

**TITLE 11**

**FIRE PREVENTION AND PROTECTION**

**Chapter 11.04 Fire Prevention and Protection**

Sec. 11.04.010. Fire limits.....3

Sec. 11.04.020. Adoption of the International Fire Code.....3

Sec. 11.04.030. Amendments.....3

    Sec. 101.1 Title.....3

    Sec. 102.8 Subjects not regulated by this code.....3

    Sec. 102.9 Matters not provided for.....4

    Sec. 103.2 Appointment.....4

    Sec. 104.6.3 Fire records.....4

    Sec. 104.10 Fire investigations.....4

    Sec. 108.1 Board of appeals.....4

    Sec. 109.2.2 Compliance with orders and notices.....4

    Sec. 202 General Definitions.....5

    Sec. 307.1.1 Prohibited open burning.....5

    Sec. 308.3 Group A occupancies.....5

    Sec. 308.3.2 Theatrical performances.....6

    Sec. 310.9 Hotels, motels, rooming or lodging houses.....6

    Sec. 507.5.4.1 Snow removal.....6

    Sec. 903.2 Where required.....6

    Sec. 903.2.13 R-1, R-2.....7

    Sec. 903.2.14 One and two family dwellings and auxiliary buildings.....7

    Sec. 903.4 Sprinkler system supervision and alarms.....7

    Sec. 903.4.2 Alarms.....8

    Sec. 906.1 Where required.....8

    Sec. 907.1.4 Designer requirements.....8

    Sec. 907.1.6 Required types of systems.....8

    Sec. 907.2.1 Group A.....9

    Sec. 907.2.2 Group B.....9

    Sec. 907.2.3 Group E.....9

    Sec. 907.2.7 Group M.....9

    Sec. 907.2.8.1 Manual fire alarm system.....10

    Sec. 907.2.8.2 Automatic smoke detection system.....10

    Sec. 907.2.9 Where required.....10

    Sec. 907.2.9.1 Manual fire alarm system.....10

    Sec. 907.6.2.2.5 Interior alarms.....10

    Sec. 907.6.2.3.1.2 Exterior visual requirements.....10

    Sec. 913.4 Valve supervision.....11

    Sec. 1008.1.9.10 Stairway doors.....11

    Sec. 1028.12 Seat stability.....11

    Sec. 2204.3 Unattended self-service motor fuel-dispensing facilities.....12

    Sec. 3301.1.3 Fireworks.....12

    Sec. 3301.2.4 Financial responsibility.....12

    Sec. 3301.4 Qualifications.....12

    Sec. 3304.10.8 Storage exceeding 50 lbs.....13

    Sec. 3304.10.9 Storage less than 50 lbs.....13

    Sec. 3308.1.2 Indoor pyrotechnic displays.....13

    Sec. 3404.2.13.2.4 Above-ground tanks.....13

    Sec. 3406.2.4 Capacity limits.....13

    Sec. 3406.6.1.12 Delivery hose length.....14

    Sec. 3406.6.1.13 Delivery vehicle capacity.....14

    Sec. 3406.6.1.14 Delivery vehicle single compartment capacities.....14

    Sec. 3406.6.1.15 Delivery periods.....14

Sec. 3406.6.1.16 Noncompliant motor vehicles. ....	14
Sec. 3803.4 Multiple LP-gas container installations.....	14
Sec. 3803.5 Noncompliant vehicles.....	15
Sec. 4603.6 Fire alarm systems. ....	15
Sec. 4603.6.5.1 Group R-1 hotel and motel manual fire alarm system. ....	15
Sec. 4603.6.5.1.1 Group R-1 hotel and motel automatic smoke detection system. ....	15
Sec. 4603.6.6 Group R-2. ....	15
Sec. 4604.5 Illumination emergency power. ....	15
Sec. 11.04.040. Penalties for violations. ....	16
Sec. 11.04.050. Purpose. ....	16
Sec. 11.04.060. Copies on file.....	16

## Chapter 11.04

### FIRE PREVENTION AND PROTECTION<sup>1, 2, 3.</sup>

<sup>1</sup> **Editor's note**—Section 1 of Ordinance No. 27-1973, repealed Ch. 9, pertaining to fire prevention and protection generally, fireworks and flammable liquids and certain other explosives. Former Ch. 9 was derived from Code 1962, §§ 1-3-5, 6-1-12, 6-1-37, 6-8-1—6-8-10; Ord. No. 18-1967, § 1 and Ord. No. 19-1970, § 1. Section 2 of Ordinance No. 27-1973 amended the Code by adding former §§ 9-1—9-4 as a new Ch. 9 (Ch. 11.04) as herein set out.

