

RESOLUTION 2022-084

A resolution approving the Berthoud Fire Protection District's adoption of the 2021 Edition of the International Fire Code, with local amendments, for application within the Berthoud Fire Protection District territory in unincorporated Boulder County

Recitals

A. C.R.S. § 32-1-1002(1)(d) authorizes the board of any fire protection district to adopt and enforce a fire code, as the fire district board deems necessary, provided that “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 or specific portions thereof shall be applicable within the fire protection district’s boundaries.”

B. By Resolution 2021-11-16 adopted on November 16, 2021, the Board of Directors of the Berthoud Fire Protection District (the “Fire District”) adopted the 2021 Edition of the International Fire Code, with local amendments (the “2021 International Fire Code Adoption”).

C. The Fire District now wishes to have the Board of County Commissioners of the County of Boulder (the “County Board”) approve the adopted and amended code for application within the Fire District territory in unincorporated Boulder County.

D. The above-described request for County Board approval of the 2021 International Fire Code Adoption under C.R.S. § 32-1-1002(1)(d) is further described in the Community Planning & Permitting Department’s Chief Building Official’s memorandum and written recommendation to the County Board, with its attached materials, dated October 20, 2022 (the “Building Official’s Recommendation”).

E. Pursuant to Resolution 82-41 of the County Board establishing a fire code review process for the unincorporated areas of the County, the County’s Fire Code Review Committee held a duly noticed public hearing on the 2021 International Fire Code Adoption on May 24, 2022, and, based on that hearing, recommended approval of the Adoption to the County Board.

F. On October 20, 2022, the County Board held a duly-noticed public hearing on the above-described request for County Board approval of the 2021 International Fire Code Adoption under C.R.S. § 32-1-1002(1)(d) (the “Public Hearing”), at which time the County Board considered the Building Official’s Recommendation and the documents and testimony presented by the County’s Chief Building Official, with no members of the public speaking to the Fire District’s request, all as further reflected in the official record of the Public Hearing.

G. Based on the Public Hearing, and as set forth in the Building Official’s Recommendation, the County Board finds that the 2021 International Fire Code Adoption is

reasonable and appropriate for application within the Fire District territory in unincorporated Boulder County, and approves the 2021 International Fire Code Adoption for this purpose pursuant to C.R.S. § 32-1-1002(1)(d).

Therefore, the Board resolves:

The County Board approves the 2021 International Fire Code Adoption, as described herein and incorporated herein by this reference, for application within the Fire District territory in unincorporated Boulder County pursuant to C.R.S. § 32-1-1002(1)(d).

A motion to approve the 2021 International Fire Code Adoption, as stated above, was made by Commissioner Claire Levy, seconded by Commissioner Matt Jones, and passed by a 3-0 vote.

ADOPTED as a final decision of the County Board on this 1st day of November 2022, *nunc pro tunc* the 20th day of October 2022.

**BOARD OF COUNTY COMMISSIONERS
OF BOULDER COUNTY:**

Marta Loachamin

Marta Loachamin, Chair

Claire Levy

Claire Levy, Vice Chair

Matt Jones

Matt Jones, Commissioner

ATTEST:

Cecilia Lacey

Clerk to the Board