

**TOWN OF FRASER
ORDINANCE NO. 505
Series 2023**

AN ORDINANCE ADOPTING BY REFERENCE:
THE INTERNATIONAL BUILDING CODE, 2021 EDITION;
THE INTERNATIONAL RESIDENTIAL CODE, 2021 EDITION;
THE INTERNATIONAL EXISTING BUILDING CODE, 2021 EDITION;
THE INTERNATIONAL PLUMBING CODE, 2021 EDITION;
THE INTERNATIONAL MECHANICAL CODE, 2021 EDITION;
THE INTERNATIONAL FUEL GAS CODE, 2021 EDITION;
THE INTERNATIONAL FIRE CODE, 2021 EDITION, INCLUDING ALL APPENDICES;
THE INTERNATIONAL ENERGY CONSERVATION CODE, 2021 EDITION;
THE NATIONAL ELECTRICAL CODE, MOST CURRENT EDITION ADOPTED BY
THE STATE OF COLORADO; WITH CERTAIN AMENDMENTS TO SAID CODES
AND MAKING CONFORMING AMENDMENTS TO THE FRASER MUNICIPAL CODE.

NOW THEREFORE, BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE
TOWN OF FRASER, COLORADO, AS FOLLOWS:

PART 1: AMENDMENT OF MUNICIPAL CODE. Chapter 18 of the Fraser Municipal Code, Town of Fraser, Colorado (herein sometimes referred to as the "Municipal Code") is hereby amended as follows:

1.1 Chapter 18, Article 1 ("Building and Fire Codes") and Chapter 18, Article 2 ("Energy Conservation Code") of the Municipal Code are hereby amended in their entirety to read as set forth in Exhibit "A" attached hereto and incorporated herein by this reference [Note: additions are shown in **red** print; deletions are shown as **strikethrough** print].

PART 2: PENALTY CLAUSES. The following section of the Municipal Code contains penalty clauses applicable to violations of this Ordinance, and such section is herewith set forth in full and hereby enacted:

Sec. 1-4-10. General penalty for violation.

It shall be unlawful for any person to violate, disobey, omit, neglect, refuse or fail to comply with or resist the enforcement of any provision of this Code; and where no specific penalty is provided therefor, the violation of any provision of this Code shall be punished by a fine not exceeding one thousand (\$1,000.00), by imprisonment for a term not exceeding one (1) year, or by both such fine and imprisonment. Each day such violation continues shall be considered a separate offense.

PART 3: REPEAL. Any and all existing ordinances or parts of ordinances of the Town of Fraser covering the same matters as embraced in this Ordinance are hereby repealed and all ordinances or parts of ordinances inconsistent with the provisions of this Ordinance are hereby repealed; provided, however, that such repeal shall not affect or prevent the prosecution or punishment of any person for any act done or committed in violation of any ordinance hereby repealed prior to the taking effect of this Ordinance.

PART 4: SEVERABILITY. If any section, subsection, sentence, clause or phrase of this Ordinance is, for any reason, held to be invalid or unconstitutional, such decision shall not affect the validity or constitutionality of the remaining portions of this Ordinance. The Town of Fraser hereby declares that it would have adopted this Ordinance, and each section, subsection, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses and phrases thereof be declared invalid or unconstitutional.

PART 5: EFFECTIVE DATE. This Ordinance shall take effect thirty (30) days after passage, adoption and publication thereof as provided by law.

PART 6: PUBLICATION. This Ordinance shall be published by title only.

READ, PASSED, ADOPTED AND ORDERED PUBLISHED BY THE BOARD OF TRUSTEES AND SIGNED THIS 6th DAY OF DECEMBER, 2023.

Votes in favor: _____

BOARD OF TRUSTEES OF THE
TOWN OF FRASER, COLORADO

Votes opposed: _____

Votes abstained: _____

BY: _____
Philip Vandernail, Mayor

(S E A L)

ATTEST: _____
Antoinette McVeigh, Town Clerk

Published in the *Middle Park Times* on _____.

CHAPTER 18 - Building Regulations

ARTICLE 1 - Building and Fire Codes

Sec. 18-1-10. - Adoption.

(a) Pursuant to Title 31, Article 16, Parts 1, C.R.S., the following codes are hereby adopted and enacted by reference:

- (1) International Building Code, **2021** edition, with amendments as provided herein;
- (2) International Residential Code, **2021** edition, with amendments as provided herein;
- (3) International Plumbing Code, **most current edition adopted by the State of Colorado**, with amendments as provided herein;
- (4) International Mechanical Code, **2021** edition, with amendments as provided herein;
- (5) International Fuel Gas Code, **2021** edition, with amendments as provided herein;
- (6) International Fire Code, **2021** edition, including all Appendices, with amendments as provided herein; and
- (7) National Electrical Code, **most current edition adopted by the State of Colorado**.
- (8) International Existing Building Code, **2021** edition with amendments as provided herein.
- (9) International Energy **Conservation** Code, **2021** edition, with amendments as provided herein.

