

15.48 - International Fire Code

Chapter 15.48 - INTERNATIONAL FIRE CODE (IFC)

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15.48.010 Document adopted by reference. Pursuant to Colorado Revised Statutes 1973, 31-16-201 et seq., as amended, there is hereby adopted as the fire code of the City of Evans, by reference thereto, the International Fire Code, 2006 Edition, together with Appendices A-G included therein, of the International Code Council, of the International Code Council, 4051 West Flossmoor Road, Country Club Hills, IL 60478-5795. (Ord. 517-11: Ord. 266-04: Ord. 1134-98: Ord. 869-93: Ord. 554-83: prior code 13.20.010)

15.48.020 Title for citation. The ordinance codified in this chapter may be known and cited as "The Fire Code of the City of Evans, Colorado. (Ord. 517-11: Ord. 266-04: Ord. 1134-98: Ord. 869-93: Ord. 554-83: prior code 13.20.170)

15.48.030 Purpose. The fire code is adopted in order to preserve and protect the public health, safety and general welfare, and for the purpose of prescribing regulations governing conditions hazardous to life and property from fire explosion. (Ord. 517-11: Ord. 266-04: Ord. 1134-98: Ord. 869-93: Ord. 554-83: prior code 13.20.020)

15.48.040 Scope of regulations. The subject matter of the adopted code includes comprehensive provisions, standards and regulations concerning conditions hazardous to life and property from fire and explosions; establishes a department of fire prevention and defines its duties; and provides for officers and defines their duties. (Ord. 517-11: Ord. 266-04: Ord. 1134-98: Ord. 869-93: Ord. 554-83: prior code 13.20.030)

15.48.050 Interpretation of provisions. This chapter shall be so interpreted and construed as to effectuate its

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general purpose to make uniform administration and enforcement of the City's technical codes. (Ord. 517-11: Ord. 266-04: Ord. 1134-98: Ord. 869-93: Ord. 554-83: prior code 13.20.160)

15.48.060 Applicability of chapter. This chapter shall apply to every building, structure, hazardous substance, material or device as defined in said ordinance, which is now in existence or which may hereafter be erected, constructed, altered, moved, demolished or repaired. (Ord. 517-11: Ord. 266-04: Ord. 1134-98: Ord. 869-93: Ord. 554-83: prior code 13.20.130)

15.48.070 Definitions. As used in the International Fire Code:

1. "City" - Means the City of Evans, Colorado.
2. "City Council" - Means the City Council of the City of Evans.
3. "Corporation Counsel" - Means the City Attorney.
4. "IFC" - Means the 2006 Edition of the International Fire Code.
5. "International Fire Code" - Means the 2006 Edition of the International Fire Code.
6. "Jurisdiction" - Means the City of Evans. (Ord. 517-11: Ord. 266-04: Ord. 1134-98: Ord. 869-93: Ord. 554-83: prior code 13.20.010 and 13.20.051--13.20.055)

15.48.080 IFC Sec. 105 is amended to read:

Sec. 105.6 Required operational permits.

A permit shall be obtained from the Fire Code Official prior to engaging in the following activities, operations, practices or functions:

105.6.4. Carnivals and fairs. An operational permit is required to conduct a carnival or fair.

105.6.14. Explosives. An operational permit is required for the manufacture, storage, handling, sale or use of any quantity of explosives, explosive materials, fireworks or pyrotechnic special effects within the scope of Chapter 33. Exception: Storage in Group R-3 occupancies of smokeless propellant, black powder and small arms powder for personal use, not for resale and in accordance with Section 3306.

105.6.30. Open burning. An operational permit is required for the kindling or maintaining of an open fire or a fire on any public street, alley, road, or other public or private ground in accordance with Section 307.

105.6.43. Temporary membrane structures, tents, and canopies. An operational permit is required to operate an air-supported temporary structure or tent having an area in excess of 200 square feet, or a canopy of over 400 square feet in accordance with Chapter 24. (Ord. 517-11)

15.48.090 IFC Sec. 108 is amended to read:

Sec. 108 Board of Appeals.

