

ORDINANCE NO. 2017-02

AN ORDINANCE AMENDING CHAPTER 18 OF THE KEENESBURG MUNICIPAL CODE REGARDING BUILDING REGULATIONS TO ADOPT BY REFERENCE THE FOLLOWING CODES PROMULGATED BY THE INTERNATIONAL CODE COUNCIL: THE INTERNATIONAL BUILDING CODE, 2012 EDITION; THE INTERNATIONAL RESIDENTIAL CODE, 2012 EDITION; THE INTERNATIONAL MECHANICAL CODE, 2012 EDITION; THE INTERNATIONAL FUEL GAS CODE, 2012 EDITION; THE INTERNATIONAL PLUMBING CODE, 2012 EDITION; THE INTERNATIONAL PROPERTY MAINTENANCE CODE, 2012 EDITION THE INTERNATIONAL EXISTING BUILDING CODE, 2012 EDITION; AND THE INTERNATIONAL ENERGY CONSERVATION CODE, 2009 EDITION.

WHEREAS, international building and construction standards have been developed and from time to time amended and updated, as set forth in the international code series; and

WHEREAS, it is deemed to be in the interest of the public health, safety and general welfare to adopt by reference thereto said international codes with amendments tailored to accommodate particular circumstances and requirements of the Town; and

WHEREAS, the Town Board of Trustees, after proper notice as required by law, has held a public hearing on this ordinance providing for the adoption of said codes; and

WHEREAS, the international codes and amendments thereto have been submitted to the Board of Trustees in writing and the Board of Trustees has determined that the international codes and amendments thereto should be adopted as herein set forth.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE TOWN OF KEENESBURG, COLORADO:

Section 1. Section 18-1-20 of the Keenesburg Municipal Code is hereby repealed and reenacted to read as follows:

Sec. 18-1-20. Adoption of codes.

(a) Pursuant to Title 31, Article 16, Part 2, C.R.S., the codes and standards hereinafter described are hereby adopted by reference, subject to the amendments herein set forth. The subject matter of the codes and standards adopted herein includes the regulation of the new construction, alteration and repair of all new and existing structures, along with all plumbing, mechanical and installations therein or in connection therewith. In case of any conflict between a code adopted herein and any other specific provision of the Keenesburg Municipal Code, the specific provision of the Keenesburg Municipal Code shall prevail.

(b) The International Building Code, 2012 Edition, as published by the International Code Council, 500 New Jersey Avenue, NW, 6th Floor, Washington, DC 20001. Chapters 1 through 35 inclusive and Appendix Chapter I, is hereby adopted by reference as the Town of Keenesburg Building Code as if fully set out in this ordinance with the additions deletions insertions and changes as follows:

(1) **IBC Section 101.1.** IBC Section 101.1 (Title) is amended by the addition of the term “Town of Keenesburg” where indicated.

(2) **IBC Section 101.4.3.** IBC Section 101.4.3 (Plumbing) is amended by deletion of the last sentence.

(3) **IBC Section 101.4.5.** IBC Section 101.4.5 (Fire prevention) is amended by replacing “International Fire Code” with “adopted fire code.”

(4) **IBC Section 105.1.** IBC Section 105.1 (Required) is amended by replacing the words “building official” with “Town.”

(5) **IBC Section 105.2.** IBC Section 105.2 (Work exempt from permit) is amended by adding the below numbered items:

15. above ground swimming pools accessory to an R-3 occupancy.

16. Window replacement where the size of the opening is not changed.

(6) **IBC Section 109.6.** IBC Section 109.6 (Refunds) is amended by deleting the section in its entirety and replacing the section with the following:

The Town may authorize refunding of any fee paid hereunder which was erroneously paid or collected.

The Town may authorize refunding of not more than 80 percent (80%) of the permit fee paid when no work has been done under a permit issued in accordance with this code.

The Town may authorize refunding of not more than 80 percent (80%) of the plan review fee paid when an application for a permit for which a plan review fee has been paid is withdrawn or cancelled before any plan reviewing is done.