(b) Said codes have been promulgated and published by the International Code Council (ICC), 4051 Flossmoor Road, Country Club Hills, IL 60478, except for the National Electrical Code, which is published by the National Fire Protection Association, 1 Batterymarch Park, Quincy, MA 02269.

(Ord. 282 Part 1.1, 2003; Ord. 332 Part 1, 2007; Ord. 351 Part 1.1, 2009; Ord. 410, Part 1, 2013; Ord. 418 Part 1.1, 2014; Ord. 450 §1.1(Exh. A), 2018)

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

(a) Not less than one (1) copy of each of said codes adopted herein, including amendments provided herein, all certified by the Mayor and the Town Clerk to be true copies of said codes and amendments as they were adopted by this Article, shall be kept on file in the office of the Town Clerk and available for public inspection; provided, however, that a copy of each code as amended may be kept in the office of the Chief Enforcement Officer designated pursuant to such codes instead of the office of the Town Clerk.

(b) The Town Clerk shall maintain a reasonable supply of copies of said codes and amendments adopted herein for purchase by the public at a reasonable price as established from time to time by the Town Clerk.

(Prior code 4-1-4; Ord. 332 Part 1, 2007; Ord. 410, Part 1, 2013; Ord. 450 §1.1(Exh. A), 2018)

Sec. 18-1-30. - Amendments.

(a) The following sections of the **2021** International Building Code, adopted by reference in Section 18-1-10 above, are hereby amended as follows:

(1) Section 101.1 is amended to read as follows:

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

(2) Section 101.4.3 is amended to read as follows:

" 101.4.3 Plumbing. The provisions of the **2021** International Plumbing Code shall apply to the installation, alterations, repairs and replacement of plumbing systems, including equipment, appliances, fixtures, fittings and appurtenances, and where connected to a water system or sewage system and all aspects of a medical gas system."

(3) Section 101.4.4 is hereby repealed in its entirety.

(4) Section 102.6 is amended to read 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 *International Property Maintenance Code* or the *International Fire Code*, or as is deemed necessary by the *building official and/or fire official* for the general safety and welfare of the occupants and the public."

(5) Section 103.2 is amended to read as follows:

" 103.2 Building official. The building official is hereby authorized and directed to enforce all the provisions of this Code; however, a guarantee that all buildings and structures have been constructed in accordance with all the provisions of this Code is neither intended nor implied."

(6) Section 103.3 is amended to read as follows:

" 103.3 Deputies. In accordance with the prescribed procedures of this jurisdiction, and with the concurrence of the appointing authority, 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 the powers as delegated by the *building official*."

(7) Section 104.1 is amended to read as follows:

" 104.1 General. The building official is hereby authorized and directed to enforce all of the provisions of this Code; however, a guarantee that all buildings and structures have been constructed in accordance with all of the provisions of this Code is neither intended nor implied. The *building official* is hereby authorized and directed to enforce the provisions of this Code. The *building official* shall have the authority to render interpretations of this Code and to adopt policies and procedures in order to clarify the application of its provisions. Such interpretations, policies and procedures shall be in compliance with the intent and purpose of this Code. Such policies and procedures shall not have the effect of waiving requirements specifically provided for in this Code."

(8) Section 104.8 is amended to read as follows:

" 104.8 Liability. The adoption of this Code, and any previous building codes adopted by the Town of Fraser, shall not be deemed to give rise to a duty of care on the part of any public entity, public employee or agent, nor shall this Code or any previous building codes be deemed to create any civil remedy against a public entity, public employee or agent. The *building official*, member of board of appeals or employee charged with enforcement of the code, while acting for the jurisdiction in good faith and without malice in the discharge of the duties required by this Code or other pertinent law or ordinance, shall not thereby be rendered liable personally and is hereby relieved from personal liability for any damages accruing to persons or property as a result of any act or by reason of an act or omission in the discharge of official duties. Any suit instituted against an officer or employee because of an act performed by the officer or employee in the lawful discharge of duties under the provisions of this Code shall be defended by a legal representative of the jurisdiction until the final termination of the proceedings. The *building official* or any subordinate shall not be liable for cost in any action, suit or proceeding that is instituted in pursuance of the provisions of this Code."

(9) Sections 105.1.1 and 105.1.2 are hereby repealed in their entirety.

(10) Section 105.2 is amended to read as follows:

" 105. 2 Work exempt from permit. Exemptions from 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 ordinances of the jurisdiction. Permits shall not be required for the following:

" Building:

"1. One-story detached accessory structures used as tool and storage sheds, playhouses, playground equipment and similar uses, provided that the floor area does not exceed 120 square feet (11 m²) and maximum height of 12'.

"2. Fences not over 7 feet (1,829 mm) high.

"3. Oil derricks.

"4. Retaining walls which are not over 4 feet (1,219 mm) in height measured from the bottom of the footing to the top of the wall, unless supporting a surcharge or impounding Class I, II or IIIA liquids. All retaining walls shall be designed by a licensed Colorado design professional.

"~~5~~⁴. Water tanks supported directly on grade if the capacity does not exceed 5,000 gallons (18,925 L) and the ratio of height to diameter or width does not exceed 2:1.

"~~6~~⁵. Platforms, walks and driveways at grade are not part of an accessible route.

