

ORDINANCE NO. 2053

INTRODUCED BY: AMADOR, BENSON, BULLOCK, CARSON, DOUGLAS, ELLIOTT, FORD, MCELDFOWNEY

AN ORDINANCE AMENDING SECTION 5-41001 OF THE COMMERCE CITY REVISED MUNICIPAL CODE ADOPTING AMENDMENTS TO THE 2009 INTERNATIONAL FIRE CODE

WHEREAS, the City of Commerce City adopted the 2009 International Fire Code subject to the amendments delineated in section 5-41001 of the Commerce City Revised Municipal Code; and

WHEREAS, the City of Commerce City has determined that additional amendments are necessary to protect the health, safety, and welfare of the public in conjunction with the licensing of marijuana businesses within the City.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF COMMERCE CITY, COLORADO AS FOLLOWS:

SECTION 1. That section 5-41001 is hereby amended by the insertion of the following amendments to the 2009 International Fire Code:

Section 2701.1 is amended to read as follows:

Section 2701.1 Scope. Prevention, control and mitigation of dangerous conditions related to storage, dispensing, use and handling of hazardous materials shall be in accordance with this chapter.

This chapter shall apply to all hazardous materials, including those materials regulated elsewhere in this code, except that when specific requirements are provided in other chapters, those specific requirements shall apply in accordance with the applicable chapter. Where a material has multiple hazards, all hazards shall be addressed.

All buildings and structures occupied for the manufacturing, processing, dispensing, use or storage of hazardous materials, including all marijuana and hemp establishments, marijuana facilities, marijuana and hemp cultivation facilities, marijuana and hemp product manufacturing facilities, and marijuana and hemp testing facilities shall submit to the District:

- A plan that specifies all means to be used for extracting, heating, washing, otherwise changing the form of the marijuana plant or for testing any marijuana or marijuana product, including verification that such plan is in compliance with all applicable federal, state, and local laws and regulations governing ventilation and safety measures for each process.

- A report from an independent (not an employee) third party industrial hygienist verifying the plan submitted pursuant to subsection (1) above, and the improvements to be constructed adequately protects the facility and adjacent properties and persons, and complies with all applicable federal, state and local laws and regulations.
- A description of all toxic, flammable, combustible, or other materials that constitute either a physical hazard and/or health hazard and regulated by a federal, state or local government that will be used, kept or created and the facility, the quantities, and location of such materials, and the manner in which such materials shall be stored and/or used.
- A description of the processes used to extract or distill marijuana derivatives from their source and the processes used to incorporate marijuana derivatives into all retail marijuana products produced, including a verification that such processes are in compliance with all federal, state, or local laws or regulations.

SECTION 2. Except as specifically provided herein, the 2009 International Fire Code as adopted by the City of Commerce City shall remain unchanged and in full force and effect.

SECTION 3. This ordinance shall take effect June 1, 2015.

INTRODUCED, PASSED ON FIRST READING AND PUBLIC NOTICE ORDERED THIS 4TH DAY OF MAY, 2015.

PASSED ON SECOND AND FINAL READING AND PUBLIC NOTICE ORDERED THIS 1ST DAY OF JUNE, 2015.

CITY OF COMMERCE CITY, COLORADO

Sean Ford, Mayor

ATTEST:

Laura J. Bauer, CMC, City Clerk