

ORDINANCE 2015 - 1

AN ORDINANCE OF SAN JUAN COUNTY, COLORADO AMENDING ORDINANCE 2008-1 WHICH ADOPTED VARIOUS CODES REGULATING THE ERECTION, CONSTRUCTION, ENLARGEMENT, ALTERATION, REPAIR, MOVING, REMOVAL, DEMOLITION, CONVERSION, OCCUPANCY, USE AND MAINTENANCE OF BUILDINGS AND STRUCTURES IN SAN JUAN COUNTY

Whereas the Board of County Commissioners of San Juan County, Colorado previously adopted Ordinance 2008-1 regulating construction and building within San Juan County; and

Whereas fire protection and fire fighting services are provided by two distinct entities within San Juan County, the Silverton – San Juan Volunteer Fire Department and the Durango Fire Protection District (and its predecessors the Durango Fire Authority and the Hermosa Cliffs Fire Protection District); and

Whereas, despite the intention of the Board of County Commissioners of San Juan County in adopting Ordinance 2008-1 that each entity providing fire protection and fire fighting services within San Juan County would have jurisdiction and authority to enforce the provisions of the County Fire Code within its own service territory, some uncertainty may exist with regard to such authority which uncertainty the Board hereby wishes to eliminate; and

Whereas the Board of County Commissioner has determined that certain revisions and clarifications need to be made regarding the enforcement of the County fire code adopted pursuant to said Ordinance in order to promote the health, safety and welfare of the public within San Juan County;

THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF SAN JUAN COUNTY, COLORADO as follows:

1. Section 9 of Ordinance 2008-1, which modified the enforcement provisions contained in Section 103.1 of the International Fire Code as adopted by San Juan County, is modified to read as follows:

A. Section 103, Department of Fire Prevention, shall read as follows:

Section 103.1 General. San Juan County shall utilize the services of the Silverton - San Juan Volunteer Fire Department and of the Durango Fire Protection District, each within its respective service territory, as the County Bureau of Fire Prevention. The Chief of the Silverton – San Juan Volunteer Fire Department and the Chief of the Durango Fire Protection District, together with such other individuals as either may designate or may previously have designated in writing, are hereby appointed to serve as County fire code officials with full authority to make all inspections pursuant to, to enforce the provisions of, and otherwise to exercise any rights, powers or authority granted by, the County Fire Code. Such authority is hereby granted to each such individual within the respective

service territory of the fire department, district or authority he or she serves and within such other territory within which said officials is or has been authorized to act by any intergovernmental or other agreement between either of the respective fire departments, districts or authorities and any other entity or by resolution of the Board of County Commissioners of San Juan County.

2. Any or all Ordinances or parts of Ordinances or resolutions of San Juan County, in conflict or inconsistent herewith are hereby repealed, provided, however, that the repeal of an Ordinance or parts of Ordinances of the San Juan County shall not revive any section of an Ordinance or Ordinances heretofore repealed or superseded.

3 Whenever the provisions of this Ordinance or of the codes adopted pursuant hereto shall conflict with the provisions of any other San Juan County code, standard, resolution or regulation, the provisions hereof shall apply.

4. After adoption by the Board of County Commissioners, the full text of this Ordinance shall be published one time in the Silverton Standard newspaper prior to becoming effective. This Ordinance shall become effective thirty days after such publication.

READ PASSED AND ADOPTED on the second reading this 12th day of August, 2015 by the Board of County Commissioners of San Juan County, Colorado.

Ernest F. Kuhlman

Peter McKay

Scott Fetchenhier