"~~7~~⁶. Painting, papering, tiling, carpeting, cabinets, countertops and similar finish work.

"~~8~~⁷. Temporary motion picture, television and theater stage sets and scenery.

"~~9~~⁸. Prefabricated swimming pools accessory to a Group R-3 occupancy, which are less than 24 inches (610 mm) deep, do not exceed 5,000 gallons (18,925 L) and are installed entirely above ground.

"~~10~~⁹. Shade cloth structures constructed for nursery or agricultural purposes, not including service systems.

"~~11~~¹⁰. Swings and other playground equipment accessory to one- and two-family dwellings.

"~~12~~¹¹. Window awnings supported by an exterior wall that do not project more than 54 inches (1,372 mm) from the exterior wall and do not require additional support of Groups R-3 and U occupancies.

"~~13~~¹². Nonfixed and movable fixtures, cases, racks, counters and partitions not over 5 feet, 9 inches (1,753 mm) in height."

"~~13~~¹². Replacement or repair of nonstructural siding or siding which not part of a required fire rated assembly on buildings when the removal of the siding is performed in accordance with state regulations regarding asbestos and led paint.

"~~14~~. Gutters, downspouts, and storm windows (unless specified by design)

(11) Section 105.2.8 is added to 105.2 to read as follows:

105.2.8. Exemptions. Unless otherwise exempt by this code, separate plumbing, electrical and mechanical permits will be required for the above exempted items. Exemption from permit requirements of this code shall not be deemed to grant authorization for work to be done in a manner in violation of the provisions of this code or any other laws or resolutions of the Town of Fraser.

(12) Section 105.5 is amended to read as follows:

" 105.5 Expiration. Every permit issued by the building official under the provision of this Code shall expire 24 months after the date of issue. 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 or abandoned for a period of 180 days after the time the work is commenced. The building official is authorized to grant, in writing, one extension of time, for a period of not more than 180 days. The extension shall be requested in writing and justifiable cause demonstrated."

Section 105.8 and Section 105.8.1 is added to read as follows:

105.8 Transfer of permits. A building permit or application may be transferred from one party to the other upon written request to the building official, provided there are no changes to the plans and specifications. Additionally, the party to which the permit is transferred must be licensed/registered in the appropriate license/registration category and in good standing.

105.8.1. Owner assuming role as contractor. Provided that no change in ownership has occurred since the permit was issued, the building official may allow the property owner to assume the role of contractor at any time on an active building permit provided the building official is in receipt of a written request from the application holder stating that the applicant is no longer the contractor of record on the permit application. Additionally, the letter shall list the permit number, the address of the project and stating that the original contractor is no longer in the employ of the owner. This change may be done at no charge. No change will be made in the expiration date of the original building permit.

(13) Section 107.1 is amended by adding new subsections 107.2.1.1 and 107.2.1.2, to read as follows:

" 107.2.1.1 Proof of water and sewer. The applicant shall provide documentation from the water and sanitation district of an approved water and sewer utility plan which may include paying the required water and sewer tap fees.

" 107.2.1.2 Emergency services impact fee. A developer requesting approval of a development activity requiring additional emergency services shall pay the impact fee to the emergency services provider prior to any issuance of a building permit by the Town. See Section 18-6-30 of the Fraser Municipal Code."

(14) Section 107.3 is amended by adding new subsections 107.3.1.1 and 107.3.1.2 to read as follows:

" 107.3.1.1 Required approvals. The application and documents for a permit shall be reviewed and approved by the Department of Engineering and the Department of Planning and Zoning for compliance with Town ordinances.

" 107.3.1.2 Survey requirements. An Improvement Location Certificate (ILC) shall be required for all new foundations within the Town of Fraser. The ILC shall be submitted to the Town of Fraser for review and approval prior to requesting a rough framing inspection by the Building Department."

(15) Section 107.3.3 is amended to read as follows:

" 107.3.3 Phased approval. The ~~building official Town Manager~~ shall not issue a permit until the ~~construction documents for the whole building or structure have been submitted and approved.~~ is authorized to issue a *permit* for the construction of foundations or any other part of a building or structure before the *construction documents* for the whole building or structure have been submitted, provide that adequate information and detailed statements have been filed complying with pertinent requirement of This Code. The holder of such *permit* for the foundation or other parts of a building or structure shall proceed at the holder's own risk with the building operation and without assurance that a *permit* for the entire structure will be granted.

Section 107.3.4 is amended by adding a new subsection to read as follows:

107.3.4.3 Errors and Omissions Insurance. Where the construction value is more than \$500,000 the registered architects and engineers shall carry and provide documentation that a minimum of \$500,000 of errors and omissions insurance is in place and that the owner of the structure upon which the architect/engineer is working is a named beneficiary of such policy.

