

CHAPTER 18

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ARTICLE I

Building and Residential Codes

Sec. 18-1-10. Adoption.

Pursuant to Title 31, Article 16, Part 2, C.R.S., there is adopted as the building code of the Town, by reference thereto, the International Building Code, 2006 edition, as amended, and the International Residential Code, 2006 edition, as amended, published by the International Code Council, Inc., 4051 West Flossmoor Road, Country Club Hills, IL 60478-5795, to have the same force and effect as if set forth herein in every particular. (Ord. 3, 2006 §1)

Sec. 18-1-20. Copies on file.

Copies of the International Building Code and the International Residential Code are available for public inspection and review in the office of the Town Clerk. (Ord. 3, 2006 §1)

Sec. 18-1-30. Amendments.

(a) The International Building Code as adopted in this Article shall be amended as follows:

(1) Delete Section 102.6 in its entirety and substitute the following:

"102.6 Existing structures. The legal occupancy of any structure existing on the date of adoption of this code shall be permitted to continue without change unless the use or the type of occupancy of the structure is changed. If the use or occupancy changes, the building will only be required to meet the minimum requirements of the new occupancy class."

(2) Delete Section 103.3 in its entirety and substitute the following:

"For the maintenance of existing properties, see the International Property Maintenance Code."

(3) Delete Section 105.1.1 in its entirety and substitute the following:

"105.1.1 3-Year permit. A new construction-building permit issued under this code shall expire 3 years from the date of issue. After such time, if the construction has not been completed and certificate of occupancy has not been issued, the permit may be renewed before expiration date for an additional year of time."

(4) Delete Section 105.1.2 in its entirety and substitute the following:

"105.1.2 Annual permits. Exemptions from the 3-year permit is issued for repair and alteration. Those types of permit are the following:

"1. Mechanical.

"2. Roofing.

"3. Remodel.

- "4. Decks.
- "5. Alteration.
- "6. Foundation.
- "7. Demolition.
- "8. Basement finish.
- "9. Excavation."

(5) Delete Section 108.2 in its entirety and substitute the following:

"108.2 Schedule of permit fees. On buildings, structures, structural remodels or alterations requiring a permit, a fee for each permit shall be paid as required and shall be based on the square footage construction cost table and illustrated in the *Building Safety Journal* August 2005 edition (to be updated as necessary for market cost fluctuation), attached hereto and the 2006 International Residential Code Appendix L – Permit Fees, attached hereto. Annual permit fees are established by the building official."

(6) Delete Section 108.3 in its entirety and substitute the following:

"108.3 Building permit valuations. The valuation for the permit is established in accordance with the *Building Safety Journal* August 2005 edition – Square Foot Construction Costs Table (to be updated as necessary for market cost variation), attached hereto."

(7) Delete Section 109 in its entirety and substitute the following:

"109 Inspections.

"109.1 General. All construction or work for which a permit is required shall be subject to inspection by the building official and all such construction or work shall remain accessible and exposed for inspection purposes until approved by the building official. In addition, certain types of construction shall have continuous inspection.

"Approval as a result of an inspection shall not be construed to be an approval of a violation of the provisions of this code or of other ordinances of the jurisdiction. Inspections presuming to give authority to violate or cancel the provisions of this code or of other ordinances of the jurisdiction shall not be valid.

"It shall be the duty of the permit applicant to cause the work to remain accessible and exposed for inspection purposes. Neither the building official nor the jurisdiction shall be liable for expense entailed in the removal or replacement of any material required to allow inspection.

"A survey of the lot may be required by the building official to verify that the structure is located in accordance with the approved plans.

"109.2 Inspection record card. Work requiring a permit shall not be commenced until the permit holder or an agent of the permit holder shall have posted or otherwise made available an inspection record card such as to allow the building official to conveniently make the required entries thereon regarding inspection of the work. This card shall be maintained available by the permit holder until final approval has been granted by the building official.

"109.3 Inspection requests. It shall be the duty of the person doing the work authorized by a permit to notify the building official that such work is ready for inspection. The building official may require that every request for inspection be filed at least two working days before such inspection is desired. Such request may be in writing or by telephone at the option of the building official.

"It shall be the duty of the person requesting any inspections required by this code to provide access to and means for inspection of such work.

"109.4 Approval required. Work shall not be done beyond the point indicated in each successive inspection without first obtaining the approval of the building official. The building official, upon notification, shall make the requested inspections and shall either indicate that portion of the construction is satisfactory as completed, or shall notify the permit holder or an agent of the permit holder wherein the same fails to comply with this code. Any portions that do not comply shall be corrected and such portion shall not be covered or concealed until authorized by the building official.

