


CITY AND COUNTY OF DENVER		POLICY	DENVER FIRE DEPARTMENT
Subject: FUMIGATION, PESTICIDES, FUNGICIDES, MITICIDES – USE, STORAGE & INVENTORY STATEMENT			
Reference: 2016 Denver Fire Code (DFC)			
Approved:		 Manuel Almaguer, Division Chief, Fire Prevention Division	
Number: IFC-1701-1	Effective Date: March 2, 2016	Page 1 of 6	

This policy is meant to provide basic information for most common conditions and situations. In any given occupancy, all Fire Code requirements will be enforced, Fire Inspectors will address these during inspections. Questions can be answered by contacting the Fire Prevention Division at 720-913-3474 or at DFDMarijuanaEnforcement@denvergov.org. Walk in hours for permits are 7:00am-9:30am, Monday-Friday at 745 W Colfax Avenue, 1st Floor.

I. SCOPE

This policy covers requirements related to **FUMIGATION PROCESSES** and the use and storage of **PESTICIDES, FUNGICIDES, MITICIDES** and other chemicals in various occupancies within the City and County of Denver.

II. DEFINITIONS

- A. FUMIGANT.** A substance which by itself or in combination with any other substance emits or liberates a gas, fume, or vapor utilized for the destruction or control of insects, fungi, vermin, germs, rats, or other pests, and shall be distinguished from insecticides and disinfectants which are essentially effective in the solid or liquid phases. Examples are methyl bromide, ethylene dibromide, hydrogen cyanide, carbon disulfide, and sulfuryl fluoride.
- B. FUMIGATION.** The utilization of a fumigant within an enclosed space in concentrations hazardous or acutely toxic to humans
- C. THERMAL INSECTICIDAL FOGGING.** The utilization of insecticidal liquids passed through thermal fog-generating units where, by means of heat, pressure, and turbulence, such liquids are transformed and discharged in the form of fog or mist blown into an area to be treated
- D. PESTICIDE** A substance or mixture of substances, including fungicides, intended for preventing, destroying, repelling or mitigating pests and substances or a mixture of substances intended for use as a plant regulator, defoliant or desiccant.

III. ANNUAL PERMITS AND FEES

- A.** The following must be submitted to/ obtained from the Denver FPD Marijuana Inspection Group.
 - a. PESTICIDE INVENTORY STATEMENT**
 - i.** The owner or responsible party must complete the **PESTICIDE / INVENTORY STATEMENT** form (attached) and submit via email to: DFDMarijuanaEnforcement@denvergov.org . Once the statement is ready to be issued, you will be notified with an invoice via email and instructions to pay online or in person at 745 W Colfax Ave. Application logs and copies of the inventory statement shall be current and posted on site.

CITY AND COUNTY OF DENVER	POLICY	DENVER FIRE DEPARTMENT
Subject: FUMIGATION, PESTICIDES, FUNGICIDES, MITICIDES – USE, STORAGE & INVENTORY STATEMENT		
Reference: IFC 17, 27, 37 with Denver Amendments; NFPA	Effective Date: March 2, 2015	Page: 2 of 6

b. FUMIGATION / THERMAL INSECTICIDAL OPERATIONAL PERMIT

- i. A separate **Fumigation Operational Permit** is required for facilities that elect to perform Fumigation / Thermal Insecticidal Fogging operations. Permits are issued for either one time, one control area; or for an annual permit for one or more control areas. Submit the attached application form via email to DFDMarijuanaEnforcement@denvergov.org and once the permit is ready to be issued you will be notified with an invoice and instructions to pay online or in person at 745 W Colfax Ave.

IV. TO OBTAIN PERMITS

- A. To obtain a permit the following must be submitted:
 1. Completed application.
 2. **FOR FUMIGATION ONLY** - Site diagram indicating areas of use, a letter detailing the treatment plan, presence and/ or absence of code complying/ functional sprinkler system. Documentation verifying that you meet International Fire Code requirements (SPECIFICS AND CONDITIONS) listed below.
 3. **SDS (Safety Data Sheets)** for all products used on site shall be available for review on site.
 4. Once the permit is approved and ready to be issued, you will be notified with an invoice via email and instructions to pay online or in person.
 5. For **MODIFICATIONS to PESTICIDE INVENTORY STATEMENTS** please submit a revised application with additions or removals noted to DFDMarijuanaEnforcement@denvergov.org there is no charge for these modifications.

