine and/or imprisonment in accordance with Section 32-1-1001 and 32-1-1002, C.R.S

Geographic limits. That the geographic limits referred to in certain sections of the 2018 edition of the *International Fire Code* are hereby established as follows:

Section 5704.2.9.6.1 (geographic limits in which the storage of Class I and Class II liquids in above-ground tanks outside of buildings is prohibited): In accordance with the zoning regulations of the governing authority.

Section 5706.2.4.4 (geographic limits in which the storage of Class I and Class II liquids in above-ground tanks is prohibited): In accordance with the zoning regulations of the governing authority.

Section 5806.2 (geographic limits in which the storage of flammable cryogenic fluids in stationary containers is prohibited): In accordance with the zoning regulations of the governing authority.

Section 6104.2 (geographic limits in which the storage of liquefied petroleum gas is restricted for the protection of heavily populated or congested areas): In accordance with the zoning regulations of the governing authority



Exhibit B

Schedule of Fees and Charges

I. Fees for Hazmat Services, Motor Vehicle Accidents and Safety Services

1. General Provisions

Fees will be charged for roadway response Services provided by the Authority, including, but not limited to, Hazmat materials response, containment and mitigation Services and motor vehicle accident rescue and lane safety protection provided by the Authority. Roadway response Services are subject to the Base Response Fee, as well as any Response Apparatus and Command/Staff Fees applicable to the response.

A. Response Apparatus and Command/Staff Fees will be rounded up or down to the nearest half-hour increment, with a half-hour minimum. Hours charged is determined by the en-- route time and in-service time logged for the response per the dispatch records.

2. Base Response Fee by Type of Incident

A. Hazardous Materials Response	
B. Motor Vehicle Accident Response	\$250 \$250

3. Response Apparatus & Command/Staff Fees

A. Type I Engine	\$250/hr
B. Type III Engine	\$220/hr
C. Heavy Rescue/Hazmat	\$220/hr
D. Water Tender	\$190/hr
E. Type VI Engine	\$165/hr
F. Aerial Truck	\$280/hr
G. Command/Staff Vehicles	\$60/hr



II. Fees for General Inspection Services:

1. **Plan Review:** For commercial new construction, remodels, additions and tenant finish projects the fee is determined by multiplying the square footage of the building project by \$.040 with a minimum of \$50.00. See Section #6 below for separate fire and life safety system construction permit fees. **Exception:** Tents and temporary membrane structure construction/operational permits will be combined into one permit. The initial tent/membrane structure fee is \$50.00. For tents/membrane structures left up (less than 180 days) for subsequent events, the re-inspection fee is \$50.00.
2. **Multi-family dwellings in excess of 2 units:** Multi-family dwellings in excess of two units shall be assessed a fee of \$25 per unit.
3. **Construction Permit for Solar Photovoltaic System:** Systems installed on commercial properties and multi-family residential building shall be assessed a base fee of \$50.00 plus an additional .006 times the system valuation. One/two family dwellings and townhomes shall be assessed a flat fee of \$100.00.
4. **Growing and/or Processing Operations:** Operations, where no applicable standards or requirements are set forth in the currently adopted Fire Code, will be subject to review under applicable standards of the NFPA or other applicable Standards. \$100.00 base rate plus an additional \$50.00 per hour for review time.
5. **Construction Permits for Fire and Life Safety Systems:**
 - A. Standpipe System \$100 base fee for the first riser, \$50 for each additional riser
 - B. Sprinkler Systems \$100 base fee, plus \$.035 /sq ft of protected area
 - C. Clean Agent Systems \$100 base fee, plus \$.035 /sq ft of protected area
 - D. Fire Pumps \$200 fee (excluding one & two family dwellings and Group R3s)
 - E. Hood Systems \$200 fee
 - F. Fire Alarm Systems \$50 base fee plus \$.035 / sq ft of protected area
 - G. Water supply systems \$50 base fee

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6. **Use of District Fire Apparatus:** The hourly rate for use of a Type 1 Engine incident to inspections (c.g. standpipe flow testing) is \$250.00 per hour with a one hour minimum. This rate provides for an operational manned apparatus for connection up to the FDC only. No additional hose or equipment is supplied beyond the FDC.
7. **Special Event Coverage:** The hourly rate for dedicated standby on a special event is \$100.00 per hour with a two-hour minimum.
8. **Operational Permits:** The fee for business operational permits required by the currently adopted Fire Code as amended shall be \$50.00.
Exception: A \$25.00 fee for open burning permits within the Authority's boundaries will be assessed.
9. **Vehicle Access Equipment and Access Gates:** The fee for all construction permits to install vehicle access equipment and all access gates across fire apparatus access roads shall be \$100.00, regardless whether it is a public or private road.
10. **Fire Mitigation Inspections:** The fee for all new construction, additions and deck/patio construction and/or replacement shall be \$150.00.
11. **AST/UST Permanent Installation/Removal:** The fee for the 1st tank shall be \$300.00, and the fee for each subsequent tank at the same site shall be \$150.00.
12. **Fuel Dispensers:** The fee for the 1st dispenser shall be \$100.00, and the fee for each subsequent dispenser at the same site shall be \$25.00.
13. **Required Additional and Re-inspections:** Required additional and re-inspections will be charged \$200.00 for the first two hours (minimum), and \$75.00 for each additional hour or portion thereof. Requests for re-inspections shall be included in this section.
14. **Construction or Installation without a Permit:** Work started without appropriate permits, as required by currently adopted Fire Code and this Fee Schedule, may be subject to additional fees. Permit fees set forth above may be doubled.