"There shall be a final inspection and approval of all buildings and structures when completed and ready for occupancy and use.

"109.5 Required inspections.

"109.5.1 General. Reinforcing and steel or structural framework of any part of any building or structure shall not be covered or concealed without first obtaining the approval of the building official.

"Protection of joints and penetrations in fire-resistive assemblies shall not be concealed from view until inspected and approved.

"The building official, upon notification, shall make the inspections set forth in the following sections.

"109.5.2 Footing/monolithic and structural pad inspection. To be made after excavations for footings and pads are complete and any required reinforcing steel is in place and before placement of concrete.

"109.5.3 Foundation wall inspection. For concrete foundations, any required forms and required reinforcing steel shall be in place prior to inspection. All materials for the foundation shall be on the job, except where concrete is ready-mixed in accordance with approved nationally recognized standards, the concrete need not be on the job. Where the foundation wall is to be constructed of approved treated wood, additional inspections may be required by the building official.

"109.5.4 Concrete slab or under-floor inspection. To be made after all in-slab or under-floor building service equipment, conduit, piping accessories and other ancillary equipment items are in place, but before any concrete is placed or floor sheathing installed, including the subfloor.

"109.5.5 Sheathing inspection. To be made after exterior walls and roof have been sheathed and before any covering is placed over the nail patterns.

"109.5.6 Frame inspection. To be made after the roof, all framing, fire blocking and bracing are in place and all pipes, chimneys and vents are complete and the rough electrical, plumbing, and heating wires, pipes and ducts are approved.

"109.5.7 Lath or gypsum board inspection. To be made after all lathing and gypsum board, interior and exterior, is in place, but before any plastering is applied or before gypsum board joints and fasteners are taped and finished.

"109.5.8 Mid-roof inspection. To be made after ice and water shield, valley underlayment and flashing placement, but before any shingles or metal roof material installment.

"109.5.9 Fire-rated drywall inspection. To be made after the 5/8" drywall for fire protection has been installed, but before any taping or plaster application.

"109.5.10 Final inspection. To be made after finish grading and the building is completed and ready for occupancy.

"109.6 Other inspections. In addition to the called inspections specified above, the building official may make or require other inspections of any construction work to ascertain compliance with the provisions of this code and other laws, which are enforced by the code enforcement agency.

"109.7 Reinspections. A reinspection fee may be assessed for each inspection or reinspection when such portion of work for which inspection is called is not complete or when corrections called for are not made.

"This section is not to be interpreted as requiring reinspection fees the first time a job is rejected for failure to comply with the requirements of this code, but as controlling the practice of calling for inspections before the job is ready for such inspection or reinspection.

"Reinspection fees may be assessed when the inspection record card is not posted or otherwise available on the work site, the approved plans are not readily available to the inspector, for failure to provide access on the date for which inspection is requested, or for deviating from plans requiring the approval of the building official.

"To obtain a reinspection, the applicant shall file an application therefor in writing on a form furnished for that purpose and pay the reinspection fee in accordance with the fee established by the building official.

"In instances where reinspection fees have been assessed, no additional inspection of the work will be performed until the required fees have been paid."

(8) Delete Section 112.1 the following:

"There shall be and is hereby created a board of appeals."

And substitute the following:

"There shall be a board of appeals created when necessary."

(9) Add Section 116, Licensing/ Registration of Contractors (See Resolution 96-59 of the County).

(10) Delete Section 502.1 in its entirety and substitute the following:

"502.1 Height, building. The vertical distance above a reference datum measured to the highest point of the coping of a flat roof or to the deck line of a mansard roof or to the average height of the highest gable of a pitched or hipped roof. The reference datum shall be selected by either of the following, whichever yields a greater height of building:

"1. The elevation of the highest adjoining sidewalk of ground surface within a 5-foot (1,524 mm) horizontal distance of the exterior wall of the building when such sidewalk or ground surface is not more than 10 feet (3,048 mm) above lowest grade.

"2. An elevation 10 feet (3,048 mm) higher than the lowest grade when the sidewalk or ground surface described in Item 1 is more than 10 feet (3,048 mm) above lowest grade.

"The height of a stepped or terraced building is the maximum height of any segment of the building."

(b) The International Residential Code, as adopted in this Article, shall be amended as follows:

(1) Delete Section R102.7 in its entirety and substitute the following:

"R102.7 Existing structures. The legal occupancy of any structure existing on the date of adoption of this code shall be permitted to continue without change unless the use or the type of occupancy of the structure is changed. If the use or occupancy changes, the building will only be required to meet the minimum requirements of the new occupancy class."

(2) Add to Section R103.2.1 the following:

"The basic wind speed for Park County residential structures is 110 m.p.h."

