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2 **TOWN OF SNOWMASS VILLAGE**
3 **TOWN COUNCIL**

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5 **ORDINANCE # 1**
6 **SERIES OF 2009**

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8 **AN ORDINANCE AMENDING THE TOWN OF SNOWMASS VILLAGE**
9 **MUNICIPAL CODE, SPECIFICALLY, CHAPTER 18, ARTICLE VIII,**
10 **EMERGENCY ALARMS, TO INCLUDE PROVISIONS FOR CARBON**
11 **MONOXIDE ALARM REQUIREMENTS WITHIN ALL DWELLING UNITS**
12 **EQUIPPED WITH ANY FUEL-BURNING APPLIANCE OR HEATING**
13 **SYSTEM.**

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15 **WHEREAS,** carbon monoxide poisoning is the leading cause of accidental poisoning
16 fatalities in America; and

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18 **WHEREAS,** nationally, hundreds of people are killed annually and thousands of people
19 receive emergency treatment annually as a result of carbon monoxide gas; and

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21 **WHEREAS,** carbon monoxide poisoning constitutes a potential hazard in the Town of
22 Snowmass Village and adults and children may die or become seriously ill as a result of
23 its toxic effect; and

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25 **WHEREAS,** carbon monoxide gas is often the result of faulty or poorly maintained
26 heating systems; and

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28 **WHEREAS,** Chapter 18, Article VIII of the Town of Snowmass Village Municipal Code
29 provides standards for Emergency Alarms and their regulations; and

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31 **WHEREAS,** the Municipal Code for the Town of Snowmass Village does not provide
32 for mandatory installation of carbon monoxide detectors and does not otherwise provide
33 for protection from the dangers of carbon monoxide poisoning; and

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35 **WHEREAS,** recognizing that exposure to carbon monoxide, a colorless, odorless gas,
36 can cause headaches, dizziness, nausea, faintness and, at high levels, death, the following
37 regulations are enacted for the purposes of protecting the public health and safety of the
38 residents of the Town of Snowmass Village by requiring operable carbon monoxide
39 alarms in certain structures, thereby hopefully reducing the number of injuries and
40 fatalities resulting from carbon monoxide poisoning.

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42 **NOW THEREFORE BE IT ORDAINED** that Chapter 18, Article VIII of the Town of
43 Snowmass Village Municipal Code hereby is, amended to include carbon monoxide
44 detectors, by the addition of Section 18-143.1 as follows:

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18-143.1 Carbon Monoxide Alarms

18-143.1.1 Purpose and Scope

(a) To establish minimum life safety requirements for the installation of carbon monoxide detectors in all applicable residential occupancies within the Town of Snowmass Village.

18-143.1.2 Definitions

(a) Dwelling Unit--For the purpose of this Section, one or more rooms or areas, arranged for the use of one or more individuals, on a permanent or transient basis, for living or sleeping.

(b) Multi-Family Dwelling Unit--A building containing three or more dwelling units.

(c) Fuel Burning Equipment--Equipment that burns solid, liquid or gaseous fuel or a combination thereof.

(d) Enclosed Parking Area--For the purpose of this Section, a building or portion thereof, utilized for the parking of motor vehicles, which is less than 50% open to the outside air.

(e) Listed--A device that carries the listing of a nationally recognized testing laboratory approved by the Town of Snowmass Village Building Department.

(f) Adjacent--Those spaces that are directly above, below or next to:

- (1) Rooms or spaces containing fuel burning equipment or attached appurtenances, or
- (2) Enclosed parking areas.

(g) NFPA 720--Where referenced in this Section, NFPA 720, Standard for the Installation of Carbon Monoxide Warning Equipment in Dwelling Units.

(h) Smoke Barrier--A continuous membrane, or a membrane with discontinuities created by protected openings, where such membrane is designed and constructed to restrict the movement of smoke.

(i) UL 2034--Where referenced in this Section, UL 2034, Standard for Single and Multiple Station Carbon Monoxide Alarms.

