

ORDINANCE NO. 2019-09

AN ORDINANCE OF THE TOWN OF RIDGWAY, COLORADO REPEALING AND REPLACING SECTION 6-1 OF THE RIDGWAY MUNICIPAL CODE TO UPDATE BUILDING REGULATIONS AND TO ADOPT BY REFERENCE CERTAIN 2018 INTERNATIONAL CODE COUNCIL CODE BOOKS AND AMENDMENTS THERETO

**WHEREAS**, the Town of Ridgway (the "Town"), is a duly organized and existing home rule municipality of the State of Colorado; and

**WHEREAS**, the Town of Ridgway Municipal Code (the "Code") contains building regulations further enumerated under Section 6-1, Building Regulations; and

**WHEREAS**, the Town Council adopted the 2006 International Building Code, International Residential Code, International Existing Building Code, International Energy Conservation Code, International Mechanical Code, International Fuel Gas Code, International Fire Code, and International Property Maintenance Code as published by the International Code Council by ordinance 9-2008; and

**WHEREAS**, the Town Council has since adopted amendments to the Code Section 6-1, Building Regulations through ordinance 6-2008, 9-2008, 6-2009, 4-2010, 5-2012, 1-2014, 1-2017, 2-2019; and

**WHEREAS**, the Town Council supports keeping up-to-date with current trends and building practices by adopting by reference the 2018 International Building Code, International Residential Code, International Mechanical Code, International Fuel Gas Code, International Energy Conservation Code, International Fire Code, International Existing Building Code, and International Property Maintenance Code as published by the International Code Council, with amendments to fit local conditions and desires.

**NOW THEREFORE BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF RIDGWAY, COLORADO, AS FOLLOWS:**

**Section 1.** Section 6-1 of the Ridgway Municipal Code is amended, as follows:

**6-1-1 ADOPTION AND APPLICATION OF CODES.**

(A) There is hereby adopted for the purpose of providing minimum standards to safeguard life or limb, health, property and public welfare, The International Building Code, 2018, Edition, including Appendices E, I and J, as published by the International Code Council, 4051 Flossmoor Road, Country Club Hills, IL 60478-5795; the subject matter of which is regulations governing, the conditions and maintenance of all property, buildings and structures; by providing the standards for supplied utilities and facilities and other physical things and conditions essential to ensure that structures are safe, sanitary and fit for occupation and use; the declaration of buildings and structures as unfit for human occupancy and use, and the demolition of such structures; and providing for the issuance of permits and collection of fees therefore.

(B) There is hereby adopted for the purpose of providing minimum standards to protect persons and property, public safety, health and general welfare, The International Residential Code, 2018 Edition, including Appendices E, F, G, H, J, L, M, Q, R and S as published by the International Code Council, 4051 Flossmoor Road, Country Club Hills, IL 60478-5795; the subject matter of which is regulations governing the construction, alteration, movement, enlargement, replacement, repair, equipment, location, removal and demolition of detached and two family dwellings and multiple single family dwellings (townhouses) not more than three stories in height with separate means of egress and the issuance of permits and collection of fees therefore.

(C) There is hereby adopted for the purpose of providing minimum standards to protect persons and property The International Mechanical Code 2018 Edition, including Appendix A, as published by the International Code Council, 4051 Flossmoor Road, Country Club Hills, IL 60478-5795; the subject matter of which is regulations governing the design, construction, quality of materials, erection, installation, alteration, repair, location, relocation, replacement, addition to, use or maintenance of mechanical systems and the issuance of permits and collection of fees therefore.

(D) There is hereby adopted for the purpose of providing minimum standards to protect persons and property The International Fuel Gas Code, 2018 Edition, including Appendices A, B, C, and D, as published by the International Code Council, 4051 Flossmoor Road, Country Club Hills, IL 60478-5795; the subject matter of which is regulations governing fuel gas systems and gas-fired appliances and the issuance of permits and collection of fees therefore.

(E) There is hereby adopted for the purpose of providing minimum standards to protect persons and property The International Energy Conservation Code, 2018 Edition, as published by the International Code Council, 4051 Flossmoor Road, Country Club Hills, IL 60478-5795; the subject matter of which is regulations governing energy efficient building envelopes and installation of energy efficient mechanical, lighting and power systems and for the issuance of permits and collection of fees therefore.

(F) There is hereby adopted for the purpose of providing minimum standards to protect persons and property The International Fire Code, 2018 Edition, including Appendices B and C, as published by the International Code Council, 4051 Flossmoor Road, Country Club Hills, IL 60478-5795; the subject matter of which is regulations safeguarding life and property from fire and explosion hazards arising from the occupancy of buildings and premises and the issuance of permits and collection of fees therefore.

(G) There is hereby adopted for the purpose of providing minimum standards to protect persons and property The International Existing Building Code 2018 Edition, including Appendices A and B, as published by the International Code Council, 4051 Flossmoor Road, Country Club Hills, IL 60478-5795; the subject matter of which is regulations governing the repair, alteration, change of occupancy, addition and relocation of existing buildings including historic buildings and the issuance of permits and collection of fees therefore.

(H) There is hereby adopted for the purpose of providing minimum standards to protect persons and property The International Property Maintenance Code, 2018 Edition, including Appendix A , as published by the International Code Council, 4051 Flossmoor Road, Country Club Hills, IL 60478-5795; the subject matter of which is regulations governing the conditions and maintenance of all property, building and structures; by providing the standards for supplied utilities and facilities and other physical things and conditions essential to ensure that structures are safe, sanitary and fit for occupation and use; and the condemnation of buildings and structures unfit for human occupancy and use, and the demolition of such existing structures as herein provided; and the issuance of permits and collection of fees therefore.

(I) Plumbing. The International Plumbing Code, as adopted and amended by the State of Colorado, shall apply to the installation, alterations, repairs, and replacement of plumbing systems, including equipment, appliances, fixtures, fittings, and appurtenances, where connected to a water or sewage system and all aspects of a medical gas system, and references to the International Plumbing Code shall mean such code.

(J) Electrical. The National Electric Code, as adopted and amended by the State of Colorado, shall apply to the installation, alterations, repairs, and replacement of electrical systems.

(K) One copy of each of the above codes is on file in the office of the Town Clerk and may be inspected during regular business hours.