Section 107.3.4 is amended in part by the addition of the following in subsection 107.3.4.1 to read as follows:

In accordance with Section 107.3.4.1 the building official *may* require plans, computations, and specifications to be prepared, designed stamped and sealed by an engineer or architect licensed by the Board of Licensure for Architects, Engineers and Land Surveyors of the State of Colorado when, but not limited to:

- (1) Foundations are constructed on caissons or other than spread footings conforming to the requirements of Chapter 18.
- (2) Roof framing or wall framing is "other than standard or conventional practices" not conforming to the requirements of Chapter 16 and 23 or site-specific ground snow load exceeds 70 psf or;
- (3) Conformation of beam sizes and spans, loading or any structural element affecting the integrity of the building.

(16) Section 108.3 is repealed in its entirety.

(17) Section 109.2 is amended to read as follows:

" 109.2 Schedule of permit fees. On buildings, structures, gas, mechanical and plumbing systems or alterations requiring a permit, a fee for each permit shall be paid as required in accordance with Appendices B and C of the Fraser Municipal Code."

Section 109.2 is amended in part by the addition of a new subsection 109.2.1 to read as follows:

109.2.1 Plan Review Fee. When submittal documents are required by Section 105.1, a plan Review fee shall be paid. The plan review fees specified in this section are separate from the permit fees specified in Section 108.2 and are in addition to the permit fees.

Section 109.2 is amended in part by the addition of a new subsection 109.2.2 to read as follows:

109.2.2 Expiration of Plan Review. Applications for which no permit is issued within thirty (30) days following the date of last action of review without a response or additional information submitted by the applicant shall expire. Plans submitted for checking may thereafter be returned to the applicant or be destroyed by the building official. The building may extend the time for action by the applicant for a period not exceeding thirty (30) days upon written request by the applicant demonstrating that circumstances beyond the control of the applicant have prevented action from being taken. In order to renew action on the application after expiration, the applicant shall resubmit plans and review fee.

Section 109.4 is amended in part to read as follows:

109.4 Work commencing before permit issuance. Any person who commences any work on a building, structure, electrical, mechanical or plumbing system without first obtaining the required permit(s) for such work shall be subject to a fee which can equal up to the amount of the permit fee required by this code. The payment of such fee shall not exempt an applicant from compliance with all other provisions of either this code or other requirements nor from the penalty prescribed by law.

(18) Section 109.5 is amended by adding a new subsection to read as follows:

“ 109.5.1 Use tax requirements. See Section 4-3-20 of the Fraser Municipal Code.”

(19) Section 109.6 is amended in part by the revision to read as follows:

109.6 Refunds. The building official shall be permitted to authorize a refund of not more than eighty percent (80%) of the permit fee paid when no work has been done under a permit issued in accordance with this code.

The building official shall be permitted to authorize a refund of not more than eighty percent (80%) of the plan review fee when an applicant for a permit for which a plan review fee has been paid is withdrawn or canceled provided that no examination time has been expended.

The building official shall not be permitted to authorize a refund of any fee paid except upon written application filed by the original permit fee not later than thirty (30) days after the date of fee payment.

(20) Section 109 is amended by the addition of a new paragraph and new Subsection 109.7.1 to read as follows:

109.7 Re inspections. A re inspection fee, in the amount per Appendix B of the Fraser Municipal Code, may be assessed 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 failing to provide access on the date for which the inspection is requested or deviating from the approved plans. In instances where re inspection fees have been assessed, no additional inspection of the work will be performed until the re inspection fees have been received by the Building Department.”

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

109.7.1 Investigative fee – Work without a permit. Whenever any work for which a permit is required by this code has commenced without first obtaining the said permit, a special investigation shall be made before a permit may be issued for such work. An investigation fee, in addition to the permit fee, shall be collected whether or not a permit is then or subsequently issued. The investigation fee may be up to or equal to the amount of the permit fee required by this code. The minimum investigation fee shall be the minimum set forth and adopted by the Town Board of Trustees. The payment of such an investigation fee shall not exempt any person from compliance with all other provisions of this code nor from any penalty prescribed by law.

Section 110 is amended by the addition of a new Subsection 110.1.1 and 110.1.2 to read as follows:

110.1.1 Premises Identification. Buildings shall have approved address numbers, building numbers or approved building identification placed in a position that is plainly legible and visible from the street or road fronting the property. Numbers shall be Arabic numbers or alphabetical letter. These numbers shall contrast with their background. Address numbers shall be a minimum of 4 inches (102mm) high with a minimum stroke width of $\frac{1}{2}$ inch (12.7mm). Where access is by means of a private road and the building address cannot be viewed from the public way, a monument, pole or other sign or means shall be used to identify the structure.

110.1.2 Inspection record card. Work requiring a building permit shall not be commenced until the permit holder or his agent shall have posted on inspection record card in a conspicuous place on the premises and in a position as to allow the building official to make the required entries conveniently thereon regarding inspection of the work. The address of the building site must be posted in a conspicuous place readily visible from the public road, and construction documents kept in an orderly manner. This card shall be maintained in such a position by the permit holder until all inspections have been made and final approvals have been granted by the building official.

Section 110.3.1 is amended by the addition of a new Subsection 110.3.1.1 110.1.2 and 109 to read as follows:

110.3.1.1 Drilled pier inspection. Inspection will be made while the piers are being drilled. The licensed Colorado engineer of record or the authorized representative shall be present during the drilling operations and be available to the inspector during required inspections.