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18-143.1.3 One and Two Family Dwellings

(a) All new and existing one and two family dwellings shall be provided, by the owner of the dwelling unit and structure, listed carbon monoxide detectors where any of the following conditions exists:

- (1) Dwellings where fuel-burning equipment is installed or operated.
- (2) Enclosed parking areas attached to a dwelling unit.
- (3) Dwellings deemed necessary by the Building Official.

18-143.1.4 Multi-Family Dwelling Units

(a) All new and existing multi-family dwelling units shall be provided, by the owner of the dwelling unit and structure, listed carbon monoxide detectors where any one of the following conditions exists:

- (1) Dwellings where fuel-burning equipment is installed or operated.
- (2) Enclosed parking areas attached to a dwelling unit.
- (3) Dwelling units located adjacent to enclosed parking areas or rooms or spaces where fuel-burning equipment is installed or operated.
- (4) Dwellings deemed necessary by the Building Official.

EXCEPTION: Dwelling units which are separated from enclosed parking areas or rooms or spaces where fuel-burning equipment is installed or operated by a complete and continuous smoke barrier.

18-143.1.5 Installation Requirements

- (a) Carbon monoxide detectors required by this Section shall be installed in accordance with NFPA 720 and the manufacturer's recommendations.
- (b) At least one carbon monoxide detector shall be installed on every level of a dwelling unit and in the immediate vicinity to, and be audible in, all sleeping areas located within the dwelling unit. If a fuel burning appliance is located within the sleeping room, a carbon monoxide detector shall be required within the sleeping room.
- (c) At least one carbon monoxide detector shall be installed in all rooms or spaces where the fuel-burning equipment is installed or operated within the dwelling unit. Where the room or space containing the fuel-burning equipment is less than

137 50 square feet in area, such detectors shall be installed in the immediate vicinity
138 of the room or space.

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142 (d) In new multi-family dwellings, where the building is provided with a fire
143 alarm system, carbon monoxide detectors located within rooms or spaces that are
144 not part of the dwelling unit space shall be connected to the building fire alarm
145 system. Such carbon monoxide detectors shall initiate a supervisory signal at the
146 fire alarm panel and provide an audible alarm at the device upon detection of
147 carbon monoxide.

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149 (e) All multi-family dwellings, regardless of the number of units, where carbon
150 monoxide detectors are required by this Section, shall make available upon
151 request a carbon monoxide detector for the hearing impaired. In hotels and
152 lodges, a sign indicating the available carbon monoxide detector shall be
153 conspicuously located at the front desk.

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155 (f) In new one and two family dwellings, new multi-family dwellings and new
156 additions or renovated areas, carbon monoxide detectors shall be required to be
157 provided with primary and secondary power. Multiple carbon monoxide
158 detectors installed as per this Sub-section shall be required to be interconnected.

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160 (g) Existing one and two family dwellings and multi-family dwellings affected by
161 this Section shall be permitted to provide cord & plug connected or battery
162 operated carbon monoxide detectors. Such detectors shall not be required to be
163 interconnected or interfaced with the building fire alarm system.

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165 (h) Existing one and two family and existing multi-family dwellings affected by
166 this Section shall have six (6) months from the effective date of this Ordinance to
167 comply with the requirements of this section for carbon monoxide detectors. An
168 approved Certificate of Compliance shall be submitted to the Building
169 Department by a pre-approved, authorized installer. Owner installed devices
170 (battery or plug-in devices) will not require a permit but a completion inspection
171 will be required from the Building Department.

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173 (i) In every building that utilizes one main central location for the placement of
174 fossil fuel power equipment, that is not exempted, one approved carbon monoxide
175 detector must be installed in the room containing such equipment. Alarms shall
176 be initiated to a monitoring agency or to an audible / visual alarm located in a
177 conspicuous place on the exterior.