#### **6-1-2 ADMINISTRATION.**

(A) The Town Council may appoint a Building Official or one or more inspectors, who shall be employees of the Town, to enforce, interpret and administer the provisions of this Section and the codes adopted herein by reference, except that the State Electrical Inspector shall have primary responsibility to enforce, interpret and administer the Electrical Code in accordance with State law. No certificate of occupancy shall be issued until the State Electrical Inspector and the State Plumbing Inspector have given final approval of State permitted work.

(B) The Building Official or his/her designated representative shall have the right to enter upon public and private property at all reasonable times to inspect or enforce the provisions of this Section and any of the codes adopted herein by reference. If the premises are occupied, he/she shall request entry. If the premises are unoccupied, he/she shall make efforts to locate the owner or the persons in custody to request entry. If entry is refused, the Building Official shall have recourse as provided by law to secure entry.

#### **6-1-3 CHANGES, DELETIONS AND EXCEPTIONS TO THE CODES ADOPTED BY REFERENCE.**

(A) The INTERNATIONAL BUILDING CODE, 2018 Edition is amended as follows:

(1) References in Section 101.1 and elsewhere to “jurisdiction” shall mean the Town of Ridgway.

(2) Section 101.4.1 is hereby amended to read as follows:

101.4.1 Gas. The provisions of the International Fuel Gas Code as amended and adopted by the State of Colorado Plumbing Board.

(3) Section 101.4.3 is hereby amended to read as follows:

101.4.3 Plumbing. The International Plumbing Code, as adopted and amended by the State of Colorado, shall apply to the installation, alterations, repairs, and replacement of plumbing systems, including equipment, appliances, fixtures, fittings, and appurtenances, where connected to a water or sewage system and all aspects of a medical gas system, and references to the International Plumbing Code shall mean such code.

(4) Add Section 101.4.8:

101.4.8 Electrical. The provisions of the Electrical Code, as adopted by the State of Colorado, shall apply to the installation of electrical systems, including alterations and repairs.

(5) Section 104.1 is hereby amended to append the following sentence:

The Building Official is empowered to hire on a special basis, technical assistants for the

provision of special expertise and the checking of plans and making of inspections, and the cost of employing such technical assistants shall be added to the cost of any permits required by this Code or the codes adopted by the Town.

(6) Section 104.7 Department records, is hereby deleted.

(7) Section 104.10.1 is amended to read: Flood Hazard Areas are established pursuant to Section 6-2 of the Ridgway Municipal Code.

(8) Section 105.2 Work exempt from permit, is hereby amended as follows:

Item number 1: Replace 120 square feet (11 m<sup>2</sup>), with 150 square feet (13.9 m<sup>2</sup>), and append the sentence: Provided, however, a site permit must be obtained from the Town for such structures which shall be subject to a permit fee of \$75 and shall be issued only for lawfully located structures.

Item number 2: Append the sentence to say: Provided, however, a site permit must be obtained from the Town for such fences which shall be subject to a permit fee of \$75 and shall be issued only for lawfully located fences.

(9) Section 107.1 General under Submittal documents, is hereby amended to read as follows:

107.1 General. The Building Inspector is hereby directed to require plans and specifications to accompany all applications for building permits and to waive this requirement only in the clearest cases of non-necessity. Architectural designs and documents shall be prepared by an architect licensed to practice in the State of Colorado. Structural designs and documents shall be prepared by a professional engineer licensed to practice in the State of Colorado. The construction documents, statement of special inspections and other data shall be submitted in one or more sets with each permit application.

(10) Section 109.2 Schedule of permit fees, is amended to read:

Section 109.2 Schedule of permit fees. On buildings, structures, electrical, gas, mechanical, and plumbing systems or alterations requiring a permit, a fee for each permit shall be paid as required, in accordance with Appendix L of the 2018 International Residential Code or as established by the applicable governing authority.

Plan review fees shall be 65% of the building permit fee as shown in Appendix L. When submittal documents are incomplete or changed so as to require additional plan review or when the project involves deferred submittal items as defined in Subsection 107.3.4.1, an additional plan review fee shall be charged at the rate shown in Appendix L. In all cases involving new construction, if the Building Official finds that any of the permits required by any of the codes adopted by the Town are duplicative or redundant, the Building Official is empowered to waive the permit requirement or the fee for the permit or both.

The Town Council, in its sole discretion, may defer, reduce and/or waive certain building fees within this Chapter 6 for projects demonstrating significant public benefit such as perpetual, deed-restricted affordable or workforce housing projects.

(11) Section 109.3 Building permit valuations, is hereby amended to read as follows:

109.3 Building permit valuations. The applicant for a permit shall provide an estimated project valuation at time of application. Project Valuations shall include total value of work including materials and labor for electrical, gas, mechanical, plumbing and all construction related installations and improvements. If, in the opinion of the Building Official, the valuation is underestimated on the application generally in accordance with the Building

Valuation Data published by the International Code Council, the permit shall be denied, unless the applicant can show detailed estimates in the form of valid construction contracts which meet the approval of the Building Official or adjust the valuation as recommended by the Building Official. Final project valuation for permit purposes shall be set by the Building Official.

(12) Section 109.4 Work commencing before permit issuance, is hereby amended to read as follows:

109.4 Work commencing before permit issuance. Any person who commences any work on a building, structure, electrical, gas, mechanical or plumbing system before obtaining the necessary permits shall be subject to a fee established by the building official that shall be in addition to the required permit fees. The amount of the fee shall be equal to the permit fee or \$150, whichever is greater. Payment of this fee does not constitute approval of work already completed and does not assure that a permit will be issued for the project under consideration.

(13) Section 109.6 Refunds, is hereby amended to read as follows:

109.6 Refunds. The Building Official shall authorize the refunding of fees as follows:

1. The full amount of any fee paid hereunder which was erroneously paid or collected.
2. Not more than 80% of the permit fee paid when no work has been done under a permit issued in accordance with this code.
3. Not more than 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 canceled before any plan review effort has been expended.

The Building Official shall not authorize the refunding of any fee paid, except upon written application filed by the original permittee not later than 180 days after the date of fee payment.

(14) A new Section 109.7 is added as follows:

109.7 Re-inspection. A re-inspection fee may be assessed for each inspection or re-inspection necessary because the portion of work for which the inspection was requested was not complete or when a required correction was not completed.

