

**ORDINANCE NO. 13-01**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CASTLE PINES,  
COLORADO AMENDING CHAPTER 18 OF THE CASTLE PINES MUNICIPAL CODE  
BY ADDING A NEW ARTICLE 11 ENTITLED "ONE- AND TWO-FAMILY  
DWELLINGS AUTOMATIC FIRE SPRINKLER SYSTEMS – SUPPLEMENTAL  
REGULATIONS" AND IMPOSING REGULATIONS RELATING TO SAID SYSTEMS  
WITHIN THE CITY AND ESTABLISHING THE APPLICABLE PENALTIES FOR  
VIOLATIONS OF SAID REGULATIONS**

**WHEREAS**, the City of Castle Pines (the "City") is a statutory municipality incorporated and organized pursuant to the provisions of Section 31-2-101, *et seq.*, C.R.S.; and

**WHEREAS**, in furtherance of the public health, safety and welfare of the inhabitants of the City, the City Council adopted Ordinance No. 12-10 on December 11, 2012, adopting the 2009 versions of certain International Codes, including the *International Residential Code* ("IRC"); and

**WHEREAS**, as set forth in Ordinance No. 12-10, IRC Sections R313.2 (One- and two-family dwellings automatic fire systems) and R313.2.1 (Design and installation) were amended to read as follows:

Section R313.2: Effective March 1, 2013, a builder of one- or two-family dwellings shall offer to any purchaser on or before the time of entering into the purchase contract with the purchaser, the option, at the purchaser's cost, to install an automatic residential fire sprinkler system in such dwelling. No purchaser of such a one- or two-family dwelling shall be denied the right to choose or decline to install an automatic residential fire sprinkler system in such dwelling being purchased.

**Exception:** An automatic residential fire sprinkler system shall not be required for *additions* or *alterations* to existing buildings that are not already provided with an automatic residential sprinkler system.

Section R313.2.1: If the installation of an automatic residential fire sprinkler system is selected as an option by the initial purchaser of a dwelling, the automatic residential fire sprinkler system shall be designed and installed in accordance with Section P2904 or NFPA 13D; and

**WHEREAS**, the City Council desires to adopt supplemental regulations to implement and enforce the requirement that a builder of one- or two-family dwelling units be required to offer a purchaser of any such dwelling units the option to install an automatic residential fire sprinkler system at the purchaser's cost (the "Residential Sprinkler Option"); and

**WHEREAS**, the installation of automatic residential fire sprinkler systems in one- and two-family dwelling units may reduce the likelihood of property damage and enhance safety for building inhabitants; and

**WHEREAS**, the City Council of the City of Castle Pines, Colorado desires to amend Chapter 18, "Building Regulations", of the Castle Pines Municipal Code by adding a new Article 11, entitled "One- and Two-Family Dwellings Automatic Fire Sprinkler Systems – Supplemental Regulations", setting forth the requirements and standards pertaining to the Residential Sprinkler Option; and

**WHEREAS**, it is deemed to be in the best interest of the public health, safety and welfare of the residents and future residents of the City of Castle Pines for the City to amend the Castle Pines Municipal Code to set forth requirements and standards relating to the Residential Sprinkler Option.

**THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CASTLE PINES, COLORADO:**

**Section 1.** The Castle Pines Municipal Code is amended by the addition of a new Article 11 of Chapter 18, which is to read as follows:

## **CHAPTER 18**

### **ARTICLE 11**

#### **One- and Two-Family Dwellings Automatic Fire Sprinkler Systems – Supplemental Regulations**

##### **Section 18-11-10. Purpose and intent.**

The purpose of this Article is to promote public health and safety through the adoption of regulations designed to implement and enforce the requirement that a builder of one- or two-family dwelling units be required to offer a purchaser of any such dwelling unit the option to install an automatic residential fire sprinkler system at the purchaser's cost. This Article shall apply to all one- or two-family dwellings newly constructed within the boundaries of the City on or after [insert effective date of this Article]. This Article shall not apply to additions to or one- or two-family dwellings existing within the City as of [insert the effective date of this Article].

##### **Section 18-11-20. Definitions.**

As used in this Article, the following terms, phrases and words shall have the following meanings:

"Automatic Residential Fire Sprinkler System" or "System" shall mean a system of devices and equipment connected and installed in a systematic pattern in one- and two-family dwellings in accordance with applicable IRC design requirements, which automatically detects a fire and discharges an approved fire-extinguishing agent onto or in the area of a fire.

"Builder" shall mean any person engaged in the design, construction, and sale or presale of any one-family dwellings or two-family dwellings.

"Building" shall mean any one-family dwelling or two-family dwelling, or portion thereof, that is used, or designed or intended to be used for human habitation, for living, sleeping, cooking or eating purposes, or any combination thereof.

“Consumer Information Handout” shall mean a written document on automatic residential sprinkler systems developed by the City in conjunction with the South Metro Fire Rescue Authority, the Castle Rock Fire Protection District or other local fire protection district, as the same may be amended from time to time.

“Dwelling Unit” shall mean a single unit providing complete independent living facilities for one or more persons, including permanent provisions for living, sleeping, eating, cooking and sanitation.

