

CHAPTER 18

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ARTICLE 1

Building Code

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, together with Appendix C, Group U, Agricultural Buildings, published by the International Code Council, Inc., 500 New Jersey Avenue, NW, 6th Floor, Washington, DC 20001, to have the same force and effect as if set forth herein in every particular. (Ord. 4 §1, 2008; Ord. 1 §1, 2012)

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

At least one (1) copy of the *International 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 appointment with the Town Clerk. (Ord. 4 §5, 2008; Ord. 1 §1, 2012)

Sec. 18-1-30. Amendments.

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

- (1) Section 101.1, Title, is amended as follows:

"**101.1 Title.** These regulations shall be known as the Building Code of the Town of Foxfield, hereinafter referred to as 'this code.' "

- (2) Section 101.2.1, Appendices, is amended as follows:

"**101.2.1 Appendices.** Provisions in the appendices shall not apply unless specifically adopted, but may be used as a reference."

- (3) Section 101.4, Referenced codes, is amended by the deletion of Section 101.4.5 and the renumbering of the remaining sections.

- (4) Section 101.4.1, Electrical, is amended as follows:

"**101.4.1 Electrical.** The provisions of the most current adopted version of the National Electrical Code shall apply to the installation of electrical systems, including alterations, repairs, replacement, equipment, appliances, fixtures, fittings and appurtenances thereto."

- (5) Section 101.4.4, Plumbing, is amended as follows:

"**101.4.4 Plumbing.** The provisions of the International Plumbing Code along with applicable State amendments or regulations shall apply to the installation, alteration, repair and replacement of plumbing systems, including equipment, appliances, fixtures, fittings and appurtenances, and where connected to a water or sewage system and all

aspects of a medical gas system. Private sewage disposal systems shall be regulated by the Tri-County Health Department."

(6) Section 101.4.5, Fire prevention, is amended as follows:

"101.4.5 Fire prevention. The provisions of the International Fire Code shall be enforced by the Local Fire District having Jurisdiction. In all cases where the International Fire Code or Fire Code Standards are mentioned, the building official may use these documents as a reference."

(7) Section 102.4, Referenced codes and standards, is amended as follows:

"102.4 Referenced codes and standards. The codes when adopted by ordinance and standards referenced in this amended code shall be considered part of the requirements of this code to the prescribed extent of each such reference. Where differences occur between provisions of this code and referenced codes and standards, the provisions of this code shall apply. Whenever any State law or regulation imposes higher standards than are required by this Code, the provisions of that law or regulation shall govern. Whenever the standards imposed by this Code are higher than the standards imposed by any other law or regulation or resolution of any governmental body, then the standards of this Code shall govern."

(8) Section 102.6, Existing structures, is amended as follows:

"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, except as is specifically covered in this code, the 1997 Uniform Code for the Abatement of Dangerous Buildings or the International Fire Code, or as is deemed necessary by the building official for the general safety and welfare of the occupants and the public."

(9) Section 103, Building Department, is amended as follows:

"SECTION 103 BUILDING DEPARTMENT

"103.1 Creation of enforcement agency. The Building Department is hereby created and the official in charge thereof shall be known as the building official.

"103.2 Appointment. The building official shall be appointed by the Board of Trustees; provided that nothing contained in this Section shall be construed to prevent the Board of Trustees from contracting such duties to a third-party.

"103.3 Deputies. In accordance with the prescribed procedures of this jurisdiction and with the concurrence of the Board of Trustees, the building official shall have the authority to appoint a deputy building official, the related technical officers, inspectors, plan examiners and other employees. Such employees shall have powers as delegated by the building official."

(10) Section 104.10, Modifications, is amended by the deletion of the last four (4) words of the paragraph and the insertion of "Building Department."

(11) Section 104.11, Alternative materials, design and methods of construction and equipment, is amended as follows:

"104.11 Alternative materials, design and methods of construction and equipment. The provisions of this code are not intended to prevent the installation of any material or to prohibit any design or method of construction not specifically prescribed by this code, provided that any such alternative has been approved. An alternative material, design or method of construction for a specific permit may be approved on a case-by-case basis where the building official finds that the proposed design is satisfactory and complies with the intent of the provisions of this code, and that the material, method or work offered is, for the limited purpose intended, at least the equivalent of that prescribed in this code in quality, strength, effectiveness, fire resistance, durability and safety. This Section does not give the building official the authority to allow the usage of alternative material design and methods of construction on an ongoing basis."

(12) Section 105.2, Work exempt from permit, is amended by the addition of the following:

"105.2 Work exempt from permit. Work exempted from requiring any type of construction permit does not preclude any required planning and zoning approval. Unless otherwise exempted by this code, separate plumbing, electrical, and mechanical permits will be required for the above exempted items. Exemption from the permit requirements of this code shall not be deemed to grant authorization for any work to be done in any manner in violation of the provisions of this code or any other laws or resolutions of this jurisdiction."

(13) Section 105.3, Application for permit, is amended as follows (the remainder of the paragraph remains unchanged):

"105.3 Application for permit. To obtain a permit, the applicant shall first file an application therefor in writing on a form furnished by the Building Department for that purpose. Such application shall:"

(14) Section 105.3.1, Action on application, is amended as follows:

"105.3.1 Action on application. The building official shall examine or cause to be examined applications for permits and amendments thereto within a reasonable time after filing.

(15) Section 105.3.1.1, Issuance, is amended as follows:

"105.3.1.1 Issuance. The application, plans and specifications, and other data as requested by the building official (the "supporting data") filed by the applicant for a permit shall be reviewed by the building official who shall confirm whether the data meets the technical requirements of this code as well as whether the property is eligible for

permit issuance. The application and other data shall also be reviewed for compliance with other Town rules, regulations, resolutions and standards, including those described below. If the building official finds that the work described in an application for a permit and the supporting data conforms to the requirements of this code and the other applicable rules, regulations, resolutions and standards, and that the fees specified in Section 108 have been paid, the Official shall issue a permit to the applicant. The property for which the applicant seeks a permit must be eligible for permit issuance. Eligibility exists if the property meets the following standards:

"a) The property has proper zoning for the improvements described in the application and supporting data, and the proposed improvements, when built and occupied in accordance with their expected use will comply with all applicable zoning standards, including setbacks, access, open space and parking requirements, signage, land use restrictions, and related restrictions and conditions.

"b) The applicant has received all other required approvals.

"c) The grading and drainage proposed for the property following completion of the Project complies with the applicable stormwater management and grading regulations.

"d) Taxes for the property are current and not delinquent.

"Acceptance of a permit constitutes the agreement by the property owner and the applicant to continue to comply with the code, the Town's regulations, the conditions set forth on the plat and the development plan for the property, the Town's grading, erosion and sediment control requirements, the subdivision, and stormwater management regulations, and all applicable zoning regulations. The applicant and owner further agree that the building official shall have the power to suspend, revoke or cancel any permit if at any time the building official or his/her designee observes or is informed by other Town personnel of violations of any of the above regulations (or other applicable regulations, resolutions or laws) on the property or caused by the applicant or owner on or near the property. Applicant and owner further agree that the building official's power with respect to permits shall include the power to refuse inspections, the power to refuse to issue and the power to revoke certificates of occupancy. Persons may appeal an erroneous decision of the building official refusing to issue, attaching conditions to issuance, or the suspension, revocation or cancellation of a permit or certificate of occupancy to the Board of Trustees or its designee stating the reason that the decision was erroneous. The appeal shall be in writing and shall attach all supporting documentation, and shall be filed within twenty calendar days of the date of the decision. After an investigation of the appeal by staff for the Board, the Board shall review the decision of the building official for compliance with the requirements of the Building Code and such other Town regulations, resolutions or ordinances. The Board may take action reversing the

decision in whole or part, within thirty days of receipt of the appeal. If not reversed, in whole or part, within thirty days of receipt of the appeal if not reversed, in whole or part, within the above time periods, the decision of the building official shall be final."

(16) Section 105.5, Expiration, is amended as follows:

"105.5 Expiration. Every permit issued shall become invalid unless the work on the site authorized by such permit is commenced within 180 days after its issuance, or if the work authorized on the site by such permit is suspended, abandoned or if no Town inspections have been performed for a period of 180 days after the time the work is commenced. The building official is authorized to grant, in writing, one or more extensions of time, for periods not more than 180 days each. The extension shall be requested in writing and justifiable cause demonstrated. The fee for an extension shall be one-half the amount required for a new permit for such work."

(17) Section 105.7, Placement of permit, is amended as follows:

"105.7 Placement of permit. The building permit shall be kept on the site of the work until the completion of the project.

(18) Section 105.8, Owner assuming role as contractor, is amended as follows:

"105.8 Owner assuming role as contractor. The building official may allow the property owner to assume the role of contractor at any time on an active building permit by providing the building official with a letter listing the permit number, the address of the project and stating that the original contractor is no longer in the employ of the owner, provided that no change of ownership has occurred since the permit was issued. This change may be done at no charge. No change will be made in the expiration date of the original building permit."

(19) Section 106.1, Submittal documents, is amended as follows:

"106.1 Submittal documents. Construction documents, special inspection and structural observation programs, and other data shall be submitted in one or more sets with each application for a permit. The construction documents shall be prepared by a registered design professional where required by the statutes or the ordinances or policies of the Town. Where special conditions exist, the building official is authorized to require additional construction documents to be prepared by a registered design professional."

(20) Section 106.1.1, Information on construction documents, is amended by the addition of the following sentence:

"Unless specifically waived by the building official, each submittal shall include a complete code compliance study, clearly indicate the locations of the proposed work and identify the person(s) responsible for the preparation of the submitted plans and specifications."

(21) Section 106.1.1.1, Fire protection system shop drawings, is amended as follows:

"106.1.1.1 Fire protection system shop drawings. Shop drawings for the fire protection system(s) shall be submitted to the Fire District having jurisdiction to indicate conformance with this code and the construction documents and shall be approved prior to the start of system installation. Shop drawings shall contain all information as required by the referenced installation standards in Chapter 9."

(22) Section 106.1, Submittal documents, is amended by the addition of the following section:

"106.1.4 Responsibility for preparation of plans and specifications. In accordance with Section 106.3.4.1 the building official shall require plans, computations, and specifications to be prepared, designed, and stamped by an engineer or architect licensed in the State of Colorado for but not limited to:

"1. All foundations.