110.3.3 Lowest floor elevation. The elevation certificate required in Section 1612.5 shall be submitted when required by the building official or as required by Title 6 Chapter 7 of the Town of Fraser code.

Section 110 is amended with the addition of Section 110.3.8 and Section 110.3.10.1 to read as follows:

110.3.7 Energy efficiency inspections: Inspections shall be made to determine compliance with Chapter 13 and shall include, but not limited to inspections for: envelope insulation R and U – values, fenestration U- values, duct system R – values, and HVAC and water-heating equipment efficiency.

110.3.8 Other inspections. In addition to the inspections specified in Sections 110.3.1 thru 110.3.7, the building official is authorized to make or require other inspections of any construction work to ascertain compliance with provisions of this code and other laws that are enforced by the building department. These inspections shall also be in accordance with Chapter 17 and 18 of this code.

110.3.10.1 Final Inspection. No final inspection shall be performed and no certificate of occupancy shall be issued unless a sales tax audit has either been completed by the sales tax administrator and all sales taxes due have been paid or arrangements have been made with the sales tax administrator for such audit, or the town manager has specifically waived such audit.

(21) Section 110.5 is amended to read as follows:

" **110.5 Inspection requests.** It shall be the duty of the person doing the work, the owner, contractor or subcontractor to know that the building or structure has a valid permit and to notify the Building Department when work is ready for inspection.

"Upon conviction, a fine will be assessed to the person doing the work, the owner, contractor or subcontractor if work is being done without a permit and the inspection is not requested per Section 110.

"It shall be the duty of the person doing the work, the owner, contractor or subcontractor requesting any inspections required by this Code to provide access and means for inspection of such work.

"All inspections requested prior to 10:00 a.m. 4:00 pm the day requested will be performed the same following working day. Such request for inspection may be in writing or by calling the 24-hour automated telephone answering system or the automated inspection portal."

(22) Section 111.1 is amended to read as follows:

111.1 Use and occupancy. No building or structure shall be used or occupied, and no change in the existing occupancy classification of a building or structure or portion thereof shall be made, until the building official has issued a certificate of occupancy therefor as provided herein. Issuance of a certificate of occupancy shall not be construed as an approval of a violation of the provisions of this Code or of other ordinances of the Town of Fraser.

" Exception:

"1. Certificates of occupancy are not required for work exempt from permits under Section 105.2.

"2. Group U occupancy and permits not establishing a use or occupancy."

(23) Section 113 is repealed in its entirety and reenacted to read as follows:

" SECTION 113 Construction and Fire Code Board of Appeals

" 113.1 Board established. Pursuant to Section 113, Chapter 1, of the 2021 International Building Code and Section 108 of the 2021 International Fire Code, there is hereby created by the Board of Trustees and East Grand Fire Protection District No. 4 a Construction and Fire Code Board of Appeals, which Board shall be composed of five (5) members who shall determine the suitability of alternate materials and methods of construction, and to provide for reasonable interpretation of the 2009 2021 International Building Code, 2015 International Residential Code, 2021 International Fire Code, 2009 2021 International Plumbing Code, 2009 2021 International Mechanical Code, 2021 Existing Building Code, 2015 Energy Conservation Code.

" 113.2 Membership and terms.

"A. The Construction and Fire Code Board of Appeals shall consist of five (5) members, three (3) of which are qualified by experience and training to pass upon matters pertaining to building construction. The building official and/or fire code official, when pertaining to fire code issues, shall be an ex officio member and shall act as secretary of the Board. The Board shall be appointed and their terms of office set by the Board of Trustees for the Construction and Fire Code Board of Appeals and the Fire District Board for the Fire Code Board, which terms shall be of such length and so arranged that the term of at least one member will expire each year.

"B. Any member of the Board may be removed, after public hearing, by the Mayor for inefficiency, neglect of duty or malfeasance in office. The Mayor shall file a written statement of reasons for such removal.

"C. Vacancies occurring otherwise and through the expiration of a term shall be filled for the remainder of the unexpired term.

"113.3 Organization and procedures. The Construction and Fire Code Board of Appeals shall elect its chairperson from among the members appointed by the Board of Trustees, and approved by the Fire Code Board, and create and fill such other of its offices as it may determine. The term of the chairperson shall be one (1) year with eligibility for reelection. The Board will hold meetings when called by the chairperson or building or fire code official. The Construction and Fire Code Board of Appeals shall transact business according to the rules and regulations adopted herein, and shall make findings and determinations on each case considered. Such findings and determinations shall become a public record and shall be kept in the office of the Town Clerk or the Fire District Administrator, respectively.

" 113.4 Rules and regulations. The following rules and regulations are adopted for purposes of transacting the business of the Construction and Fire Code Board of Appeals:

"A. The Construction and Fire Code Board of Appeals shall meet at the call of the chairperson or when requested by the building or fire code official.

"B. The chairperson of the Construction and Fire Code Board of Appeals shall be elected by a majority of the entire regular membership at the first meeting of each calendar year, to serve for a term of one year. A vice chairperson shall be elected in the same manner at the same time for a term of one year.