<sup>2</sup> **Cross reference**—Buildings and Building Regulations, Title 8; Chief of Fire Department to be ex officio member of Board of Appeals and Examiners, § 8.08.020; Separate containers required for ashes, § 12.04.040; Control of ashes during transportation, § 12.04.090; Duty of superintendent of waterworks to maintain fire hydrant, § 25.08.020(d); access to fire hydrants by fire department, § 25.08.030.

<sup>3</sup> **State law reference**—Fire safety assistance by State Division of Fire Safety, Section 24-33.5-120 C.R.S.; Building and Fire Regulations, Section 31-15-601 C.R.S., et seq.; Codes adopted by reference, Section 31-16-201, C.R.S., et seq.

#### Sec. 11.04.010. Fire limits.

The fire limits of the City shall be the same as the territorial limits thereof, including additions thereto and all provisions of this Chapter shall be enforceable within said limits. (Code 1971, § 9-1; Ord. [No. 27-1973](#), § 2)

#### Sec. 11.04.020. Adoption of the International Fire Code.

Pursuant to the power and authority conferred by the laws of the State of Colorado and the Charter of the City of Aspen, Colorado, it is hereby adopted as the fire code of the City of Aspen, Colorado, by reference thereto, the International Fire Code, 2009 edition, including the appendix, except Sections A, E, F and G of said appendix of such code published by the International Code Council Inc. 4051 West Flossmoor Road, Country Club Hills, Illinois, 60478-5795 all to have the same force and effect as though set forth herein in every particular.

([Ord. No. 1-2003](#), § 1; [Ord. No. 20-2004](#), § 1; [Ord. No. 37-2011](#)§1)

**Charter reference**—Authority of City to adopt standard codes, § 5.04.130.

**State law reference**—Authority to adopt codes by reference, Section 31-16-201 C.R.S.

#### Sec. 11.04.030. Amendments.

The International Fire Code herein adopted shall be amended as follows:

##### Sec. 101.1 Title.

These regulations shall be known as the Fire Code of the **Aspen Fire Protection District**, hereinafter referred to as "this code."

##### Sec. 102.8 Subjects not regulated by this code.

Where no applicable standards or requirements are set forth in this code, or are contained within other laws, codes, regulations, ordinances or bylaws adopted by the jurisdiction, compliance with the most current applicable standards of the National Fire Protection Association or other nationally recognized fire safety standards, as approved, shall be deemed as prima facie evidence of compliance

with the intent of this code. Nothing herein shall derogate from the authority of the fire code official to determine compliance with codes or standards for those activities or installations within the fire code official's jurisdiction or responsibility.

Exception: When that current cycle is less than a year from the previous cycle, the previous cycle may be used with the approval of the fire code official.

#### **Sec.102.9 Matters not provided for.**

Requirements that are essential for the public safety of an existing or proposed activity, building or structure, or for the safety of the occupants thereof, which are not specifically provided for by this code shall be determined by the fire code official. The most current NFPA code cycle or other nationally recognized fire safety standards, as approved shall be utilized.

Exception: When that current cycle is less than a year from the previous cycle, the previous cycle may be used with the approval of the fire code official.

#### **Sec. 103.2 Appointment.**

The fire code official shall be appointed by the chief appointing authority of the jurisdiction; and the fire code official shall not be removed from office except for cause and after full opportunity to be heard on specific and relevant charges by and before the appointing authority. For the purposes of this code the term fire code official there may be inserted fire marshal.

#### **Sec. 104.6.3 Fire records.**

The fire department shall keep a record of fires occurring within its jurisdiction and of facts concerning the same, including statistics as to the extent of such fires and the damage caused thereby, together with other information as required by the fire code official. Copies of all such records shall be forwarded to the office of the fire marshal.

#### **Sec. 104.10 Fire investigations.**

The fire code official, the fire chief or other responsible authority shall have the authority to investigate the cause, origin and circumstances of any fire, explosion or other hazardous condition. Information that could be related to trade secrets or processes shall not be made part of the public record except as directed by a court of law.

#### **Sec.108.1 Board of appeals.**

Appeals shall be in accordance with Section 8.08 of the Municipal Code of the City of Aspen or Section Title 11 sec 04.040.112.1 of the Pitkin County Code.

#### **Sec. 109.2.2 Compliance with orders and notices.**

A notice of violation issued or served as provided by this code shall be complied with by the owner, operator, occupant or other person responsible for the condition or violation to which the notice of violation pertains.

- (1) If the building or other premises is owned by one person and occupied by another, under lease or otherwise, and the notice of violation requires additions to or changes in the building or premises such as would be considered real estate and become the property of the owner, said notice and order shall be directed to such owner of the building or premises.

- (2) Every notice of violation pursuant to this chapter shall set forth a time by which compliance with the notice violation is required. The time specified shall be reasonable according to the circumstances of the particular hazards or condition to which the notice and order pertains. Immediate compliance may be required in any case which represents extreme or imminent danger to persons or property.
- (3) Except for cases where immediate compliance is required, violations pursuant to this chapter may be appealed as set forth in Section 108.1.
- (4) In cases where immediate compliance is required, the notice of violation so stating shall be final and conclusive.