“IRC” shall mean the 2009 version of the *International Residential Code*, as adopted, updated and amended by the City.

“One-Family Dwelling(s)” shall mean any building that contains one dwelling unit used, intended, or designed to be built, used, rented, leased, let or hired out to be occupied, or that is occupied for living purposes.

“Purchase Contract” shall mean a written agreement for the purchase, sale, exchange or other conveyance of a dwelling unit.

“Purchaser” shall mean any person acquiring by any means a dwelling unit from a builder.

“Residential Sprinkler Option Form” shall mean a form furnished by the City that informs purchasers of the option to install an automatic residential fire sprinkler system in a dwelling unit at the purchaser’s cost, as the same may be amended from time to time.

“Two-Family Dwelling(s)” shall mean any building that contains two dwelling units used, intended, or designed to be built, used, rented, leased, let or hired out to be occupied in whole or part or that are occupied for living purposes.

**Section 18-11-30. Residential sprinkler option.**

Prior to entering into a purchase contract for a dwelling unit with a purchaser, a builder shall provide the purchaser with: (1) the consumer information handout referenced in Section 18-11-50 below; and (2) a residential sprinkler option form informing a purchaser of the option to install an automatic residential fire sprinkler system at the purchaser’s cost.

**Section 18-11-40. Required residential sprinkler option form.**

- (a) In order for the Building Official to verify that a builder has complied with Section 18-11-30, all building permit applications submitted to the City for the initial construction of one-family dwellings and two-family dwellings shall be accompanied by a fully completed and executed copy of the residential sprinkler option form. The residential sprinkler option form shall be available from the Community Development Department. The City will not accept or process a building permit application for any one-family dwelling or two-family dwelling unless and until the required residential sprinkler option form has been filed with the City.
- (b) If a builder files a building permit application with the Building Official to construct a one-family dwelling or two-family dwelling for which there is no purchaser or

purchase contract (commonly known as a “spec home” or “model home”), the builder shall be required to execute and submit a residential sprinkler option form without purchaser information to the Building Official.

**Section 18-11-50. Consumer information handout.**

All builders shall provide a consumer information handout, available from the Community Development Department, to purchasers in accordance with the requirements of Section 18-11-30.

**Section 18-11-60. Review of sprinkler plans.**

If a purchaser selects the option for the installation of an automatic residential fire sprinkler system, plan review and inspection of the automatic residential fire sprinkler system shall be performed by the fire protection district or agency having jurisdiction.

**Section 18-11-70. Stop work orders; suspension or revocation of building permit.**

The Building Official shall be authorized to issue a stop work order, or suspend or revoke a building permit in the event of a violation of any of the provisions of this Article.

**Section 18-11-80. Penalties.**

In addition to any other penalties authorized by law, any person who violates or fails to comply with any provision of this Article 11 shall be subject to the penalties set forth in Section 1-4-20 of the Municipal Code.

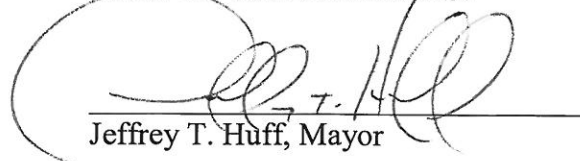
**Section 2. Severability.** If any portion of this Ordinance is found to be void or ineffective, it shall be deemed severed from this Ordinance and the remaining provisions shall remain valid and in full force and effect.

**Section 3. Effective Date.** This Ordinance shall take effect and be in force thirty (30) days after publication following final adoption.

**INTRODUCED, READ, AND PASSED ON FIRST READING, AT A REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF CASTLE PINES, COLORADO the 22nd day of January, 2013.**

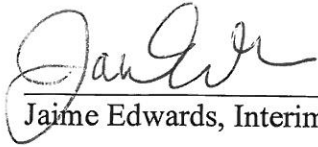
**READ, PASSED, AND ADOPTED ON SECOND READING, AT A REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF CASTLE PINES, COLORADO the 12th day of February, 2013.**

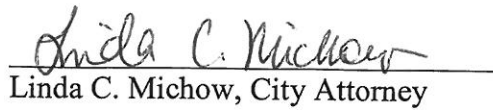
**CITY OF CASTLE PINES:**

  
\_\_\_\_\_  
Jeffrey T. Huff, Mayor

ATTEST:

Approved as to form:

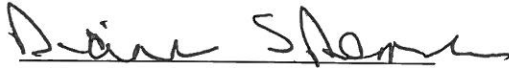
  
Jaime Edwards, Interim City Clerk

  
Linda C. Michow, City Attorney

### CERTIFICATION OF PUBLICATION

I hereby attest and certify that the within and foregoing Ordinance was introduced and read on first reading at a regular meeting of the Castle Pines City Council on January 22, 2013; published by reference by title only in the *Douglas County News-Press*, together with the statement that "[t]he complete text of all ordinances is available through the City Offices and on the City's official website"; and finally passed and adopted by the City Council on February 12, 2013 following a duly noticed public meeting and ordered published by title only, with amendments if any, one time in the *Douglas County News-Press* on February 21, 2013.

ATTEST:

  
Jaime Edwards, ~~Interim~~ City Clerk  
Deputy