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**TOWN OF PAGOSA SPRINGS, COLORADO**

**ORDINANCE NO. 795  
(SERIES 2013)**

**AN ORDINANCE OF THE TOWN OF PAGOSA  
SPRINGS AMENDING PORTIONS OF CHAPTER 21  
OF THE PAGOSA SPRINGS MUNICIPAL CODE,  
LAND USE AND DEVELOPMENT CODE,  
REGARDING THE INTERNATIONAL FIRE CODE,  
2009 EDITION INCLUDING APPENDICES**

WHEREAS, the Town of Pagosa Springs (“Town”) is a home rule municipality duly organized and existing under Article XX of the Colorado Constitution and the Pagosa Springs Home Rule Charter of 2003, as amended on April 3, 2012; and

WHEREAS, the Town of Pagosa Springs (“Town”) is a home rule municipality duly organized and existing under Article XX of the Colorado Constitution and the Pagosa Springs Home Rule Charter of 2003; and

WHEREAS, pursuant to Section 11.2, A) of the Charter, the Town is authorized to adopt land use and development ordinances; and

WHEREAS, pursuant to Section 3.11 of the Charter, the Town is authorized to enact by reference, with or without amendments, standard codes promulgated by the federal government, the state of Colorado, any agency of either the state or federal government, any municipality or recognized trade or professional organization; and

WHEREAS, the International Code Council and similar trade and professional organizations have promulgated, updated and improved the uniform construction, fire and similar codes previously adopted by the Town by reference and contained in Section 6.13, Article 6, Chapter 21 of the Pagosa Springs Municipal Code; and

WHEREAS, the Town Council hereby finds and determines that amending the Pagosa Springs Municipal Code to adopt the International Fire Code, 2009 Edition, is appropriate and necessary for the health, safety and welfare of the residents and visitors of the Town and to the function and operation of the Town.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF PAGOSA SPRINGS, COLORADO, as follows:



I. Repeal and Readoption of Chapter 21, Article 6, Section 6.13.6. INTERNATIONAL FIRE CODE. Chapter 21, Article 6, Section 6.13.6 of the Pagosa Springs Municipal Code is hereby repealed and readopted to read in full as follows:

**6.13.6. INTERNATIONAL FIRE CODE**

There is hereby adopted by the Town, for the purpose of regulating and governing and safeguarding of life and property from fire and explosion hazards arising from the storage, handling and use of hazardous substances, materials and devices, and from conditions hazardous to life or property in the occupancy of buildings and premises in the Town; providing for the issuance of permits and collection of fees therefore; that certain code known as the International Fire Code, 2009 Edition, including Appendices Chapters A, B, C, D, F, H, and I published by the International Code Council, 5203 Leesburg Pike, Suite 600, Falls Church, VA 22041-3405. The Code, and the whole thereof, is adopted by reference thereto the same as if set forth in length in this Section with the amendments, deletions and additions as follows:

a. IFC Section 103.1, General, is hereby amended to read as follows:

The Town's Department of Building Safety as defined in the International Building Code section 103.1, shall serve as the Department of Fire Prevention for the implementation, administration and enforcement of the provisions of the 2009 IFC.

b. IFC Section 202, General Definitions, Fire Code Official, is hereby amended to read as follows:

The Town's Building Official is hereby designated as the Fire Code Official charged with the implementation, administration and enforcement of the construction and design provisions of the 2009 IFC.

c. IFC section 401, General, shall be amended to include the following language:

All Final decisions shall be determined by the Town's Fire Code Official.

d. IFC Section 510-Emergency Responder Radio Coverage, is hereby deleted.

e. IFC Section 903.2.7, Group M-Mercantile, is hereby amended to include the following language:

As applied to Existing Buildings and Change of Use Permit Applications, on a case by case basis, if the requirements of IFC Section 903.2.7 are found to be impractical, the final decision shall be determined by the Fire Code Official per Section 104.8 of the IFC.

f. The Town of Pagosa Springs, Colorado, is not adopting the 2009 IRC Enforcement of Residential Sprinklers, nor will it be enforcing the January 1, 2011 IRC provision



requiring residential sprinklers. However, if someone chooses to install residential sprinklers, it shall be installed as per the 2009 IFC.

g. The Town of Pagosa Springs adopts Appendices Chapters A, B, C, D, F, H, and I to the 2009 IFC, with the blanket provision that on a case-by-case basis, if the situation is found to be impractical the decision shall be determined by the Fire Code Official, per Section 104.8 of the 2009 International Fire Code.

