

ORDINANCE NO. 1

SERIES 2006

**AN ORDINANCE AMENDING THE TOWN CODE TO
AMEND THE INTERNATIONAL FIRE CODE, 2003 EDITION,
PREVIOUSLY ADOPTED BY THE TOWN.**

WHEREAS, the Town of Crested Butte, Colorado (the "Town") is a home rule municipality duly and regularly organized and now validly existing as a body corporate and politic under and by virtue of the Constitution and laws of the State of Colorado; and

WHEREAS, the establishment of rules of conduct and standards for the protection of life, health, property, security and welfare of the inhabitants regarding fire issues is appropriate for the Town Council; and

WHEREAS, the adoption of uniform codes is necessary to ensure safe and sound construction of buildings; and

WHEREAS, Section 4.14 of the Town Charter provides that standard codes may be adopted by reference; and

WHEREAS, by Ordinance 20, 2005, the Town adopted by reference the International Fire Code, 2003 Editions (the "Code"); and

WHEREAS, it is appropriate that the Town and the Crested Butte Fire Protection District adopt the same regulations and requirements;

WHEREAS, the Crested Butte Fire Protection District has amended the Code in several respects, and it is appropriate that the Town adopt the same amendments; and

WHEREAS, the Town Council has found that the adoption contained herein is necessary to protect the health, safety and welfare of the citizens of the Town.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF CRESTED BUTTE, COLORADO, THAT,

Section 1. Revision of Section 16-2-1, The International Fire Code, 2003 (as previously adopted). Section 16-2-1. is amended to add the following revisions to the International Fire Code, 2003 Edition, including Appendix Chapters B, C, D, E, F & G, as published by the International Code Council:

3204.3.1.1 Location. Replace second paragraph with, "Storage of flammable cryogenic fluids in stationary containers is prohibited within the boundaries of the Town.

In the event of a conflict with Colorado State or Federal EPA regulations the more stringent regulations shall apply. Exception: Tanks legally in existence at the time of the adoption of this ordinance, providing they do not pose undo fire or safety hazards.”

3404.2.9.5.1 Locations where aboveground tanks are prohibited. Replace existing sentence with, “Storage of Class I and Class II liquids in aboveground tanks outside of buildings is prohibited within the boundaries of the Town. In the event of a conflict with Colorado State or Federal EPA regulations the more stringent regulations shall apply. Exception: Tanks legally in existence at the time of the adoption of this ordinance, providing they do not pose undo fire or safety hazards.”

3406.2.4.4 Locations where aboveground tanks are prohibited Replace existing sentence with, “Storage of Class I and Class II liquids in aboveground tanks is prohibited within the boundaries of the Town. In the event of a conflict with Colorado State or Federal EPA regulations the more stringent regulations shall apply. Exception: Tanks legally in existence at the time of the adoption of this ordinance, providing they do not pose undo fire or safety hazards.”

3804.2 Maximum capacity within established limits. Replace existing sentence with: “Within the Town, restricting the storage of liquefied petroleum gas for the protection of heavily populated or congested areas, the aggregate capacity of any one installation shall not exceed a water capacity of 2,000 gallons.”

Section 2. Severability. If any section, sentence, clause, phrase, word or other provision of this ordinance is for any reason held to be unconstitutional or otherwise invalid, such holding shall not affect the validity of the remaining sections, sentences, clauses, phrases, words or other provisions of this ordinance, or the validity of this ordinance as an entirety, it being the legislative intent that this ordinance shall stand notwithstanding the invalidity of any section, sentence, clause, phrase, word or other provision.

Section 3. Savings Clause. Except as hereby amended, the 1987 Crested Butte Municipal Code shall remain valid, and in full force and effect. Any provision of any ordinance previously adopted by the Town of Crested Butte which is in conflict with this ordinance is hereby repealed as of the enforcement date hereof.

INTRODUCED, AND FIRST READ BEFORE THE TOWN COUNCIL THIS 3 DAY OF

January , 2006.

ADOPTED BY THE TOWN COUNCIL UPON SECOND READING AND PUBLIC HEARING THIS _____ DAY OF _____, 2006.

TOWN OF CRESTED BUTTE, COLORADO

By: _____
Alan Bernholtz, Mayor

ATTEST:

Eileen Hughes, Town Clerk

(SEAL)