SPECIFICS AND CONDITIONS:

1. **IFC 1703.2 Sources of Ignition.** Fires, open flames, and similar sources of ignition shall be eliminated from spaces under fumigation or thermal insecticidal fogging. Heating, where needed, shall be of an approved type.
2. **IFC 1703.2.1 Electricity.** Electricity shall be shut off.

Exception: Applications utilizing non-flammable/non-combustible products and circulating fans that have been specifically designed for utilization in hazardous atmospheres and installed in accordance with the *ICC Electrical Code*

3. **IFC 1703.3 Notification of Fumigation.** If using flammable/combustible or toxic products, The Fire Code official and Fire Chief shall be notified in writing at least 24 hours before the structure is to be closed in connection with the utilization of any toxic or flammable fumigant. Notification shall give the location of the enclosed space to be fumigated or fogged, the occupancy, the fumigants or insecticides to be utilized, the person or persons responsible for the operation, and the date and time at which the operation will begin. Notice of any fumigation or thermal insecticidal fogging shall be served with sufficient advance notice to the occupants of the enclosed space involved to enable the occupants to

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Subject: FUMIGATION, PESTICIDES, FUNGICIDES, MITICIDES – USE, STORAGE & INVENTORY STATEMENT		
Reference: IFC 17, 27, 37 with Denver Amendments; NFPA	Effective Date: March 2, 2015	Page: 3 of 6

evacuate the premises. Email notification to Denver Fire Department Dispatch at FIREDISPATCHERS@DENVERGOV.ORG and to DFDMARIJUANAENFORCEMENT@DENVERGOV.ORG.

4. **IFC 1703.3.2 Breathing Apparatus.** Persons engaged in the business of fumigation or thermal insecticidal fogging shall maintain and have available approved protective breathing apparatus.
5. **IFC 1703.3.3.3 Watch Personnel.** When using flammable/combustible or toxic products, during the period fumigation is in progress, a capable, alert watcher shall remain on duty at the entrance or entrances to the enclosed fumigated space until after the fumigation is completed and the premises are properly ventilated and safe for occupancy. Sufficient personnel shall be provided to prevent persons from entering the enclosed space under fumigation without being observed.
6. **IFC 1703.5 Sealing of Buildings.** Paper and other similar materials that are not flame resistant shall not be used to wrap or cover a building in excess of that required for sealing of cracks, casements, and similar openings.
7. **IFC 1703.3.1 Warning Signs.**
Warning Signs. Approved warning signs indicating the danger, type of chemical involved, and necessary precautions shall be posted on **all doors and entrances** to the premises, rooms, and areas containing chemicals for fumigation and thermal insecticidal fogging.

Application Logs. Application Logs shall be maintained on or near doors to each area/room being treated with FUMIGANTS, PESTICIDES, FUNGICIDES & MITICIDES. The log shall identify: Product(s) in use; Date & Time of application and Date & Time for safe re-entry into treated areas according to manufacturers requirements.

Usage Warning Signs. Where fumigants and thermal insecticidal fogging products are used, approved warning signs bearing the “skull and crossbones” emblem with the warning “**DANGER! POISON GAS! KEEP OUT!**” shall be posted at all building entrances. Notices pertaining to the type of chemicals being used shall be posted. The notices pertaining to the type of chemicals for fumigation and thermal insecticidal fogging shall be printed in red ink on white background. Letters in the headlines shall be at least 2 inches (51 mm) in height, and shall state the date and time of the operation, the name and address of the person, the name of the operator in charge, and a warning stating that the occupied premises shall be vacated at least 1 hour before the operation begins and shall not be reentered until the danger signs have been removed by the proper authorities.

Storage Warning Signs. Where fumigants and thermal insecticidal fogging products are stored, NFPA 704 placard guidelines shall be followed.

8. **IFC 2701.1 #2 / 3701.1 #2.1 Application.** Application and release of pesticides, agricultural products and materials intended for use in pest control, weed

CITY AND COUNTY OF DENVER	POLICY	DENVER FIRE DEPARTMENT
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Reference: IFC 17, 27, 37 with Denver Amendments; NFPA	Effective Date: March 2, 2015	Page: 4 of 6

abatement, erosion control, soil amendment or similar applications shall be applied in accordance with the manufacturer's instruction and label directions.

- 9. IFC 1703.6 Venting and Cleanup.** At the end of the exposure period, fumigators shall safely and properly ventilate the premises and contents; properly dispose of fumigant containers, residues, debris, and other materials used for such

fumigation; and clear obstructions from gas-fired appliance vents.