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179 **18-143.1.6 Inspection and Maintenance of Carbon Monoxide Detectors**

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181 (a) The owner of a dwelling and structure shall be responsible for the installation,
182 maintenance, repair and/or replacement of required carbon monoxide detectors.

183 In addition, the owner of a dwelling and structure shall ensure that all carbon
184 monoxide detectors are functional on a monthly basis.

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186 (b) Carbon monoxide detectors shall be tested and maintained in accordance with
187 NFPA 720.

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191 **18-143.1.7 Exemptions**

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(a) A dwelling unit in a building that does not rely on combustion of fossil fuel for heat, cooking, ventilation or hot water and is not in close proximity to a source of ventilated carbon monoxide.

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(b) A dwelling unit that:

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(1) Is heated by electric resistance heating elements; and

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(2) Is not connected by duct work or ventilation shafts to any room or space containing fossil-fuel utilization equipment; and

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(3) Is not in close proximity to any ventilated source of carbon monoxide.

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206 **18-143.1.8 Violations / Penalties**

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It shall be unlawful for the owner, manager or agent of a structure to not comply with this Section. It shall be unlawful for any person to remove batteries from a carbon monoxide detector required under this Section or in any way to make inoperable a carbon monoxide detector. Any person(s) who shall violate a provision of this Ordinance, or shall fail to comply with any of the requirements thereof, shall be guilty of a municipal violation, punishable as provided in the Town of Snowmass Village Municipal Code.

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216 **18-143.1.9 Effective Date**

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This Ordinance shall become effective on April 1, 2009.

220 **18-143.1.10 Severability**

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If any provision of this Ordinance or application hereof to any person or circumstance is held invalid, the invalidity shall not affect any other provision or application of this Ordinance which can be given effect without the invalid provision or application, and, to this end, the provisions of this Ordinance are severable.

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READ, APPROVED AND ADOPTED, by the Town Council of Snowmass Village on First Reading on _____ upon a motion by Council Member _____, the second of Council Member _____, and upon a vote of _____ in favor and _____ opposed.

TOWN OF SNOWMASS VILLAGE

Bill Boineau, Mayor

ATTEST:

Rhonda Coxon, Town Clerk

APPROVED AS TO FORM:

John Dresser, Town Attorney

**TOWN OF SNOWMASS VILLAGE
TOWN COUNCIL**

**ORDINANCE NO. 1,
SERIES OF 2009**

AN ORDINANCE AMENDING THE TOWN OF SNOWMASS VILLAGE MUNICIPAL CODE, SPECIFICALLY, CHAPTER 18, ARTICLE VIII, EMERGENCY ALARMS, TO INCLUDE PROVISIONS FOR CARBON MONOXIDE ALARM REQUIREMENTS WITHIN ALL DWELLING UNITS EQUIPPED WITH ANY FUEL-BURNING APPLIANCE OR HEATING SYSTEM.

WHEREAS, carbon monoxide poisoning is the leading cause of accidental poisoning fatalities in America; and

WHEREAS, nationally, hundreds of people are killed annually and thousands of people receive emergency treatment annually as a result of carbon monoxide gas; and

WHEREAS, carbon monoxide poisoning constitutes a potential hazard in the Town of Snowmass Village and adults and children may die or become seriously ill as a result of its toxic effect; and

WHEREAS, carbon monoxide gas is often the result of faulty or poorly maintained heating systems; and

WHEREAS, Chapter 18, Article VIII of the Town of Snowmass Village Municipal Code provides standards for Emergency Alarms and their regulations; and

WHEREAS, the Municipal Code for the Town of Snowmass Village does not provide for mandatory installation of carbon monoxide detectors and does not otherwise provide for protection from the dangers of carbon monoxide poisoning; and

WHEREAS, recognizing that exposure to carbon monoxide, a colorless, odorless gas, can cause headaches, dizziness, nausea, faintness and, at high levels, death, the following regulations are enacted for the purposes of protecting the public health and safety of the residents of the Town of Snowmass Village by requiring operable carbon monoxide alarms in certain structures, thereby hopefully reducing the number of injuries and fatalities resulting from carbon monoxide poisoning.