108.1 Board of Appeals established. In order to hear and decide appeals of orders, decisions or determinations made by the fire code official relative to the application and interpretations of this code, there shall be and is hereby created a Fire Board of Appeals. The board of appeals shall be appointed by the governing body and shall hold office at its pleasure. The Zoning Board of Appeals as established in Chapter 19.58 of the municipal code shall serve as the Fire Board of Appeals. (Ord. 517-11: Ord. 266-04: Ord. 1134-98: Ord. 869-93: Ord. 554-83: prior code 13.20.130)

15.48.100 IFC Sec. 302 definitions of Open Burning and Recreational Fires are amended to read:

3.2.1 Definitions

OPEN BURNING. The burning of materials wherein products of combustion are emitted directly into the ambient air without passing through a stack or chimney from an enclosed chamber. Open burning does not include road flares, smudge pots and similar devices associated with safety or occupational uses typically considered open flames, recreational fires or use of portable outdoor fireplaces. For the purpose of this definition, a chamber shall be regarded as enclosed when, during the time combustion occurs, only apertures, ducts, stacks, flues or chimneys necessary to provide combustion air and permit the escape of exhaust gases are open.

RECREATIONAL FIRE. An outdoor fire burning materials other than rubbish where the fuel being burned is not contained in an incinerator, outdoor fireplace, portable outdoor fireplace, barbecue grill or barbecue pit and has a total fuel area of 3 feet (914 mm) or less in diameter and 2 feet (610 mm) or less in height for pleasure, religious, ceremonial, cooking, warmth or similar purposes. (Ord. 517-11)

15.48.110 IFC. Sec. 302 definition of portable outdoor fireplace is added.

302.1 Definitions

PORTABLE OUTDOOR FIREPLACE. A portable, outdoor, solid-fuel-burning fireplace that may be constructed of steel, concrete, clay or other noncombustible material. A portable outdoor fireplace may be open in design, or may be equipped with a small hearth opening and a short chimney or chimney opening in the top. (Ord. 517-11)

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15.48.120 IFC Sec. 307 is amended to read:

Sec. 307 Open Burning, Recreational Fires and Portable Outdoor Fireplaces.

307.1 General. A person shall not kindle or maintain or authorize to be kindled or maintained any open burning unless conducted and approved in accordance with this section.

307.1.1 Prohibited open burning. Open burning that is offensive or objectionable because of smoke emissions or when atmospheric conditions or local circumstances make such fires hazardous shall be prohibited. The burning of trash, debris and refuse shall be prohibited. Bonfires are prohibited.

307.2 Permit required. A permit shall be obtained from the fire code official in accordance with Section 105.6 prior to kindling a fire for recognized silvicultural or range or wildlife management practices, prevention or control of disease or pests, or a recreational fire. Application for such approval shall only be presented by and permits issued to the owner of the land upon which the fire is to be kindled.

307.2.1 Authorization. Where required by state or local law or regulations, open burning shall only be permitted with prior approval from the state or local air and water quality management authority, provided that all conditions specified in the authorization are followed.

307.3 Extinguishment authority. The fire code official is authorized to order the extinguishment by the permit holder, another person responsible or the fire department of open burning that creates or adds to a hazardous or objectionable situation.

307.4 Location. The location for open burning shall not be less than 50 feet (15 240 mm) from any structure, and provisions shall be made to prevent the fire from spreading within 50 feet (15 240 mm) of any structure.

Exceptions:

1. Fires in approved containers that are not less than 15 feet (4572 mm) from a structure.

2. The minimum required distance from a structure shall be 25 feet (7620 mm) where the pile size is 3 feet (914 mm) or less in diameter and 2 feet (610 mm) or less in height.

307.4.2 Recreational fires. Recreational fires shall not be conducted within 25 feet (7620 mm) of a structure or combustible material. Conditions which could cause a fire to spread within 25 feet (7620 mm) of a structure shall be eliminated prior to ignition.

