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MAY 13 2021

RESOLUTION NO. 2021-35

BOARD OF COUNTY COMMISSIONERS
OF THE
COUNTY OF SUMMIT
STATE OF COLORADO

SUMMIT CLERK & RECORDER

A RESOLUTION AMENDING RESOLUTION 2019-48 AS WELL AS APPROVING AND RESTATING THAT THE INTERNATIONAL FIRE CODE, 2018 EDITION WITH AMENDMENTS, SHALL BE APPLICABLE THROUGHOUT UNINCORPORATED SUMMIT COUNTY, COLORADO

WHEREAS, C.R.S. § 32-1-1002(1)(d) provides that fire protection districts have the authority to adopt and enforce fire codes, but no such code shall apply within the unincorporated portion of any county unless the governing body of the county adopts a resolution stating that such code shall be applicable within the fire district's boundaries; and

WHEREAS, Red, White and Blue Fire Protection District and Summit Fire & EMS Fire Protection District (the "Fire Districts") have requested that the Board of County Commissioners of Summit County, Colorado approve the International Fire Code, 2018 Edition, as amended (the "Fire Code") so that such Fire Code shall be applicable within the Fire Districts' respective boundaries lying within unincorporated Summit County, Colorado; and

WHEREAS, the purpose of the Fire Code is to establish the minimum requirements consistent with national recognized good practice for providing a reasonable level of life safety and property protection from the hazard of fire, explosion or dangerous condition in new and existing buildings, structures and premises and to provide safety to fire fighters and emergency responders during emergency operations; and

WHEREAS, the Board of County Commissioners finds that enforcement of the Fire Code in unincorporated Summit County, Colorado by the Fire Districts is necessary to protect the health, safety and welfare of the citizens of a visitors of Summit County, Colorado; and

WHEREAS, the Board of County Commissioners previously approved of the Fire District's enforcement of the Fire Code throughout the unincorporated area of Summit County by Resolution 2019-48, effective January 1, 2020; and

WHEREAS, the Board of County Commissioners finds and determines that it is in the best interest of the residents, taxpayers, and visitors of the County and necessary for the preservation of public property, health, welfare, peace and safety to amend Resolution 2019-48 to bring the Fire Code into better conformance with the system of temporary restrictions imposed in Summit County to reduce the danger of uncontrolled fires in times of higher fire danger; and

WHEREAS, the Board of County Commissioners further desires to reaffirm its approval of the Fire Code for unincorporated Summit County, Colorado.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF SUMMIT, STATE OF COLORADO THAT:

1. Paragraph 6 of Section 2 of Exhibit A of Resolution 2019-48, amending a provision of the Required Operational Permits of the 2018 International Fire Code, is hereby revised to read:

105.6.32 Amend this section by removing the Exception. **Open Burning.**

2. The term and definition of "**PERMANENT FIRE RING**" contained in paragraph 14 of Section 2 of Exhibit A of Resolution 2019-48, and as used throughout the 2018 International Fire Code, is repealed and replaced with the following term and definition:

PERMANENT OUTDOOR FIREPLACE OR FIRE RING. A permanently constructed feature with a screen that prevents ember emissions and without air gaps in its surrounding sides and a solid bottom, or earthen bottom free of roots and other organic material, used to contain campfires and prevent them from spreading and turning into a wildfire.

3. The term and definition of "**PORTABLE OUTDOOR FIREPLACE**" contained in paragraph 14 of Section 2 of Exhibit A of Resolution 2019-48, and as used throughout the 2018 International Fire Code, is repealed and replaced with the following term and definition:

PORTABLE OUTDOOR FIREPLACE OR CHIMINEA. A commercially designed and manufactured device with a screen that prevents ember emissions and is placed on a surface barren of combustible materials.

4. The term and definition of "**RECREATIONAL FIRE**" contained in paragraph 14 of Section 2 of Exhibit A of Resolution 2019-48, and as used throughout the 2018 International Fire Code, is repealed and replaced with the following term and definition:

RECREATIONAL FIRE. An outdoor fire on private land contained to a commercially designed and manufactured fireplace, a permanent outdoor fireplace or fire ring, or a portable outdoor fireplace or chiminea that is assembled, located, and operated in accordance with the manufacturer's or designer's instructions. The fire shall not exceed a total fuel area of 3 feet (914 mm) or less in diameter and 2 feet (610mm) or less in height. A solid fuel source such as wood or charcoal must be used and the fire is intended for pleasure, religious, ceremonial, cooking, warmth or similar purposes. Recreational fire shall not be used for the purpose of waste removal or trash incineration.

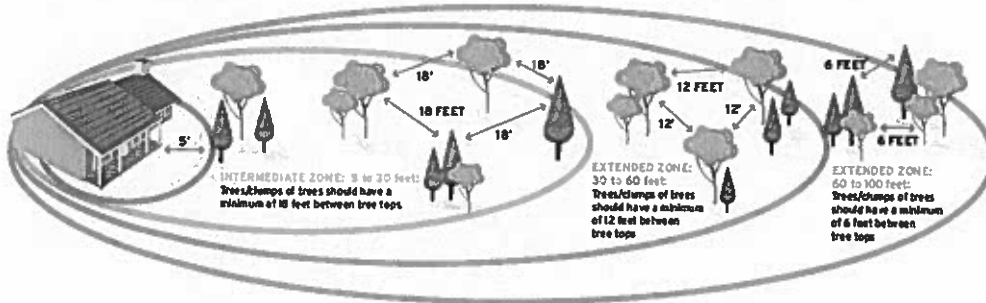
5. Add a new paragraph 17.5 of Section 2 of Exhibit A of Resolution 2019-48:

307.4.3 Amend this section by removing the Exception. **Portable outdoor fireplaces used at one- and two-family dwellings.**

6. Paragraph 92 of Section 2 of Exhibit A of Resolution 2019-48, adding Appendix O to the 2018 International Fire Code, is hereby deleted in its entirety.

7. Paragraph 93 of Section 2 of Exhibit A of Resolution 2019-48, adding Appendix P to the 2018 International Fire Code, is hereby amended to add the following diagram as FIGURE P301 under Section P301, Fuel Modification Area:

FIGURE P301



8. Except as expressly amended herein, the Fire Districts' Fire Code, as approved by Resolution 2019-48, shall continue to be applicable throughout the entire unincorporated area of Summit County.
9. Existing or parts of existing ordinances or resolutions covering the same matters as embraced in this resolution are hereby repealed and all ordinances or resolutions or parts of ordinances or resolutions inconsistent with the provisions of this resolution are hereby repealed, except that this repeal shall not affect or prevent the prosecution or punishment of any person for any act done or committed in violation of any ordinance or resolution hereby repealed prior to the effective date of this resolution.

ADOPTED THIS 11th DAY OF MAY, 2021.

**COUNTY OF SUMMIT
STATE OF COLORADO
BY AND THROUGH ITS
BOARD OF COUNTY
COMMISSIONERS**



Elisabeth Lawrence
Elisabeth Lawrence, Chair

ATTEST:

Kathleen Neel
Kathleen Neel, Clerk