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15. Hydrant Test Fee: New and existing fire hydrants shall be subject to a fee of \$100.00 per hydrant for testing.
16. Destruction of Fire Department Locks: Any person who cuts, damages or destroys a fire department security lock shall be assessed a replacement fee of \$25.00 per lock.
17. Variance Request: Any request to go before the Appeals Board as defined in the currently adopted Fire Code for an alternative materials or methods request shall be subject to \$200.00 per request. The Appeals Board may only rule on alternate materials or methods as outlined in the currently adopted Fire Code, they are not permitted to rule on specific or administrative items in the currently adopted Fire Code.
18. Failure to Comply: Any person or company failing to comply with a stop work order as provided by the currently adopted Fire Code shall be subject to a fee of \$500 for the first failure to comply, which fee will increase in increments of \$500 per each subsequent failure to comply (i.e. \$1,000 for the second failure to comply, \$1,500 for the third failure to comply, etc.).
19. After Hours Inspections: All requests for inspections conducted before or after normal business hours of 8:00 AM to 5:00 PM Monday through Friday shall be assessed a fee of \$100.00 per hour.
20. Required Residential Rental Inspections: A fee of \$100.00 will be required to conduct fire safety inspections of properties as required by a code or ordinance.
21. Credit Card Fees: A fee of 3% will be added to all payments made by Visa or MasterCard credit cards. The fee will be added to the total cost.

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III. Fees for False Alarms

1. False alarms require Authority response and mandate inspection to determine the cause of the alarm. Excessive false alarms are charged fees in accordance with this section.
2. Category I Alarms: Category I alarms will not be assessed a fee. A Category I alarm is any alarm requiring District response where the system operated properly under the following conditions:
 - Accidental: Any alarms caused by a guest or circumstances beyond the control of management, or a single accidental smoke or fire condition.
3. Category II Alarms: The owner of any fire alarm system found to have three or more Category II alarms in a calendar year shall be charged a fee pursuant to Table 1. A Category II alarm is any alarm requiring District response under the following conditions.
 - System Malfunction: Any alarm caused by poor or improper maintenance, or improper installation of alarm equipment, hardware or wiring. An improper action by the alarm monitoring center shall also be considered a system malfunction.
 - User Error: The act or omission of an agent, employee or contractor of management.
 - Undetermined Cause: Any alarm which, after inspection by the Authority, does not reveal the apparent cause of the alarm. If the alarm system owner, or their agent, can provide proof of cause within two (2) working days from the alarm time, the Authority may re-evaluate its assessment.

Except for fees charged pursuant to sections III(3)(A) and III(3)(B) below, within 30 days following a Category II alarm that results in the assessment of a fee pursuant to this section, the owner of a fire alarm system may provide the Authority with written proof that necessary repairs or corrections have been made to the fire alarm system by a qualified agency. Upon the District's determination that all necessary repairs to the fire alarm system have been made, the system owner is eligible to receive a fifty percent rebate on the fee, if requested within 30 days of the Authority's determination.

- A. Fire Alarm Monitoring or Fire Protection Maintenance Companies: The fee set forth in this section shall apply to any fire alarm installation/testing company, fire alarm monitoring company, or fire protection maintenance company found to have three or more Category II alarms at any combination of properties in a calendar year.

In general, the fee shall be charged to the fire alarm installation/testing company, fire alarm monitoring company, or fire protection maintenance company that is found to be the cause of the false alarm. However, if designation of cause cannot be distinguished between such companies, the fee shall be charged to the owner of the property.

- B. New Construction: The fee set forth in this section shall apply to any new construction site found to have three or more Category II alarms. The fee shall be charged to the owner of the property.



4. **Malicious Alarms:** The person causing the alarm will be assessed a fee pursuant to Table I. A malicious alarm is any alarm caused by a malicious or mischievous action.

Malicious alarms are also unlawful. The individual responsible for a malicious alarm(s) may be referred for criminal prosecution as defined in the Colorado Revised Statutes.

5. **Failure to Pay Fees:** Any fees unpaid by contracted companies or general contractors shall be charged to the owner of the system in violation of this section. The Authority may take all available legal and equitable remedies to recover fees unpaid for more than ninety days. To the extent permitted by law, attorneys' fees and costs may be charged to recover any such expenses incurred by the Authority in collecting upon past due fees.

6. **Credit Card Fees:** A fee of 3% will be added to all payments made by Visa or MasterCard credit cards. The fee will be added to the total cost.

Table I - False Alarm Fees

Category II Alarms		Malicious Alarms	
Number of Alarms Per Calendar Year	Fee Per Each Alarm	Number of Alarms Per Calendar Year	Fee Per Each Alarm
1	\$ 0.00	1	\$100.00
2	\$ 0.00	2	\$200.00
3	\$ 0.00	3	\$300.00
4	\$100.00	4	\$400.00
5	\$200.00	5	\$500.00
6	\$300.00	6	\$600.00
More than 6: Fees continue indefinitely, with an accumulating increase of \$100 per alarm.		More than 6: Fees continue indefinitely, with an accumulating increase of \$100 per alarm.	

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