(3) Delete from Section R105.5 the following:

"for periods not more than 180 days each."

(4) Add Section R105.9:

"R105.9 Schedule of permit fees. On buildings, structures, structural remodels, or alterations requiring a permit, a fee for each permit shall be paid as required and shall be based on the square footage construction cost table as illustrated in the *Building Safety Journal* August 2005 edition (to be updated as necessary for market cost fluctuation), attached hereto and the 2006 International Residential Code Appendix L – Permit Fees, attached hereto. Annual permit fees are established by the building official."

(5) Add Section R105.10:

"R105.10 Building permit valuations. The valuation for the permit is established in accordance with the *Building Safety Journal* August 2005 edition – Square Foot Construction Costs Table (to be updated as necessary for market cost variation), attached hereto."

(6) Delete Section R109 in its entirety and substitute the following:

"109 Inspections.

"R109.1 General. All construction or work for which a permit is required shall be subject to inspection by the building official, and all such construction or work shall remain accessible and exposed for inspection purposes until approved by the building official. In addition, certain types of construction shall have continuous inspection.

"Approval as a result of an inspection shall not be construed to be an approval of a violation of the provisions of this code or of other ordinances of the jurisdiction. Inspections presuming to give authority to violate or cancel the provisions of this code or of other ordinances of the jurisdiction shall not be valid.

"It shall be the duty of the permit applicant to cause the work to remain accessible and exposed for inspection purposes. Neither the building official nor the jurisdiction shall be liable for expense entailed in the removal or replacement of any material required to allow inspection.

"A survey of the lot may be required by the building official to verify that the structure is located in accordance with the approved plans.

"R109.2 Inspection record card. Work requiring a permit shall not be commenced until the permit holder or an agent of the permit holder shall have posted or otherwise made available an inspection record card such as to allow the building official to conveniently make the required entries thereon regarding inspection of the work. This card shall be maintained available by the permit holder until final approval has been granted by the building official.

"R109.3 Inspection requests. It shall be the duty of the person doing the work authorized by a permit to notify the building official that such work is ready for inspection. The building official may require that every request for inspection be filed at least two working days before such inspection is desired. Such request may be in writing or by telephone at the option of the building official.

"It shall be the duty of the person requesting any inspections required by this code to provide access to and means for inspection of such work.

"R109.4 Approval required. Work shall not be done beyond the point indicated in each successive inspection without first obtaining the approval of the building official. The building official, upon notification, shall make the requested inspections and shall either indicate that portion of the construction is satisfactory as completed, or shall notify the permit holder or an agent of the permit holder wherein the same fails to comply with this code. Any portions that do not comply shall be corrected and such portion shall not be covered or concealed until authorized by the building official.

"There shall be a final inspection and approval of all buildings and structures when completed and ready for occupancy and use.

"R109.5 Required inspections.

"R109.5.1 General. Reinforcing and steel or structural framework of any part of any building or structure shall not be covered or concealed without first obtaining the approval of the building official.

"Protection of joints and penetrations in fire-resistive assemblies shall not be concealed from view until inspected and approved.

"The building official, upon notification, shall make the inspections set forth in the following sections.

"R109.5.2 Footing/monolithic and structural pad inspection. To be made after excavations for footings and pads are complete and any required reinforcing steel is in place and before placement of concrete.

"R109.5.3 Foundation wall inspection. For concrete foundations, any required forms and required reinforcing steel shall be in place prior to inspection. All materials for the foundation shall be on the job, except where concrete is ready-mixed in accordance with approved nationally recognized standards, the concrete need not be on the job. Where the foundation wall is to be constructed of approved treated wood, additional inspections may be required by the building official.

"R109.5.4 Concrete slab or under-floor inspection. To be made after all in-slab or under-floor building service equipment, conduit, piping accessories and other ancillary equipment items are in place, but before any concrete is placed or floor sheathing installed, including the subfloor.

"R109.5.5 Sheathing inspection. To be made after exterior walls and roof have been sheathed and before any covering is placed over the nail patterns.

"R109.5.6 Frame inspection. To be made after the roof, all framing, fire blocking and bracing are in place and all pipes, chimneys and vents are complete and the rough electrical, plumbing, and heating wires, pipes and ducts are approved.

"R109.5.7 Lath or gypsum board inspection. To be made after all lathing and gypsum board, interior and exterior, is in place, but before any plastering is applied or before gypsum board joints and fasteners are taped and finished.

"R109.5.8 Mid-roof inspection. To be made after ice and water shield, valley underlayment and flashing placement, but before any shingles or metal roof material installment.

