

**STATE OF COLORADO  
COUNTY OF GILPIN  
CITY OF BLACK HAWK**

**COUNCIL BILL NUMBER: CB29**

**ORDINANCE NUMBER: 2023-29**

**TITLE: AN ORDINANCE AMENDING SECTION OF 18-5 OF THE BLACK HAWK MUNICIPAL CODE, ADDRESSING AMENDMENTS TO THE ADOPTED INTERNATIONAL FIRE CODE, 2021 EDITION**

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BLACK HAWK, GILPIN COUNTY:

Section 1. Section 18-5, subsections (5), (20), and (28) of the City of Black Hawk Municipal Code are hereby amended to read as follows:

**Sec. 18-5. Amendments to the International Fire Code, 2021 Edition.**

(5) Section 103.3 Deputies of the *International Fire Code, 2021 Edition* is amended to read as follows:

103.3 Deputies. In accordance with the prescribed procedures of this jurisdiction and with the concurrence of the Fire Chief, the Fire Code Official shall have the authority to appoint a Deputy Fire Code Official, other related technical officers, inspectors and other employees. Such employees shall have powers as delegated by the Fire Code Official, AND SHALL HOLD, AT A MINIMUM, A VALID CERTIFICATION OF FIRE INSPECTOR II ISSUED BY THE COLORADO DIVISION OF FIRE PREVENTION AND CONTROL.

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(20) AMENDMENTS TO SECTION 903.2.7 AND SECTION 9.03.2.8:

A. Section 903.2.7 Group B and M of the *International Fire Code, 2021 Edition* is amended to read as follows:

903.2.7 Group B and M. An automatic sprinkler system shall be provided throughout buildings and portions thereof used as Group B and M occupancies where one of the following conditions exist:

1. The fire area exceeds 5,000 square feet (464 square meters);
2. The fire area is located more than 3 stories above grade plane;
3. The combined area of all fire areas on all floors, including mezzanines, exceeds 10,000 square feet (929 square meters); and

4. Occupancies used for the display and sale of upholstered furniture or mattresses exceeds 2,500 square feet (232 square meters)

B. SECTION 9.03.2.8. of the *International Fire Code, 2021 Edition* is amended to add the following exception and read as follows:

**Exception:** Group R where all the following conditions apply:

1. The Group R fire area is for recreational use only where the tenants are transient in nature and will not occupy the structure for more than 14 days.
2. The Group R fire area is no more than one story.
3. The Group R fire area is no closer than 25 feet from another structure.
4. The Group R fire area has an occupant load of no more than 10.
5. The Group R fire area has at least one exit that leads directly to the public way.
6. The Group R fire area is provided with interconnected smoke and carbon monoxide alarms throughout which are connected to the building electrical service and have emergency battery back-up.
7. The Group R fire area is provided with a fire extinguisher sized not less than 2-A:10-B:C.

(28) ~~Section 907 of the *International Fire Code, 2021 Edition* is amended by adding Section 907.2.1.3 to read as follows:~~

~~907.2.1.3 Group A-2 Casino. An automatic and manual fire alarm system shall be installed in accordance with the most current edition of NFPA 72 and the provisions of this code throughout every building containing a casino regardless of size or occupant load. The fire alarm system shall be provided throughout the casino and in all contiguous and accessory spaces including, but not limited to offices, stages, storage areas, parking garages, restaurants and elevator lobbies servicing parking garages and hotels.~~

~~— **EXCEPTION:** Parking garages that are protected throughout by an automatic sprinkler system.~~

Section 2.     Safety Clause. The City Council hereby finds, determines, and declares that this Ordinance is promulgated under the general police power of the City of Black Hawk, that it is promulgated for the health, safety, and welfare of the public, and that this Ordinance is necessary for the preservation of health and safety and for the protection of public convenience and welfare. The City Council further determines that the Ordinance bears a rational relation to the proper legislative object sought to be attained.


Section 3.     Severability. If any clause, sentence, paragraph, or part of this Ordinance or the application thereof to any person or circumstances shall for any reason be adjudged by a court of competent jurisdiction invalid, such judgment shall not affect application to other persons or circumstances.

Section 4.      Effective Date. The City Clerk is directed to post the Ordinance as required by the Charter. This Ordinance shall become effective upon posting by the City Clerk.

INTRODUCED AND ADOPTED ON FIRST READING this 26<sup>th</sup> day of July, 2023.

  
David D. Spellman, Mayor

ATTEST:

  
Melissa A. Greiner, City Clerk, CMC