"2. Wall or Roof framing, other than standard construction, not conforming to the requirements of Chapters 16 and 23.

"3. Complete building plans, including the design for all structural components."

(23) Section 107.3, Temporary power, is amended as follows:

"107.3 Temporary power. The building official is authorized to give permission to temporarily supply and use power in part of an electric installation before such installation has been fully completed and the final certificate of completion has been issued. The part covered by the temporary certificate shall comply with the requirements specified for temporary lighting, heat or power in the currently adopted version of the National Electrical Code."

(24) Section 108 is deleted in its entirety and substituted with the following:

"108.1 Payment of fees. A permit shall not be valid until the fees prescribed by law have been paid, nor shall an amendment to a permit be released until the additional fee, if any, has been paid.

"108.2 Schedule of permit fees. The fee for each permit shall be based upon Table 1-A and shall be consistent with the current version of the Town-adopted Fee Schedule as determined by the Town, which may be amended periodically as needed.

"108.3 Building permit valuations. Permit valuations shall be assessed as per the current Town-adopted Fee Schedule, which may be amended periodically as needed.

"The permit applicant shall provide an estimated total labor and material valuation at time of application. This valuation is for all construction work for which the permit is issued, as well as all finish work, painting, roofing, electrical, plumbing, heating, air conditioning,

elevators, fire extinguishing systems and any other permanent equipment, along with any necessary site work. If, in the opinion of the building official, the valuation is underestimated on the application, the permit shall be denied, unless the applicant can show detailed estimates to meet the approval of the building official. The building official may also utilize the Building Valuation Data periodically published in the ICC Building Safety Journal, as a guide for the determination of the minimum value or valuation under any of the provisions of this Code. The final building permit valuation shall be set by the building official.

"108.4 Related fees. The payment of the fee for the construction, alteration, removal or demolition for work done in connection with or concurrently with the work authorized by a building permit shall not relieve the applicant or holder of the permit from the payment of other fees that are prescribed by law.

"108.4.1 Plan review fee. When documents are required by Section 106.1, a plan review fee shall be charged on all permits. This fee may be required at time of submittal of the documents for plan review. Said plan review fee shall be 65 percent of the building permit fee as shown in Table 1-A. The plan review fees specified in this section are separate fees from the permit fees specified in Section 108.2 and are in addition to the permit fees. When submitted documents are incomplete or changed so as to require additional plan review or when the project involves deferred submittal items as defined in Section 106.3.4.2, an additional plan review fee shall be charged at the rate shown in Table 1-A.

"108.4.1.1 Expiration of Plan Review. Applications for which no permit is issued within 180 days following the date of application shall expire by limitation, and plans and other data submitted for review may thereafter be returned to the applicant or destroyed by the building official. The building official may extend the time for action by the applicant for a period not exceeding 180 days upon written request by the applicant showing that circumstances beyond the control of the applicant have prevented action from being taken. No application may be extended more than once. In order to renew action on an application after expiration, the applicant shall resubmit plans and pay a new plan review fee.

"108.5 Investigation fee. Any person who commences work on a building, structure, electrical, gas, mechanical or plumbing system before obtaining the necessary permits, or is in violation of the approved plans, or in violation of Section 109.6, shall be subject to an additional fee established by the building official that shall be in addition to the required permit fees. The additional fee shall be equal to the permit fee. An investigation fee shall be collected whether or not a permit is then or subsequently issued.

"108.6 Temporary certificate of occupancy. There shall be a fee for a Temporary Certificate of Occupancy as set forth in the Town adopted Fee Schedule.

"108.7 Reinspections. A re-inspection fee may be assessed as per Town policy for each inspection or re-inspection when such portion of work for which inspection is called is not complete or when corrections called for are not made.

"Re-inspection 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. A re-inspection fee may be assessed for failure to post a readily visible address.

"108.8 Refunds. The building official has the discretion to refund permit fees and plan review fees paid under the following conditions:

"1. A written request for a refund of the permit fee or plan review fee must be submitted within 180 days of the date the fee was paid.

"2. The written request must set forth the basis for the request for a refund, identify the project for which a refund is requested and the request must be from the same person or entity which paid the fee.

"3. If the foregoing provisions have been met, the building official may refund permit fees or plan review fees based upon the following criteria:

"a) If either or both fees were paid or collected in error, the applicable fees paid will be refunded.

"b) If the project for which a permit fee has been paid is not to be constructed and no construction has commenced, or the request for plan review for such project is being withdrawn before review of the plans has occurred, the applicable fees paid, minus a 20% processing and file preparation charge, will be refunded.

"c) If the plans for the project have been reviewed to any extent at the time a request for refund is submitted, no refund of plan review fees will be authorized.

"d) If permit fees are paid and any construction has been commenced, no refund will be authorized.

"TABLE 1-A – BUILDING PERMIT FEES

<i>Total Valuation</i>	<i>Fee</i>
\$100.00 to \$500.00	\$23.50
\$501.00 to \$2,000.00	\$23.50 for the first \$500.00 plus \$3.05 for each additional \$100.00, or fraction thereof, to and including \$2,000.00
\$2,001.00 to \$25,000.00	\$69.25 for the first \$2,000.00 plus \$14.00 for each additional \$1,000.00, or fraction thereof, to and including \$25,000.00
\$25,001.00 to \$50,000.00	\$391.25 for the first \$25,000.00 plus \$10.10 for each additional \$1,000.00, or fraction thereof, to and including \$50,000.00
\$50,001.00 to \$100,000.00	\$643.75 for the first \$50,000.00 plus \$7.00 for each additional \$1,000.00, or fraction thereof, to and including \$100,000.00

\$100,001.00 to \$500,000.00	\$993.75 for the first \$100,000.00 plus \$5.60 for each additional \$1,000.00, or fraction thereof, to and including \$500,000.00
\$500,001.00 to \$1,000,000.00	\$3,233.75 for the first \$500,000.00 plus \$4.75 for each additional \$1,000.00, or fraction thereof, to and including \$1,000,000.00
\$1,000,001.00 and up	\$5,608.75 for the first \$1,000,000.00 plus \$3.65 for each additional \$1,000.00 or fraction thereof

"Other Inspections and Fees:

- | | |
|---|-------------------------------|
| "1. Inspections outside of normal business hours | \$47.00 per hour |
| "2. Reinspection fees (minimum) | \$47.00 per hour ¹ |
| "3. Inspections – other (minimum charge one-half hour) | \$47.00 per hour |
| "4. Additional plan review required by changes, additions or revisions to plans | \$47.00 per hour |
| "5. For use of outside consultants for plan checking and inspections or both | Actual costs ² |

¹ Or the total hourly cost to the jurisdiction, whichever is greatest. This cost shall include supervision, overhead, equipment, hourly wages and fringe benefits of the employees involved.

² Actual costs include administrative and overhead costs."

(25) Section 109.3.1, Footing and foundation inspection, is amended by the addition of the following:

"All foundation piers/caissons must be inspected by a Colorado licensed engineer, who must then issue a stamped foundation compliance statement to the Town."

(26) Section 109.3.4, Frame inspection, is amended by changing the last word in the paragraph from "approved" to "inspected."

(27) Section 109.3.7, Energy efficiency inspections, is amended to read as follows:

"109.3.7 Energy efficiency inspections. Periodic inspections shall be made to determine compliance with Chapter 1.3 and shall include, but not be limited to, inspections for: envelope insulation R and U values, fenestration U value, duct system R value, and HVAC and water-heating equipment efficiency. A certification affidavit shall be required upon completion of the permitted project and prior to the issuance of any required Certificate of Occupancy. Said affidavit shall provide confirmation of compliance with the submitted design criteria. See Section 101.4.6 Energy."

(28) Section 109.3.8, Other inspections, is amended as follows:

"109.3.8 Other inspections. In addition to the inspections specified above, the building official is authorized to make or require other inspections of any construction

work to ascertain compliance with the provisions of this code and other laws that are enforced by the Building Department."

(29) Section 110.2, Certification issued, is amended as follows:

"110.2 Certificate issued. No certificate of occupancy shall be issued unless the project has received all required final inspections, has paid all fees associated with the enforcement of this Code and all fees levied by other Town departments and collected or enforced through the enforcement of this Code, and is not currently the subject of any order or directive requiring the building official to suspend issuance of a certificate of occupancy. After final inspections, when it is found that the building or structure and building site comply with the provisions of this code and with other conditions and requirements of the Town, the building official shall issue a Certificate of Occupancy which shall contain the following:

"1. The building permit number.

"2. The address of the structure.

"3. The name and address of the owner.

"4. A statement that the described portion of the structure has been inspected for compliance with the requirements of this code for the occupancy and division of occupancy and the use for which the proposed occupancy is classified.

"5. The name of the building official.

"6. The edition of the code under which the permit was issued.

"7. The use and occupancy, in accordance with the provisions of Chapter 3.

"8. The type of construction as defined in Chapter 6.

"9. The design occupant load.

"10. If an automatic sprinkler system is provided, whether the sprinkler system is required.

"11. Any special stipulations and conditions of the building permit. The failure to state conditions or restrictions on the face of the certificate shall not affect the enforceability of any such conditions or restrictions in effect at the time of issuance of the certificate."

(30) Section 112 is deleted in its entirety and substituted with the following:

"SECTION 112 BOARD OF REVIEW

"112.1 Organization.

"1. A Board of Review is hereby established, the membership of which shall consist of the Board of Trustees.

"2. The Mayor of the Town shall be the Chairman, and shall preside at the Board of Review meetings.

"3. The Recording Secretary to the Board of Review shall be the Town Clerk who shall be the custodian of records and shall conduct official correspondence, prepare the agenda, receive applications and generally supervise the clerical work.

"4. The terms of the members of the Board of Review shall run concurrently with their terms as members of the Board of Trustees for the Town.

"112.2 Jurisdiction.

"1. The Board of Review may hear appeals by any person aggrieved by his inability to obtain a building permit to the extent caused by failure to comply with the standards of the Building Code (but not to the extent related to compliance with other Town regulation, resolutions or ordinances or other applicable laws) or by any officer, department, board or bureau of the Town affected by the grant or refusal of building permit.

"2. The Board of Review may hear any appeal by any person, officer, department, board or bureau from the decision of any administrative officer or enforcement of the Town's Building Code.

"3. Any such appeal or petition for special exception shall be filed with the Secretary to the Board of Review within thirty (30) days after the date of the decision of the administrative officer.