(15) Section 110.3.5 Lath, gypsum board and gypsum panel product inspection, is hereby amended to delete the exception.

(16) Section 110.5 Inspection requests, is hereby amended to read as follows:

110.5 Inspection requests. It shall be the duty of the holder of the building permit or their duly authorized agent to notify the Building Official when work is ready for inspection. It shall be the duty of the permit holder to provide access to and means for inspections of such work that are required by this code. Inspection requests shall be made a minimum of twenty-four hours in advance.

(17) Section 113 Board of Appeals, is amended to read: Means of Appeal shall be initiated and addressed as per Municipal Code Section 6-1-5.

(18) Section 114 Violations, is amended as follows:

114.1 shall read: Violations shall be processed as outlined in Municipal Code Section 6-1-8.

Sections 114.3 and 114.4 are hereby deleted.

(19) Section 115.3 Unlawful continuance, is hereby deleted.

(20) Section 310.4.1 Care facilities within a dwelling, is hereby deleted.

(21) Section 1612.3 Establishment of Flood Hazard Areas, is amended to read as follows:

1612.3 Establishment of Flood Hazard Areas. Flood Hazard Areas are established pursuant to Section 6-2 of the Ridgway Municipal Code.

(22) Section 1805.1.2.1 Flood Hazard Areas, is hereby amended such that the Exception therein reads as follows:

Exception: Under-floor spaces of Groups R-1, R-2, R-3 and R-4 buildings that meet the requirements of FEMA TB-11.

(23) Section 2701.1 Scope, is amended to read as follows:

2701.1 Scope. This chapter governs the electrical components, equipment and systems used in building and structures covered by this code. Electrical components, equipment and systems shall be designed and constructed in accordance with the provisions of the Electrical Code as adopted by the State of Colorado.

(B) The INTERNATIONAL RESIDENTIAL CODE, 2018 Edition is amended as follows:

(1) References in Section R101.1 and elsewhere to "jurisdiction" shall mean the Town of Ridgway.

(2) Sections R104.10.1, R105.3.1.1, R301.2.4, R309.3 and R322 are amended to read: Flood Hazard Areas are established pursuant to Section 6-2 of the Ridgway Municipal Code.

(3) Section R105.2 Work exempt from [building] permit, is hereby amended as follows:

Item #1: Replace 200 square feet (11 m<sup>2</sup>), with 150 square feet (13.9 m<sup>2</sup>), and append the sentence: Provided, however, a site permit must be obtained for such structures from the Town, which shall be subject to a permit fee of \$70 and shall be issued only for lawfully located structures.

Item #2: Fences not over 6 feet high. Append the sentence to say: Provided, however, a site permit must be obtained from the Town for such fences which shall be subject to a permit fee of \$50 and shall be issued only for lawfully located fences.

Item #10: Replace with: Decks that are not more than 30 inches above grade at any point. Provided, however, a site permit must be obtained for such structures from the Town, which shall be subject to a permit fee of \$75 and shall be issued only for lawfully located structures.

Add Items #11 and #12.

11. Re-roofing less than 200 square feet.

12. Re-siding with similar materials less than 200 square feet.

Electrical: All exemptions are subject to the laws established by the State.

Plumbing: All exemptions are subject to the laws established by the State.

(4) Section R105.5 Expiration, is amended to read:

- a. Work must commence within 180 days of issuing the permit.
- b. Unless determined otherwise by the Building Official because of the size or complexity of the project, each inspection must be completed within 180 days of the previous mandated inspection according to the following schedule:
  - i. Reinforcement in footings or structural (monolithic) slab.
  - ii. Reinforcement in stem-wall or basement-wall.
  - iii. Wall and roof sheathing (as required by AHJ)
  - iv. Framing (which implies that plumbing, electrical and mechanical have already passed inspection or will be inspected at the time of the framing inspection).
  - v. Insulation.
  - vi. Drywall or other interior wall coverings.
  - vii. All final inspections.

(5) Section R108.2 Schedule of permit fees, is hereby amended to read as follows:

R108.2 Schedule of permit fees. On buildings, structures, electrical, gas, mechanical, and plumbing systems or alterations requiring a permit, a fee for each permit shall be paid as required, in accordance with Appendix L of the 2018 International Residential Code or as established by the applicable governing authority. Plan review fees shall be 65% of the building permit fee as shown in Appendix L. When submittal documents are incomplete or changed so as to require additional plan review or when the project involves deferred submittal items as defined in Subsection 107.3.4.1, an additional plan review fee shall be charged at the rate shown in Appendix L.

The Town Council, in its sole discretion, may defer, reduce and/or waive certain building fees within this Chapter 6 for projects demonstrating significant public benefit such as perpetual, deed-restricted affordable or workforce housing projects.

(6) Section R108.3 Building permit valuations, is hereby amended to read as follows:

R108.3 Building permit valuations. The applicant for a permit shall provide an estimated project valuation at time of application. Project Valuations shall include total value of work including materials and labor for electrical, gas, mechanical, plumbing and all construction related installations and improvements. If, in the opinion of the Building Official, the valuation is underestimated on the application generally in accordance with the Building Valuation Data published by the International Code Council, the permit shall be denied, unless the applicant can show detailed estimates in the form of valid construction contracts which meet the approval of the Building Official or adjust the valuation as recommended by the Building Official. Final project valuation for permit purposes shall be set by the Building Official.

(7) Section R108.5 Refunds, is hereby amended to read as follows:

R108.5 Refunds. The Building Official shall authorize the refunding of fees as follows:

1. The full amount of any fee paid hereunder which was erroneously paid or collected.

2. Not more than 80% of the permit fee paid when no work has been done under a permit issued in accordance with this code.

3. Not more than 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 canceled before any plan review effort has been expended.

The Building Official shall not authorize the refunding of any fee paid, except upon written application filed by the original permittee not later than 180 days after the date of fee payment.

(8) Section R108.6 Work commencing before permit issuance, is hereby amended to read as follows:

Section R108.6 Work commencing before permit issuance. Any person who commences any work on a building, structure, electrical, gas, mechanical or plumbing system before obtaining the necessary permits shall be subject to a fee established by the building official that shall be in addition to the required permit fees. The amount of the fee shall be equal to the permit fee or \$150, whichever is greater. Payment of this fee does not constitute approval of work already completed and does not assure that a permit will be issued for the project under consideration.