### **Sec. 202 General Definitions.**

“Guest” shall mean any person hiring or occupying a room or bed for living or sleeping purposes.

“Street” shall mean any thoroughfare, alley or public space not less than sixteen (16) feet in width which has been dedicated or deeded to the public for public use.

### **Sec. 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. from May 31 to October 1.

#### **Exception:**

Open burning may be permitted or prohibited at any time when in the opinion of the fire code official the atmospheric conditions are conducive for safe burning.

### **Sec. 308.3 Group A occupancies.**

Open-flame devices shall not be used in a Group A occupancy.

#### Exceptions:

1. Open-flame devices are allowed to be used in the following situations, provided approved precautions are taken to prevent ignition of a combustible material or injury to occupants:
  - 1.1. Where necessary for ceremonial or religious purposes in accordance with Section 308.1.7.
  - 1.2. On stages and platforms as a necessary part of a performance in accordance with Section 308.3.2.
  - 1.3. Where candles on tables are securely supported on substantial noncombustible bases and the candle flames are protected.
2. Heat-producing equipment complying with Chapter 6 and the *International Mechanical Code*.
3. Gas lights are allowed to be used provided adequate precautions satisfactory to the fire code official are taken to prevent ignition of combustible materials.
4. The use of indoor pyrotechnic displays in a Group A occupancy shall be prohibited.

#### **Exceptions:**

Indoor pyrotechnics shall be permitted if all the following conditions are met:

- (1) A permit shall be issued for each display.
- (2) The building is fully equipped with an approved fire sprinkler

system.

(3) The building is fully equipped with an approved and monitored fire alarm system.

(4) The display is handled and performed by a certified pyrotechnician, possessing a valid certificate issued by the State of Colorado.

(5) There are at least two standby personnel equipped with the appropriate fire extinguisher and familiar in the use of that fire extinguisher.

(6) A safety plan is filed and approved by the Fire Marshal's office.

(7) In accordance with NFPA 160 and NFPA 1126

### **Sec. 308.3.2 Theatrical performances.**

Where approved, openflame devices and pyrotechnic devices used in conjunction with theatrical performances are allowed to be used when the following conditions are met:

(1) A permit shall be issued for each display.

(2) The building is fully equipped with an approved fire sprinkler system

(3) The building is fully equipped with an approved and monitored fire alarm system

(4) The display is handled and performed by a certified pyrotechnician, possessing a valid certificate issued by the State of Colorado

(5) There are at least two standby personnel equipped with the appropriate fire extinguishers and familiar in the use of that fire extinguisher.

(6) A safety plan is filed and approved by the Fire Marshal's office.

(7) In accordance with NFPA 160 and NFPA 1126

### **Sec. 310.9 Hotels, motels, rooming or lodging houses.**

It shall be unlawful for any person to cause a fire through the use or misuse of tobacco in any form or of matches or lighters used in connection therewith, in any hotel, motel, rooming or lodging house. All managers or operators of hotels, motels, rooming or lodging houses shall post in a conspicuous place within such hotel, motel, rooming or lodging house a copy of Section 310.9 along with the penalty imposed for such violation. Any person violating said section shall be guilty of a misdemeanor. Such posting shall be done at no expense to the City.

### **Sec. 507.5.4.1 Snow removal.**

Snow removal operations shall not prevent fire hydrants from being immediately discernible or hinder gaining immediate access.

### **Sec. 903.2 Where required.**

Approved automatic sprinkler systems in new buildings and structures shall be provided in the locations described in Sections 903.2.1 through 903.2.14.

#### **Exception:**

Spaces or areas in telecommunications buildings used exclusively for telecommunications equipment, associated electrical power distribution equipment, batteries

and standby engines, provided those spaces or areas are equipped throughout with an automatic smoke detection system in accordance with Section 907.2 and are separated from the remainder of the building by not less than 1-hour fire barriers constructed in accordance with Section 707 of the International Building Code or not less than 2-hour horizontal assemblies constructed in accordance with Section 712 of the International Building Code, or both.

**Sec. 903.2.13 R-1, R-2.**

Every apartment house, town house, lodging house, dormitory, convent, monastery, rooming house, condominium or hotel two stories or more in height and containing four or more dwelling units shall have installed therein an approved automatic sprinkler system throughout the premises. Fire separations shall not constitute separate buildings for this purpose. This includes all R-3 occupancies.

**Sec. 903.2.14 One and two family dwellings and auxiliary buildings.**

Any residential occupancy or auxiliary building, including attached garages, in excess of 5,000 square feet or in a location that is difficult to access as determined by the fire code official, shall be equipped with an approved automatic fire sprinkler system including the installation of a fire department connection.