"112.3 Procedure.

"1. The Chairman at the meetings of the Board of Review may administer oaths and compel the attendance of witnesses.

"2. All meetings of the Board of Review shall be open to the public and the records of its official actions shall be filed in the office of the Recording Secretary to the Board of Review and shall be public records.

"3. A quorum of the Board of Review shall not be fewer than four (4) members (regular or alternate).

"4. The Board of Review may adopt supplemental rules of procedure relating to participation of the regular and alternate members of the Board at the meetings. Alternate members may participate at the meeting and vote on the decisions provided that in no case may more than a total of five (5) votes be cast on any question or case before the Board of Review. At least three (3) affirmative votes are necessary to grant an appeal.

(31) Section 115.1, Conditions, is amended as follows:

"115.1 Conditions. Structures or existing equipment that are or hereafter become unsafe, un-sanitary or deficient because of inadequate means of egress facilities, inadequate light and ventilation, or which constitute a fire hazard, or are otherwise dangerous to human life or the public welfare, or that involve illegal or improper occupancy or inadequate maintenance, shall be deemed an unsafe condition. Unsafe structures shall be taken down and removed or made safe, as the building official deems necessary and as provided for in accordance with the procedures set forth in the 1997 Uniform Code for the Abatement of Dangerous Buildings. A vacant structure that is not secured against entry shall be deemed unsafe.

(32) Section 115.1.1, Dangerous Building Code amendments, is amended by the addition of the following subsection:

"Chapters 1, 2, 3 and 4 of the 1997 Uniform Code for Abatement of Dangerous Buildings, with the following amendments are to be adopted:

"a) All reference to the Housing Code or Uniform Housing Code are deleted.

"b) Section 205 is deleted.

"c) All references to "Board of Appeals" are replaced with a reference to 'Board of Review.'

"d) Section 202 is amended to read as follows: All buildings or portions thereof which are determined after inspection to be dangerous buildings shall be abated by repair, rehabilitation, demolition or removal in accordance with the procedures specified in Section 401 of this code.

"e) The Notice posted on the exits of the building as set forth in Section 404(a) shall read:

"DO NOT ENTER
UNSAFE TO OCCUPY

"It is a violation of the Town of Foxfield Building Code
to occupy this building or remove or deface this Notice.

Building Official
Town of Foxfield"

(33) Section 406.1.4, Separation, is amended as follows:

"2. Ducts in a private garage and ducts penetrating the walls or ceilings separating the dwelling unit from the garage shall be constructed of a minimum 0.019-inch (0.48 mm) sheet steel and shall have no openings into the garage. Other openings must be of approved materials or be provided with adequate protection, so as to maintain the integrity of the gypsum separation."

(34) Section 1608.2, Ground snow loads, is amended as follows:

"1608.2 Ground snow loads. The ground snow load shall be 30 psf. The design roof snow load shall be no less than 30 psf at any element of the roof."

(35) Section 1609.3, Basic wind speed, is amended as follows (the balance of the section remains unchanged):

"1609.3 Basic wind speed. The basic wind speed, in mph, for the determination of the wind loads shall be determined by Figure 1609, and for the Town of Foxfield, shall not be less than 90 mph (3 second gust). Basic wind speed increases for the special wind regions indicated, near mountainous terrain and near gorges shall be as deemed appropriate by the design professional. Basic wind speeds determined by the local jurisdiction shall be in accordance with Section 6.5.4 of ASCE 7."

(36) Section 2111.1 is amended by the addition of the following:

"2111.1.1 Fireplaces. Per State statute, effective January 1, 1993 - no person shall install or construct any new or used fireplace unless it complies with the requirements of the State Air Quality Control Commission (AQCC). Every person who installs or constructs any fireplace shall provide evidence satisfactory to the Building Official that the fireplace and installation have been certified by the Air Quality Control Commission. The required evidence will include display of the emission certification label on the fireplace. No installation of site-built or manufactured fireplaces shall be approved until after inspection by the building official or his appointed representative."

(37) Section 2111.14.1 is amended by the addition of the following:

"2111.14.1.1 Fireplaces. Per State statute, effective January 1, 1993 - no person shall install or construct any new or used factory fireplace unless the device complies with the requirements of the State Air Quality Control Commission (AQCC). Every person who installs or constructs any factory fireplace shall provide evidence satisfactory to the Building Official that the fireplace and installation have been certified by the Air Quality Control Commission. The required evidence will include display of the emission certification label on the fireplace."

(38) The following appendix chapters of the International Building Code, are hereby specifically adopted: APPENDIX C AGRICULTURAL BUILDINGS. (Ord. 4 §1, 2008; Ord. 1 §1, 2012)

Sec. 18-1-40. Violation, penalty.

(a) It is unlawful and constitutes a public nuisance for any person to maintain any property, building or any other structure in the Town in a condition which is in violation of this Article.

(b) Violations of this Article shall be punishable by a fine not to exceed four hundred ninety-nine dollars (\$499.00). Each day such violation continues shall be considered a separate offense. (Ord. 4 §6, 2008; Ord. 1 §1, 2012)

ARTICLE 2

Residential Code

Sec. 18-2-10. Adoption.

Pursuant to Title 31, Article 16, Part 2, C.R.S., there is adopted as the residential code of the Town, by reference thereto, the *International Residential Code*, 2006 edition, together with Appendix G, Swimming Pools, Spas and Hot Tubs, and Appendix H, Patio Covers, published by the International Code Council, Inc., 500 New Jersey Avenue, NW, 6th Floor, Washington, DC 20001, to have the same force and effect as if set forth herein in every particular. (Ord. 4 §1, 2008; Ord. 1 §1, 2012)

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

At least one (1) copy of the *International Residential 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 appointment with the Town Clerk. (Ord. 4 §5, 2008; Ord. 1 §1, 2012)

Sec. 18-2-30. Amendments.

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

- (1) Section R101.1, Title, is amended as follows:

"**R101.1 Title.** These provisions shall be known as the Residential Code of the Town of Foxfield and shall be cited as such and will be referred to herein as 'this code.' "

- (2) Section R101.2, Scope, is amended as follows:

"**R101.2 Scope.** The provisions of this code shall apply to the construction, alteration, movement, enlargement, replacement, repair, equipment, use and occupancy, location, removal and demolition of detached one- and two-family dwellings and multiple single-family dwellings (townhouses) not more than three stories in height with a separate means of egress and their accessory structures."

- (3) Section R101.2.1, Standards, is amended as follows:

"**R101.2.1 Standards.** Whenever any State law or regulation imposes higher standards than are required by this code, the provisions of that law or regulation shall govern. Whenever the standards imposed by this code are higher than the standards imposed by any other law or regulation or resolution of any governmental body, then the standards of this code shall govern."

- (4) Section R102.1, Existing structures, is amended as follows:

"**R102.1 Existing structures.** The legal occupancy of any structure existing on the date of adoption of this code shall be permitted to continue without change, except as is specifically covered in this code. (The 1997 Uniform Code for the Abatement of

Dangerous Buildings as amended and included below or the International Fire Code as applicable, or as is deemed necessary by the building official for the general safety and welfare of the occupants and the public.)"

(5) Section R102.4, Referenced codes and standards, is amended as follows:

"R102.4 Referenced codes and standards. The codes when adopted by ordinance and standards referenced in this code shall be considered part of the requirements of this code to the prescribed extent of each such reference. Where differences occur between provisions of this code and referenced codes and standards, the provisions of this code shall apply."

(6) Section R102.5, Appendices, is amended as follows:

"R102.5 Appendices. Provisions in the appendices shall not apply unless specifically referenced in the adopting ordinance, but may be used as a reference.

(7) Chapters 1, 2, 3 and 4 of The 1997 Uniform Code for Abatement of Dangerous Buildings, with the following amendments, are to be adopted:

- a. All reference to the Housing Code or Uniform Housing Code are deleted.
- b. Section 205 is deleted.
- c. All references to "Board of Appeals" are replaced with a reference to "Board of Review."
- d. Section 202 is amended to read as follows:

"All buildings or portions thereof which are determined after inspection to be dangerous buildings shall be abated by repair, rehabilitation, demolition or removal in accordance with the procedures specified in Section 401 of this code."

- e. The Notice posted on the exits of the building as set forth in Section 404(a) shall read:

DO NOT ENTER
UNSAFE TO OCCUPY

It is a violation of the Town of Foxfield Building Code
to occupy this building or remove or deface this Notice.

Building Official
Town of Foxfield

(8) Refer to Section 103 of the amended (IBC) Building Code of the Town for requirements of Section R103 Building Department, to become new subsections R103.1 through R103.3.

(9) Section R104.10, Modifications, is amended by changing the last four (4) words in the paragraph to "Building Department."

(10) Section R104.10.1, Areas prone to flooding, is amended as follows:

"R104.10.1 Areas prone to flooding. The building official shall not grant modifications to any provision related to areas prone to flooding as established by Table R301.2(1) without the granting of a variance to such provisions by the board of review."

(11) Section R104.11, Alternative materials, design and methods of construction and equipment, is amended to read as follows:

"R104.11 Alternative materials, design and methods of construction and equipment. The provisions of this code are not intended to prevent the installation of any material or to prohibit any design or method of construction not specifically prescribed by this code, provided that any such alternative has been approved. An alternative material, design or method of construction for a specific permit may be approved on a case-by-case basis where the building official finds that the proposed design is satisfactory and complies with the intent of the provisions of this code, and that the material, method or work offered is, for the limited purpose intended, at least the equivalent of that prescribed in this code in quality, strength, effectiveness, fire resistance, durability and safety. This Section does not give the building official the authority to allow the usage of alternative material, design and methods of construction on an ongoing basis."

(12) Section R105.2, Work exempt from permit, is amended by the addition of the following to the first paragraph (the remainder of the section is unchanged):

"Work exempted from requiring any type of construction permit does not preclude compliance with all Town planning and zoning requirements. Unless otherwise exempted by this code, separate plumbing, electrical and mechanical permits will be required for the above exempted items."

(13) Section R105.3, Application for permit, is amended as follows (the remainder of the section remains unchanged):

"R105.3 Application for permit. To obtain a permit, the applicant shall first file an application therefor in writing on a form furnished by the Building Department for that purpose.