NOW THEREFORE BE IT ORDAINED that Chapter 18, Article VIII of the Town of Snowmass Village Municipal Code hereby is, amended to include carbon monoxide detectors, by the addition of Section 18-143.1 as follows:

18-143.1 Carbon Monoxide Alarms

18-143.1.1 Purpose and Scope

(a) To establish minimum life safety requirements for the installation of carbon monoxide detectors in all applicable residential occupancies within the Town of Snowmass Village.

18-143.1.2 Definitions

(a) Dwelling Unit--For the purpose of this Section, one or more rooms or areas, arranged for the use of one or more individuals, on a permanent or transient basis, for living or sleeping.

(b) Multi-Family Dwelling Unit--A building containing three or more dwelling units.

(c) Fuel Burning Equipment--Equipment that burns solid, liquid or gaseous fuel or a combination thereof.

(d) Enclosed Parking Area--For the purpose of this Section, a building or portion thereof, utilized for the parking of motor vehicles, which is less than 50% open to the outside air.

(e) Listed--A device that carries the listing of a nationally recognized testing laboratory approved by the Town of Snowmass Village Building Department.

(f) Adjacent--Those spaces that are directly above, below or next to:

- (1) Rooms or spaces containing fuel burning equipment or attached appurtenances, or
- (2) Enclosed parking areas.

(g) NFPA 720--Where referenced in this Section, NFPA 720, Standard for the Installation of Carbon Monoxide Warning Equipment in Dwelling Units.

(h) Smoke Barrier--A continuous membrane, or a membrane with discontinuities created by protected openings, where such membrane is designed and constructed to restrict the movement of smoke.

(i) UL 2034--Where referenced in this Section, UL 2034, Standard for Single and Multiple Station Carbon Monoxide Alarms.

18-143.1.3 One and Two Family Dwellings

(a) All new and existing one and two family dwellings shall be provided, by the owner of the dwelling unit and structure, listed carbon monoxide detectors where any of the following conditions exists:

- (1) Dwellings where fuel-burning equipment is installed or operated.
- (2) Enclosed parking areas attached to a dwelling unit.
- (3) Dwellings deemed necessary by the Building Official.

18-143.1.4 Multi-Family Dwelling Units

(a) All new and existing multi-family dwelling units shall be provided, by the owner of the dwelling unit and structure, listed carbon monoxide detectors where any one of the following conditions exists:

- (1) Dwellings where fuel-burning equipment is installed or operated.
- (2) Enclosed parking areas attached to a dwelling unit.
- (3) Dwelling units located adjacent to enclosed parking areas or rooms or spaces where fuel-burning equipment is installed or operated.
- (4) Dwellings deemed necessary by the Building Official.

EXCEPTION: Dwelling units which are separated from enclosed parking areas or rooms or spaces where fuel-burning equipment is installed or operated by a complete and continuous smoke barrier.

18-143.1.5 Installation Requirements

- (a) Carbon monoxide detectors required by this Section shall be installed in accordance with NFPA 720 and the manufacturer's recommendations.
- (b) At least one carbon monoxide detector shall be installed on every level of a dwelling unit and in the immediate vicinity to, and be audible in, all sleeping areas located within the dwelling unit. If a fuel burning appliance is located within the sleeping room, a carbon monoxide detector shall be required within the sleeping room.
- (c) At least one carbon monoxide detector shall be installed in all rooms or spaces where the fuel-burning equipment is installed or operated within the dwelling unit. Where the room or space containing the fuel-burning equipment is less than

50 square feet in area, such detectors shall be installed in the immediate vicinity of the room or space.

(d) In new multi-family dwellings, where the building is provided with a fire alarm system, carbon monoxide detectors located within rooms or spaces that are not part of the dwelling unit space shall be connected to the building fire alarm system. Such carbon monoxide detectors shall initiate a supervisory signal at the fire alarm panel and provide an audible alarm at the device upon detection of carbon monoxide.

