

**TOWN OF BERTHOUD**

**ORDINANCE NO. 1304**

**AN ORDINANCE AMENDING CHAPTER 11 OF THE MUNICIPAL CODE OF THE TOWN OF BERTHOUD BY ADOPTING THE 2021 INTERNATIONAL FIRE CODE AS ADOPTED BY THE BERTHOUD FIRE PROTECTION DISTRICT FOR THE PURPOSE OF ESTABLISHING MINIMUM REQUIREMENTS FOR PROVIDING A REASONABLE LEVEL OF LIFE SAFETY AND PROPERTY PROTECTION FROM THE HAZARDS OF FIRE.**

WHEREAS, the Town of Berthoud (the “Town”) is a statutory municipality created and organized pursuant to Title 31, Colorado Revised Statutes; and

WHEREAS, on November 16, 2021, the Berthoud Fire Protection District adopted the 2021 International Fire Code by reference with amendments; and

WHEREAS, Section 31-16-202, C.R.S., as amended, permits the adoption by reference of such codes upon notice and hearing as provided in Section 31-16-203, C.R.S.; and

WHEREAS, Section 31-15-601, C.R.S., as amended, permits the governing bodies of municipalities to adopt building and fire regulations; and

WHEREAS, copies of the 2021 International Fire Code are available at the office of the Town Clerk located at 807 Mountain Ave, Berthoud, CO 80513, for review and inspection by the public; and

WHEREAS, the Board of Trustees held a public hearing, with proper notice provided, to consider adoption of the Standards and Specifications as required by law; and

WHEREAS, the Board of Trustees has determined, based on the evidence and testimony presented at the public hearing, that the 2021 International Fire Code and associated amendments will further the health, safety, and welfare of the inhabitants of the Town.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE TOWN OF BERTHOUD, COLORADO:

Section 1. Chapter 11 of the Berthoud Municipal Code is hereby amended with the addition of a new Section 11.2-1 to read as follows:

**11.2-1 - International Fire Code Adopted**

Pursuant to parts 1 and 2 of article 16 of title 31, C.R.S., there is hereby adopted by reference the 2021 Edition of the International Fire Code, including the Chapter 80 Referenced Standards, the National Fire Protection Association Standards included in Chapter 80 as published by the International Code Council (cumulatively, the “IFC”); provided that any penalty provisions are expressly not adopted. The subject matter of the IFC relates primarily to the regulation affecting

or relating to structures, processes, premises and safeguards regarding fire hazards. The purpose of the IFC adopted herein is to provide minimum requirements consistent with nationally recognized good practice for providing a reasonable level of life safety and property protection from the hazards of fire, explosion or dangerous conditions in new and existing buildings, structures, and premises, and to provide a reasonable level of safety to fire fighters and emergency responders during emergency operations. Three (3) copies of the IFC adopted herein are now filed in the office of the Clerk of the Town of Berthoud, Colorado, and may be inspected during regular business hours.

Section 2. Chapter 11 of the Berthoud Municipal Code is hereby amended with the addition of a new Section 11.2-2 to read as follows:

### **11.2-2 – Amendments to the International Fire Code**

The 2021 edition of the IFC is adopted as if set out at length, including the following appendices: B, C, D, E, F, G, H, I, K & N (but specifically excluding Appendix A, J, L & M) save and except for the following additions, deletions, or modifications:

#### **(1) Definitions**

Wherever the word “**District**” is used, it shall mean the Berthoud Fire Protection District.

Wherever the word “**Jurisdiction**” is used in the adopted Code and Standards, it is meant to be Inclusive of the boundaries of the District as they now or may hereafter exist.

Where the term “**Chief**” or “**Chief of the Bureau of Fire Prevention**” is used it shall mean the Chief of the District or the District Fire Marshal or designated member of the District.

Where the term “**International Fire Code**” or “**IFC**” is used, it shall be held to mean the International Fire Code, 2021 Edition as adopted, amended, and incorporated into the Larimer, Weld, and Boulder County Fire Code as adopted, amended, and incorporated into the applicable municipality’s Fire Code within a municipality’s territorial limit.

Where the term “**Bureau of Fire Prevention**” is used, it shall be held to mean either the entire Department or those employees (paid or volunteers) designated by the Chief or Fire Marshal to carry out enforcement duties relating to the prevention of fires and the suppression of arson.

Where the term “**Board**” is used, it shall mean the Board of Directors of the District.

Where the term “**Board of Trustees**” is used, it shall mean the Board of Trustees of the Town of Berthoud, Colorado.

Where the term “**Code**” is used, it shall mean the International Fire Code as adopted.

Wherever the term “**International Building Code**” is used, it shall mean the International Building Code as adopted, amended, and incorporated into the Larimer, Weld, and Boulder County Building Codes for unincorporated portions of such counties