"C. The chairperson of the Construction and Fire Code Board of Appeals shall preside at all meetings, shall conduct all hearings and shall exercise and perform such other powers and duties as may be from time to time assigned to him by the Construction and Fire Code Board of Appeals, or as prescribed by the rules and regulations herein. In presiding at meetings and hearings, the chairperson shall rule on procedure and on order of presentation.

"D. The Construction and Fire Code Board of Appeals shall be the judge of the qualifications of persons appearing as expert witnesses and shall be empowered to refuse to receive the testimony of any purported expert not so qualified.

"E. In the absence or the disability of the chairperson, the vice chairperson shall perform all the duties of the chairperson, and when so acting shall have all the powers of, and be subject to all restrictions upon, the chairperson.

"F. In the absence of both the chairperson and the vice chairperson, a chairperson pro tempore shall be elected, among those regular members present, by a majority vote of all the members present.

"G. Should any member have knowledge of any fact which may constitute a conflict of interest in his consideration of any appeal, he shall forthwith notify the building official or the fire code official of said facts.

"H. The secretary shall keep, or cause to be kept, minutes of the proceedings of the Construction and Fire Code Board of Appeals, and shall prepare an agenda for each meeting, which shall be furnished to members prior to the actual hour of the meeting. The secretary shall, in addition, be custodian of the records of the Construction and Fire Code Board of Appeals and shall, upon the filing of an appeal, furnish each regular member with a copy of the letter of appeal.

"I. Appeals from decisions of the building official or applicable enforcement officer shall be in writing and shall be directed to a specific decision of the building official or applicable enforcement officer, and consideration of said appeal by the Construction and Fire Code Board of Appeals shall be limited to said specific decision.

"J. Appeals will be heard at special meetings called pursuant to the presiding officer or by a majority of the membership of the Construction and Fire Code Board of Appeals. Requests for hearings must be scheduled at least ten (10) days prior to such hearing.

"K. If a party of an appeal intends to submit evidence, or a legal argument, outside of the expertise of the Construction and Fire Code Board of Appeals, said party shall so inform the secretary of the Construction and Fire Code Board of Appeals in writing at the time of the filing of the appeal. Failure to provide such information shall be cause for the prohibition of the presentation of such evidence or argument.

"L. The decision of the Construction and Fire Code Board of Appeals on an appeal shall be final.

"M. A decision shall require a majority vote of those members of the Construction and Fire Code Board of Appeals present; provided, however, that there must be a quorum of at least three (3) members of the Construction and Fire Code Board of Appeals prior to transacting any business.

"N. A notice of appeal shall be accompanied by a fee of \$250.00."

(24) Section 114 is amended in part by the addition of subsection 114.2.1 as follows:

114.2.1 Service. A notice of violation pursuant to this code shall be served upon owner, operator, occupant or other person responsible for the condition or violation, either by the personal service, mail or by delivering the same to, and leaving it with, some person of responsibility upon the premises. For unattended or abandon locations, a copy of such notice shall be posted on the premises in a conspicuous location at or near the entrance to such premises and the notice of violation shall be mailed by US mail to the last known address of the owner, occupant or both.

Section 115 is amended in part with the revision to Subsection 115.2 to read as follows:

The stop work order shall be in writing and shall be given to the owner of the property involved, or to the owner's agent, or to the person doing the work, *or posted on the property*. Upon issuance of a stop work order, the cited work shall immediately cease. The stop work order shall state the reason for the order, and the conditions under which the cited work will be permitted to resume.

(25) Section 202 is amended by adding the following definitions within the alphabetical order of the existing definitions:

"ACCESSORY BUILDING OR STRUCTURE. A building or structure on the same lot with the building or structure housing the principal use but housing a use customarily incidental and subordinate to the principal use.

"BEDROOM. A room which is designed as a sleeping room, a loft, a mezzanine in Group R occupancies or a room or area that can be used as a sleeping room and contains a closet.

"BUILDING HEIGHT. The vertical distance above a reference datum measured to the highest point of the structure. The reference datum shall be selected by either of the following, whichever yields a greater height of building:

"A. The elevation of the highest adjoining sidewalk or ground surface within a five-foot horizontal distance of the exterior wall of the building when such sidewalk or ground surface is not more than five (5) feet above the lowest grade.

"B. An elevation of five (5) feet higher than the lowest grade when the sidewalk or ground surface described in Subparagraph A. above is more than five (5) feet above the lowest grade.

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

"DWELLING UNIT, ACCESSORY. One (1) or more rooms in a dwelling designed for occupancy by one (1) family for living purposes, incidental and subordinate in size and character to the primary residence and having not more than one (1) kitchen. Accessory dwellings units shall contain at least two hundred (200) square feet of habitable floor area.

"FIRE DEPARTMENT. The Chief Officer of East Grand, Granby, Grand Lake, Hot Sulphur Springs and Kremmling Fire Protection Districts, or the Chief Officer's authorized representative.

"KITCHEN. A room or area that is designated to be used for the preparation of food, which contains more than one standard size kitchen appliance or fixture.