(9) Section R110.1 Use and occupancy, is hereby amended to delete Exception: 2. Accessory buildings or structures.

(10) Section R112 Board of Appeals, is amended to read: Means of Appeal shall be initiated and addressed as per Municipal Code Section 6-1-5.

(11) Section R113 Violations, is amended as follows:

113.1 shall read: Violations shall be processed as outlined in Municipal Code Section 6-1-8.

Sections 113.3 and 113.4 are hereby deleted.

(12) Table R301.2 (1) CLIMATIC AND GEOGRAPHIC DESIGN CRITERIA. The following values shall be added to the table:

Ground Snow Load: 65 lbs/Sq. Ft.  
Wind Speed: 115 Ultimate / Exposure C  
Topographic Effects: No  
Special Wind Region: No  
Windborne debris zone: No  
Seismic Design Category: C  
Weathering: Severe  
Frost Line Depth: 36 inches  
Termite: Slight  
Winter Design Temperature: 0 degrees F  
Ice Barrier Underlayment Required: Yes  
Flood Hazards: Ridgway Municipal Code Subsection 6-2-6  
Air Freezing Index: 2000  
Mean Annual Temperature: 43 degrees F

MANUAL J DESIGN CRITERIA

Elevation: 7,000



Latitude: 38  
Winter Heating 0  
Summer Cooling 83  
Altitude Correction Factor: 77  
Indoor Design Temperature: 70  
Design Temperature Cooling: 75  
Heating Temperature Difference: 70  
Cooling Temperature Difference: 8  
Wind Velocity Heating: N/A  
Wind Velocity Cooling: N/A  
Coincident Wet Bulb: 59  
Daily Range H  
Winter Humidity: 30%  
Summer Humidity: 50%

(13) Section R309.5 Fire sprinklers, is hereby deleted.

(14) Section R310 Emergency escape and rescue openings, is hereby amended to add a new Section R310.3.2.3 to read as follows:

R310.3.2.3 Roof section required. Every window well serving as a means of egress shall have a roof section that extends beyond the window well footprint.

(15) Section R311.2 Egress door, is hereby amended to add the following sentence: Egress doors shall be provided with protection from ice and snow shedding.

(16) Section R313.2 One- and two-family dwellings automatic fire sprinkler systems, is hereby deleted.

(17) Section R322 Flood-Resistant Construction, is replaced with Flood Hazard Areas are established pursuant to Section 6-2 of the Ridgway Municipal Code.

(18) Section R326 Swimming Pools, Spas and Hot Tubs, is hereby deleted.

(19) Section R908.3.1.1 Roof recover not allowed, item #3 is amended to read: Where the existing roof has two or more applications of any type of roof covering unless the third covering is metal panels and appropriate length fasteners are used.

(20) Section R908.7 is added and shall read: In reroof applications, attic ventilation shall be brought into compliance with Section R806 when possible.

(21) Sections N1102.4.1.2, N1103.3.3, and N1103.3.4 are hereby deleted.

(22) Section N1103.5.1 is amended as follows: When these systems are installed, heated water circulation systems shall be in accordance with Section N1103.5.1.1. Heat trace temperature maintenance systems shall be in accordance with Section N1103.5.1.2. Automatic controls, temperature sensors and pumps shall be accessible. Manual controls shall be readily accessible.

(23) Section N1103.5.2 is amended as follows: When installed, demand recirculation water systems shall have controls that comply with both of the following:

1. The controls shall start the pump upon receiving a signal from the action of a user of a fixture or appliance, sensing the presence of a user of a fixture or sensing the flow of hot or tempered water to a fixture fitting or appliance.
2. The controls shall limit the temperature of the water entering the cold-water piping to

not greater than 104°F (40°C).

(24) Section N1103.5.4 is amended as follows: When installed, drain water heat recovery units shall comply with CSA B55.2. Drain water heat recovery units shall be tested in accordance with CSA B55.1. Potable water-side pressure loss of drain water heat recovery units shall be less than 3 psi (20.7 kPa) for individual units connected to one or two showers. Potable water-side pressure loss of drain water heat recovery units shall be less than 2 psi (13.8 kPa) for individual units connected to three or more showers.

(25) N1103.6 – append this Section by adding: Automatic controls for heating incoming air shall be provided.

(26) Section G2406.2 Prohibited locations, is hereby amended to delete exceptions Numbered 3 and 4.

(27) Section G2425.8 Appliance not required to be vented, is hereby amended to delete item Number 7.

(28) Section G2445 Unvented room heaters, is hereby amended in its entirety to read as follows:

G2445.1 Prohibited. Unvented room heaters are prohibited in all locations throughout all occupancies.

(29) Chapters 25 through 43 are hereby deleted. Plumbing and Electrical shall comply with codes adopted by the State of Colorado.

(C) The INTERNATIONAL ENERGY CONSERVATION CODE, 2018 Edition, is amended as follows:

(1) References in Section 101.1 and elsewhere to “jurisdiction” shall mean the Town of Ridgway.

(2) Section C109 Board of Appeals, is hereby deleted.

(3) Section R403.5.1 is amended as follows: When these systems are installed, heated water circulation systems shall be in accordance with Section R403.5.1.1. Heat trace temperature maintenance systems shall be in accordance with Section R403.5.1.2. Automatic controls, temperature sensors and pumps shall be accessible. Manual controls shall be readily accessible.

(4) Section R403.5.2 is amended as follows: When installed, demand recirculation water systems shall have controls that comply with both of the following:

1. The controls shall start the pump upon receiving a signal from the action of a user of a fixture or appliance, sensing the presence of a user of a fixture or sensing the flow of hot or tempered water to a fixture fitting or appliance.

2. The controls shall limit the temperature of the water entering the cold-water piping to not greater than 104°F (40°C).

(5) Section R403.5.4 is amended as follows: When installed, drain water heat recovery units shall comply with CSA B55.2. Drain water heat recovery units shall be tested in accordance with CSA B55.1. Potable water-side pressure loss of drain water heat recovery units shall be less than 3 psi (20.7 kPa) for individual units connected to one or two showers. Potable water-side pressure loss of drain water heat recovery units shall be less than 2 psi (13.8 kPa) for individual units connected to three or more showers.