For residential automatic fire sprinkler systems a minimum of a three sprinkler head hydraulic calculation shall be submitted for approval, a larger number of sprinkler head calculation may be required depending on the structural design. Fire separations shall not constitute separate buildings for this purpose. This includes all R-3 occupancies

**Sec. 903.4 Sprinkler system supervision and alarms.**

All valves controlling the water supply for *automatic sprinkler systems*, pumps, tanks, water levels and temperatures, critical air pressures and water-flow switches on all sprinkler systems shall be electrically supervised by a listed fire alarm control unit.

Automatic sprinkler systems protecting one, two or multiple family dwellings that are not monitored shall operate in the following manner:

- (1) All water flow activations shall be capable of sounding an interior audible alarm notifying all occupants simultaneously.
- (2) All water flow activations shall be capable of activating an exterior audible/visual alarm. This alarm shall be located so as to be visible from the nearest fire department access road. A second visual device may be required to delineate the fire department connection.
- (3) The activation of any water control device shall be capable of activating the light portion only of the exterior audible/visual signal.

**Exceptions:**

1. Limited area systems serving fewer than 20 sprinklers.
3. Jockey pump control valves that are sealed or locked in the open position.
3. Control valves to commercial kitchen hoods, paint spray booths or dip tanks that are sealed or locked in the open position.
4. Valves controlling the fuel supply to fire pump engines that are sealed or locked in the open position.
5. Trim valves to pressure switches in dry, pre-action and deluge sprinkler systems that are sealed or locked in the open position.

### **Sec. 903.4.2 Alarms.**

Approved audible devices shall be connected to every automatic sprinkler system. Such sprinkler water-flow alarm devices shall be activated by water flow equivalent to the flow of a single sprinkler of the smallest orifice size installed in the system. Alarm devices shall be provided on the exterior of the building in an approved location. Where a fire alarm system is installed, actuation of the automatic sprinkler system shall actuate the building fire alarm system.

For one and two family dwelling and R-3 occupancies: Interior audible water flow signals capable of notifying all occupants simultaneously shall be provided. A visual and audible water flow alarm shall be installed on the exterior of the building. This alarm shall be located so as to be visible from the nearest fire department access road. A second visual device may be required to delineate the fire department connection. Where the R-3 occupancy is a duplex, triplex or greater, audible alarms shall notify all of the occupants simultaneously upon a water flow activation. Exterior visual and audible alarms shall activate on the unit of origin only.

### **Sec. 906.1 Where required.**

Portable fire extinguishers shall be installed in the following locations.

1. In new and existing Group A, B, E, F, H, I, M, R-1, R-2, R-4 and S occupancies.
2. Within 30 feet (9144 mm) of commercial cooking equipment.
3. In areas where flammable or combustible liquids are stored, used or dispensed.
4. On each floor of structures under construction, except Group R-3 occupancies, in accordance with Section 1415.1.
5. Where required by the sections indicated in Table 906.1.
6. Special-hazard areas, including but not limited to laboratories, computer rooms and generator rooms, where required by the fire code official.

### **Sec. 907.1.4 Designer requirements.**

All plans for fire alarm systems submitted for approval shall have affixed the signature of a NICET Level 3 or higher in the field of fire alarm design.

#### **Exception:**

Where the fire alarm system designer has the equivalent of NICET Level 3 training, all certificates and documentation shall be presented for compliance.

### **Sec. 907.1.5 Installer requirements.**

All fire alarm system installations shall be supervised by a person having a NICET Level 2 or higher in the field of fire alarm installation.

#### **Exception:**

Where the fire alarm system installer has the equivalent of NICET Level 2 training, all certificates and documentation shall be presented for compliance.

### **Sec. 907.1.6 Required types of systems.**

All fire alarm systems required by this code shall be addressable, analog systems.

#### **Exception:**

With the approval of the Fire Marshal a conventional system may be used if that system is used only to monitor a fire sprinkler system.

### **Sec. 907.2.1 Group A.**

A manual and automatic fire alarm system that activates the occupant notification system in accordance with Section 907.6 shall be installed in Group A occupancies having an *occupant load* of 100 or more. Portions of Group E occupancies occupied for assembly purposes shall be provided with a fire alarm system as required for the Group E occupancy

### **Sec. 907.2.2 Group B.**

A manual and automatic fire alarm system shall be installed in Group B occupancies where one of the following conditions exists:

1. The combined Group B occupant load of all floors is 100 or more.
2. The Group B occupant load is more than 50 persons above or below the lowest level of exit discharge.
3. The Group B fire area contains a Group B ambulatory health care facility

### **Sec. 907.2.3 Group E.**

A manual and automatic fire alarm system that activates the occupant notification system in accordance with Section 907.6 shall be installed in Group E occupancies. When *automatic sprinkler systems* or smoke detectors are installed, such systems or detectors shall be connected to the building fire alarm system.