II. Public Inspection. The full text of this Ordinance, with any amendments, is available for public inspection at the office of the Town Clerk.

III. Severability. If any portion of this Ordinance is found to be void or ineffective, it shall be deemed severed from this Ordinance and the remaining provisions shall remain valid and in full force and effect.

IV. Effective date. This Ordinance shall become effective and be in force immediately upon final passage at second reading.

INTRODUCED, READ, AND ORDERED PUBLISHED BY TITLE ONLY PURSUANT TO SECTION 3.9, B) OF THE PAGOSA SPRINGS HOME RULE CHARTER, BY THE TOWN COUNCIL OF THE TOWN OF PAGOSA SPRINGS, COLORADO, UPON A MOTION DULY MADE, SECONDED AND PASSED AT ITS REGULAR MEETING HELD AT THE TOWN OF PAGOSA SPRINGS, ON THE 3 DAY OF Sept, 2013.



TOWN OF PAGOSA SPRINGS,  
COLORADO

By: Ross Aragón  
Ross Aragón, Mayor

Attest:

April Hessman  
April Hessman, Town Clerk

FINALLY ADOPTED, PASSED, APPROVED, AND ORDERED PUBLISHED BY TITLE ONLY PURSUANT TO SECTION 3.9, D) OF THE PAGOSA SPRINGS HOME RULE CHARTER, BY THE TOWN COUNCIL OF THE TOWN OF PAGOSA SPRINGS, COLORADO, UPON A MOTION DULY MADE, SECONDED AND



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June Madrid  
Archuleta County

PASSED AT ITS REGULAR MEETING HELD AT THE TOWN OF PAGOSA SPRINGS, ON THE 19 DAY OF Sept, 2013.

TOWN OF PAGOSA SPRINGS,  
COLORADO

By: Ross Aragón  
Ross Aragón, Mayor

Attest:



April Hessman  
April Hessman, Town Clerk



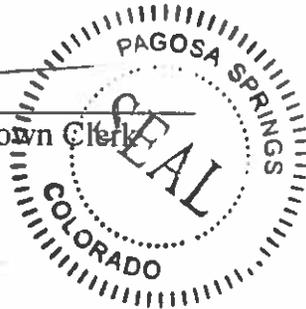
**CERTIFICATE OF PUBLICATION**

I, the duly elected, qualified and acting Town Clerk of the Town of Pagosa Springs, Colorado, do hereby certify the foregoing Ordinance No. 795 (Series 2013) was approved by the Town Council of the Town of Pagosa Springs on first reading at its [regular/special] meeting held on the 3 day of Sept, 2013, and was published by title only, along with a statement indicating that a violation of the Ordinance is subject to enforcement and punishment pursuant to Article 3, Chapter 1 of the Pagosa Springs Municipal Code, and specifically Section 1.3.3 which provides for a fine not exceeding \$1,000 or incarceration for not to exceed one year, or both, and that the full text of the Ordinance is available at the office of the Town Clerk, on the Town's official website, on Sept 4, 2013, which date was at least ten (10) days prior to the date of Town Council consideration on second reading.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the Town of Pagosa Springs, Colorado, this 19 day of Sept, 2013.

April Hessman, Town Clerk

(SEAL)



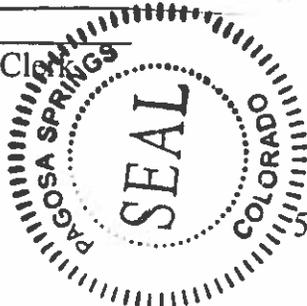
I, the duly elected, qualified and acting Town Clerk of the Town of Pagosa Springs, Colorado, do hereby certify the foregoing Ordinance No. 795 (Series 2013) was approved by the Town Council of the Town of Pagosa Springs on second reading, at its regular meeting held on the 19 day of Sept, 2013, and was published by title only, along with a statement indicating the effective date of the Ordinance and that the full text of the Ordinance is available at the office of the Town Clerk, on the Town's official website, on Sept 20, 2013.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the Town of Pagosa Springs, Colorado, this 20 day of Sept, 2013.

April Hessman, Town Clerk

(SEAL)

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Rtn.  
Town of Pagosa Springs  
P.O. Box 1859  
Pagosa Springs, CO 81147