(14) Section R105.3.1, Action on application, is amended as follows (the remainder of the section remains unchanged):

"R105.3.1 Action on application. The building official shall examine or cause to be examined applications for permits and amendments thereto within a reasonable time after filing.

(15) Section R105.3.1.1, Issuance, is amended as follows (the remainder of the section remains unchanged):

"R105.3.1.1 Issuance. The application, plans and specifications, and other data as requested by the building official (the "supporting data"), filed by the applicant for a permit shall be reviewed by the building official, who shall confirm whether the data meets the technical requirements of this code as well as whether the property is eligible for permit issuance. The application and other data shall also be reviewed for compliance with other Town rules, regulations, resolutions and standards, including those described below. If the building official finds that the work described in an application for a permit and the supporting data conforms to the requirements of this code and the other applicable rules, regulations, resolutions and standards, and that the fees specified in Section 108 have been paid, the building official shall issue a permit to the applicant. The property for which the applicant seeks a permit must be eligible for permit issuance. Eligibility exists if the property meets the following standards:

"a) The property has proper zoning for the improvements described in the application and supporting data and the proposed improvements, when built and occupied in accordance with their expected use, will comply with all applicable zoning standards, including setbacks, access, open space and parking requirements, signage, land use restrictions and related restrictions and conditions.

"b) The applicant has received all other required approvals.

"c) The grading and drainage proposed for the property following completion of the Project complies with the development plan for the site and applicable stormwater management and grading regulations.

"h) Taxes for the property are current and not delinquent.

"Acceptance of a permit constitutes the agreement by the property owner and the applicant to continue to comply with the code, the conditions set forth on the plat and the development plan for the property, the Town's grading, erosion and sediment control requirements, the subdivision, and stormwater management regulations, and all applicable zoning and other regulations. The applicant and owner further agree that the building official shall have the power to suspend, revoke or cancel any permit if at any time the building official or his/her designee observes or is informed by other Town personnel of violations of any of the above regulations (or other applicable regulations, resolutions or laws) on the property or caused by the applicant or owner on or near the property. Applicant and owner further agree that the building official's power with respect to permits shall include the power to refuse inspections, the power to refuse to issue and the power to revoke certificates of occupancy. Persons may appeal an erroneous decision of the building official refusing to issue, attaching conditions to issuance, or the suspension, revocation or cancellation of a permit or certificate of occupancy to the Board of Review stating the reason that the decision was erroneous. The appeal shall be in writing and shall attach all supporting documentation, and shall be filed within twenty calendar days of the date of the decision. After an investigation of the appeal by staff for the

Board, the Board shall review the decision of the building official for compliance with the requirements of the Building Code and such other Town regulations, resolutions or ordinances. The Board may take action reversing the decision in whole or part, within thirty days of receipt of receipt of the appeal. If not reversed, in whole or part, within thirty days of receipt of the appeal if not reversed, in whole or part, within the above time periods, the decision of the building official shall be final."

(16) Section R105.5, Expiration, is amended as follows:

"R105.5 Expiration. Every permit issued shall become invalid unless the work authorized by such permit is commenced within 180 days after its issuance, or if the work authorized by such permit is suspended, abandoned or if no Town inspections have been performed for a period of 180 days after the time the work is commenced. The building official is authorized to grant, in writing, one or more extensions of time, for periods not more than 180 days each. The extension shall be requested in writing and justifiable cause demonstrated. The fee for an extension shall be one-half the amount required for a new permit for such work."

(17) Section R105.7, Placement of permit, is amended as follows:

"R105.7 Placement of permit. The building permit thereof shall be kept on the site of the work until the completion of the project."

(18) Section R106.1, Submittal documents, is amended as follows:

"R106.1 Submittal documents. Construction documents, special inspection and structural observation programs and other data shall be submitted in one or more sets with each application for a permit. The construction documents shall be prepared by a registered design professional where required by the statutes or policies of the jurisdiction in which the project is to be constructed. Where special conditions exist, the building official is authorized to require additional construction documents to be prepared by a registered design professional."

(19) Section R106.1.1 is amended by the addition of the following section:

"R106.1.1.1 Exterior wall envelope. Construction documents for all buildings shall describe the exterior wall envelope in sufficient detail to determine compliance with this code. The construction documents shall provide details of the exterior wall envelope as required, including flashing, intersections with dissimilar materials, corners, end details, control joints, intersections at roof, eaves, or parapets, means of drainage, water-resistive membrane, and details around openings. The construction documents shall include manufacturer's installation instructions that provide supporting documentation that the proposed penetration and opening details described in the construction documents maintain the weather resistance of the exterior wall envelope. The supporting documentation shall fully describe the exterior wall system, which was tested, where applicable, as well as the test procedure used."

(20) Section R106.3.1, Approval of construction documents, is amended as follows:

"R106.3.1 Approval of construction documents. When the building official issues a permit, the construction documents shall be approved, in writing or by a stamp, which states "Reviewed for Code Compliance." One set of construction documents so reviewed shall be retained by the building official. The other set shall be returned to the applicant, shall be kept at the site of work and shall be open to inspection by the building official or his or her authorized representative."

(21) Section R106.3 is amended by the addition of the following section:

"R106.3.4 Design professional required. When it is required that documents be prepared by a registered design professional, the building official shall be authorized to require the owner to engage and designate on the building permit application a registered design professional who shall act as the registered design professional in responsible charge. If the circumstances require, the owner shall designate a substitute registered design professional in responsible charge who shall perform the duties required of the original registered design professional in responsible charge. The building official shall be notified in writing by the owner if the registered design professional in responsible charge is changed or is unable to continue to perform the duties.

"The registered design professional in responsible charge shall be responsible for reviewing and coordinating submittal documents prepared by others, including phased and deferred submittal items, for compatibility with the design of the building.

"Where structural observation is required by Section 1709 of the 2006 International Building Code, such structural observations shall be required under this code, the inspection report shall name the individual or firms who are to perform structural observation and describe the stages of construction at which structural observation is to occur. The duties specified in Section 1704 of the 2006 International Building Code are also incorporated into this code."

(22) Section R107.3, Temporary power, is amended as follows:

"R107.3 Temporary power. The building official is authorized to give permission to temporarily supply and use power in part of an electric installation before such installation has been fully completed and the final certificate of completion has been issued. The part covered by the temporary certificate shall comply with the requirements specified for temporary lighting, heat or power in the most current adopted version of the National Electrical Code."

(23) Refer to Section 108 of the amended (IBC) Building Code of the Town for requirements of Section R108, Fees, to become new subsections R108.1 through R108.8.

(24) Section R109.1.1, Foundation inspection, is amended by the addition of the following sentence:

"All foundation piers/caissons must be inspected by a Colorado licensed engineer, who must then issue a foundation compliance statement to the Town."

(25) Section R109.1.4, Frame and masonry inspection, is amended by changing the last word in the paragraph from "approved" to "inspected."

(26) Section R109.3 is amended by the addition of the following new subsection:

"R109.3.1 Special inspections. For special inspections, see Section 1704 of the 2003 International Building Code."

(27) Section R110.3, Certificate issued, is amended as follows:

"R110.3 Certificate issued. No Certificate of Occupancy shall be issued unless the project has received all required final inspections, has paid all fees associated with the enforcement of this code and all fees levied by other Town departments and collected or enforced through the enforcement of this code, and is not currently the subject of any order or directive requiring the building official to suspend issuance of a certificate of occupancy. After final inspections, when it is found that the building or structure and building site comply with the provisions of this code and with other conditions and requirements of the Town, the building official shall issue a Certificate of Occupancy which shall contain the following:

"1. The building permit number.

"2. The address of the structure.

"3. The name and address of the owner.

"4. A statement that the described portion of the structure has been inspected for compliance with the requirements of this code.

"5. The name of the building official.

"6. The edition of the code under which the permit was issued.

"7. If an automatic sprinkler system is provided.

"8. Any special stipulations and conditions of the building permit. The failure to state conditions or restrictions on the face of the certificate shall not affect the enforceability of any such conditions or restrictions in effect at the time of issuance of the certificate."

(28) Refer to Section 112 of the amended (IBC) Building Code of the Town for requirements of Section R112, Board of Review, to become new subsections R112.1 through R112.3.

(29) Table R301.2(1) is amended as follows:

"TABLE R301.2(1)

			SUBJECT TO DAMAGE FROM								
Ground Snow Load	Wind Speed (mph)	Seismic Design category	Weathering	Frost line depth	Termite	Decay	Winter Design temp.	Ice shield underlayment required	Flood hazards	Air freezing index	Mean annual temp
30# Roof 30# nonreducible	90 mph 3-second gust	B	Severe	36 inches	Slight to moderate	None to slight	1 degree F	No	1989 FIRM: 1995	712	50.3"

(30) Table R302.1 is amended by adding the following section:

"R302.1.1 Amendment. Building permits issued for platted lots with Final Development Plan approval prior to the adoption of Table R302.1 in the 2006 IRC will be permitted to continue to conform to the fire separation distance requirements for exterior walls and projections as listed in Section R302.1 of the 2003 IRC."

(31) Section R305, Ceiling height, is amended by adding the following section:

"R305.1 Minimum height. Habitable rooms, hallways, corridors, bathrooms, toilet rooms, laundry rooms and basements shall have a ceiling height of not less than 7 feet. The required height shall be measured from the finish floor to the lowest projection from the ceiling.

"Exceptions:

"1. Beams and girders spaced not less than 4 feet on center may project not more than 6 inches below the required ceiling height.

"2. Ceilings in basements without habitable spaces may project to within 7 feet, 2 inches of the finished floor; and beams, girders, ducts or other obstructions may project to within 6 feet, 8 inches of the finished floor.

"3. Habitable spaces in basements shall have a ceiling height of not less than seven (7) feet. Said ceiling height may be reduced from 7 feet to 6 feet 6 inches under beams, ducts and piping provided, however, that the reduced ceiling height is necessary solely for the furring and for concealing of said beams, ducts and piping. The reduced ceiling height shall not exceed 8 feet in width in any one-room area and no protrusions shall be allowed below this area.

"4. For rooms with sloped ceilings, at least 50 percent of the required floor area of a room must have a ceiling height of at least 7 feet and no portion of the required floor area may have a ceiling height of less than 5 feet.

"5. Bathrooms shall have a minimum ceiling height of 6 feet 8 inches over the fixture and at the front clearance area for fixtures as shown in Figure R307.2. A shower or tub equipped with a showerhead shall have a minimum ceiling height of 6 feet 8 inches above a minimum area 30 inches by 30 inches at the showerhead."