#### **Exceptions:**

1. A manual fire alarm system is not required in Group E occupancies with an occupant load of less than 50.
2. Manual fire alarm boxes are not required in Group E occupancies where all of the following apply:
  - 2.1. Interior corridors are protected by smoke detectors.
  - 2.2. Auditoriums, cafeterias, gymnasiums and similar areas are protected by heat detectors or other approved detection devices.
  - 2.3. Shops and laboratories involving dusts or vapors are protected by *heat detectors* or other approved detection devices.
  - 2.4. The capability to activate the evacuation signal from a central point is provided.
  - 2.5. In buildings where normally occupied spaces are provided with a two-way communication system between such spaces and a constantly attended receiving station from where a general evacuation alarm can be sounded, except in locations specifically designated by the fire code official.
  - 2.6 Where the building is equipped throughout with an approved automatic sprinkler system and the alarm notification devices will activate upon sprinkler water flow. Where the building is equipped throughout with an approved automatic sprinkler system and the alarm notification devices will activate upon sprinkler water flow and manual activation is provided from a normally occupied location.

### **Sec. 907.2.7 Group M.**

A manual and automatic fire alarm system that activates the occupant notification system in accordance with Section 907.6 shall be installed in Group M occupancies where one of the following conditions exists:

1. The combined Group M occupant load of all floors is 500 or more persons.
2. The Group M occupant load is more than 100 persons

above or below the lowest level of exit discharge.

**Exceptions:**

1. A manual fire alarm system is not required in covered mall buildings complying with Section 402 of the International Building Code

**Sec. 907.2.8.1 Manual fire alarm system.**

A manual fire alarm system that activates the occupant notification system in accordance with Section 907.6 shall be installed in Group R-1 occupancies.

**Sec. 907.2.8.2 Automatic smoke detection system.**

An automatic smoke detection system that activates the occupant notification system in accordance with Section 907.6 shall be installed throughout all interior corridors serving sleeping units and in all common areas, laundry rooms, and mechanical rooms.

**Sec. 907.2.9 Where required.**

Every apartment house, town house, lodging house, dormitory, convent, monastery, rooming house, condominium or hotel two stories or more in height and containing four or more dwelling units shall have installed therein an approved automatic and manually operated fire alarm system so designed that all occupants of the building may be warned simultaneously. Fire alarm systems shall be installed in accordance with I.F.C. Section 907.2 and nationally recognized standards. Fire separations shall not constitute separate buildings for this purpose. This includes all R-3 occupancies other than single family dwellings.

**Sec. 907.2.9.1 Manual fire alarm system.**

A manual fire alarm system that activates the occupant notification system in accordance with Section 907.6 shall be installed in Group R-2 occupancies where they are two stories or more in height and containing four or more dwelling units

**Sec. 907.6.2.2.5 Interior alarms.**

An inside audible alarm is to be installed whenever an alarm is required by Chapter 9 of the International Fire Code and Chapter 9 of the International Building Codes. In the case of public assembly areas with an occupant load of one hundred (100) or more persons or where, in the opinion of the Building Official or the Fire Marshal, the installation of an inside alarm may result in creating panic, the alarm signal shall be installed in an attended area (e.g. projection booth, manager's office) from where there can be effectuated an orderly evacuation of the assembly area pursuant to the system approved by the Building Official or Fire Marshal.

**Sec. 907.6.2.3.1.2 Exterior visual requirements.**

The exterior visual signals shall meet the following requirements:

- (1) The light used shall be of the strobe type producing at least one million candle power, or incandescent flashing type which can be plainly seen for at least 1,500 feet in all directions of approach.
- (2) Lights are to be red in color for systems equipped with a fire department connection and yellow in color for systems not having a fire department connection.
- (3) In systems with fire department connections the light is to be located at least 12ft.

above and as directly vertical to the fire department connection as possible. In systems without fire department connections the light is to be located so as to be visible from the nearest street.

(4) A sign with the words "Fire, Call Fire Department" (black on a white background and large enough to be visible from the center of the adjacent street) shall be mounted directly above the light.

(5) The light shall not replace the audible alarms but is to be used in conjunction with it.

(6) The visual and audio signal shall be together on a circuit separate from all others except exit signs.

#### **Sec. 913.4 Valve supervision.**

Where provided, the fire pump suction, discharge and bypass valves, and the isolation valves on the backflow prevention device or assembly shall be supervised open by one of the following methods:

1. Central-station, proprietary or remote-station signaling service.
2. Local signaling service that will cause the sounding of an audible signal at a constantly attended location.
3. Sealing of valves and approved weekly recorded inspection where valves are located within fenced enclosures under the control of the owner.