"R109.5.9 Fire-rated drywall inspection. To be made after the 5/8" drywall for fire protection has been installed, but before any taping or plaster application.

"R109.5.10 Final inspection. To be made after finish grading and the building is completed and ready for occupancy.

"R109.6 Other inspections. In addition to the called inspections specified above, the building official may make or require other inspections of any construction work to ascertain compliance with the provisions of this code and other laws, which are enforced by the code enforcement agency.

"R109.7 Reinspections. A reinspection fee may be assessed for each inspection or reinspection when such portion of work for which inspection is called is not complete or when corrections called for are not made.

"This section is not to be interpreted as requiring reinspection fees the first time a job is rejected for failure to comply with the requirements of this code, but as controlling the practice of calling for inspections before the job is ready for such inspection or reinspection.

"Reinspection fees may be assessed when the inspection record card is not posted or otherwise available on the work site, the approved plans are not readily available to the inspector, for failure to provide access on the date for which inspection is requested, or for deviating from plans without obtaining a change order on the original plans.

"To obtain a reinspection, the applicant shall file an application therefor in writing on a form furnished for that purpose and pay the reinspection fee in accordance with the fee established by the building official.

"In instances where reinspection fees have been assessed, no additional inspection of the work will be performed until the required fees have been paid."

(7) Delete from Section R112.1 the following:

"There shall be and is hereby created a board of appeals."

And substitute:

"A board of appeals shall be created when needed."

(8) Delete Section R202 in its entirety and substitute the following:

"R202 Height, building. The vertical distance above a reference datum measured to the highest point of the coping of a flat roof or to the deck line of a mansard roof or to the average height of the highest gable of a pitched or hipped roof. The reference datum shall be selected by either of the following, whichever yields a greater height of building:

"1. The elevation of the highest adjoining sidewalk or ground surface within a 5-foot (1,524 mm) horizontal distance of the exterior wall of the building when such sidewalk or ground surface is not more than 10 feet (3,048 mm) above lowest grade.

"2. An elevation 10 feet (3,048 mm) higher than the lowest grade when the sidewalk or ground surface described in Item 1 is more than 10 feet (3,048 mm) above lowest grade.

"The height of a stepped or terraced building is the maximum height of any segment of the building."

(9) Delete Section R202, Manufactured home, in its entirety.

(10) Add Section R308.4 as follows:

"R308.4 Hazardous locations #12. Glazing within 60 inches above the plane of any window or bench seat."

(11) Delete from Section R309.3 the following: "to a drain or."

(12) Delete from Section R309.4 the following: "to a drain or."

(13) Delete from Section R319.1.4 Exceptions 1. and 2. the following: "and the earth is covered by an approved impervious moisture barrier."

(14) Delete Section R403.1.3.1 in its entirety and substitute the following:

"R403.1.3.1 Foundations with stem walls. Foundations with stem walls shall have installed a minimum of two No. 4 rebar 60 grade or two No. 5 rebar 40 grade within 12 inches (305 mm) of the top of the wall and two No. 4 rebar 60 grade or two No. 5 rebar 40 grade located 3 inches (76 mm) to 4 inches (102 mm) from the bottom of the footing. Figure R403.1.3.1 Suggested Foundation Design attached hereto."

(16) Add Figure R403.1 Note (1):

"(1) Basement or crawl space with foundation wall bearing directly on soil. A soils report and engineered foundation design will be required if the basement or crawl space wall is bearing directly on soil and no footing is present."

(16) Add Figure R403.1 Note (2):

"(2) Permanent wood foundation basement wall section. All wood foundations will bear an engineer stamp on footing or gravel."

(17) Add Figure R403.1 Note (3):

"(3) Permanent wood foundation crawl space section. All wood foundations will bear an engineer stamp on footing or gravel."

(18) Delete from Section R403.1.5 the following:

"The bottom surface of footings shall not have a slope exceeding one unit vertical in 10 units horizontal (10-percent slope)."

(19) Delete Section R405.1 Exception:

"A drainage system is not required when the foundation is installed on well-drained ground or sand-gravel mixture soils according to the Unified Soils Classification System, Group I Soils, as detailed in Table R405.1."

(20) Add to Section R408.1 the following:

"Reduce venting to 10% (percent) of this requirement if 6 mil plastic is used to cover soil and added as a vapor barrier."

(21) Delete from Table Section R602.3(1) the following: "all references to staples"; and add Note j. as follows:

"Staples are not allowed as a fastener for any structural components."

(22) Delete from Table Section R602.3(2) the following: "all references to staples"; and add Note g. as follows:

"Staples are not allowed as an alternate attachment."

(23) Delete Section R602.7.1, Wood structural panel box headers, in its entirety.