(32) Section R309.1, Opening protection, is amended by adding a third sentence to read as follows: "Such doors shall be self-closing and self-latching."

(33) Section R309.1.1, Duct penetration, is amended as follows:

"R309.1.1 Duct penetration. Ducts in the garage and ducts penetrating the walls or ceilings separating the dwelling from the garage shall be constructed of a minimum No. 26 gauge sheet steel or other approved material and shall have no openings into the garage. Other openings must be of approved materials or be provided with adequate protection, so as to maintain the integrity of the gypsum separation."

(34) Section R1003.1.1, Fireplaces, is amended as follows:

"R1003.1.1 Fireplaces. Per State statute, effective January 1, 1993 - no person shall install or construct any new or used fireplace unless it complies with the requirements of the State Air Quality Control Commission (AQCC). Every person who installs or constructs any fireplace shall provide evidence satisfactory to the Building Official that the fireplace and installation have been certified by the Air Quality Control Commission. The required evidence will include display of the emission certification label on the fireplace. No installation of site-built or manufactured fireplaces shall be approved until after inspection by the Building Official or his appointed representative."

(35) Section R1004.1.1, Fireplaces, is amended as follows:

"R1004.1.1 Fireplaces. Per State statute, effective January 1, 1993 - no person shall install or construct any new or used factory fireplace unless the device complies with the requirements of the State Air Quality Control Commission (AQCC). Every person who installs or constructs any factory fireplace shall provide evidence satisfactory to the Building Official that the fireplace and installation have been certified by the Air Quality Control Commission. The required evidence will include display of the emission certification label on the fireplace."

(36) Section G2415.9(404.9), Minimum burial depth, is amended as follows:

"G2415.9(404.9) Minimum burial depth. Underground piping systems shall be installed a minimum depth of 12 inches below grade for metallic piping and 18 inches below grade for plastic piping, except as provided for in Section G2415.9.1.

(37) Section G2415.9.1 (404.9.1), Individual outside appliances, is amended as follows:

"G2415.9.1 (404.9.1) Individual outside appliances. Individual lines to outside lights, grills or other appliances shall be installed a minimum of 12 inches (203mm) below finished grade, provided that such installation has prior Building Department approval and is installed in locations not susceptible to physical damage."

(38) Section G2439.5.1, Maximum length Exception, is amended as follows:

"G2439.5.1 Maximum length.

"Exception: With prior approval from the Building Department, and where the clothes dryer has been installed, and where the clothes dryer's make and serial number have been recorded, and where the dryer and the manufacturer's installation instructions for such dryer are provided to the code official, the maximum length of the exhaust duct, including any transition duct, shall be permitted to be in accordance with the dryer manufacturer's installation instructions."

(39) Section P2603.6.1, Sewer depth, is amended as follows:

"P2603.6.1 Sewer depth. Building sewers that connect to private sewage disposal systems shall be a minimum of 12 inches below finished grade at the point of septic tank connection. Building sewers shall be a minimum of 12 inches below grade.

(40) Section P2903.5, Water hammer, is amended as follows:

"P2903.5 Water hammer. The flow velocity of the water distribution system shall be controlled to reduce the possibility of water hammer. A water-hammer arrestor may be installed where quick-closing valves are utilized. Water-hammer arrestors shall be installed in accordance with the manufacturer's specifications. Water-hammer arrestors shall conform to ASSE 1010."

(41) Section P3103.1, Roof extension, is amended as follows:

"P3103.1 Roof extension. Open vent pipes that extend through a roof shall be terminated at least 12 inches (152 mm) above the roof or 12 inches above the anticipated snow accumulation, whichever is greater, except that where a roof is to be used for any purpose other than weather protection, the vent extension shall be run at least 7 feet above the roof."

(42) Section P3201.2, Trap seals and trap seal protection, is amended by modifying the second sentence as follows: "Traps for floor drains shall be fitted with a trap primer or other approved method of protection, or shall be of the deep seal design."

(43) The following appendix chapters of the International Residential Code, are hereby specifically adopted:

a. APPENDIX G SWIMMING POOLS, SPAS AND HOT TUBS, which is amended by the deletion of item #9 of subsection AG105.2.

b. APPENDIX H PATIO COVERS.

(Ord. 4 §1, 2008; Ord. 1 §1, 2012)

Sec. 18-2-40. Violation, penalty.

(a) It is unlawful and constitutes a public nuisance for any person to maintain any property, building or any other structure in the Town in a condition which is in violation of this Article.

(b) Violations of this Article shall be punishable by a fine not to exceed four hundred ninety-nine dollars (\$499.00). Each day such violation continues shall be considered a separate offense. (Ord. 4 §6, 2008; Ord. 1 §1, 2012)

ARTICLE 3

Electrical Code

Sec. 18-3-10. 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*, 2008 edition, with all applicable amendments adopted by the Colorado State Electrical Board, published by the National Fire Protection Association, Batterymarch Park, Quincy, MA 02169. (Ord. 4 §3, 2008; Ord. 1 §1, 2012)

Sec. 18-3-20. 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 appointment with the Town Clerk. (Ord. 4 §5, 2008; Ord. 1 §1, 2012)

Sec. 18-3-30. Amendments.

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

(1) Article 80.5 is hereby deleted in its entirety.

(2) Article 80.13(13) is hereby amended by the insertion of "twenty (20)" in the blank space.

(3) Article 80.15 is hereby amended in its entirety to read as follows:

"Appeals of orders, decisions or determinations made by the building official relative to the application and interpretation of this code may be made to the Town of Foxfield Board of Review as set forth in Section 112 of the amended (IBC) Building Code."

(4) Article 80.19(e) is hereby amended in its entirety to read as follows:

"The fee for each permit required under the National Electrical Code shall be as set forth below:

"Electrical permit fees.

"Residential: this includes single family, multi-family, and condominiums, and extensive remodeling and additions. Fees are based on enclosed living area, and are as follows:

Not more than 1,000 sq. ft.	\$46.00
Over 1,001 sq. ft. and not more than 1,500 sq. ft.	\$46.00
Over 1,500 sq. ft. and not more than 2,000 sq. ft.	\$46.00
Per 100 sq. ft. in excess of 2,000 sq. ft.	\$1.00

"All other fees shall be computed on the dollar value of the electrical installation as determined by the building official, including fixtures and installation costs thereof, and such fees shall be as follows:

<i>Valuation of Work</i>	<i>Fee</i>
Not more than \$300	\$46.00
\$301 but not more than \$2,000	\$46.00
\$2,001 but not more than \$50,000	\$11.50 per each \$1,000 valuation or fraction thereof of total valuation, plus \$17.25 base fee
\$50,001 but not more than \$500,000	\$11.50 per each \$1,000 valuation or fraction thereof of total valuation, plus \$17.25 base fee
More than \$500,000	\$11.50 per each \$1,000 valuation or fraction thereof of total valuation, plus \$17.25 base fee"

(5) Article 80.19(f)(3) is hereby amended by the insertion of "twenty (20)" in the blank space.

(6) Article 80.23 is hereby deleted in its entirety.

(7) Article 80.25(c) is hereby amended by the insertion of "twenty (20)" in the blank space.

(8) Article 80.27(a) is hereby amended by the insertion of "Town of Foxfield" in the blank space.

(9) Article 80.27(b)(3) is hereby amended by the insertion of "Colorado" in the blank space.

(10) Article 80.27(b)(4) is hereby amended to read as follows:

"Have had at least 'two (2)' years experience as an electrical inspector or 'five (5)' years in the installation of electrical equipment. In lieu of such experience, the applicant shall be a graduate in electrical engineering or of a similar curriculum of a college or university considered by the building official as having suitable requirements for graduation and shall have had two years' practical electrical experience."

(11) Article 80.29 is hereby amended by the insertion of "Town" in the blank space.

(12) Article 80.33 is hereby deleted in its entirety.

(13) Article 80.35 is hereby deleted in its entirety.

(Ord. 4 §3, 2008; Ord. 1 §1, 2012)

Sec. 18-3-40. Violation, penalty.

(a) It is unlawful and constitutes a public nuisance for any person to maintain any property, building or any other structure in the Town in a condition which is in violation of this Article.

(b) Violations of this Article shall be punishable by a fine not to exceed four hundred ninety-nine dollars (\$499.00). Each day such violation continues shall be considered a separate offense. (Ord. 4 §6, 2008; Ord. 1 §1, 2012)

ARTICLE 4

Mechanical Code

Sec. 18-4-10. 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 Code Council, Inc., 500 New Jersey Avenue, NW, 6th Floor, Washington, DC 20001. (Ord. 4 §1, 2008; Ord. 1 §1, 2012)

Sec. 18-4-20. 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 appointment with the Town Clerk. (Ord. 4 §5, 2008; Ord. 1 §1, 2012)

Sec. 18-4-30. Amendments.

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

(1) Section 101.1, Title, is amended as follows:

"**101.1 Title.** These regulations shall be known as the Mechanical Code of the Town of Foxfield hereinafter referred to as 'this code.' "

(2) Section 102.8, Referenced codes and standards, is amended as follows:

"**102.8 Referenced codes and standards.** The codes when adopted by ordinance and standards referenced herein shall be those that are listed in Chapter 15 and such codes and standards shall be considered as part of the requirements of this code to the prescribed extent of each such reference. Where differences occur between provisions of this code and the referenced standards, the provisions of this code shall apply."

(3) Refer to Section 103 of the amended (IBC) Building Code of the Town for requirements of section 103 Building Department; to become new IMC subsections 103.1 through 103.3.

(4) Section 104.8, Department records, is amended as follows:

"104.8 Department records. The code official shall keep official records of applications received, permits and certificates issued, fees collected, reports of inspections, and notices and orders issued. Such records shall be retained in the official records for the period required for retention of public records."

(5) Section 105.1, Modifications, is amended by changing the last three (3) words of the section to "Building Department."