307.4.3 Portable outdoor fireplaces. Portable outdoor fireplaces shall be used in accordance with the manufacturer's instructions and shall not be operated within 15 feet (3048 mm) of a structure or combustible material.

Exception: Portable outdoor fireplaces used at one- and two-family dwellings.

307.5 Attendance. Open burning, recreational fires and use of portable outdoor fireplaces shall be constantly attended until the fire is extinguished. A minimum of one portable fire extinguisher complying with Section 906 with a minimum 4-A rating or other approved on-site fire-extinguishing equipment, such as dirt, sand, water barrel, garden hose or water truck, shall be available for immediate utilization. (Ord. 517-11)

15.48.130 IFC Sec.501.4 is amended to read:

Sec. 501.4 Timing of Installation.

When fire protection, including fire apparatus access roads and water supplies for fire protection are required to be installed for any new building construction or remodel above the footing and foundation, such access and egress roads, streets, or driveways shall have been constructed and maintained with an all weather surface capable of supporting the weight of a fully equipped fire apparatus, street signs shall be in place and any required water supply shall be fully functional, before any building permit will be issued. The Fire Code Official may require the installation of fire protection features described above where unusual hazards exist due to the location and type of construction or hazard to adjacent properties and buildings.

EXCEPTION: When alternate methods of protection, as approved, are provided, the requirements of Section 501.4 of the International Fire Code may be modified or waived by the Fire Chief. (Ord. 517-11: Ord. 266-04: Ord. 1134-98)

15.48.140 IFC Sec.902 definition of nuisance alarm is amended to read:

Sec. 902 Nuisance Alarms

An alarm caused by mechanical failure, malfunction, improper installation, or lack of proper maintenance, or an alarm activated by a cause that cannot be determined. No person shall allow any home, school, business, or any building that has a fire alarm system to have more than 3 nuisance alarms in one year. (Ord. 517-11: Ord. 266-04)

15.48.150 IFC Section 3001 is amended to read:

Sec. 3001. Maximum Capacity of CNG

The storage of compressed natural gas (CNG) shall be prohibited in areas zoned R. Within the limits established by law restricting the storage of compressed natural gas for the protection of heavily populated or congested

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commercial area, the aggregate capacity of any one installation shall not exceed 500 gallons water capacity (70,000 cubic feet). The aggregate capacity for any one installation in the City of Evans for the use as a wholesale or retail bulk storage plant shall not exceed 500 gallons water capacity. (Ord. 517-11: Ord. 266-04: Ord. 1134-98)

15.48.160 IFC Sec. 3301.1.a is added to read:

Sec. 3301.1a. Prohibited and Limited Acts

a.1. The storage of explosives and blasting agents is prohibited in the City of Evans, Colorado, except for temporary storage for use in connection with approved blasting operations; provided, however, this prohibition shall not apply to wholesale, retail stocks and small arms ammunition, explosive bolts, explosive rivets or cartridges for explosive-actuated power tools in quantities involving less than 20 pounds of explosive material. A valid permit issued by the Fire Department is required. (Ord. 517-11: Ord. 266-04: Ord. 1134-98: Ord. 869-93: Ord. 554-83: prior code 13.20.080)

15.48.170 IFC Sec. 3309 is added:

Sec. 3309 Temporary Storage of Consumer Fireworks

3309.1 General. Where temporary storage of consumer fireworks, 1.4G is allowed by Section 3301.3, Exception 4, such storage shall comply with applicable requirements of NFPA 1124. (Ord. 517-11)

15.48.180 IFC Sec. 3404 is amended to read:

Sec. 3404.2 Storage

1. General. Storage of Class I, Class II and Class III-A liquids in bulk plants shall be in accordance Chapter 27 and Section 3404 of the International Fire Code.

1. Prohibited Locations.

Any new bulk plants for the storage or manufacture of flammable or combustible liquids are prohibited within any areas within the City zoned solely or primarily for residential occupancies or for mercantile establishments primarily retail in character. The zoning designation of the City zoning ordinance shall govern as to the zoning characteristics of such area.