(6) R403.6 Mechanical ventilation (mandatory), append this Section by adding: Automatic controls for heating incoming air shall be provided.

(D) The INTERNATIONAL MECHANICAL CODE, 2018 Edition is amended as follows:

(1) References in Section 101.1 and elsewhere to “jurisdiction” shall mean the Town of Ridgway.

(2) Section 104.7 Department records, is hereby deleted.

(3) Section 106.5.1 Work commencing before permit issuance, is hereby amended to read as follows:

106.5.1 Work commencing before permit issuance. Any person who commences any work on a building, structure, electrical, gas, mechanical or plumbing system before obtaining the necessary permits shall be subject to a fee established by the building official that shall be in addition to the required permit fees. The amount of the fee shall be equal to the permit fee or \$150, whichever is greater. Payment of this fee does not constitute approval of work already completed and does not assure that a permit will be issued for the project under consideration.

(4) Section 106.5.2 Fee schedule, is hereby amended to read as follows:

106.5.2 Fee schedule. The fees for mechanical work, or alterations requiring a permit, shall be derived using Appendix L of 2018 International Residential Code.

(5) Section 106.5.3 Fee refunds, is hereby amended to read as follows:

106.5.3 Fee refunds. The Building Official shall authorize the refunding of fees as follows:

1. The full amount of any fee paid hereunder which was erroneously paid or collected.
2. Not more than 80% of the permit fee paid when no work has been done under a permit issued in accordance with this code.
3. Not more than 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 canceled before any plan review effort has been expended.

The Building Official shall not authorize the refunding of any fee paid, except upon written application filed by the original permittee not later than 180 days after the date of fee payment.

(6) Section 108 Violations, is amended as follows:

108.1 shall read: Violations shall be processed as outlined in Municipal Code Section 6-1-8.

Sections 108.3, 108.4, 108.5, and 108.7.3 are hereby deleted.

(7) Section 109 Means of Appeal, is amended to read: Means of Appeal shall be initiated and addressed as per Municipal Code Section 6-1-5.

(D) The INTERNATIONAL FUEL GAS CODE, 2018 Edition is amended as follows:

(1) References in Section 101.1 and elsewhere to “jurisdiction” shall mean the Town of Ridgway.

(2) Sections 104.7 Department records, is hereby deleted.

(3) Section 106.6.1 Work commencing before permit issuance, is hereby amended to read as follows:

106.6.1 Work commencing before permit issuance. Any person who commences any work on a building, structure, electrical, gas, mechanical or plumbing system before obtaining the necessary permits shall be subject to a fee established by the building official that shall be in addition to the required permit fees. The amount of the fee shall be equal to the permit fee or \$150, whichever is greater. Payment of this fee does not constitute approval of work already completed and does not assure that a permit will be issued for the project under consideration.

(4) Section 106.6.2 Fee schedule, is hereby amended to read as follows:

106.6.2 Fee schedule. The fees for work, or alterations requiring a permit, shall be derived using Appendix L of 2018 International Residential Code.

(5) Section 106.6.3 Fee refunds, is hereby amended to read as follows:

106.6.3 Fee refunds. The Building Official shall authorize the refunding of fees as follows:

1. The full amount of any fee paid hereunder which was erroneously paid or collected.
2. Not more than 80% of the permit fee paid when no work has been done under a permit issued in accordance with this code.
3. Not more than 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 canceled before any plan review effort has been expended.

The Building Official shall not authorize the refunding of any fee paid, except upon written application filed by the original permittee not later than 180 days after the date of fee payment.

(6) Section 108 Violations, is amended as follows:

108.1 shall read: Violations shall be processed as outlined in Municipal Code Section 6-1-8.

Sections 108.3, 108.4, 108.5, and 108.7.3 are hereby deleted.

(7) Section 109 Means of Appeal, is amended to read: Means of Appeal shall be initiated and addressed as per Municipal Code Section 6-1-5.

(8) Section 501.8 Appliances not required to be vented, #8 is hereby deleted.

(9) Section 621 Unvented Room Heaters, is amended to read: Unvented room heaters are hereby prohibited.

(E) The INTERNATIONAL FIRE CODE, 2018 Edition is amended to read as follows:

(1) References in Section 101.1 and elsewhere to "jurisdiction" shall mean the Town of Ridgway.

(2) Section 109 is amended to read: Means of Appeal shall be initiated and addressed as per Municipal Code Section 6-1-5.

(3) Section 110 is amended as follows:

110.1 shall read: Violations shall be processed as outlined in Municipal Code Section 6-1-8.

Section 110.3.3 is hereby deleted.

(4) Section 112.4 is hereby deleted.

(5) The geographic limits referred to in the following sections of the IFC are hereby established as follows:

5704.2.9.6.1 The entire Town except the I-1 and the I-2 Zoning Districts, and except outside above ground fuel oil tanks used for heating, if the capa Town or aggregate capa Town does not exceed 500 gallons, in use as of June 1, 2006.

5706.2.4.4 The entire Town except the I-1 and I-2 Zoning Districts.

6104.2 The entire Town.

(6) Section 202 Definitions, is hereby amended by the substitution of a new definition of Recreational Fire, to read as follows:

RECREATIONAL FIRE. An outdoor fire burning materials other than refuse where the fuel being burned is contained in an outdoor fire place, barbeque grill, chiminea, patio heater, or similar container, and has a total fuel area of three (3) feet or less in diameter and two (2) feet or less in height, for pleasure, religious, ceremonial, cooking, warming or similar purposes.

(F) The INTERNATIONAL PROPERTY MAINTENANCE CODE, 2018 Edition is hereby amended as follows:

(1) References in Section 101.1 and elsewhere to "jurisdiction" shall mean the Town of Ridgway.

(2) Sections 103.1, 103.2 and 103.3 are hereby deleted.

(3) Section 103.5 Fees, is hereby amended to read as follows:

103.5 Fees. The fees for activities and services performed by the department in carrying out its responsibilities under this Code shall be as indicated in Appendix L of the 2018 International Residential Code or as established by the applicable governing authority.

(4) Sections 104.6, 107, 108.3, 109.5, 109.6, 110.2, 110.3, 110.4 and 112.4 are hereby deleted.

(5) Section 106 Violations, is amended as follows:

106.1 shall read: Violations shall be processed as outlined in Municipal Code Section 6-1-8.