(6) Section 105.2, Alternative materials, methods, equipment and appliances, is amended as follows:

"105.2 Alternative materials, methods, equipment and appliances. The provisions of this code are not intended to prevent the installation of any material or to prohibit any design or method of construction not specifically prescribed by this code, provided that any such alternative has been approved. An alternative material, design or method of construction for a specific permit may be approved on a case-by-case basis where the building official finds that the proposed design is satisfactory and complies with the intent of the provisions of this code, and that the material, method or work offered is, for the limited purpose intended, at least the equivalent of that prescribed in this code in quality, strength, effectiveness, fire resistance, durability and safety. This Section does not give the building official the authority to allow the usage of alternative material design and methods of construction on an ongoing basis."

(7) Section 106.3.1, Construction documents, is amended as follows:

"106.3.1 Construction documents. Construction documents, engineering calculations, diagrams and other data shall be submitted in two or more sets with each application for a permit. The code official shall require construction documents, computations and specifications to be prepared and designed by a registered design professional when required by state law or jurisdictional policies. Where special conditions exist, the code official is authorized to require additional construction documents to be prepared by a registered design professional. Construction documents shall be drawn to scale and shall be of sufficient clarity to indicate the location, nature and extent of the work proposed and show in detail that the work conforms to the provisions of this code. Construction documents for buildings more than two stories in height shall indicate where penetrations will be made for mechanical systems, and the materials and methods for maintaining required structural safety, fire-resistance rating and fire blocking."

(8) Section 106.4.3, Expiration, is amended as follows:

"106.4.3 Expiration. Every permit issued by the code official under the provisions of this code shall expire by limitation and become null and void if the work authorized by such permit is not commenced within 180 days from the date of such permit, or if the work authorized by such permit is suspended, abandoned, or if no Town inspections have been performed at any time after the work is commenced for a period of 180 days. Before such work recommences, a new permit shall be first obtained and the fee, therefore, shall be one-half the amount required for a new permit for such work, provided no changes have been made or will be made in the original construction documents for such work, and provided further that such suspension or abandonment has not exceeded one year."

(9) Refer to Section 108 of the amended (IBC) Building Code of the Town for requirements of Section 106 Fees; to become new IMC subsections 106.1 through 106.8.

(10) Section 107.1.1, Approved inspection agencies, is amended as follows:

"107.1.1 Approved inspection agencies. The code official may accept reports of approved agencies, provided that such agencies satisfy the requirements as to qualifications and reliability."

(11) Section 108.4, Violation penalties, is amended as follows:

"108.4 Violation penalties. Persons who shall violate a provision of this code or shall fail to comply with any of the requirements thereof or who shall erect, install, alter or repair mechanical work in violation of the approved construction documents or directive of the code official, or of a permit or certificate issued under the provisions of this code, shall be in violation of State statutes and Town ordinances, and shall be subject to penalties as prescribed by law."

(12) Section 108.5, Stop work orders, is amended as follows:

"108.5 Stop work orders. Upon notice from the code official that mechanical work is being done contrary to the provisions of this code or in a dangerous or unsafe manner, such work shall immediately cease. Such notice shall be in writing and shall be given to the owner of the property, or to the owner's agent, or to the person doing the work. The notice shall state the conditions under which work is authorized to resume. Where an emergency exists, the code official shall not be required to give a written notice prior to stopping the work.

(13) Section 108.5.1, Unlawful continuance, is amended as follows:

"108.5.1 Unlawful continuance. Any person who shall continue any work in or about the structure after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be subject to penalties as prescribed by law."

(14) Refer to Section 112 of the amended (IBC) Building Code of the Town for requirements of Section 109 Board of Review; to become new IMC subsections 109.1 through 109.3.

(15) Section 504.6.1, Maximum length, is amended as follows (the only changes are to the exception):

"Exception: With prior approval from the Building Department, and where the clothes dryer has been installed, and where the clothes dryer's make and serial number have been recorded and where the dryer and the manufacturer's installation instructions for such dryer are provided to the code official, the maximum length of the exhaust duct, including any transition duct, shall be permitted to be in accordance with the dryer manufacturer's installation instructions."

(Ord. 4 §1, 2008; Ord. 1 §1, 2012)

Sec. 18-4-40. Violation, penalty.

(a) It is unlawful and constitutes a public nuisance for any person to maintain any property, building or any other structure in the Town in a condition which is in violation of this Article.

(b) Violations of this Article shall be punishable by a fine not to exceed four hundred ninety-nine dollars (\$499.00). Each day such violation continues shall be considered a separate offense. (Ord. 4 §6, 2008; Ord. 1 §1, 2012)

ARTICLE 5

Plumbing Code

Sec. 18-5-10. 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 *International Plumbing Code*, 2006 edition, and all appendices and tables thereto, published by the International Code Council, Inc., 500 New Jersey Avenue, NW, 6th Floor, Washington, DC 20001. (Ord. 4 §1, 2008; Ord. 1 §1, 2012)

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

At least one (1) copy of the *International Plumbing 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 appointment with the Town Clerk. (Ord. 4 §5, 2008; Ord. 1 §1, 2012)

Sec. 18-5-30. Amendments.

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

(1) Section 101.1, Title, is amended as follows:

"101.1 Title. These regulations shall be known as the Plumbing Code of the Town of Foxfield hereinafter referred to as 'this code.' "

(2) Section 101.2 is amended by the addition of the following:

"101.2.1 Standards. Whenever any State law or regulation imposes higher standards than are required by this code, the provisions of that laws or regulation shall govern. Whenever the standards imposed by this code are higher than the standards imposed by any other law or regulation or resolution of any governmental body, then the standards of this code shall govern."

(3) Section 102.8, Referenced codes and standards, is amended as follows:

"102.8 Referenced codes and standards. The codes when adopted by ordinance and standards referenced in this code shall be those that are listed in Chapter 13 and such codes and standards shall be considered as part of the requirements of this code to the prescribed extent of each such reference. Where the differences occur between provisions of this code and the referenced standards, the provisions of this code shall be the minimum requirements."

(4) Refer to Section 103 of the amended (IBC) Building Code of the Town for requirements of Section 103 Building Department; to become new IPC subsections 103.1 through 103.3.

(5) Section 104.8, Department records, is amended as follows:

"104.8 Department records. The code official shall keep official records of applications received, permits and certificates issued, fees collected, reports of inspections, and notices and orders issued. Such records shall be retained in the official records for the period required for the retention of public records."

(6) Section 105.1, Modifications, is amended by the deletion of the last three (3) words of the paragraph and the insertion of the term "Building Department."

(7) Section 105.2, Alternative materials, methods and equipment, is amended as follows:

"105.2 Alternative materials, methods and equipment. The provisions of this code are not intended to prevent the installation of any material or to prohibit any design or method of construction not specifically prescribed by this code, provided that any such alternative has been approved. An alternative material, design or method of construction for a specific permit may be approved on a case-by-case basis where the building official finds that the proposed design is satisfactory and complies with the intent of the provisions of this code and that the material, method or work offered is, for the limited purpose intended, at least the equivalent of that prescribed in this code in quality, strength, effectiveness, fire resistance, durability and safety. This Section does not give the building official the authority to allow the usage of alternative material, design and methods of construction on an ongoing basis."

(8) Section 106.3.1, Construction documents, is amended as follows:

"106.3.1 Construction documents. Construction documents, engineering calculations, diagrams and other such data shall be submitted in two or more sets with each application for a permit. The code official shall require construction documents,

computations and specifications to be prepared and designed by a registered design professional when required by state law or jurisdictional policies. Construction documents shall be drawn to scale and shall be of sufficient clarity to indicate the location, nature and extent of the work proposed and show in detail that the work conforms to the provisions of this code. Construction documents for buildings more than two stories in height shall indicate where penetrations will be made for pipe, fittings and components and shall indicate the materials and methods for maintaining required structural safety, fire-resistance rating and fire blocking."

(9) Section 106.5.3, Expiration, is amended as follows:

"106.5.3 Expiration. Every permit issued by the code official under the provisions of this code shall expire by limitation and become null and void if the work authorized by such permit is not commenced within 180 days from the date of such permit, or if the work authorized by such permit is suspended, abandoned or if no Town inspections have been performed at any time after the work is commenced for a period of 180 days. Before such work can be recommenced, a new permit shall be first obtained and the fee therefor shall be one-half the amount required for a new permit for such work, provided no changes have been made or will be made in the original construction documents for such work, and provided further that such suspension or abandonment has not exceeded 1 year."

(10) Refer to Section 108 of the amended (IBC) Building Code of the Town for requirements of Section 106.6 Fees; to become new IPC subsections 106.6.1 through 106.6.8.

(11) Section 108.4, Violation penalties, is amended as follows:

"108.4 Violation penalties. Any person who shall violate a provision of this code or shall fail to comply with any of the requirements thereof or who shall erect, install, alter or repair plumbing work in violation of the approved construction documents or directive of the code official, or of a permit or certificate issued under the provisions of this code, shall be in violation of State statutes and Town ordinances and shall be subject to penalties as prescribed by law."

(12) Section 108.5, Stop work orders, is amended as follows:

"108.5 Stop work orders. Upon notice from the code official, work on any plumbing system that is being done contrary to the provisions of this code or in a dangerous or unsafe manner shall immediately cease. Such notice shall be in writing and shall be given to the owner of the property, or to the owner's agent, or to the person doing the work. The notice shall state the conditions under which work is authorized to resume. Where an emergency exists, the code official shall not be required to give a written notice prior to stopping the work.

(13) Section 108.5.1, Unlawful continuance, is amended as follows:

"108.5.1 Unlawful continuance. Any person who shall continue any work in or about the structure after having been served with a stop work order, except such work as

that person is directed to perform to remove a violation or unsafe condition, shall be subject to penalties as prescribed by law."

(14) Refer to Section 112 of the amended (IBC) Building Code of the Town for requirements of Section 109 Board of Review; to become new IPC subsections 109.1 through 109.3.

(15) Section 305.6.1, Sewer depth, is amended as follows:

"305.6.1 Sewer depth. Building sewers that connect to private sewage disposal systems shall be a minimum 12 inches below finished grade at the point of septic tank connection. Building sewers shall be a minimum of 12 inches below grade."

(16) Section 312.6, Gravity sewer test, is amended as follows: Insert the following sentence at the end of the paragraph:

"Where deemed necessary by the authority having jurisdiction."

(17) Section 312.7, Forced sewer test, is amended as follows: Insert the following sentence at the end of the paragraph:

"Where deemed necessary by the authority having jurisdiction."