EXCEPTIONS:

1. Legal Nonconforming. Bulk storage tanks legally installed and in use as of April 19, 1983, may be continued in use, provided that such tanks are located and installed in accordance with the latest adopted edition of the IFC and provided further, that other applicable provisions of this code and the City of Evans Code of Ordinances are complied with.

2. Variance. Upon payment of variance fee, review and recommendation of the Board of Appeals, the City Council may grant a variance to the prohibitions in Section 3406 of the International Fire Code above for permits granted under Chapter 16.28, Oil and Gas Exploration and Development, for good cause, and if the Council finds that such variance will not create an undue safety hazard, nor will adversely affect surrounding property. All bulk storage authorized by City Council variance is subject to the construction, location and other applicable standards set forth in the latest adopted edition of the International Fire Code.

(Ord. 517-11: Ord. 266-04: Ord. 1134-98: Ord. 869-93)

15.48.190 IFC Sec. 3404.2.9.1.1 is amended to read:

Sec. 3404.2.9.1.1 Additional Fire Protection.

When required by the Fire Chief and in accordance with Section 3404.2.9.1.1 of the International Fire Code, additional foam fire protection and/or deluge water systems shall be provided at the well head and/or tank battery locations. (Ord. 517-11: Ord. 266-04: Ord. 1134-98)

15.48.200 IFC Sec.3404.2.9.5 is amended to read:

Sec. 3404.2.9.5.1 Location of Aboveground Tanks

1. General. Storage of Class I and Class II liquids in aboveground tanks outside of buildings is prohibited within the City limits as established by law.

EXCEPTIONS:

1. Prohibited and Legal Nonconforming. Such storage shall be prohibited within the city; provided, however, that any such aboveground tanks legally installed and in use as of April 19, 1983, may be continued in use, provided that such tanks are located and installed in accordance with the latest edition of the National Fire Protection Association Pamphlet Nos. 30 & 58 and provided further, that other applicable provisions of this code and the City of Evans Code of Ordinances are complied with.

2. Variance for Storage of flammable or combustible liquids in C, I, and P.U.D. zones. Upon payment of variance fee, review and recommendation of the Board of Appeals, the City Council may grant a variance to the prohibitions in Section 3304 of the International Fire Code above for permits granted under Chapter 16.28, Oil and Gas

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Exploration and Development, and/or for aboveground storage in C, I, and P.U.D. zoning districts, for good cause, and if the Council finds that such variance will not create an undue safety hazard, nor will adversely affect surrounding property. All aboveground storage authorized by City Council variance is subject to the construction, location and other applicable standards set forth in the latest adopted edition of the International Fire Code. (Ord. 517-11: Ord. 287-04: Ord. 266-04)

15.48.210 IFC Sec. 3406 is amended to read:

Sec. 3406 Special operations.

Construction Sites. The aboveground storage of Class I and II liquids shall be allowed on a temporary basis at construction sites for the purpose of refueling of construction equipment. A maximum of 1,100 gallons will be allowed at the site and shall have secondary containment. Gravity feed tanks will not be allowed for refueling equipment. A permit for the installation and use of such a tank shall be required prior to the installation of such tank. (Ord. 517-11: Ord. 266-04: Ord. 1134-98: Ord. 869-93: Ord. 818-91: Ord. 554-83: prior code 13.20.060--13.20.062)

15.48.220 IFC Sec. 3406 is amended to read:

Sec. 3406.3 Location (Well Drilling and Operating)

Sec. 3406.3.1.2 Streets and railways.

The minimum distance separation for any well head from any public street, alley, right of way, nearest rail of an operating railway or any tank battery, separator and ancillary equipment is seventy-five feet.

Sec. 3406.3.1.3 Buildings.

Buildings to well heads. The minimum distance separation for any well head from any building not necessary to the operation of the well is one hundred fifty feet except for buildings used as a place of assembly, institution or school which requires a minimum distance separation of three hundred feet.