#### **Sec. 1008.1.9.10 Stairway doors.**

Interior stairway means of egress doors shall be openable from both sides without the use of a key or special knowledge or effort.

##### **Exceptions:**

1. Stairway discharge doors shall be openable from the egress side and shall only be locked from the opposite side.
2. This section shall not apply to doors arranged in accordance with Section 403.5.3 of the International Building Code.
3. In stairways serving not more than two stories, doors are permitted to be locked from the side opposite the egress side, provided they are openable from the egress side and capable of being unlocked simultaneously without unlatching upon a signal from the fire command center, if present, or a signal by emergency personnel from a single location inside the main entrance to the building.

#### **Sec. 1028.12 Seat stability.**

In places of assembly, the seats shall be securely fastened to the floor.

##### **Exceptions:**

1. In places of assembly or portions thereof without ramped or tiered floors for seating and with 75 or fewer seats, the seats shall not be required to be fastened to the floor.
2. In places of assembly or portions thereof with seating at tables and without ramped or tiered floors for seating, the seats shall not be required to be fastened to the floor.
3. In places of assembly or portions thereof without ramped or tiered floors for seating and with greater than 75 seats, the seats shall be fastened together in groups of not less than three or the seats shall be securely fastened to the floor.
4. In places of assembly where flexibility of the seating arrangement is an integral part of the design and function of the space and seating is on tiered

levels, a maximum of 75 seats shall not be required to be fastened to the floor. Plans showing seating, tiers and aisles shall be submitted for approval.

5. Groups of seats within a place of assembly separated from other seating by railings, guards, partial height walls or similar barriers with level floors and having no more than 14 seats per group shall not be required to be fastened to the floor.

6. Seats intended for musicians or other performers and separated by railings, guards, partial height walls or similar barriers shall not be required to be fastened to the floor.

### **Sec. 2204.3 Unattended self-service motor fuel-dispensing facilities.**

Unattended self-service motor fuel-dispensing facilities shall comply with Sections 2204.3.1 through 2204.3.7. A safety plan and safety equipment technical data shall be submitted for review prior to approval. Unsupervised private dispensing shall be by permit only.

### **Sec. 3301.1.3 Fireworks.**

The possession, manufacture, storage, sale, handling and use of fireworks are prohibited.

#### **Exceptions:**

1. Storage and handling of fireworks as allowed in Section 3304.
2. Manufacture, assembly and testing of fireworks as allowed in Section 3305.
3. The use of fireworks for fireworks displays as allowed in Section 3308.
4. The possession, storage, sale, handling and use of specific types of Division 1.4G fireworks where allowed by applicable laws, ordinances and regulations, provided such fireworks comply with CPSC 16 CFR, Parts 1500 and 1507, and DOTn 49 CFR, Parts 100-185, for consumer fireworks.
5. The storage, sale, use and handling of toy caps, sparklers and smoke snakes shall be permitted.

### **Sec. 3301.2.4 Financial responsibility.**

Before a permit is issued, as required by Section 3301.2, the applicant shall file with the City of Aspen or Pitkin County a corporate surety bond in a principal sum equal to the amount required by the Colorado state statutes, Pitkin County, or the City of Aspen, of persons engaging in similar activities, or a public liability insurance policy for the same amount, for the purpose of the payment of all damages to persons or property which arise from, or are caused by, the conduct of any act authorized by the permit upon which any legal judgment results. The fire code official may specify a greater or lesser amount when, in his opinion, conditions at the location of use indicate a greater or lesser amount is required. Public agencies shall be exempt from this bond requirement

### **Sec. 3301.4 Qualifications.**

Persons in charge of magazines, blasting, fireworks display or pyrotechnic special effect operations shall not be under the influence of alcohol or drugs which impair sensory or motor skills, shall be at least 21 years of age and shall demonstrate knowledge of all safety precautions related to the storage, handling or use of explosives, explosive materials or fireworks. The handling and firing of explosives shall only be performed by the person possessing a valid explosives certificate issued by the State of Colorado.

### **Sec. 3304.10.8 Storage exceeding 50 lbs.**

Storage of explosives in quantities exceeding fifty (50) pounds shall be in a Type I magazine, except that a Type 3 magazine may be used for temporary storage of a larger quantity of explosives at the site of blasting operations where such amount constitutes not more than one day's supply for use in current operations. At the end of the day's operations any remaining explosives shall be safely destroyed or returned to a Type 1 magazine.

### **Sec. 3304.10.9 Storage less than 50 lbs.**

Storage of explosives in quantities of fifty (50) pounds or less shall be in Type I or Type II magazine, except that explosives in any quantity when stored in remote locations shall be in Type I, bullet resistant magazines.

### **Sec. 3308.1.2 Indoor pyrotechnic displays**

The use of indoor pyrotechnic displays shall be prohibited.