(18) Section 604.9, Water hammer, is amended as follows:

"604.9 Water hammer. The flow velocity of the water distribution system shall be controlled to reduce the possibility of water hammer. A water-hammer arrestor may be installed where quick closing valves are utilized. Water-hammer arrestors shall be installed in accordance with the manufacturer's specifications. Water-hammer arrestors shall conform to ASSE 1010."

(19) Section 608.11, Protection of individual water supplies, is deleted.

(20) Section 904.1, Roof extension, is amended as follows:

"904.1 Roof extension. All open vent pipes that extend through a roof shall be terminated at least 12 inches above the roof, except that where a roof is to be used for any purpose other than weather protection, the vent extensions shall be run at least 7 feet above the roof."

(Ord. 4 §1, 2008; Ord. 1 §1, 2012)

Sec. 18-5-40. Violation, penalty.

(a) It is unlawful and constitutes a public nuisance for any person to maintain any property, building or any other structure in the Town in a condition which is in violation of this Article.

(b) Violations of this Article shall be punishable by a fine not to exceed four hundred ninety-nine dollars (\$499.00). Each day such violation continues shall be considered a separate offense. (Ord. 4 §6, 2008; Ord. 1 §1, 2012)

ARTICLE 6

Fire Code

Sec. 18-6-10. 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 *International Fire Code*, 2006 edition, and all appendices and tables thereto published by the International Code Council, Inc., 4051 Flossmoor Road, Country Club Hills, Illinois, 60478, and the Western Fire Chiefs Association. All of the regulations, provisions, penalties, conditions and terms of said Fire Code on file in the office of the Town Clerk are hereby referred to, adopted and made a part hereof, as if fully set out in this Article, with the additions, insertions, deletions and changes, if any, prescribed in this Article. (Ord. 2 §1, 2007; Ord. 1 §1, 2012)

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

At least one (1) copy of the *International Fire Code*, 2009 edition, including Appendix Chapter B and C, as published by the International Code Council, 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 appointment with the Town Clerk. (Ord. 2 §1, 2007; Ord. 1 §1, 2012)

Sec. 18-6-30. Amendments.

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

(1) Section 101.1 shall read as follows:

"101.1 Title. These regulations shall be known as the Fire Code of the Town of Foxfield, hereinafter referred to as 'this code.' "

(2) Section 108.1 shall read as follows:

"108.1 Board of Appeals established. In order to hear and decide appeals of orders, decisions or determinations made by the fire code official relative to the application and interpretation of this code, there shall be a board of appeals. The board of appeals shall be Regional Fire Code Board of Appeals. The fire code official shall be an ex officio member of said board but shall have no vote on any matter before the board. The board shall adopt rules of procedure for conducting its business and shall render all decisions and findings in writing to the appellant with a duplicate copy to the fire code official."

(3) Section 109.3 shall read as follows:

"109.3 Violation, penalties. Persons who shall violate a provision of this code shall fail to comply with any of the requirements thereof or who shall erect, install, alter, repair

or do work in violation of the approved construction documents or directive of the fire code official or of a permit or certificate used under provisions of this code, shall be guilty of a misdemeanor, punishable by a fine of not more than nine hundred ninety-nine dollars (\$999.00) or by imprisonment not exceeding one (1) year or by both such fine and imprisonment. Each day that a violation continues after due notice has been served shall be deemed a separate offense."

(4) Section 111.4 shall read as follows:

"111.4 Failure to comply. Any person who shall continue any work after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be guilty of a misdemeanor, punishable by a fine of not more than nine hundred ninety nine dollars (\$999.00) or by imprisonment not exceeding one (1) year or by both such fine and imprisonment. Each day that a violation continues after due notice has been served shall be deemed a separate offense."

(5) Section 508.3 shall read as follows:

"508.3 Fire flow. Fire flow requirements for buildings or portion of buildings and facilities shall be determined in accordance with Appendix B."

(6) Section 508.5 shall read as follows:

"Fire hydrant systems. Fire hydrant systems shall comply with Sections 508.5.1 through 508.5.6 and Appendix C."

(7) Section 3301.1.3 shall read as follows:

"3301.1.3 Fireworks. The possession, manufacture, storage, sale, handling and use of fireworks are prohibited.

"Exceptions:

"1. Storage and handling of fireworks as allowed in Section 3304.

"2. The use of fireworks for display as allowed in Section 3308.

"3. The possession, storage, sale, handling and use of permissible fireworks as defined by Section 12-28-101, C.R.S."

(b) The following sections are hereby added:

(1) Section 102.10, shall read as follows:

"102.10 Application of Residential Code. Where structures are designed and constructed in accordance with the International Residential Code, the provisions of this code shall apply as follows:

"a. Construction and design provisions. Provisions of this code pertaining to the exterior of the structure shall apply including, but not limited to, premises identification, fire apparatus access and water supplies. Construction permits for systems and equipment utilized in the interior or exterior of the structure shall also apply.

"b. Administrative, operational and maintenance provisions shall apply.

"References in this code to group R3 or U occupancies or one- and two-family dwellings and townhouses shall apply to structure under the scope of the International Residential Code except as limited by this Section."

(2) Section 112 shall read as follows:

"Section 112
"FEES

"112.1 General. The fees for permits, inspections and services authorized by this code shall be assessed in accordance with the fee schedule adopted by resolution of the Board of Directors."

(3) Section 511 shall read as follows:

"Section 511
PUBLIC SAFETY RADIO AMPLIFICATION SYSTEMS

"511.1 General. Public safety radio amplification systems for the enhancement of emergency services communication within buildings shall be designed, installed and maintained in accordance with this Section.

"5.11.2 Where required. Where adequate radio coverage, as defined by the fire code official, cannot be established within a building, public safety radio amplification systems shall be installed in the following locations:

"1. New buildings with a total building area of fifty-thousand (50,000) square feet or building additions that cause the building to be greater than fifty thousand (50,000) square feet. For the purpose of this Section, fire walls shall not be used to define separate buildings.

"2. All new basements over ten thousand (10,000) square feet where the design occupant load is greater than fifty (5), regardless of the occupancy classification.

"3. Existing buildings meeting the criteria of Item #1 or 2 of this Section undergoing alterations exceeding fifty percent (50%) of the aggregate area of the building.

"Exception:

"One- and two-family dwellings and townhouses.

"511.3 Design and installation standard. Public safety radio amplification systems shall be designed and installed in accordance with the criteria established by the fire code official based on the capabilities and communication features of emergency services.

"511.4 Maintenance. Public safety radio amplification systems shall be replaced or repaired where defective."

(c) The geographic limits referred to in certain sections of the 2009 International Fire Code are hereby established by amending the following section of the Fire Code as follows:

(1) Section 3204.3.1.1 shall read as follows:

"3204.3.1.1 Location. Stationary containers shall be located in accordance with Section 3202.6. Containers of cryogenic fluids shall not be located within diked areas containing other hazardous materials.

"Storage of flammable cryogenic fluids in stationary containers outside of buildings is prohibited in accordance with the zoning regulations of the Town of Foxfield."

(2) Section 3404.2.9.5.1 shall read as follows:

"3404.2.9.5.1 Locations where above-ground tanks are prohibited. Storage of Class I and II liquids in above-ground tanks outside of buildings is prohibited in accordance with the zoning regulations of the Town of Foxfield."

(3) Section 3406.2.4.4 shall read as follows:

"3406.2.4.4 Locations where above-ground tanks are prohibited. The storage of Class I and II liquids in above-ground tanks is prohibited in accordance with the zoning regulations of the Town of Foxfield."

(4) Section 3804.2 shall read as follows:

"3804.2 Maximum capacity within established limits. Within the limits established by the zoning regulations of the Town of Foxfield restricting the storage of liquefied petroleum gas for the protection of heavily populated or congested areas, the aggregate capacity of any one installation shall not exceed a water capacity of 2,000 gallons (7570 L).

"Exception:

"In particular installations, this capacity limit shall be determined by the fire code official, after consideration of special features such as topographical conditions, nature of occupancy and proximity to buildings, capacity of proposed containers, degree of fire protection to be provided and capabilities of the local fire department."

(Ord. 2 §2, 2007; Ord. 1 §1, 2012)

Sec. 18-6-40. Violation, penalty.

(a) It is unlawful and constitutes a public nuisance for any person to maintain any property, building or any other structure in the Town in a condition which is in violation of this Article.

(b) Violations of this Article shall be punishable by a fine not to exceed four hundred ninety-nine dollars (\$499.00). Each day such violation continues shall be considered a separate offense. (Ord. 1 §1, 2012)

ARTICLE 7

Fuel Gas Code

Sec. 18-7-10. Adoption.

Pursuant to Title 31, Article 16, Part 2, C.R.S., there is adopted as the fuel gas code of the Town, by reference thereto, the *International Fuel Gas Code*, 2006 edition, together with all appendices and tables thereto, published by the International Code Council, Inc., 500 New Jersey Avenue, NW, 6th Floor, Washington, DC 20001, to have the same force and effect as if set forth herein in every particular. (Ord. 4 §1, 2008; Ord. 1 §1, 2012)

Sec. 18-7-20. Copy on file.

At least one (1) copy of the *International Fuel Gas 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 appointment with the Town Clerk. (Ord. 4 §5, 2008; Ord. 1 §1, 2012)

Sec. 18-7-30. Amendments.

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

(1) Section 101.1, Title, is amended as follows:

"**101.1 Title.** These regulations shall be known as the Fuel Gas Code of the Town of Foxfield, hereinafter referred to as 'this code.' "

(2) Section 101.2.1, Standards, is amended as follows:

"**101.2.1 Standards.** Whenever any State law or regulation imposes higher standards than are required by this code, the provisions of that law or regulation shall govern. Whenever the standards imposed by this code are higher than the standards imposed by any other law or regulation or resolution of any governmental body, then the standards of this code shall govern."

(3) Section 102.8, Referenced codes and standards, is amended as follows (the remainder of this section remains unchanged):

"102.8 Referenced codes and standards. The codes when adopted by ordinance and standards referenced in this code shall be those that are listed in Chapter 8 and such codes and standards shall be considered part of the requirements of this code to the prescribed extent of each such reference. Where differences occur between provisions of this code and the referenced standards, the provisions of this code shall apply."

(4) Refer to Section 103 of the amended (IBC) Building Code of the Town for requirements of Section 103 (IFGC) Building Department; to become new IFGC subsections 103.1 through 103.3.