Sections 106.3, 106.4 and 106.5 are hereby deleted.

(6) Section 111 is amended to read: Means of Appeal shall be initiated and addressed as per Municipal Code Section 6-1-5.

(7) Section 302.4 is hereby amended to insert the following height in the space provided: 6"

(8) Section 304.14 Insect screens, is hereby amended to insert the following dates in the spaces provided: May 1 to October 15.

(9) Section 602.3 Heat supply, is hereby amended to insert the following dates in the spaces provided: January 1 to December 31.

(10) Section 602.4 Occupiable work spaces, is hereby amended to insert the following dates in the spaces provided: January 1 to December 31.

(G) The INTERNATIONAL EXISTING BUILDINGS CODE, 2018 Edition is amended as follows:

- (1) References in Section 101.1 and elsewhere to "jurisdiction" shall mean the Town of Ridgway.
- (2) Sections 103 Department of Building Safety, and 104.7 Department records, are hereby deleted.
- (3) Section 104.10.1 Flood hazard areas, is amended to read: Flood Hazard Areas are established pursuant to Section 6-2 of the Ridgway Municipal Code.
- (4) Section 106.5 Retention of construction documents, is hereby deleted.
- (5) Section 108.2 Schedule of permit fees, is hereby amended to read as follows:

108.2 Schedule of permit fees. The fees for work, or alterations requiring a permit, shall be derived using Appendix L of 2018 International Residential Code.

- (6) Section 108.4 Work commencing before permit issuance, is hereby amended to read as follows:

108.4 Work commencing before permit issuance. Any person who commences any work on a building, structure, electrical, gas, mechanical or plumbing system before obtaining the necessary permits shall be subject to a fee established by the building official that shall be in addition to the required permit fees. The amount of the fee shall be equal to the permit fee or \$150, whichever is greater. Payment of this fee does not constitute approval of work already completed and does not assure that a permit will be issued for the project under consideration.

- (7) Section 108.6 Refunds, is hereby amended to read as follows:

108.6 Refunds. The Building Official shall authorize the refunding of fees as follows:

1. The full amount of any fee paid hereunder which was erroneously paid or collected.
2. Not more than 80% of the permit fee paid when no work has been done under a permit issued in accordance with this code.
3. Not more than 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 canceled before any plan review effort has been expended.

The Building Official shall not authorize the refunding of any fee paid, except upon written application filed by the original permittee not later than 180 days after the date of fee payment.

- (8) Section 112 Board of Appeals, is amended to read: Means of Appeal shall be initiated and addressed as per Municipal Code Section 6-1-5.

- (9) Section 113 Violations, is amended as follows:

113.1 shall read: Violations shall be processed as outlined in Municipal Code Section 6-1-8.

Section 113.3 and 113.4 are hereby deleted.

- (10) Sections 114.3, 115.2, 115.4, 116.5, and 116.6 and 117.4 are hereby deleted.

(H)

(1) Any structure which has not been substantially completed prior to the expiration of a building permit, is hereby declared to be a nuisance, which may be abated by the Town in any lawful manner. It shall be unlawful to maintain or fail to remove such a nuisance.

(2) All below grade excavation done in advance of construction shall be filled and made safe within thirty days of an abandoned project. Where construction has proceeded beyond excavation, all foundation work and above grade construction shall be secured against the weather and the construction site shall be otherwise returned to that condition as existed before the permit was issued.

(3) Notwithstanding anything in the codes adopted herein to the contrary, wood shingles shall be allowed only if they are treated to Class "B" fire resistance pursuant to UL Standard 790 or the equivalent. The Building Official may charge an additional inspection fee as necessary to cover the costs of inspection to insure only qualified shingles are used in the work.

(4) No building permit shall be issued for any premises requiring plumbing unless Town water and Town sewer services are reasonably available to the site, or the necessary extensions are provided for contractually, or for sewer, an individual or private system has been authorized pursuant to Section 9-1-10 of the Ridgway Municipal Code; and applicable water or sewer tap fees have been paid. It shall be unlawful to occupy any premises for any residential related purpose unless the premises is served by lawful operational domestic water supply and sanitary sewer plumbing systems.

(5) Nothing in the Codes adopted by reference in this Section shall be construed to prohibit the issuance of a building permit in the Vista Terrace Subdivision, merely because the Town water system in such subdivision is unable to deliver full fire flows.

(6) Buildings and structures and all portions thereof that are subject to snow loading shall be designed and constructed to resist snow loads and all other loads pursuant to the Town of Ridgway Building Code. Potential unbalanced accumulation of snow at valleys, parapets, roof structures and offsets in roofs of uneven configuration shall be considered. Ground snow load is hereby established to be sixty-five pounds per square foot throughout the entire Town of Ridgway.

(7) For the purpose of determining footing and foundation depths, frost line depth is hereby established to be forty inches below finished grade. Footing and foundation depths may be altered, when approved by the Building Official, based upon approved engineered design and geotechnical analysis. Monolithic slabs for garages and similar non-residential structures less than six hundred square feet shall be subject to a minimum twenty-four-inch depth below finished grade throughout the entire Town of Ridgway.

(8) The storage of explosives and blasting agents is prohibited within the Town of Ridgway.

(9) The storage of hazardous materials is prohibited within the Town of Ridgway.

(10) All references in the International Fire Code, 2018 Edition, to the Fire Code Official, Fire Department, Fire Chief, Fire Marshal, Fire Prevention Bureau, or other administrative officers or employees shall be construed to mean the Town of Ridgway, and its Building Official or inspector, or other officer, employee or agent authorized by the Town to enforce and administer the International Fire Code, 2018 Edition.

(11) The Town shall be exempt from Permit fees.

(l) The definition of "Person" in any of the codes adopted by reference herein is amended to read – "PERSON" means any individual, firm, partnership, corporation, association, LLC, or other entity, including

to the extent allowed by law, the United States and the State of Colorado, and any agency or political subdivision thereof.

**6-1-4 PLUMBING AND ELECTRICAL PERMIT.**

It shall be unlawful to do any plumbing or electrical work within the Town of Ridgway without the proper permits issued by the State of Colorado pursuant to State law.

**6-1-5 APPEALS.**

(A) The decision of the Building Official or his designated official or inspector under this Chapter, or the codes adopted by reference herein may be appealed to the Board of Appeals by filing a written appeal on forms provided by the Town with said official or inspector within fifteen days of the date he renders his decision.