The Town shall not authorize refunding of any fee paid except on written application filed by the original permittee not later than 180 days after the date of fee payment.”

(7) **IBC Section 111.3.** IBC Section 111.3 (Temporary occupancy) is amended by deleting the words “building official” in the first and second sentence and replacing it with “Town.”

(8) **IBC Section 113.1.** IBC Section 113.1 (General) is amended by deleting the last two sentences and inserting the following: “The members of the Board of Appeals shall be comprised of the members of the Town Board of Trustees.”

(9) **IBC Section 113.3.** IBC Section 113.3 (Qualifications) is amended by deleting the section in its entirety.

(10) **IBC Section 202.** IBC Section 202 (Definitions) is amended by addition of the following:

“Sleeping Room” (Bedroom) is any enclosed habitable space within a dwelling unit, which complies with the minimum room dimension requirements of IBC Section 1208 and contains a closet, an area that is useable as a closet, or an area that is readily convertible for use as a closet. Living rooms, family rooms and other similar habitable areas that are so situated and designed so as to clearly indicate these intended uses, shall not be interpreted as sleeping rooms.

(11) **IBC Section 1013.2.** IBC Section 1013.2 (Where required) is amended by the addition of a second paragraph inserted before the exceptions as follows:

“All area wells, stair wells, window wells and light wells attached to any building that are located less than 36 inches (914.4 mm) from the nearest intended walking surface and deeper than 30 inches (762 mm) below the surrounding ground level, creating an opening greater than 24 inches (610 mm) measured perpendicular from the building, shall be protected with guardrails conforming to this section around the entire opening, or be provided with an equivalent barrier.

(12) **IBC Section 1612.3.** IBC Section 1612.3 (Establishment of flood hazard areas) is amended by the insertion of “Town of Keenesburg” where indicated in [Name of Jurisdiction] and the date of the latest flood insurance study for the Town 08/24/1981, where indicated in [Date of Issuance].

(13) **IBC Section 3109.4.** IBC Section 3109.4 (Residential swimming pools) is amended by replacing the exception with the following: “A hot tub or spa with a safety cover complying with ASTM F 1346.”

(14) **IBC Section 3401.3.** IBC Section 3401.3 (Compliance with other codes) is amended by deleting International Fire Code and inserting in its place “adopted fire code,” deleting International Private Sewage Disposal Code, and deleting ICC Electrical Code and inserting in its place “Current Code Adopted by the Colorado State Electrical Board.”

(15) **IBC Section 3412.2.** IBC Section 3412.2 (Applicability) is amended by the insertion of September 1, 2009 as the effective date of the building codes for the Town where indicated in [DATE TO BE INSERTED BY JURISDICTION].

(c) The International Residential Code, 2012 Edition, as published by the International Code Council, 500 New Jersey Avenue, NW, 6th Floor, Washington, DC 20001, Chapters 1 through 43 inclusive and Appendix Chapters G, H and M, is hereby adopted by reference as the Town of Keenesburg Residential Building Code as if fully set out in this ordinance with the additions deletions insertions and changes as follows:

(1) **IRC Section R101.1.** IRC Section R101.1 (Title) is amended by the addition of the term “Town of Keenesburg” where indicated.

(2) **IRC Section R105.1.** IRC Section R105.1 (Required) is amended by replacing the words “building official” with “Town.”

(3) **IRC Section R105.2.** IRC Section R105.2 (Work exempt from permit) is amended by adding items numbered

12. Above ground swimming pools.

13. Window replacement where the size of the opening is not changed.

(4) **IRC Section R108.5.** IRC Section R108.5 (Refunds) is amended by deleting the section in its entirety and replacing the section with the following:

“The Town may authorize refunding of any fee paid hereunder which was erroneously paid or collected.

The Town may authorize refunding of not more than 80 percent (80%) of the permit fee paid when no work has been done under a permit issued in accordance with this code.