(5) Section 104.8, Department records, is amended as follows:

"104.8 Department records. The code official shall keep official records of applications received, permits and certificates issued, fees collected, reports of inspections, and notices and orders issued. Such records shall be retained in the official records for the period required for the retention of public records."

(6) Section 105.1, Modifications, is amended as follows: Delete the last three (3) words of this section and insert "Building Department."

(7) Section 105.2, Alternative materials, methods and equipment, is amended as follows:

"105.2 Alternative materials, methods and equipment. The provisions of this code are not intended to prevent the installation of any material or to prohibit any design or method of construction not specifically prescribed by this code, provided that any such alternative has been approved. An alternative material, design or method of construction for a specific permit may be approved on a case-by-case basis where the building official finds that the proposed design is satisfactory and complies with the intent of the provisions of this code, and that the material, method or work offered is, for the limited purpose intended, at least the equivalent of that prescribed in this code in quality, strength, effectiveness, fire resistance, durability and safety. This Section does not give the building official the authority to allow the usage of alternative material, design and methods of construction on an ongoing basis."

(8) Section 106.1, When required – Exception, is amended as follows: Substitute "Building Department" for "Department of Inspection."

(9) Section 106.3.1, Construction documents, is amended as follows (the remainder of this section remains unchanged):

"106.3.1 Construction documents. Construction documents, engineering calculations, diagrams and other data shall be submitted in two or more sets with each application for a permit. The code official shall require construction documents, computations and specifications to be prepared and designed by a registered design professional when required by state law or jurisdictional policies."

(10) Section 106.4.3, Expiration, is amended as follows:

"106.4.3 Expiration. Every permit issued by the code official under the provisions of this code shall expire by limitation and become null and void if the work authorized by such permit is not commenced within 180 days from the date of such permit, or if the work authorized by such permit is suspended, or abandoned or if no Town inspections have been performed at any time after the work is commenced for a period of 180 days. Before such work can be recommenced, a new permit shall be first obtained and the fee there for shall be one-half the amount required for a new permit for such work, provided no changes have been made or will be made in the original construction documents for such work, and provided further that such suspension or abandonment has not exceeded 1 year."

(11) Refer to Section 108 of the amended (IBC) Building Code of the Town for requirements of Section 106.5 Fees; to become new IFGC subsections 106.5.1 through 106.5.8.

(12) Section 107.1.1, Approved inspection agencies, is amended as follows:

"107.1.1 Approved inspection agencies. The code official may accept reports of approved agencies, provided that such agencies satisfy the requirements as to qualifications and reliability."

(13) Section 108.4, Violation penalties, is amended as follows:

"108.4 Violation penalties. Persons who shall violate a provision of this code, fail to comply with any of the requirements thereof or erect, install, alter or repair work in violation of the approved construction documents or directive of the code official, or of a permit or certificate issued under the provisions of this code, shall be in violation of State statutes and shall be subject to penalties as prescribed by law."

(14) Section 108.5, Stop work orders, is amended as follows:

"108.5 Stop work orders. Upon notice from the code official that work is being done contrary to the provisions of this code or in a dangerous or unsafe manner, such work shall immediately cease. Such notice shall be in writing and shall be given to the owner of the property, the owner's agent, or the person doing the work. The notice shall state the conditions under which work is authorized to resume. Where an emergency exists, the code official shall not be required to give a written notice prior to stopping the work.

(15) Section 108.5.1, Unlawful continuance, is amended as follows:

"108.5.1 Unlawful continuance. Any person who shall continue any work in or about the structure after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be subject to penalties as prescribed by law."

(16) Refer to Section 112 of the amended (IBC) Building Code of the Town for requirements of Section 109 (IFGC) Board of Review; to become new IFGC Subsections 109.1 through 109.3.

(17) Section 404.9, Minimum burial depth, is amended as follows:

"404.9 Minimum burial depth. Underground piping systems shall be installed a minimum depth of 12 inches below grade for metallic piping and 18 inches below grade for plastic piping, except as provided for in Section 404.9.1.

(18) Section 404.9.1, Individual outside appliances, is amended as follows:

"404.9.1 Individual outside appliances. Individual lines to outside lights, grills or other appliances shall be installed a minimum of 12 inches (203mm) below finished grade, provided that such installation has prior Building Department approval and is installed in locations not susceptible to physical damage."

(19) Section 614.6.1, Maximum length, is amended as follows (the only changes are to the exception):

"Exception: With prior approval from the Building Department, and where the clothes dryer has been installed, and where the clothes dryer's make and serial number have been recorded, and where the dryer and the manufacturer's installation instructions for such dryer are provided to the code official, the maximum length of the exhaust duct, including any transition duct, shall be permitted to be in accordance with the dryer manufacturer's installation instructions."

(Ord. 4 §1, 2008; Ord. 1 §1, 2012)

Sec. 18-7-40. Violation, penalty.

(a) It is unlawful and constitutes a public nuisance for any person to maintain any property, building or any other structure in the Town in a condition which is in violation of this Article.

(b) Violations of this Article shall be punishable by a fine not to exceed four hundred ninety-nine dollars (\$499.00). Each day such violation continues shall be considered a separate offense. (Ord. 4 §6, 2008; Ord. 1 §1, 2012)

ARTICLE 8

Energy Conservation Code

Sec. 18-8-10. Adoption.

Pursuant to Title 31, Article 16, Part 2, C.R.S., there is adopted as the energy conservation code of the Town, by reference thereto, the *International Energy Conservation Code*, 2006 edition, together with all appendices and tables thereto, published by the International Code Council, Inc., 500 New Jersey Avenue, NW, 6th Floor, Washington, DC 20001, to have the same force and effect as if set forth herein in every particular. (Ord. 4 §1, 2008; Ord. 1 §1, 2012)

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

At least one (1) copy of the *International Energy Conservation Code*, certified to be a true copy, has been and is now on file in the office of the Town Clerk and may be inspected by appointment with the Town Clerk. (Ord. 4 §5, 2008; Ord. 1 §1, 2012)

Sec. 18-8-30. Amendments.

The code adopted herein is hereby modified by the following amendments: Section 101.1, Title, is amended as follows:

"**101.1 Title.** These regulations shall be known as the Energy Conservation Code of the Town of Foxfield and shall be cited as such. It is referred to herein as 'this code.' "

(Ord. 4 §1, 2008; Ord. 1 §1, 2012)

Sec. 18-8-40. Violation, penalty.

(a) It is unlawful and constitutes a public nuisance for any person to maintain any property, building or any other structure in the Town in a condition which is in violation of this Article.

(b) Violations of this Article shall be punishable by a fine not to exceed four hundred ninety-nine dollars (\$499.00). Each day such violation continues shall be considered a separate offense. (Ord. 4 §6, 2008; Ord. 1 §1, 2012)

ARTICLE 9

ANSI Manual

Sec. 18-9-10. Adoption.

Pursuant to Title 31, Article 16, Part 2, C.R.S., there is adopted, by reference thereto, the *ANSI Manual, A117.1*, 2003 edition, published by the International Code Council, Inc., 500 New Jersey Avenue, NW, 6th Floor, Washington, DC 20001, to have the same force and effect as if set forth herein in every particular. (Ord. 4 §1, 2008; Ord. 1 §1, 2012)

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

At least one (1) copy of the *ANSI Manual A117.1*, 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 appointment with the Town Clerk. (Ord. 4 §5, 2008; Ord. 1 §1, 2012)

Sec. 18-9-30. Amendments.

The manual adopted herein is hereby modified by the following amendments: none. (Ord. 1 §1, 2012)

Sec. 18-9-40. Violation, penalty.

(a) It is unlawful and constitutes a public nuisance for any person to maintain any property, building or any other structure in the Town in a condition which is in violation of this Article.

(b) Violations of this Article shall be punishable by a fine not to exceed four hundred ninety-nine dollars (\$499.00). Each day such violation continues shall be considered a separate offense. (Ord. 4 §6, 2008; Ord. 1 §1, 2012)

ARTICLE 10

Elevator and Escalator Code

Sec. 18-10-10. Adoption.

Pursuant to Title 31, Article 16, Part 2, C.R.S., there is adopted as the elevator and escalator code of the Town, by reference thereto, the *ASME A17.1 Elevator/Escalator Code*, 2004 edition, published by ASME International, Three Park Avenue, New York, NY 10016-5990, to have the same force and effect as if set forth herein in every particular. (Ord. 4 §2, 2008; Ord. 1 §1, 2012)

Sec. 18-10-20. Copy on file.

At least one (1) copy of the *ASME A17.1 Elevator/Escalator 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 appointment with the Town Clerk. (Ord. 4 §5, 2008; Ord. 1 §1, 2012)

Sec. 18-10-30. Amendments.

The code adopted herein is hereby modified by the following amendments: none. (Ord. 1 §1, 2012)

Sec. 18-10-40. Violation, penalty.

(a) It is unlawful and constitutes a public nuisance for any person to maintain any property, building or any other structure in the Town in a condition which is in violation of this Article.

(b) Violations of this Article shall be punishable by a fine not to exceed four hundred ninety-nine dollars (\$499.00). Each day such violation continues shall be considered a separate offense. (Ord. 4 §6, 2008; Ord. 1 §1, 2012)

ARTICLE 11

Dangerous Buildings Code

Sec. 18-11-10. 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 *Uniform Code for the Abatement of Dangerous Buildings*, 1997 edition, together with all appendices and tables thereto, published by the International Conference of Building Officials, 5360 South Workman Mill Road, Whittier, California, to have the same force and effect as if set forth herein in every particular. (Ord. 4 §4, 2008; Ord. 1 §1, 2012)

Sec. 18-11-20. Copy on file.

At least one (1) copy of the *Uniform Code for the Abatement of Dangerous Buildings*, 1997 edition 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 appointment with the Town Clerk. (Ord. 4 §5, 2008; Ord. 1 §1, 2012)

Sec. 18-11-30. Amendments.

The code adopted herein is hereby modified by the following amendments: none. (Ord. 1 §1, 2012)

Sec. 18-11-40. Violation, penalty.

(a) It is unlawful and constitutes a public nuisance for any person to maintain any property, building or any other structure in the Town in a condition which is in violation of this Article.

(b) Violations of this Article shall be punishable by a fine not to exceed four hundred ninety-nine dollars (\$499.00). Each day such violation continues shall be considered a separate offense. (Ord. 4 §6, 2008; Ord. 1 §1, 2012)