"UNUSEABLE CRAWLSPACES. The area under the first-story floor system which has less than five (5) feet of head room and an unfinished floor."

Utility Space (Room). Is a room designed or used to house general maintenance equipment.

(26) Section 311.2 is amended by adding a new subsection to read as follows:

" **311.2.1 Group S-1, mini storage.** Buildings used for mini storage shall be compartmentalized by not less than one-hour fire-resistive construction at each floor and ceiling and at each one thousand (1,000) square feet of floor area."

(27) Section 414.1.3 shall be mended by adding "*and fire official*" following each occurrence of the term *Building official*.

(28) Section 718.2.5 is amended to read as follows:

" **718.2.5 Ceiling and floor openings.** Where required by Exception 6 of Section 708.2, Exception 1 of Section 713.4.1.2, or Section 713.4.2, fire blocking of the annular space around vents, pipes, ducts, **chimneys** and fireplaces at ceilings and floor levels shall be installed with a material specifically tested in the form and manner intended for use to demonstrate its ability to remain in place and resist the free passage of flame and the products of combustion."

(29) Section 718.2.5.1 is amended to read as follows:

" **718.2.5.1 Factory-built chimneys and fireplaces.** Fireplaces shall be fire blocked in accordance with ~~UL 103 and UL 127. Factory built chimneys shall be enclosed within a continuous enclosure protected on the interior (chimney) side by not less than 5/8 inch Type X gypsum wallboard. Joints and fasteners shall be taped and finished. Factory built chimneys and fireplaces shall be fire blocked in accordance with manufacturer's specifications.~~

~~"Exception: The portion of the chimney located in the same room as the appliance and the portion of the chimney above the finished roof is not required to be enclosed.~~

"Factory-built chimneys shall be effectively fire blocked within such enclosure at each floor and ceiling level and at the roof. The vertical distance between adjacent fire blocking shall not exceed ten (10) feet."

Section 901.2 is amended by adding a new subsection to read as follows:

901.2 Scope. The provisions of this chapter shall specify where *fire protection systems* are required and shall apply to the design, installation and operation of *fire protection systems*. **When the requirements of this code and the adopted fire code are in conflict the more restrictive shall apply.**

(30) Section 901.5 shall be amended by adding a new subsection to read as follows:

" **901.5.1 Special inspector required.** All fire protection systems required by this Code shall be inspected and approved by a special inspector. The special inspector shall be an authorized representative of the Fire Department or another qualified individual with prior approval of the building official. Approvals of special inspectors and inspections and approvals and reports by special inspectors shall be in accordance with Chapter 17 of the Fraser Municipal Code."

(31) Section 901.6 is amended by adding a new subsection to read as follows:

" **901.6.3.1 Key box.** Where a supervisory station is required by this section and where access to or within a structure or area is restricted because of secured openings or where immediate access is necessary for life-saving or firefighting purposes as determined by the Fire Chief, an approved rapid entry key lock box shall be installed.

" **901.6.3.2 Devices.** Key lock boxes shall be Underwriters Laboratories-certified and approved by the Fire Chief.

" **901.6.3.3 Location.** The key lock box shall be located at or near the main entrance to the building, mounted at a height of six (6) feet above final grade at a location approved by the Fire Chief.

" **901.6.3.4 Key box contents.** The key box shall contain labeled keys to provide access into the building."

(32) Section 901.1 is amended by adding the following definition within the alphabetical order of the existing definitions:

[F] FIRE DEPARTMENT. The Chief Officer of East Grand, Granby, Grand Fire Protection District, Grand Lake, Hot Sulphur Springs and Kremmling Fire Protection Districts, or the Chief Officer's authorized representative."

(33) Section 903.2.8 is amended by adding an exception to read as follows:

" [F] 903.2.8 Group R. An *automatic sprinkler* system installed in accordance with Section 903.3 shall be provided throughout all buildings with a Group R *fire area*.

" Exception: An *automatic sprinkler system* is not required in existing non-sprinklered buildings, two stories or less, where a change of occupancy/alteration creates no more than two dwelling units, provided that a manual and automatic fire alarm system is installed in accordance with NFPA 72 throughout the building and the residential occupancies are separated from other occupancies per Section 508.4."

(34) Section 1101 is amended to add a new paragraph to Subsection 1101.2 to read as follows:

1102.1 Design. Buildings and facilities shall be designed and constructed to be *accessible* in accordance with this code and ICC ANSI A117.7, *most current edition*, and C.R.S. Section 9-5-101, et seq., as amended.

(35) Section 1208.2 is amended by adding the following to read as follows:

" 1208.2 Minimum ceiling heights. *Occupiable spaces, habitable spaces, corridors and unfinished basements* shall have a ceiling height of not less than 7 feet, 6 inches (2,286 mm). Bathrooms, toilet rooms, kitchens, storage rooms and laundry rooms shall be permitted to have a ceiling height of not less than 7 feet (2,134 mm).

(36) Section 1503 is amended by adding new subsections as follows:

"1503.5 Crickets and Saddles. Additionally, On all metal roofs, all vent pipes or stacks shall terminate within three (3) feet from the ridge or be equipped with a snow splitter/cricket to prevent damage to vent pipe or stack.