(B) Such appeal should set in full the reasons for the appeal, and specify the relief requested.

(C) The Building Official shall review the appeal and forward it to the Board of Appeals attaching thereto his written recommendations and reasons for his decision.

(D) The Board of Appeals shall hold a hearing with reasonable notice to the applicant. The decision of the Board of Appeals shall be final.

(E) The Board of Appeals shall have no authority to grant any variance.

(F) The Mayor shall appoint three members to the Board of Appeals to serve at the pleasure of the Mayor.

**6-1-6 ADDITIONAL ELECTRICAL AND PLUMBING REGULATIONS.**

(A) In case of emergency, to protect persons or property, the Electrical Inspector shall have authority to disconnect or cause any electrical equipment to be disconnected and to enter upon the affected premises, if necessary, for that purpose.

(B) No electric current shall be turned on or connection made for use until a final inspection has been made of the work covered by this Section and The National Electric Code, and until a certificate of approval is issued. Provided, however, the Electrical Inspector may issue a temporary permit for use of current during the course of construction or alteration.

(C) It shall be unlawful for any person to insulate, sheetrock, lath or otherwise cover from view any electrical work or plumbing work subject to the provisions of this section that has not been inspected and finally approved.

(D) All steam and gas fittings, furnace work, plumbing or signal wiring shall be in place before the electrical wiring for light, heat, power, and communications is completed. The electrical wiring shall not be considered completed until such other work is in place.

(E) In the event any wires, cables, fittings, apparatus or electrical fixtures are in such a position as to interfere with the completion of the building following acceptance of the electrical work by the Inspector, the Electrical Inspector shall be notified and he shall reinspect the electrical work and may charge an additional fee therefore.

(F) All electrical and plumbing work, including electrical work for the repair, damage, deterioration, alteration, remodeling or otherwise, shall be done in accordance with the requirements of this Section, The



National Electric Code, and The Colorado Plumbing Code. When alterations or repairs to a building exceed 50% of the value of the existing structure during any twelve month period, the entire building or structure shall be made to conform to the requirements of this Section. The Electrical Inspector may require repairs or alterations to electrical wiring or fixtures not meeting the requirements of this Section or The National Electric Code to the extent necessary to alleviate conditions hazardous to persons or property.

(G) Prevention of Cross Connections, Prohibited Sewer System Discharges and General Utility Guidelines for Water and Sewer shall be in accordance with Ridgway Municipal Code Section 9-1.

(H) It shall be unlawful to change the use of any building without notifying the Electrical Inspector and obtaining his approval that the electrical facilities of the building are safe for the new use.

#### **6-1-7 GENERAL PROVISIONS.**

If there is any conflict between any provision of this Section or of any codes adopted in reference herein with any other provision of any ordinance of the Town or any applicable State or Federal regulation, those regulations providing the more stringent or restrictive requirements shall apply.

#### **6-1-8 VIOLATIONS AND PENALTIES.**

(A) It shall be unlawful to violate any provision of this Chapter, the Electrical and Plumbing Codes as adopted by the State, any of the Codes adopted by reference herein, or any notice, stop order, permit, certificate or other order issued by the Town pursuant to said Codes or this Chapter. Any person convicted of such a violation shall be punished by a fine of not more than \$300. Each day during which any violation is committed or permitted to continue shall be considered as a separate offense. As part of any sentence the Municipal Court may order restitution of the Town's cost of enforcement including reasonable attorney's fees.

(B) Continuing violation of the provisions of this Chapter, the Codes adopted herein by reference, the Electrical and Plumbing Codes as adopted by the State or of any notice, stop order, permit, certificate or other order issued pursuant to this Chapter or the Codes adopted by this Chapter is hereby declared to be a nuisance and may be abated in accordance with law.

(C) In addition to any other remedy the Town may have, it may maintain an action in a Court of competent jurisdiction to enjoin any violation of any provision of this Chapter, the Electrical and Plumbing Codes as adopted by the State, or of the Codes adopted herein by reference.

(D) The Town may refuse to issue any permits required by this Chapter, or by the Codes adopted herein by reference if the applicant is in violation of any of any provision of such codes, this Chapter, or any notice, stop order, permit, certificate or other order issued pursuant thereto.

#### **6-1-9 DRIVEWAYS AND STREET ACCESS.**

(Repealed by Ordinance No. 8-2007)

#### **6-1-10 WOOD STOVES AND SIMILAR DEVICES.**

(A) It shall be unlawful to install any wood stove or similar device of a type subject to the certification requirements of Regulation No. 4 of the Air Quality Control Commission, Colorado Department of Public Health and Environment, 5 C.C.R. 1001-6, within the Town unless it has been certified pursuant to said Regulation.

(B) A Fireplace or Stove Permit shall be obtained for the installation or replacement of all wood stoves, fireplaces and similar devices. The fee for a separate permit shall be \$50.

(C) No more than one wood stove, fireplace or similar device may be installed in any single structure. This limit shall not apply to furnaces.

(D) It shall be unlawful to install any fireplace within the Town, unless it is a gas appliance, an electric device, or a fireplace insert, approved masonry heater, approved pellet burning insert, or other clean burning device, which is approved pursuant to Regulation No. 4 of the Air Pollution Control Commission of the Colorado Department of Public Health and Environment.

(E) All wood-burning stoves, fireplaces and similar devices shall be installed, operated and maintained in full compliance with applicable State regulations, and Town building, mechanical and fire codes.

(F) Devices which do not comply with paragraph (A) but which on February 1, 1992 were lawfully installed, and structures with more than 1 device lawfully installed therein contrary to paragraph (C) on February 1, 1992, may continue to be maintained as existing on February 1, 1992, notwithstanding said paragraphs (A) and (C) until the ownership of the property upon which they are located is transferred. At that time all non-conforming devices shall be removed except that excess fireplaces may be deactivated instead of being removed by permanently blocking the chimney or by other methods approved by the building inspector.

(G) This Subsection may be enforced as part of the Town's Building Code or in accordance with Subsection 6-1-8 or in any other lawful manner. Violations of this Subsection are hereby declared to be a nuisance.

(H) It shall be unlawful to install any coal burning device or to burn coal within the Town for any purpose, except when authorized by a permit issued by the State of Colorado.