Buildings to Tank Batteries, Separators and Ancillary Equipment. The minimum distance separation for any well tank battery, separator and ancillary equipment from any building not necessary to the operation of the well is three hundred feet. (Ord. 517-11: Ord. 266-04: Ord. 1134-98: Ord. 1070-97)

15.48.230 IFC Sec.3406.3.1.3.3 is added to read:

Sec. 3406.3.1.3.3 Setbacks from any Utility Easement.

The minimum distance separation between any well head, tank battery, separator and ancillary equipment from any utility easement is twenty feet. (Ord. 517-11: Ord. 266-04: Ord. 1134-98)

15.48.240 IFC Sec.3406.3.7 is added to read:

Sec. 3406.3.7 Signs

Well locations shall have posted in a conspicuous place an approved sign with the name of the owner or operator, name of the lessee and the lease number, the well number and the telephone number where a responsible person can be reached at any time. Such signs shall be placed 50 feet from the main road on the entrance to the site. (Ord. 517-11: Ord. 266-04)

15.48.250 IFC Sec.3406.6.5 is added to read:

Sec. 3406.6.5 Tank Vehicle Routes.

1. General. No person shall operate a tank vehicle on or cause a tank vehicle to be operated on any street, highway, alley, avenue, boulevard or other public way or place within the City of Evans, Colorado, other than upon the streets and avenues shown on the tank vehicle route map adopted at sub-section B of this section, or other than upon streets and avenues leading as directly as possible between a bulk plant and a point on a street or avenue shown on such map or between a retail service station and a point on a street or avenue shown on such map.

2. Routes Defined. The tank vehicle route map is adopted by resolution by the Evans City Council and is under separate cover on file in the City Clerk's office, City of Evans, Colorado 80620. (Ord. 517-11: Ord. 266-04: Ord. 1134-98: Ord. 869-93)

15.48.260 IFC Sec. 3804.2 is added to read:

Sec. 3804.2 Maximum Capacity (LPG) Within Established Limits.

The storage of liquefied petroleum gas shall be prohibited in areas zoned R. The City Council, upon review and recommendation of the Board of Appeals, may grant the storage of aboveground liquefied petroleum gases within C, I, and PUD Zones upon finding that such variance will not create an undue safety hazard, nor will adversely affect surrounding property. All aboveground storage authorized by City Council variance shall be in accordance with the adopted International Fire Code. Within the limits established by law restricting the storage of liquefied

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petroleum gas for the protection of heavily populated or congested commercial area, the aggregate capacity of any one installation shall not exceed 2,000 gallons water capacity. The aggregate capacity for any one installation in the City of Evans for the use as a wholesale or retail bulk storage plant shall not exceed 2,000 gallons water capacity. The forgoing prohibitions shall not apply to existing storage installations in existence of the effective date of the first adoption of the Uniform Fire Code, 8/1/72.

EXCEPTION:

1. The storage and use of liquefied petroleum gas in residential areas for barbecues, RV's or other recreational uses shall be limited to portable containers of 10 gallon water capacity or less. The total amount to be allowed in storage or use shall be limited to 20 gallons water capacity.
2. The storage and use of liquefied petroleum in areas zoned residential or commercial that do not have natural gas supplied to the area shall meet the requirements of Article 82 of the Uniform Fire Code. (Ord. 517-11: Ord. 287-04: Ord. 266-04: Ord. 1134-98)

15.48.270 Violation--Penalty. Any person, firm or corporation violating any of the provisions of the International Fire Code as amended shall be deemed guilty of a misdemeanor, and each such person shall be guilty of a separate offense for each and every day or portion thereof during which any violation of any of the provisions of the International Fire Code as amended are committed, continued or permitted, and upon the conviction of any such violation such person shall be punished by a fine not exceeding one thousand dollars (\$1,000) or by imprisonment not exceeding one (1) year, or by both such fine and imprisonment. (Ord. 517-11: Ord. 266-04: Ord. 1134-98: Ord. 842-92: Ord. 554-83: prior code 13.20.120)

Code Documents



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