The Town may authorize refunding of not more than 80 percent (80%) of the plan review fee paid when an application for a permit for which a plan review fee has been paid is withdrawn or cancelled before any plan reviewing is done.

The Town shall not authorize refunding of any fee paid except on written application filed by the original permittee not later than 180 days after the date of fee payment.”

(5) **IRC Section R109.1.5.** IRC Section R109.1.5 (Other inspections) is amended by the addition of a new subsection as follows:

R109.1.5.2 Insulation Inspection. Inspection of the structure shall be made following installation of the wall, ceiling and floor insulation and exterior windows and before wall coverings are installed.

(6) **IRC Section R110.4.** IRC Section R110.4 (Temporary occupancy) is amended by deleting the words “building official” in the first and second sentence and replacing it with “Town.”

(7) **IRC Section R112.1.** IRC Section R112.1 (General) is amended by deleting the last three sentences and inserting the following: “The members of the Board of Appeals shall be comprised of the members of the Town Board of Trustees.”

(8) **IRC Section R202.** IRC Section R202 (Definitions) is amended by addition of the following:

“Sleeping Room” (Bedroom) is any enclosed habitable space within a dwelling unit, which complies with the minimum room dimension requirements of IRC Sections R304 and R305 and contains a closet, an area that is useable as a closet, or an area that is readily convertible for use as a closet. Living rooms, family rooms and other similar habitable areas that are so situated and designed so as to clearly indicate these intended uses, shall not be interpreted as sleeping rooms.”

(9) **IRC Table R301.2(1).** IRC Table R301.2(1) is filled to provide the following:

Table R301.2(1)
Climatic and Geographic Design Criteria

GROUND SNOW LOAD	WIND SPEED (mph)	TOPOGRAPHIC EFFECTS	SEISMIC DESIGN CATEGORY	SUBJECT TO DAMAGE FROM			WINTER DESIGN TEMP	ICE BARRIER UNDERLAYMENT REQUIRED	FLOOD HAZARDS	AIR FREEZING INDEX	MEAN ANNUAL TEMP
				Weathering	Frost line depth	Termite					

30psf	90	NO	B	Severe	30 in.	Slight to Moderate	1	NO	NSFHA	1000	45°
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(10) **IRC Section R310.2.3.1.** IRC Section R310.2.3.1 (Ladder and steps) is amended by the addition of the following exception to read as follows: “Exception: Only one window well ladder shall be required in an unfinished basement.”

(11) **IRC Section R312.1.1.** IRC Section R312.1.1 (Where required) is amended by the addition of a second paragraph as follows:

“All area wells, stair wells, window wells and light wells attached to any building that are located less than 36 inches (914 mm) from the nearest intended walking surface and deeper than 30 inches (762 mm) below the surrounding ground level, creating an opening greater than 24 inches (610 mm) measured perpendicular from the building, shall be protected with guardrails conforming to this section around the entire opening, or be provided with an equivalent barrier.

(12) **IRC Section R313.** IRC Section R313 (Automatic Fire Sprinkler Systems) is amended by deleting the section in its entirety.

(13) **IRC Section R401.2.** IRC Section R401.2 (Requirements) is amended by the addition of the following:

“Foundations shall be designed and the construction drawings stamped by a Colorado registered design professional. The foundation design must be based on an engineer’s soils report. The drawings must be noted with the engineering firm name, specific location for design and soils report number. A site certification prepared by State of Colorado registered design professional is required for setback verification on all new Group R Division 3 occupancies.”

(14) **IRC Section R405.1.** IRC Section R405.1 (Concrete and masonry foundations) is amended with the addition of the following after the first sentence: All foundation drains shall be designed and inspected by a State of Colorado registered design professional.

(15) **IRC Section 501.3.** IRC Section R501.3 (Fire Protection of Floors) is amended by deleting the section in its entirety

(16) **IRC Section M1502.4.5.2.** IRC Section M1502.4.5.2 (Duct length) is amended by deleting the section in its entirety.

