

Board/Commission Fire Board of Appeals

Regular Meeting Day and Time Second Thursday of each month at 8:30 a.m.

Approximate number of meetings per month One

Approximate number of hours involved in service by members per month Maximum of four hours for meetings and three for research

Detailed list of duties (please list specific duties):

1. Attend Fire Board of Appeals meeting to address appeals for relief from Uniform Fire Code Requirements
2. To assist in making accurate decisions on appeals, participate in field trips to view hazardous situations
3. Determine the suitability of alternate materials, methods, or types of construction
4. Provide reasonable interpretations of the Uniform Fire Code
5. Review applications for a Fire Suppression Contractor License and provide recommendation to the Regional Board of Review, the governing body for contractor licensing
6. Review the amendments to the Uniform Fire Code, administrative regulations, and policies relating to the enforcement/interpretation of said code to determine if they are appropriate for local application; provide recommendations for revisions as necessary
7. Participate in special work sessions
8. Attend public hearings pertinent to the adoption of the Uniform Fire Code and its local amendments, and respond to comments or question from the community

Remarks:

Please attach copy of ordinance of resolution which set up board or commission.

CHAPTER 20 PUBLIC SAFETY

ARTICLE 3 FIRE BOARD OF APPEALS

SECTION

- 20-3-101: Board Created; Composition
- 20-3-102: Authority of Fire Board
- 20-3-103: Appeal Procedures
- 20-3-104: Liability of Fire Board

The Fire Board make reasonable interpretations of the provisions of this Chapter and may determine the suitability of alternate materials and type of construction as required by this Chapter, provided that any determination made by the Fire Board shall be in harmony with the intent of this Chapter. The Fire Board may make recommendations from time to time to the City Council for revisions or changes to this Chapter.

20-3-101 BOARD CREATED; COMPOSITION: A board, to be known as the Fire Board of Appeals and referred to throughout this Chapter as the Fire Board, is hereby established, and shall consist of seven (7) members. One of the members shall be in the fire insurance field (fire and casualty): one member shall be a licensed architect; one member shall be contractor with an A license; one member shall be contractor with a B or C license; one member shall be an owner or representative of a large business (manufacturing or sales); one member shall be an owner or representative of a small business (manufacturing, sales or service); and one member shall be a citizen at large. The members of the Fire Board shall be appointed by the City Council. All appointments shall be for terms of three (3) years, unless to fill an unexpired vacancy. The Chief of the Fire Prevention Bureau shall act as secretary ex officio.

The Fire Board may review all Fire Department administrative regulations and policies relating to the enforcement/interpretations of the Uniform Fire Code and may make comments and recommendations pertaining to said regulations and policies to the Fire Chief, City Manager and City Council. (Ord. 84-43; 1980 Code)

The Fire Board shall elect a chairman and vice chairman each year as its first official act. Minutes shall be maintained of all its meetings and shall be made a permanent record. (Ord. 84-43)

20-3-103: APPEAL PROCEDURES:

- A. Any person aggrieved by any decision or order of the Fire Department's administration of this Chapter may appeal said decision or order to the Fire Board.
 1. The appeal shall be in writing signed by the person so appealing, his agent or attorney and shall state briefly the grounds of the appeal.
 2. The appeal shall be filed with the secretary of the Fire Board within ten (10) days after the action or decision appealed from.
 3. The secretary of the Fire Board shall notify the appellant of the time, date and place of the hearing. At the conclusion of the hearing on appeal, the Fire Board may modify, affirm or reverse the decision or order of the Fire Department administration.
 4. All appeals shall be heard at the next regularly scheduled meeting of the Fire Board unless for good cause shown otherwise.

20-3-102: AUTHORITY OF FIRE BOARD: The Fire Board shall have the authority to make and adopt supplemental rules and regulations as may be necessary to accomplish the purpose and objective of this Chapter. However, any rules and regulations, except rules and regulations governing procedures before the Fire Board and investigations by the Fire Board, shall not become effective until approved by the City Council. (Ord. 78-147; 1968 Code §7-75.2(a))

- B. Any person who is aggrieved by the order or decision of the Fire Board may appeal such to the courts of Colorado in accord with the Colorado Rules of Civil Procedure as now existing or hereinafter amended.
- C. All hearings on appeal shall be de novo. An appeal shall stay all proceedings in connection with the decision or order appealed from unless the Chief of the Fire Prevention Bureau certifies that a stay would cause imminent hazard to life or property. (Ord. 78-147; ord. 84-43; Ord. 97-149)

20-3-104: **LIABILITY OF FIRE BOARD:** Members of the Board acting for the City in good faith and without malice for the City in the discharge of their duties, as provided for herein, shall not hereby render themselves personally liable, and they are hereby relieved from all personal liability for any damage that may accrue to persons or property as a result of any act required, or by reason of any act or omission related to the discharge of their duties. Any suit brought against a member or members of the Board, as provided for herein, because of such act or omission performed by them in the discharge of their duties, shall be defended by the City to the final termination of the proceedings. (Ord. 78-147; 1968 Code §7-75.2(d))