#### **Exception:**

Indoor pyrotechnics shall be permitted if all the following conditions are met:

- (1) A permit shall be issued for each display.
- (2) The building is fully equipped with an approved fire sprinkler system
- (3) The building is fully equipped with an approved and monitored fire alarm system
- (4) The display is handled and performed by a certified pyrotechnician and possessing a valid certificate issued by the State of Colorado
- (5) There are at least two standby personnel equipped with the appropriate fire extinguisher and familiar in the use of that fire extinguisher.
- (6) A safety plan is filed and approved by the Fire Marshal's office
- (7) In accordance with NFPA 160 and NFPA 1126.

### **Sec. 3404.2.13.2.4 Above-ground tanks.**

Hereafter no tank for the storage of flammable fluid in excess of ten (10) gallons shall be erected, repaired, renewed or replaced either wholly or partially above ground. Where in the opinion of the fire code official an existing tank constitutes a fire hazard through neglect or disrepair, he shall order such tank removed; however, tanks or other facilities for the storage of Class 6 fuel oil may be installed above ground if approved by the fire code official and in accordance with existing codes and regulations pertaining to above ground storage.

### **Sec. 3406.2.4 Capacity limits.**

The capacity of permanent above-ground tanks containing Class I or II liquids shall not exceed 1,100 gallons (4164 L). The capacity of temporary above-tanks containing Class I or II liquids shall not exceed 500 gallons (1892 L). Tanks shall be of the single-compartment design. A permit shall be obtained from the Fire Marshal for the storage or keeping of volatile inflammable fluids in excess of five (5) gallons in any building and of ten (10) gallons on any premises. The Fire Marshal is further authorized to issue temporary permits for the above ground storage of such fluids in tanks which shall not exceed a five hundred (500) gallon capacity for the purpose of providing fuel for heavy equipment used in building construction, earth moving, earth grading or similar operations and such permits may be issued only for sites where there are not close hazards. Such temporary permits shall be issued with the time limits set

which shall conform to the reasonably necessary time for completion of the individual job for which the permit is issued.

**Sec. 3406.6.1.12 Delivery hose length.**

The maximum length of the delivery hose used to connect the tank vehicles being filled shall not exceed twenty (20) feet.

**Sec. 3406.6.1.13 Delivery vehicle capacity.**

Tank delivery vehicles used for the delivery of flammable liquids as defined in this article, having an aggregate capacity in excess of one thousand five hundred (1,500) gallons shall be equipped with a single cargo tank mounted thereon, self-propelled and of the diesel powered type.

**Sec. 3406.6.1.14 Delivery vehicle single compartment capacities.**

It shall be unlawful for any motor vehicle having a tank capacity in excess of five thousand (5,000) gallons aggregate, or with any one compartment thereof in excess of two thousand five hundred (2,500) gallon individual capacity, to deliver flammable liquids to any place of storage within the corporate limits of the city.

**Sec. 3406.6.1.15 Delivery periods.**

It shall be unlawful for any motor vehicle transporting flammable liquids in excess of five thousand (5,000) gallons, or any motor vehicle transporting LP gas in excess of two thousand five hundred (2,500) gallons liquid, or any vehicle transporting explosives and other dangerous articles, to remain within the city for a period exceeding one hour, unless as provided herein.

**Sec. 3406.6.1.16 Noncompliant motor vehicles.**

It shall be unlawful for any motor vehicle other than a tank delivery vehicle as defined herein to deliver flammable liquids, LP gas, or other dangerous articles to any place of storage within the corporate limits of the city

**Sec. 3803.4 Multiple LP-gas container installations.**

Multiple LP-gas container installations with a total water storage capacity of more than 180,000 gallons (681 300 L) [150,000-gallon (567 750 L) LP-gas capacity] shall be subdivided into groups containing not more than 180,000 gallons (681 300 L) in each group. Such groups shall be separated by a distance of not less than 50 feet (15 240 mm), unless the containers are protected in accordance with one of the following:

1. Mounded in an approved manner.
2. Protected with approved insulation on areas that are subject to impingement of ignited gas from pipelines or other leakage.
3. Protected by firewalls of approved construction.
4. Protected by an approved system for application of water as specified in Table 6.4.2 of NFPA 58.
5. Protected by other approved means.

Where one of these forms of protection is provided, the separation shall not be less than 25 feet (7620 mm) between LP-gas container groups It shall be unlawful for any motor vehicle having a tank capacity

in excess of two thousand five hundred (2,500) gallons liquid capacity to deliver LP gas to any place of storage within the corporate limits of the city.

**Sec. 3803.5 Noncompliant vehicles.**

It shall be unlawful for any motor vehicle other than a tank delivery vehicle as defined herein to deliver flammable liquids, LP gas, or other dangerous articles to any place of storage within the corporate limits of the city.