(24) Delete Table R602.7.2, Maximum spans for wood structural panel box headers, in its entirety.

(25) Delete Figure R602.7.2, Typical wood structural panel box header construction, in its entirety.

(26) Delete from Section R905.2.7 the following: all references to "starting at the eaves"; and substitute: "starting at the edge of the ice barrier."

(27) Delete Section R1004.4, Unvented gas log heaters, in its entirety.

(28) Delete Section M1305.1.4 in its entirety and substitute:

"Park County Building Department, 1994 Edition, Uniform Mechanical Code Interpretation dated 8/11/1999. Attached hereto."

(Ord. 3, 2006 §1)

Sec. 18-1-40. Violations and penalty.

It shall be unlawful for any person, firm or corporation to erect, construct, enlarge, alter, repair, move, improve, remove, convert or demolish, equip, use, occupy or maintain any building or structure or cause or permit the same to be done in violation of this Code. A person or entity who violates this Code may be fined in an amount not to exceed one hundred dollars (\$100.00), or imprisoned for not more than ten (10) days or suffer both fine and imprisonment, in addition to other sanctions set forth in Sections 30-28-209 and 210, C.R.S. (Ord. 5, 1999 §1; Ord. 11, 2002 §1; Ord. 12, 2002 §2; Ord. 3, 2006 §2)

Sec. 18-1-50. Contractor's license.

(a) License required. All persons, general contracting firms, subcontracting firms and other entities engaged in construction work of any kind or nature, including but not limited to general contracting, electrical, plumbing, excavating and concrete finishing within the Town limits shall be licensed under the applicable terms and provisions adopted by the Board of County Commissioners prior to: (1) applying for

any type of building permit for the performance of any construction work within the Town limits; or (2) entering into a contract to perform or performing any construction work within the Town limits.

(b) Any person or entity that is required hereunder to be licensed to perform construction work may only enter into a contract to perform that type of construction work for which they are licensed by the County.

(c) Any natural person may construct a single-family dwelling on real property owned by such person without having first obtained a contractor's license from the County if: (1) the person has been issued a building permit; (2) the construction complies with all applicable building codes and land use regulations; (3) such person does not construct any more than one (1) single-family dwelling unit within any two (2) consecutive calendar year periods; and (4) such single-family dwelling is constructed as such natural person's principal residence. (Ord. 4, 1997 §1; Ord. 4, 2006 §1)

ARTICLE II

Electrical Code

Sec. 18-2-10. Adoption.

Pursuant to Title 31, Article 16, Part 2, C.R.S., there is adopted as the electrical code of the Town, by reference thereto, the National Electrical Code, 1978 edition, and all appendices, tables and examples thereto, published by the National Fire Protection Association, Batterymarch Park, Quincy, MA 02269. The purpose of the adopted code is to protect the health, safety and lives of the residents of the Town. The subject matter of the adopted code includes comprehensive rules and regulations governing materials, methods of installation, inspection and other matters pertaining to the practical safeguarding of persons and property from hazards arising from the use of electricity. (Ord. 7, 1979 §2; Ord. 11, 2002 §1)

Sec. 18-2-20. Copy on file.

At least one (1) copy of the National Electrical Code, certified to be a true copy, has been and is now on file in the office of the Town Clerk and may be inspected by any interested person between the hours of 8:00 a.m. and 5:00 p.m., Monday through Friday, holidays excepted. The code as finally adopted shall be available for sale to the public through the office of the Town Clerk at a moderate price. (Ord. 11, 2002 §1)

Sec. 18-2-30. Amendments.

The code adopted herein is hereby modified by the following amendments: none. (Ord. 11, 2002 §1)

ARTICLE III

Mechanical Code

Sec. 18-3-10. Adoption.

Pursuant to Title 31, Article 16, Part 2, C.R.S., there is adopted as the mechanical code for the Town, by reference thereto, the International Mechanical Code, 2006 edition, together with all appendices and tables thereto, published by the International Conference of Building Officials, 5360 South Workman Mill Road,

Whittier, California. The subject matter of the adopted code includes comprehensive provisions and standards relating to the erection, installation, alteration, repair, relocation, replacement, addition to, use or maintenance of heating, ventilating, cooling and refrigeration systems, incinerators or other miscellaneous heat-producing appliances within the Town for the purpose of protecting the public health, safety and general welfare. (Ord. 7, 1979 §2; Ord. 11, 2002 §1; Ord. 3, 2006 §1)

Sec. 18-3-20. Copy on file.