(17) **IRC Section G2415.12.** IRC Section G2415.12 (Minimum burial depth) is amended by the addition of the following: “All plastic fuel gas piping shall be installed a minimum of 18 inches (457 mm) below grade.”

(18) **IRC Section G2415.12.1.** IRC Section G2415.12.1 (Individual outside appliances) is deleted in its entirety.

(19) **IRC Section G2417.4.1.** IRC Section G2417.4.1 (Test pressure) is amended by changing 3 psig to 10 psig.

(20) **IRC Section P2603.5.1.** IRC Section P2603.5.1 (Sewer depth) is amended by filling in both areas where indicated to read “12 inches (305 mm).”

(d) The International Mechanical Code, 2012 Edition, as published by the International Code Council, 500 New Jersey Avenue, NW, 6th Floor, Washington, DC 20001, Chapters 1 through 15 inclusive, is hereby adopted by reference as the Town of Keenesburg Mechanical Code as if fully set out in this ordinance with the additions, deletions, insertions and changes as follows:

(1) **IMC Section 101.1.** IMC Section 101.1 (Title) is amended by the addition of the term “Town of Keenesburg” where indicated.

(2) **IMC Section 504.6.4.2.** IMC Section 504.6.4.2 (Manufacturer’s instructions) is amended by deleting the section in its entirety.

(e) The International Fuel Gas Code, 2012 Edition, as published by the International Code Council, 500 New Jersey Avenue, NW, 6th Floor, Washington, DC 20001, Chapters 1 through 8 inclusive, is hereby adopted by reference as the Town of Keenesburg Fuel Gas Code as if fully set out in this ordinance with the additions, deletions, insertions and changes as follows:

(1) **IFGC Section 101.1.** IFGC Section 101.1 (Title) is amended by the addition of the term “Town of Keenesburg” where indicated.

(2) **IFGC Section 404.12.** IFGC Section 404.12 (Minimum burial depth) is amended by the addition of the following: “All plastic fuel gas piping shall be installed a minimum of 18 inches (457 mm) below grade.”

(3) **IFGC Section 404.12.1.** IFGC Section 404.12.1 (Individual outside appliances) is deleted in its entirety.

(4) **IFGC Section 406.4.1.** IFGC Section 406.4.1 (Test pressure) is amended by changing 3 psig to 10 psig.

(5) **IFGC Section 614.6.5.2.** IFGC Section 614.6.5.2 (Manufacturer's instructions) is amended by deleting the exception in its entirety.

(f) The International Plumbing Code, 2012 Edition, as published by the International Code Council, 500 New Jersey Avenue, NW, 6th Floor, Washington, DC 20001, Chapters 1 through 13 inclusive, is hereby adopted by reference as the Town of Keenesburg Plumbing Code as if fully set out in this ordinance with the additions, deletions, insertions and changes as follows:

(1) **IPC Section 101.1.** IPC Section 101.1 (Title) is amended by the addition of the term "Town of Keenesburg" where indicated.

(2) **IPC Section 305.4.1.** IPC Section 305.4.1 (Sewer depth) is amended by filling in both areas where indicated to read "12 inches (305 mm)."

(3) **IPC Section 903.1.** IPC Section 903.1 (Roof extension) is amended by inserting "6 inches (152.4 mm)" where indicated.

(g) The International Property Maintenance Code, 2012 Edition, as published by the International Code Council, 500 New Jersey Avenue, NW, 6th Floor, Washington, DC 20001, Chapters 1 and 2 inclusive, is hereby adopted by reference as the Town of Keenesburg Property Maintenance Code as if fully set out in this ordinance with the additions, deletions, insertions and changes as follows:

(1) **IPMC Section 101.1.** IPMC Section 101.1 (Title) is amended by the addition of the term "Town of Keenesburg" where indicated.

(2) **IPMC Section 103.5.** IPMC Section 103.5 (Fees) is amended by deleting the section in its entirety.