#### **6-1-11 LANDSCAPING.**

(A) All applications for a building permit for new construction or exterior work on any existing structure shall submit a Landscape Plan for the premises meeting the following requirements:

- (1) The Landscape Plan shall be drawn to scale of 1 inch = 40 feet, or larger, and may be included on the Site Plan.
- (2) The Building footprint, driveways and vehicle circulation shall be shown and located to scale.
- (3) Surface drainage characteristics and proposed structures must be shown.
- (4) Existing and all proposed groundcover, including shrubs and lawns shall be shown.

(B) The plan must provide for the following minimum landscaping elements:

- (1) Groundcover must be adequate to ensure that dust cannot blow from the property and that the soil is stabilized to ensure that erosion is kept to a minimum.
- (2) A minimum of one (1) tree per 2,000 square feet of gross lot area in all zones except Historic Business shall be provided. Trees shall have a minimum caliper of 1-1/2" for deciduous trees and five foot minimum height for evergreens. Trees should be located in such a way that they will not infringe on solar access and views of the adjoining properties or block vehicular sight lines to public roadways.

(C) Landscaping Guidelines are as follows:

(1) Existing trees and groundcover on the property are encouraged to be retained and not destroyed during the construction process. These plants will be counted towards the minimum standards.

(2) Xeriscope landscaping and drip irrigation are encouraged. Large irrigated areas are discouraged.

(3) Siberian elm and Chinese elm (Ulmus); Cottonwoods that bear cotton (Populus); Purple Loosestrife (Lythrum slaicaria); Russian Olive (Elaeagnus angustifolia) are prohibited.

(4) The Town Manager is authorized to prohibit additional species with similar nuisance properties.

(D) The building permit shall not be issued until a conforming Landscape Plan is approved by the Town.

(E) A permanent Certificate of Occupancy will not be issued until the Town determines that the landscaping contemplated by the approved plan has been properly installed. A temporary Certificate of Occupancy may be issued if completion is delayed by winter weather.

(F) Following completion of the landscaping, the owner or occupant of the property shall maintain it in good condition thereafter. Failure to so maintain the landscaping is unlawful and is hereby declared to create a nuisance.

(G) Intent: Landscaping is an important element of the experience of the Town of Ridgway that is both functional and aesthetic. Priorities for Landscaping include: low-water use, regionally appropriate design for materials and vegetation. These landscaping regulations will endeavor to provide for an attractive, well-maintained landscape that preserves the overall quality and appeal of the community; provides visual buffers and screens; achieves pedestrian and vehicular separation; preserves and enhances the existing visual character of the community; mitigates adverse effects of drainage and weeds, and conserves water resources. A list of recommended species for use in Colorado is available from the Ouray County Weed Manager and the Colorado State University Extension Service. The lists are not all inclusive but do recommend a variety of plants known to do well in our region of Colorado. In general, plants that are not recognized as hardy or suited to the local climate should be kept to a minimum. Xeriscaping and drought-tolerant and water-saving plants are to be used whenever possible and appropriate. Within the General Commercial District landscaping is important to the drainage, circulation and aesthetic of commercial developments. With larger sites and several buildings, there is the opportunity to create cohesive, appealing and efficient landscape plans that elevate the site as a whole. Landscaping should be used to promote the visual aesthetic of the development from main travel corridors, as well as the pedestrian experience within, through shade trees, plantings, context-appropriate public art and seating. Buffers and medians facilitate drainage during storm events and also provide valuable areas for snow storage during the winter. Landscaping that is visually appealing, functional, and sustainable is desirable for all new development within the General Commercial District.

#### **6-1-12 SOLAR ENERGY INCENTIVE PROGRAM.**

(A) The Town will make a payment equal to the amount of Town sales tax paid by the customer and received by the Town, adjusted for any vendor's fee, for the purchase of systems which are installed within the Town, which will generate electricity or hot water from sunlight for domestic use, industrial processes, space heating, pools or spas.

(B) Applications must be submitted on forms provided by the town accompanied by proof of payment of Town sales tax and proper installation of the system acceptable to the Town.

(C) This incentive shall terminate, as of every biennial anniversary of the effective date of this ordinance unless renewed by a motion of the Town Council at, or about, such time.

**Section 2. Severability**

The provisions of this Ordinance are severable, and the invalidity of any section, phrase, clause or portion of this Ordinance as determined by a court of competent jurisdiction shall not affect the validity or effectiveness of the remainder of this Ordinance.

**Section 3. Effective Date**

This Ordinance shall take effect 30 days after adoption.

**Section 4. Publication of Notice**

Pursuant to Article III, Section 3-8 of the Charter, the Town Clerk shall publish this Ordinance by title upon adoption by the Town Council.

**Section 5. Public Hearing**

A public hearing on this Ordinance was held on the \_\_\_\_ day of \_\_\_\_\_, 2019, in the Town Council Chambers, 201 N. Railroad Street, Ridgway, CO 81432.

INTRODUCED by the Town Council of the Town of Ridgway, Colorado this \_\_\_\_ day of \_\_\_\_\_, 2019.

TOWN OF RIDGWAY, COLORADO, A HOME-RULE MUNICIPALITY

By: \_\_\_\_\_  
John I. Clark, Mayor

ATTEST:

\_\_\_\_\_  
Pam Kraft, MMC, Town Clerk

Approved as to Form:

\_\_\_\_\_  
Bo James Nerlin, Town Attorney

HEARD AND FINALLY ADOPTED by the Town Council of the Town of Ridgway, Colorado, this \_\_\_\_ day of \_\_\_\_\_, 2019.

TOWN OF RIDGWAY, COLORADO, A HOME-RULE MUNICIPALITY

By: \_\_\_\_\_  
John I. Clark, Mayor

ATTEST:

\_\_\_\_\_  
Pam Kraft, MMC, Town Clerk

Approved as to Form:

\_\_\_\_\_  
Bo James Nerlin, Town Attorney

**CERTIFICATE OF TOWN CLERK**

The foregoing Ordinance was introduced at a meeting of the Ridgway Town Council on \_\_\_\_\_, 2019, published by title and posted thereafter, and adopted by the Town Council on \_\_\_\_\_, 2019.

(SEAL)

\_\_\_\_\_  
Pam Kraft, MMC, Town Clerk