

## TITLE III

### DEVELOPMENT AND BUILDING REGULATIONS

#### CHAPTER 2

#### **FIRE PROTECTION REGULATIONS**

Section:

- 3-2-1: Adoption of Codes
- 3-2-2: General Provisions
- 3-2-3: Amendments of Additions to Codes
- 3-2-4: Appeals
- 3-2-5: Violations & Penalties

**3-2-1: Adoption of Fire Code** (Ord. 01-03; 2009-11)

- A. That certain document, three (3) copies of which is on file in the office of the Town Clerk and which may be inspected during regular business hours and additional copies of which are available for purchase, being marked and designated the International Fire Code, 2006 edition, be and is hereby adopted as the Fire Code of the Town of Olathe, in the State of Colorado, regulating and governing the safe-guarding 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 of Olathe; providing for the issuance of permits and collection of fees therefor.
- B. Repealed. (Ord. 2009-11)

**3-2-2: General Provisions**

- A. The provisions of this Chapter and the Codes, adopted by reference herein, may be administered and enforced by the Chief of the Olathe Fire Department. The Town Administrator is also authorized to administer and enforce the provisions of this Chapter and the Codes adopted by reference in the event of the failure, refusal or inability of the Chief to do so, or as convenient and appropriate in conjunction with the administration and enforcement of Town Building, Zoning or other ordinances and regulations. (Ord. 2009-11)
- B. Whenever the word "jurisdiction" is used in The International Fire Code, 2006 Edition, it shall mean the Town of Olathe, Colorado. (Ord. 2009-11)
- C. Repealed. (Ord. 01-03; Ord. 2009-11)

- D. Repealed. (Ord. 01-03; Ord. 2009-11)
- E. Repealed. (Ord. 01-03; Ord. 2009-11)
- F. Repealed. (Ord. 2009-11)
- G. Repealed. (Ord. 01-03; Ord. 2009-11)
- H. Repealed. (Ord. 01-03; Ord. 2009-11)
- I. Repealed. (Ord. 01-03; Ord. 2009-11)
- J. The Town shall have the right of entry to inspect and enforce the provisions of the Chapter and the Code adopted herein in accordance with the procedures and provisions of Section 104.2.3 of The Uniform Building Code in addition to any other provisions provided by law.  
(Ord. 01-03)
- K. Whenever “Town Administrator” is used in this Chapter it shall mean any authorized officer or employee of the Town. (Ord. 01-03; Ord. 2009-11)

**3-2-3: Amendments of Additions to Code**

In addition to the Fireworks Display Permit required from the Fire Chief, no fireworks display shall be conducted unless a permit is also approved by the Town, pursuant to C.R.S. 12-28-103.

**3-2-4: Appeals**

Repealed (Ord. 2009-11)

**3-2-5: Violations and Penalties (Ord. 2009-11)**

- A. Unlawful acts. It shall be unlawful for a person, firm or corporation to erect, construct, alter, repair, remove, demolish or utilize a building, occupancy, premises or system regulated by this code, or cause same to be done, in conflict with or in violation of any of the provisions of this code.
- B. Notice of violation. When the fire code official finds a building, premises, vehicle, storage facility or outdoor area that is in violation of this code, the fire code official is authorized to prepare a written notice of violation describing the conditions deemed unsafe and, when compliance is not immediate, specifying a time for reinspection.

- C. Service. A notice of violation issued pursuant to this code shall be served upon the owner, operator, occupant, or other person responsible for the condition or violation, either by personal service, mail or by delivering the same to, and leaving it with, some person of responsibility upon the premises. For unattended or abandoned location, a copy of such notice of violation shall be posted on the premises in a conspicuous place at or near the entrance to such premises and the notice of violation shall be mailed by certified mail with return receipt requested or a certificate of mailing, to the last known address of the owner, occupant or both.
- D. Compliance with order and notices. A notice of violations issued and 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.
- E. Prosecution of violations. If the notice of violation is not complied with promptly, the fire code official is authorized to request the legal counsel for the jurisdiction to institute the appropriate legal proceedings at law or in equity to restrain, correct or abate such violation or to require removal or termination of the unlawful occupancy of the structure in violation of the provision of this code or of the order or direction made pursuant hereto.
- F. Unauthorized tampering. Signs, tags or seals posted or affixed by the fire code official shall not be mutilated, destroyed or tampered with or removed without authorization from the fire code official.
- G. Violation penalties. Persons who shall violate a provision of this code or shall fail to comply with any of the requirements thereof or who shall erect, install, alter, repair or do work in violation of the approved construction documents or directive of the fire code official, or of a permit or certificate issued under provision of this code, shall be guilty of a misdemeanor, punishable by a fine or not more than \$300.00 dollars or by imprisonment not exceeding 90 days, or both such fine and imprisonment. Each day that a violation continues after due notice has been served shall be deemed a separate offense.
- H. Abatement of violation. In addition to the imposition of the penalties herein described, the fire code official is authorized to institute appropriate action to prevent unlawful construction or to restrain, correct or abate a violation; or to prevent illegal occupancy of a structure or premises; or to stop an illegal act, conduct business or occupancy of a structure on or about any premises.

- I. The Town may refuse to issue any permits or approvals required by Town Ordinances or Regulations if the Applicant is in violation of any of the provision of this Chapter or the Codes adopted herein by reference.