(e) All multi-family dwellings, regardless of the number of units, where carbon monoxide detectors are required by this Section, shall make available upon request a carbon monoxide detector for the hearing impaired. In hotels and lodges, a sign indicating the available carbon monoxide detector shall be conspicuously located at the front desk.

(f) In new one and two family dwellings, new multi-family dwellings and new additions or renovated areas, carbon monoxide detectors shall be required to be provided with primary and secondary power. Multiple carbon monoxide detectors installed as per this Sub-section shall be required to be interconnected.

(g) Existing one and two family dwellings and multi-family dwellings affected by this Section shall be permitted to provide cord & plug connected or battery operated carbon monoxide detectors. Such detectors shall not be required to be interconnected or interfaced with the building fire alarm system.

(h) Existing one and two family and existing multi-family dwellings affected by this Section shall have six (6) months from the effective date of this Ordinance to comply with the requirements of this section for carbon monoxide detectors. An approved Certificate of Compliance shall be submitted to the Building Department by a pre-approved, authorized installer. Owner installed devices (battery or plug-in devices) will not require a permit but a completion inspection will be required from the Building Department.

(i) In every building that utilizes one main central location for the placement of fossil fuel power equipment, that is not exempted, one approved carbon monoxide detector must be installed in the room containing such equipment. Alarms shall be initiated to a monitoring agency or to an audible / visual alarm located in a conspicuous place on the exterior.

18-143.1.6 Inspection and Maintenance of Carbon Monoxide Detectors

(a) The owner of a dwelling and structure shall be responsible for the installation, maintenance, repair and/or replacement of required carbon monoxide detectors.

In addition, the owner of a dwelling and structure shall ensure that all carbon monoxide detectors are functional on a monthly basis.

(b) Carbon monoxide detectors shall be tested and maintained in accordance with NFPA 720.

18-143.1.7 Exemptions

(a) A dwelling unit in a building that does not rely on combustion of fossil fuel for heat, cooking, ventilation or hot water and is not in close proximity to a source of ventilated carbon monoxide.

(b) A dwelling unit that:

- (1) Is heated by electric resistance heating elements; and
- (2) Is not connected by duct work or ventilation shafts to any room or space containing fossil-fuel utilization equipment; and
- (3) Is not in close proximity to any ventilated source of carbon monoxide.

18-143.1.8 Violations / Penalties

It shall be unlawful for the owner, manager or agent of a structure to not comply with this Section. It shall be unlawful for any person to remove batteries from a carbon monoxide detector required under this Section or in any way to make inoperable a carbon monoxide detector. Any person(s) who shall violate a provision of this Ordinance, or shall fail to comply with any of the requirements thereof, shall be guilty of a municipal violation, punishable as provided in the Town of Snowmass Village Municipal Code.

18-143.1.9 Effective Date

This Ordinance shall become effective on April 1, 2009.

18-143.1.10 Severability

If any provision of this Ordinance or application hereof to any person or circumstance is held invalid, the invalidity shall not affect any other provision or application of this Ordinance which can be given effect without the invalid provision or application, and, to this end, the provisions of this Ordinance are severable.

READ, APPROVED AND ADOPTED, by the Town Council of Snowmass Village on First Reading on March 2, 2009 upon a motion by Council Member Wilkinson, the second of Council Member Butler, and upon a vote of 4 in favor and 0 opposed. Council Member Mordkin was absent.

READ, APPROVED AND ADOPTED, by the Town Council of Snowmass Village on Second Reading on March 16, 2009 upon a motion by Council Member Lewis, the second of Council Member Butler, and upon a vote of 5 in favor and 0 opposed.

TOWN OF SNOWMASS VILLAGE

Bill Boineau, Mayor

ATTEST:

Donna Garcia-Spaulding, Deputy Town Clerk

APPROVED AS TO FORM:

John Dresser, Town Attorney