

# AGENDA ITEM SUMMARY

City Council



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## STAFF

Shawn McGaffin, Fire Marshal/Division Chief  
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## SUBJECT

**Second Reading of Ordinance No. 051, 2025, Amending Chapter 9 of the Code of the City of Fort Collins for the Purpose of Repealing the 2021 International Fire Code and Adopting the 2024 International Fire Code, with Amendments. (three options presented)**

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## EXECUTIVE SUMMARY

This Ordinance, unanimously adopted on First Reading on March 18, 2025, repeals the 2021 International Fire Code and adopts the 2024 International Fire Code (IFC) with local amendments. The International Code Council (ICC) publishes code updates every three years. The Poudre Fire Authority (PFA) Board of Directors has reviewed and approved this code package and is requesting the code be adopted as amended.

Staff is presenting three versions of the Ordinance for Council to consider on Second Reading:

- Option 1 – Ordinance as it was adopted on First Reading.
- Option 2 – Creates a Fire Board of Appeals consisting of the Chair of PFA's Board of Directors, the Fort Collins City Manager, and the City's Chief Building Official. Also contains other clean-up changes.
- Option 3 – Maintains the current process for appealing decisions of the Fire Code Official to the Building Review Commission (BRC), acting as the Fire Board of Appeals. This option is consistent with the BRC's recommendation and also contains other clean-up changes.

All three options were published by the City Clerk on June 10, 2025, on the public notice page found online at: [www.fcgov.com/publicnotices/](http://www.fcgov.com/publicnotices/)

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## STAFF RECOMMENDATION

Staff recommends adoption of Option 2 or 3 for this Ordinance on Second Reading.

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## UPDATED BACKGROUND/DISCUSSION

***Staff have presented three versions of the Ordinance for Council's consideration on Second Reading:***

**Option 1:** The Ordinance exactly as it was adopted on First Reading. Appendix A of Option 1 would redelegate the City's authority to hear and decide appeals of the Fire Code Official to a Fire Board of

Appeals housed at PFA and consisting of members appointed by the Fire Code Official. This is the option that was originally developed and recommended by the Code Review Committee. Option 1 has been considered and was originally recommended for adoption by both the PFA Board and the Poudre Valley Fire Protection District Board. If Council is interested in adopting Option 1 on Second Reading, staff will provide correcting amendments to be considered.

**Option 2:** Option 2 contains a revised appeal model, which redelegates the BRC's authority to hear and decide appeals of the Fire Code Official to a Fire Board of Appeals consisting of the Chair of PFA's Board of Directors, the Fort Collins City Manager, and the City's Chief Building Official. Option 2 also includes other corresponding changes to the Ordinance, including deleting qualification requirements for board members from Section 112 and adding language to Appendix A to provide for substitutions in case one of these officials is unavailable or must recuse themselves. Option 2 has been considered and recommended for adoption by the PFA Board.

**Option 3:** Option 3 removes Appendix A entirely and revises the language of Section 112 to maintain the current process for appealing decisions of the Fire Code Official to the BRC, acting as the Fire Board of Appeals. Option 3 is consistent with the BRC's recommendation; it has not been presented to the PFA Board for consideration.

Options 2 and 3 also contain additional clean-up changes to remove references to the Fire Code Official acting as an ex officio member of the Fire Board of Appeals, to correct an error in the requirements pertaining to automatic fire sprinkler systems in attics, to repeal an obsolete section of City Code Chapter 4 (Section 9-3), and to direct the codifier to update cross-references to the Fire Code.

Attachments to this AIS contain the excerpted pages from Options 2 and 3, showing the changes from Option 1.

### ***Background:***

Sections 9-1 and 9-2 of City Code (the Fire Code) adopt by reference the most recent version of the IFC along with local amendments to the provisions of the IFC to best serve the needs of the Fort Collins community. The International Code Council publishes an updated version of the IFC every three years, and the City has historically attempted to stay up-to-date with current international fire protection standards by amending the Fire Code to adopt the updated IFC every three years. This is to ensure the highest level of life safety is met. For example, the 2021 IFC does not cover the storage of Lithium Ion Batteries but the 2024 version does assist in the regulations for how to best store these batteries. As technology changes, so do IFC regulations that assist with the enforcement and intent of always putting life safety first. This adoption process has historically been spearheaded by the Poudre Fire Authority (PFA) Fire Marshal, working in collaboration with City staff and considering input from Larimer County and various other external stakeholders within PFA's jurisdiction.

The City's Fire Code was last updated in 2022, to adopt the 2021 IFC with local amendments. The 2024 IFC was published last year and is now being considered for adoption into the City's Fire Code.

The 2024 IFC was first considered by a code review committee ("Committee") consisting of PFA, the City's Chief Building Official, and other external stakeholders (including other municipal building officials, developers, business owners, and representatives from Colorado State University, Poudre School District, and Broadcom). The Committee reviewed the 2024 IFC and suggested local amendments that would better fit the needs of PFA's jurisdiction. The 2024 IFC along with the Committee's suggested local amendments were both unanimously approved by both the PFA Board and the Poudre Valley Fire Protection Board on February 25, 2025.

On March 18, 2025, the Fort Collins City Council considered and adopted on First Reading Ordinance No. 051, 2025 (the Ordinance), which amends the City's Fire Code by adopting the 2024 IFC along with the Committee's suggested local amendments (Option 1). Second Reading of the Ordinance was originally

scheduled on the April 1, 2025, Council agenda; however, public commenters expressed concerns about potential conflicts between the Ordinance and the City's Building Code, particularly given that the Ordinance had not been considered by the Building Review Commission. In response to public comment, Council voted to postpone Second Reading, to allow time for the Building Review Commission to consider the Ordinance.