At least one (1) copy of the International Mechanical Code, certified to be a true copy, has been and is now on file in the office of the Town Clerk and may be inspected by any interested person between the hours of 8:00 a.m. and 5:00 p.m., Monday through Friday, holidays excepted. The code as finally adopted shall be available for sale to the public through the office of the Town Clerk at a moderate price. (Ord. 11, 2002 §1; Ord. 3, 2006 §1)

Sec. 18-3-30. Amendments.

The code adopted herein is hereby modified by the following amendments: None. (Ord. 7, 1979 §4; Ord. 11, 2002 §1; Ord. 3, 2006)

ARTICLE IV

Plumbing Code

Sec. 18-4-10. Adoption.

Pursuant to Title 31, Article 16, Part 2, C.R.S., there is adopted as the plumbing code of the Town, by reference thereto, the Uniform Plumbing Code, 1976 edition, and all appendices and tables thereto, published by the International Association of Plumbing and Mechanical Officials, headquarters at 5032 Alhambra Avenue, Los Angeles, California, as amended by the Plumbing Code of the State (pursuant to state statutes), and by the Rules and Regulations promulgated by the State Examining Board of Plumbers, 1390 Logan Street, Suite 400, Denver, Colorado 80203. The subject matter of the adopted code includes comprehensive regulations governing materials, installation methods and other matters pertaining to plumbing for the purpose of protecting the public health, safety and general welfare. (Ord. 7, 1979 §2; Ord. 11, 2002 §1)

Sec. 18-4-20. Copy on file.

At least one (1) copy of the Uniform Plumbing Code, together with those portions of the plumbing code as adopted by the State, certified to be a true copy, has been and is now on file in the office of the Town Clerk and may be inspected by an interested person between the hours of 8:00 a.m. and 5:00 p.m., Monday through Friday, holidays excepted. The code as finally adopted shall be available for sale to the public through the office of the Town Clerk at a moderate price. (Ord. 11, 2002 §1)

Sec. 18-4-30. Amendments.

The code adopted herein is hereby modified by the following amendments:

- (1) Section 20.7, Schedule of Fees, is amended by the deletion of the Fee Schedule contained in the section and the insertion of the Fee Schedule, Table 3A, of this Article in its place.

(2) Chapter 4, Section 401, Material, Paragraph A, Subparagraph 2 is amended to read as follows:

"2. ABS or PVC installations limited to Residential & Commercial Construction, not more than two (2) stories in height.

"Where deemed to be used in a hazardous manner, the Building Official may reject the use."

(Ord. 7, 1979 §5; Ord. 11, 2002 §1)

ARTICLE V

Fire Code

Sec. 18-5-10. Adoption.

Pursuant to Title 31, Article 16, Part 2, C.R.S., there is adopted as the fire code for the Town, by reference thereto, the Uniform Fire Code, 1997 edition, published by the International Fire Code Institute, 5360 South Workman Mill Road, Whittier, California 90601, inclusive of all tables and appendices, except as otherwise provided by amendment or deletion as set forth in this Article. The subject matter of the adopted code includes comprehensive provisions and standards designed to prevent fires. The purpose of the adopted code is to protect the health, safety and welfare of the residents of the Town. (Ord. 5, 2001 §1; Ord. 11, 2002 §1)

Sec. 18-5-20. Copy on file.

At least one (1) copy of the Uniform Fire Code, certified to be a true copy, has been and is now on file in the office of the Town Clerk or Building Official and may be inspected by any interested person between the hours of 8:00 a.m. and 5:00 p.m., Monday through Friday, holidays excepted. The code as finally adopted shall be available for sale to the public through the office of the Town Clerk at a moderate price. (Ord. 5, 2001 §1; Ord. 11, 2002 §1)

Sec. 18-5-30. Amendments.

The Uniform Fire Code as adopted in this Article shall be amended as follows:

(1) Section 101.5, "Liability," shall read as follows:

"Sec. 101.5 Liability. The Fire Chief or any duly authorized representative charged with the enforcement of this code acting in good faith and without malice shall not thereby render himself personally liable for any damage that may accrue to persons or property as a result of any act or omission in the discharge of his duties, and such official shall be entitled to all immunities and limitations as provided to public employees under the Colorado Governmental Immunity Act, C.R.S. 24-10-101, et seq.

"This code shall not be construed to relieve or lessen the responsibility of any person owning, operating or controlling any building or structure for any damage to persons or property caused by defects on or in such premises, nor shall the code enforcement agency, any employee thereof or the Town of Fairplay be held as assuming any such responsibility or liability by reason of the adoption of

this code or by the exercise of inspections authorized and carried out thereunder, or by the issuance of any permits or certificates issued pursuant to this code."