(3) **IPMC Section 111.2.** IPMC Section 111.2 (Membership of board) is amended by deleting the section in its entirety and inserting the following: "The members of the Board of Appeals shall be comprised of the members of the Town Board of Trustees."

(4) **IPMC Section 111.2.1.** IPMC Section 111.2.1 (Alternate members) is amended by deleting the section in its entirety.

(5) **IPMC Section 111.2.2.** IPMC Section 111.2.2 (Chairman) is amended by deleting the section in its entirety.

(6) **IPMC Section 111.2.3.** IPMC Section 111.2.3 (Disqualification of member) is amended by deleting the section in its entirety.

(7) **IPMC Section 111.2.4.** IPMC Section 111.2.4 (Secretary) is amended by deleting the section in its entirety.

(8) **IPMC Section 111.2.5.** IPMC Section 111.2.5 (Compensation of members) is amended by deleting the section in its entirety.

(h) The International Existing Building Code, 2012 Edition, as published by the International Code Council, 500 New Jersey Avenue, NW, 6th Floor, Washington, DC 20001, Chapters 1 through 15 inclusive, is hereby adopted by reference as the Town of Keenesburg Existing Building Code as if fully set out in this ordinance with the additions, deletions, insertions and changes as follows.

(1) **International Existing Building Code** is amended by replacing all references to “International Fire Code” with “adopted fire code.”

(2) **International Existing Building Code** is amended by replacing all references to “ICC Electrical Code” with “Current Code Adopted by the Colorado State Electrical Board.”

(3) **IEBC Section 101.1.** IEBC Section 101.1 (Title) is amended by the addition of the term “Town of Keenesburg” where indicated.

(4) **IEBC Section 1301.1.** IEBC Section 1301.1 (Scope) is amended by deleting the section in its entirety and replacing it with the following: “Structures moved into or within the jurisdiction shall comply with the provision of this code for new structures.”

(i) The International Energy Conservation Code, 2009 Edition, as published by the International Code Council, 500 New Jersey Avenue, NW, 6th Floor, Washington, DC 20001, Chapters 1 through 15 inclusive, is hereby adopted by reference as the Town of Keenesburg International Energy Conservation Code as if fully set out in this ordinance with the additions, deletions, insertions and changes as follows:

(1) **International Energy Conservation Code** is amended by replacing all references to “International Fire Code” with “adopted fire code.”

(2) **International Energy Conservation Code** is amended by replacing all references to “ICC Electrical Code” with “Current Code Adopted by the Colorado State Electrical Board”

(3) **IECC Section 101.1.** IECC Section 101.1 (Title) is amended by the addition of the term “Town of Keenesburg” where indicated.

Section 2. If any section, paragraph, sentence, clause, or phrase of this ordinance is held to be unconstitutional or invalid for any reason, such decision shall not affect the validity or constitutionality of the remaining portions of this ordinance. The Board of Trustees hereby declares that it would have passed this ordinance and each part or parts hereof irrespective of the fact that any one part or parts be declared unconstitutional or invalid.

Section 3. All other ordinances or portions thereof inconsistent or conflicting with this ordinance or any portion hereof are hereby repealed to the extent of such inconsistency or conflict.

Section 4. The repeal or modification of any provision of the Municipal Code of the Town of Keenesburg by this ordinance shall not release, extinguish, alter, modify, or change in whole or in part any penalty, forfeiture, or liability, either civil or criminal, which shall have been incurred under such provision, and each provision shall be treated and held as still remaining in force for the purpose of sustaining any and all proper actions, suits, proceedings, and prosecutions for the enforcement of the penalty, forfeiture, or liability, as well as for the purpose of sustaining any judgment, decree, or order which can or may be rendered, entered, or made in such actions, suits, proceedings, or prosecutions.

INTRODUCED, READ, ADOPTED, APPROVED, AND ORDERED PUBLISHED IN FULL this 21st day of February, 2017

TOWN OF KEENESBURG, COLORADO

Danny Kipp, Mayor

ATTEST:

Toni Pearl, Town Clerk