Additionally, as part of the work after First Reading of the Ordinance, City staff identified concerns with the proposed Appendix A in Option 1, which delegates the City's authority to hear and decide appeals of the Fire Code Official to PFA.

Staff collaborated with PFA to propose Option 2, containing a revised appeals model that would meet the needs of both the City and PFA. Under Option 2, the Fire Board of Appeals would consist of the Chair of PFA's Board of Directors, the Fort Collins City Manager, and the City's Chief Building Official. Option 2 also includes other corresponding changes to the Ordinance, including adding language to Appendix A to provide for substitutions in case one of these officials is unavailable or must recuse themselves. Option 2 was unanimously approved by the PFA Board on May 27, 2025.

On May 29, 2025, the Building Review Commission (BRC) considered both Options 1 and 2 and expressed concerns about an appeal procedure in which decisions of the Fire Code Official would not be ultimately appealable to an elected body, like City Council. The BRC unanimously voted to recommend that City Council adopt the Ordinance on Second Reading "with an amendment to maintain the current process for appealing decisions of the Fire Code Official to the Building Review Commission." Option 3 is consistent with this recommendation.

## **FIRST READING BACKGROUND / DISCUSSION**

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Poudre Fire Authority ("PFA") is responsible for the enforcement and administration of the IFC in the City of Fort Collins, Town of Timnath and unincorporated areas of Larimer and Weld Counties within the Poudre Valley Fire Protection District boundaries. Every three years, the IFC is updated by the ICC with the most recent update having been published in 2024. PFA routinely reviews new codes, proposes local amendments, and then seeks adoption of IFC changes and local amendments by Council.

At the April 23, 2024, PFA Board meeting, the Board approved the recommended appointment of the Fire Code Review Committee (Committee). This volunteer committee is comprised of community and industry stakeholders who reviewed the 2024 IFC and proposed local amendments in order to make a recommendation for adoption. The Committee completed their work on Thursday, October 17, 2024, with a unanimous recommendation to adopt the 2024 IFC along with the accompanying local amendments. At the February 25, 2025 meeting, the PFA Board unanimously approved the IFC adoption and local amendments. This item was also unanimously approved by the Poudre Valley Fire Protection District Board at its February 25, 2025, meeting.

The Committee's primary goal was to limit the number of local amendments to the 2024 IFC, while still providing comprehensive life safety codes that are clear, relevant, and aligned with current practices. The Committee was able to accomplish this and focus on the amendments that were brought forward on local community needs. The local amendment for fire sprinklers has been maintained, as it has been since the 1980's, and as adopted by the local building departments. Of note, many other fire jurisdictions in Northern Colorado have, or are considering, similar amendments to specify fire suppression systems.

Several local 2021 amendments were eliminated due to the new 2024 published codes addressing the issues that had been a local amendment in the past.

There are changes to the published code that the Committee also supported. The most significant items in the 2024 IFC (as published) that have been changed from the 2021 IFC include:

- Adding provisions to address heating and cooking in temporary membrane structures, construction sites and wildfire areas.
- Adding temporary housing code (shelters).
- Adding new provisions specific to lithium-ion battery storage.
- Adding new provisions specific to Powered Micromobility Devices (E-bikes, Scooters).
- Updating provisions on Emergency Responder Communication Enhancement Systems to meet new technology.
- Recognizing a Hybrid Fire Extinguishing System as based out of National Fire Protection Agency (NFPA) 770.

Items of note for the 2024 IFC proposed local amendments include:

- Appendix A, Board of Appeals is being adopted as published with local amendments to create an appeal process over which PFA has jurisdiction. This differs from previous code adoptions, in which Appendix A had been deleted and replaced in its entirety to direct the appeals process with the Building Department having jurisdiction.
- The term “fire alarm” was defined to expand and elaborate on types and circumstances of such fire alarms.
- A provision was added to impose a fee when multiple unwanted alarms occur at the same location.
- Changes were made to the requirements for storage and use of lithium-ion batteries in factories.
- Requirements for letter sizes on signage were added.
- Valet trash service was removed from PFA’s jurisdiction.
- Additional section added in Appendix D requiring schools to use a consistent numbering process on exterior doors for faster response in emergency situations.

## **CITY FINANCIAL IMPACTS**

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None.

## **BOARD / COMMISSION / COMMITTEE RECOMMENDATION**

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Adoption of the 2024 IFC as amended was unanimously recommended by the Fire Code Review Committee.

On February 25, 2025, the PFA Board of Directors and the Poudre Valley Fire Protection District Board of Directors each reviewed Option 1 at their respective meetings and unanimously voted to recommend adoption to the City of Fort Collins.

On May 27, 2025, the PFA Board of Directors reviewed Option 2 and unanimously voted to recommend adoption to the City of Fort Collins.

On May 29, 2025, the Building Review Commission (BRC) reviewed Options 1 and 2 and unanimously voted to recommend that City Council adopt the Ordinance on Second Reading “with an amendment to maintain the current process for appealing decisions of the Fire Code Official to the Building Review Commission.” During the discussion on this item, the BRC expressed a preference that decisions of the Fire Code Official be ultimately appealable to City Council or another elected body. The BRC’s recommendation is consistent with Option 3.

## **PUBLIC OUTREACH**

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None.

## **ATTACHMENTS**

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First Reading attachments available in March 18, 2025 agenda materials at the following link: <https://fortcollins-co.municodemeetings.com/>.

1. Option 2 Excerpts showing changes from Option 1
2. Option 3 Excerpts showing changes from Option 1
3. Ordinance No. 051, 2025 (Option 1)
4. Ordinance No. 051, 2025 (Option 2)
5. Ordinance No. 051, 2025 (Option 3)