(2) Section 103.1.4, "Appeals," shall read as follows:

"Sec. 103.1.4 Appeals. Appeals from determinations or decisions made by the chief and/or an inspection official relative to the application, enforcement and interpretation of the Uniform Fire Code and the companion codes incorporated therein shall be processed and heard by the Board of Trustees for the Town of Fairplay sitting as the Board of Appeals."

(3) Section 103.3.1.2, "Right of Entry," shall read as follows:

"Sec. 103.3.1.2 Right of Entry. When it is necessary to make an inspection to enforce the provisions of this code, or when an inspection official has reasonable cause to believe that there exists a condition which is contrary to or in violation of this code which makes the building or premises unsafe, dangerous or hazardous, the inspection official may enter the building or premises at reasonable times to inspect or to perform the duties imposed by this code, provided that, if such premises be occupied, credentials be presented to the occupant and entry requested. If such building or premises be unoccupied, the inspection official shall first make a reasonable effort to locate the owner or other person having charge or control of the building or premises and request entry. If entry is refused, or no person having charge or control over the building or premises can be located, the inspection official shall obtain a warrant from the Fairplay Municipal Court authorizing the building official to make entry into the building or premises. Owners, occupants or any other person having charge, care or control of any building or premises shall, after proper request is made as herein provided, promptly permit entry therein by the inspection official for the purpose of inspection and examination pursuant to this code."

(4) A new Section 103.4.6.1, "Violations and penalties," is added to read as follows:

"Sec. 103.4.6.1 Violations and penalties. It shall be unlawful for any person, including an owner, occupant or builder, to erect, construct, enlarge, alter, repair, move, improve, remove, convert or demolish, equip, use, occupy or maintain any building, structure or premises in the Town of Fairplay, or cause the same to be done, contrary to or in violation of any of the provisions of the Uniform Fire Code. A violation of any of the provisions of the code shall be punishable upon conviction by a fine not exceeding one thousand dollars (\$1,000.00) or by imprisonment not exceeding one (1) year, or both such fine and imprisonment for each separate offense. A separate offense shall be deemed committed on each day, or portion thereof, that the violation of any of the provisions of the code occurs or continues unabated after the time limit set for abatement of the violation."

(5) Section 5.1, "One- and Two-Family Dwellings," of Appendix III-A, "Fire-Flow Requirement for Buildings," is amended to read as follows:

"Sec. 5.1 One- and Two-Family Dwellings. Fire flow and fire flow durational requirements shall be governed by the fire flow supply and capacity of the existing municipal water distribution system and infrastructure."

(6) Section 5.2, "Buildings other than One- and Two-Family Dwellings," of Appendix III-A, "Fire-Flow Requirement for Buildings," is amended to read as follows:

"Sec. 5.2 Buildings other than One- and Two-Family Dwellings. Fire flow and fire flow durational requirements shall be governed by the fire flow supply and capacity of the existing municipal water distribution system and infrastructure."

(Ord. 5, 2001 §2; Ord. 11, 2002 §1)

ARTICLE VI

Dangerous Buildings Code

Sec. 18-6-10. Adoption.

Pursuant to Title 31, Article 16, Part 2, C.R.S., there is adopted as the dangerous building code for the Town, by reference thereto, the Uniform Dangerous Buildings Code, 1976 edition, and all appendices and tables thereto published by the International Conference of Building Officials and the Western Fire Chiefs Association, 5360 South Workman Mill Road, Whittier, California. The subject matter of the adopted code includes comprehensive provisions and standards designed to prevent fires. The purpose of the adopted code is to protect the health, safety and welfare of the residents of the Town. (Ord. 7, 1979 §2; Ord. 11, 2002 §1)

Sec. 18-6-20. Copy on file.

At least one (1) copy of the Uniform Dangerous Building Code, certified to be a true copy, has been and is now on file in the office of the Town Clerk and may be inspected by any interested person between the hours of 8:00 a.m. and 5:00 p.m., Monday through Friday, holidays excepted. The code as finally adopted shall be available for sale to the public through the office of the Town Clerk at a moderate price. (Ord. 11, 2002 §1)

Sec. 18-6-30. Amendments.

The code adopted herein is hereby modified by the following amendment: The Board of Trustees will act as the Board of Appeals with regard to all appeals filed under the terms of the Uniform Dangerous Buildings Code. (Ord. 7, 1979 §8; Ord. 11, 2002 §1)

ARTICLE VII

Drainage Requirements

Sec. 18-7-10. Drainage devices required.

The owners of all new construction in the Town shall be required to install such appropriate drainage devices under any driveway or other barrier which would interfere with the natural and existing drainage of the Town. It shall be the duty of the Building Official to enforce and implement this Article. (Ord. 5, 1980 §1)

Sec. 18-7-20. Town to establish requirements.