**Sec. 4603.6 Fire alarm systems.**

An approved fire alarm system shall be installed in existing buildings and structures in accordance with Sections 4603.6.1 through 4603.6.7 and provide occupant notification in accordance with Section 907.6 unless other requirements are provided by other sections of this code. All fire alarm systems shall be installed and in operation within one year of notification by the fire prevention bureau.

**Sec. 4603.6.5.1 Group R-1 hotel and motel manual fire alarm system.**

A manual fire alarm system that activates the occupant notification system in accordance with Section 907.6 shall be installed in existing Group R-1 hotels and motels two stories or more in height and with four or more dwelling units.

**Sec. 4603.6.5.1.1 Group R-1 hotel and motel automatic smoke detection system.**

An automatic smoke detection system that activates the occupant notification system in accordance with Section 907.6 shall be installed in existing Group R-1 hotels and motels throughout all interior corridors serving sleeping rooms.

**Sec. 4603.6.6 Group R-2.**

An automatic and manual fire alarm system that activates the occupant notification system in accordance with Section 907.6 shall be installed in existing Group R-2 a occupancies two stories or more in height and containing four or more dwelling or sleeping units. Fire alarm systems shall be installed in accordance with I.F.C. Section 907.2 and nationally recognized standards. Fire separations shall not constitute separate buildings for this purpose.

**Sec. 4604.5 Illumination emergency power.**

The power supply for means of egress illumination shall normally be provided by the premises' electrical supply. In the event of power supply failure, illumination shall be automatically provided from an emergency system for the following occupancies where such occupancies require two or more *means of egress*:

1. Group A having 50 or more occupants.  
**Exception:** Assembly occupancies used exclusively as a place of worship and having an occupant load of less than 300.
2. Group B occupancies with 100 or more total occupants. For high-rise buildings and smoke proof enclosures, see the Building Code. Emergency systems shall be supplied from storage batteries or an on-site generator set and the system shall be installed in accordance with the requirements of the Electrical Code
3. Group E in interior stairs, corridors, windowless areas with student occupancy, shops and

laboratories.

4. Group F having more than 100 occupants.

**Exception:** Buildings used only during daylight hours which are provided with windows for natural light in accordance with the International Building Code.

5. Group I.

6. Group M.

**Exception:**

Buildings less than 3,000 square feet (279m<sup>2</sup>) in gross sales area on one story only, excluding mezzanines.

7. Group R-1.

**Exception:**

Where each *sleeping unit* has direct access to the outside of the building at grade.

8. Group R-2.

**Exception:**

Where each *dwelling unit* or *sleeping unit* has direct access to the outside of the building at grade.

9. Group R-4.

**Exception:**

Where each *sleeping unit* has direct access to the outside of the building at ground level.

([Ord. No. 13-1996](#), § 2; [Ord. No. 35-2002](#), § 2; [Ord. 1-2003](#), § 2; [Ord. No. 20-2004](#), § 2; [Ord. No. 37-2011](#)§2)

#### **Sec. 11.04.040. Penalties for violations.**

Any person, firm or corporation violating any provision of the International Fire Code or amendments thereto or any other provisions of this Chapter shall be deemed guilty of a misdemeanor and each person shall be deemed 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 or this Chapter is committed, continued or permitted and upon conviction of any such violation such person shall be punished by a fine, imprisonment or both a fine and imprisonment, as set forth in Section 1.04.080 of this Code. (Code 1971, § 9-4; [Ord. No. 27-1973](#), § 2; Ord. No. 13-1977, § 4; Ord. No. 57-1986, § 4; Ord. No. 9-1989, § 4; Ord. [No. 12-1996](#), § 8)

#### **Sec. 11.04.050. Purpose.**

The International Fire Code, 2003 Edition, hereinabove adopted by reference is to govern the maintenance of building and premises; to safeguard life, health, property and public welfare by regulating the storage, use and handling of dangerous and hazardous materials, substances and processes and by regulating the maintenance of adequate egress facilities. ([Ord. No. 1-2003](#), § 3; [Ord. No. 20-2004](#), § 3)

#### **Sec. 11.04.060. Copies on file.**

(a) Three (3) copies of the primary code and secondary code being considered for adoption by this Ordinance, all certified to be true copies by the Mayor and City Council, shall be on file with the City Clerk and shall be open for public inspection in his or her office at City Hall, any weekday between the hours of 9:00 a.m. and 5:00 p. m., at least fifteen (15) days preceding the public hearing on the ordinance codified herein.

(b) One (1) copy of the Code may be kept in the office of the chief enforcement officer instead of in the office of the City Clerk. The City Clerk shall at all times maintain a reasonable supply of copies of the Code available for purchase by the public. ([Ord. No. 1-2003](#), § 4; [Ord. No. 20-2004](#), §§ 4, 5)