- 10. IFC 1703.4 Thermal Insecticidal Fogging Liquids.** Thermal insecticidal fogging liquids with a flash point below 100 degrees Fahrenheit shall not be utilized.

- 11. IFC 1703.7 Carbon Disulfide and Hydrogen Cyanide.** The use of carbon disulfide (CS₂) and hydrogen cyanide (HCN) shall be restricted to agricultural fumigation.

IV. Permit(s) may be revoked without refund if:

1. The permit is used for a location or establishment other than issued to.
2. The permit is used for a condition or activity other than listed in the permit.
3. Conditions and limitations set forth in the permit are violated.
4. False statements or misrepresentations are discovered in the application for permit, inventory statement or plans submitted as a condition of the permit.
5. The permit is used by a person(s) or firm other than stated on the permit.
6. Failure, refusal or neglect to comply with orders or notices duly served in accordance with the provisions of the fire code in the time provided therein.
7. The permit was issued in error or in violation of any ordinance, regulation or provision of the fire or building code.

CITY AND COUNTY OF DENVER	POLICY	DENVER FIRE DEPARTMENT
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Reference: IFC 17, 27, 37 with Denver Amendments; NFPA	Effective Date: March 2, 2015	Page: 5 of 6

FUMIGATION AND THERMAL INSECTICIDAL FOGGING APPLICATION FORM

THIS FORM SHALL BE COMPLETED AND SIGNED BY A REPRESENTATIVE OF THE SITE APPLYING FOR FUMIGATION AND THERMAL INSECTICIDAL FOGGING PERMIT. A PERMIT WILL NOT BE ISSUED IF THIS FORM IS NOT COMPLETE OR IS ILLEGIBLE.

NAME OF BUSINESS: _____

BUSINESS ADDRESS: _____ CITY, STATE, ZIP CODE: _____

CONTACT NAME: _____

CONTACT PHONE NUMBER: _____ EMAIL: _____

SITE ADDRESS: _____

DATE(S) OF FUMIGATION: FROM: _____ TO: _____

PLEASE LIST PRODUCTS ALPHABETICALLY. LIST TOTAL AMOUNT/ QUANTITY ON SITE. ADDITIONAL PRODUCTS MAY BE LISTED ON A SEPARATE PAGE.

PRODUCT NAME: _____ AMOUNT/ QUANTITY: _____

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I HAVE READ AND UNDERSTAND THE DENVER FIRE DEPARTMENT’S POLICY REGARDING **FUMIGATION AND THE USE AND STORAGE OF PESTICIDES, FUNGICIDES, MITICIDES & REQUIRED INVENTORY STATEMENTS**. I ALSO UNDERSTAND THAT THE DENVER FIRE PREVENTION DIVISION WILL CONDUCT A SITE INSPECTION, AND THAT IF I FAIL TO COMPLY WITH THE IFC, IBC, DENVER AMENDMENTS OR NFPA STANDARDS, MY PERMIT(S) MAY BE REVOKED WITHOUT A REFUND.

PRINT NAME: _____

SIGNATURE: _____ DATE: _____

CITY AND COUNTY OF DENVER	POLICY	DENVER FIRE DEPARTMENT
Subject: FUMIGATION, PESTICIDES, FUNGICIDES, MITICIDES – USE, STORAGE & INVENTORY STATEMENT		
Reference: IFC 17, 27, 37 with Denver Amendments; NFPA	Effective Date: March 2, 2015	Page: 6 of 6

PESTICIDE INVENTORY STATEMENT APPLICATION FORM

THIS FORM SHALL BE COMPLETED AND SIGNED BY A REPRESENTATIVE OF THE SITE APPLYING FOR FUMIGATION AND THERMAL INSECTICIDAL FOGGING PERMIT. A PERMIT WILL NOT BE ISSUED IF THIS FORM IS NOT COMPLETE OR IS ILLEGIBLE.

NAME OF BUSINESS: _____

BUSINESS ADDRESS: _____ CITY, STATE, ZIP CODE: _____

CONTACT NAME: _____

CONTACT PHONE NUMBER: _____ EMAIL: _____

SITE ADDRESS: _____

PLEASE LIST PRODUCTS ALPHABETICALLY. LIST TOTAL AMOUNT/ QUANTITY ON SITE. ADDITIONAL PRODUCTS MAY BE LISTED ON A SEPARATE PAGE.

PRODUCT NAME: _____ AMOUNT/ QUANTITY: _____

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PRINT NAME: _____

SIGNATURE: _____ DATE: _____

END OF DOCUMENT