It shall be the duty of the Building Official to determine the proper requirements for each site in regard to the nature and design for each drainage device required hereunder. (Ord. 5, 1980 §2)

Sec. 18-7-30. Drainage device form.

To enable the Building Official to enforce and implement this Article, the Building Official:

- (1) Shall cause a form to be issued with the building permit setting forth the requirements for the drainage device to be installed; and
- (2) Shall condition issuance of the certificate of occupancy upon compliance with the requirements set forth by the Building Official in the form issued under Subsection (1) above. (Ord. 5, 1980 §3; Ord. 11, 2002 §1)

ARTICLE VIII

Fuel Gas Code, Liquefied Petroleum Gas Code and LP-Gas Code Handbook

Sec. 18-8-10. Adoption.

Pursuant to Title 31, Article 16, Part 2, C.R.S., there are hereby adopted the following: the International Fuel Gas Code, 2006 edition, as amended, published by the International Code Council, Inc., 4051 West Flossmoor Road, Country Club Hills, IL 60478-5795; and the NFPA 58 Liquefied Petroleum Gas Code, 2001 edition, as amended, published by the National Fire Protection Association, One Batterymarch Park, Quincy, MA 02269, with the 1998 LP-Gas Code Handbook, fifth edition, as amended, published by the National Fire Protection Association, One Batterymarch Park, Quincy, MA 02269, to have the same force and effect as if set forth herein in every particular. (Ord. 3, 2006 §1)

Sec. 18-8-20. Copies on file.

Copies of the International Fuel Gas Code, the NFPA 58 Liquefied Petroleum Code and the 1998 LP-Gas Code Handbook are available for public inspection and review in the office of the Town Clerk. (Ord. 3, 2006 §1)

ARTICLE IX

Energy Conservation Code

Sec. 18-9-10. Adoption.

(a) The International Energy Conservation Code, 2003 Edition, including the outline of contents, index and appendices contained therein, published by the International Code Council, 500 New Jersey Avenue, NW, 6th Floor, Washington, DC 20001, is hereby adopted.

(b) The provisions of the International Energy Conservation Code, 2003 Edition, shall apply to the construction of, and renovations or additions to, all commercial and residential buildings within the Town.

(c) Violations of any code adopted herein shall be punished as provided in Section 18-1-40 of this Chapter. (Ord. 2008-2 §1)

Sec. 18-9-20. Copy on file.

At least one (1) copy of the International Energy Conservation Code, certified to be a true copy, has been and is on file in the office of the Town Clerk or Building Official and may be inspected by any interested person between the hours of 8:00 a.m. and 5:00 p.m., Monday through Friday, holidays excepted. The code as finally adopted shall be available for sale to the public through the office of the Town Clerk at a moderate price. (Ord. 2008-2 §1)

Sec. 18-9-30. Amendments.

The International Energy Conservation Code, as adopted in this Article, shall be amended as follows:

(1) Deletions. The following sections, subsections and tables of the International Energy Conservation Code are hereby deleted: 101.4.4; 101.4.5; 101.5.2; 102.1.1; 102.1.2; 102.1.3; Table 102.1.3(1); Table 102.1.3(2); Table 102.1.3(3); 103.1.1; 104; 105; 107; 401.2; 401.3; 402.1; 402.1.1; 402.1.2; 402.1.3, together with exceptions 1, 2 and 3; 402.2.2.3, together with exceptions 1, 2 and 3; 402.2.4; Table 402.2.4; 402.2.6; 402.2.7; 402.2.8; 402.2.9; 402.2.10; 402.3; 402.3.1; 402.3.2; 402.3.3; 402.3.4; 402.3.5; 402.3.6; 402.4; 402.1, including subparagraphs 1 through 10 inclusive; 402.4.2, including all exceptions; 402.4.3, including subparagraphs 1, 2 and 3; 402.5, including exceptions 1, 2 and 3; 402.6; 403; and 404.

(2) Additions.

a. A new Subsection 303 is hereby added to read as follows:

"303 Park County Climate Zone.

"303.1 Park County Climate Zone. In recognition of local weather conditions, and the provision of this Chapter notwithstanding, as to all residential construction, Park County shall be considered Climate Zone 5."

b. Footnote f is added to the entire "Ceiling R-Value" column contained in Table 402.1.1.

c. A new footnote h is added to the entire "Ceiling R-Value" column contained in Table 402.1.1, to read as follows:

"h. Baffles shall be provided against the underside of roof sheathing to facilitate ventilation above exterior walls on trussed roofs and entire roofs when framing members supporting both the roof and ceilings are less than 14 inches deep. All such baffles shall be a minimum of 1 inch deep."

(Ord. 2008-2 §1)