" **1503.6 Snow-shed barriers.** Roofs shall be designed to prevent accumulation of snow from shedding onto exterior balconies, decks and pedestrian and vehicular exits from buildings, stairways, sidewalks, streets, alleys, areas directly above or in front of gas utility or electric utility meters, or adjacent properties.

" Exception: Mechanical barriers installed to prevent snow shedding from the roof which are secured to the roof framing members or to solid blocking secured to framing members in accordance with the manufacturer's installation instructions.

" 1503.9 Valley outlets. Each roof valley shall have access to an electrical receptacle installed according to the electrical code."

(37) Section 1507.1.1 is amended by adding new subsections to read as follows:

"1507.1.1 Underlayment. An ice barrier that consists of an approved self-adhering polymer modified bitumen sheet shall be used in lieu of normal underlayment on all sloped roofs. Roof(s) under 4:12 pitch shall have double underlayment. Base layer to have total coverage of self-adhering polymer modified bitumen sheet 100 percent of roof surface. The second layer shall also be of self-adhering polymer modified bitumen sheet from eaves to a point 6 feet inside the exterior wall line of building, with the remainder of roof may be synthetic or felt underlayment.

This ice dam protection underlayment shall be installed from the eaves to a point 6 feet inside the exterior wall line of the building and 24 inches from the center line of all valleys, fully adhered to the substrate on all habitable structures.

(38) Section 1507.2.8.2 is repealed in its entirety and amended by adding new subsections to read as follows:

"1507.2.8.2.1 Ice Barrier. An ice barrier that consists of an approved self-adhering polymer modified bitumen sheet shall be used in lieu of normal underlayment on all sloped roofs. This ice dam protection underlayment shall be installed from the eaves to a point 6 feet inside the exterior wall line of the building and 24 inches from the center line of all valleys, fully adhered to the substrate on all habitable structures.

Exception: Detached accessory structures that contain no conditioned floor area.

"1507.2.8.2.2 Snow-Shed Barriers. Roofs shall be designed to prevent accumulations of snow from shedding above or in front of gas utility or electric utility meters.

(39) Section 1507.2.8.3 shall be deleted and replaced with the following to read as follows:

"1507.2.8.3 Drip Edge. A drip edge shall be provided at eave and rake edges of all pitched roofs. Adjacent segments of the drip edge shall be lapped not less than 1 inch (25.4 mm). The vertical leg of the drip edge shall be not less than 1 inch (25.4 mm) in width and shall extend below sheathing and fascia juncture no less than 1/4 inch. The drip edge shall also extend shall extend back on the roof deck not less than 2 inches (51 mm). All shingle material extending past roof edge must be supported by a drip edge. Underlayment shall be installed over the drip edges along eaves. Drip edges shall be mechanically fastened at intervals not greater than 18 inches (457 mm) on center.

(40) Section 1507.4 is amended to read as follows:

"1507.4 Metal Roof Panels. Roofs with metal roof shingles or metal roof panels shall be designed so as to prevent accumulations of snow from shedding onto pedestrian and vehicular exits from buildings and on to sidewalks, streets and alley ways.

Mechanical barriers installed to prevent snow shedding from the roof shall be secured to roof framing members or to solid blocking secured to framing members or in accordance with the manufacturer's installation instructions.

Individual devices installed in a group of devices to create a barrier to prevent snow shedding shall be installed in at least two rows with the first row no more than 24 inches from the edge of the roof or eave. The rows shall be parallel with the exterior wall line and the devices in each row shall be staggered for a spacing of no more than 24 inches on center measured parallel with the exterior wall line.

Continuous snow barriers shall be secured to roof framing at no more than 48 inches on center. Continuous barriers shall be installed parallel with the exterior wall line with a first row being no more than 24 inches from the edge of the roof or eave.

" 1507.4.1.1 Mechanical barriers for metal roof shingles and metal roof panels. Roofs with metal roof shingles or metal roof panels shall be designed so as to prevent accumulations of snow from shedding onto pedestrian and vehicular exits from buildings and onto sidewalks, streets and alleyways.

"Mechanical barriers installed to prevent snow shedding from the roof shall be secured to roof framing members or to solid blocking secured to framing members in accordance with the manufacturer's installation instructions.

"Individual devices installed in a group of devices to create a carrier to prevent snow shedding shall be installed at least two rows with the first row no more than 24 inches from the edge of the roof or eave. The rows shall be parallel with the exterior wall line and the devices in each row shall be staggered for a spacing of no more than 24 inches on center measured parallel with the exterior wall line.

"Continuous snow barriers shall be secured to roof framing at no more than 48 inches on center. Continuous barriers shall be installed parallel with the exterior wall line and no more than 24 inches from the edge of the roof or eave."

(41) Section 1507.5 is amended to read as follows:

" 1507.5. Mechanical barriers for metal roof shingles and metal roof panels. Roofs with metal roof shingles or metal roof panels shall be designed so as to prevent accumulations of snow from shedding onto pedestrian and vehicular exits from buildings and onto sidewalks, streets and alley ways.

"Mechanical barriers installed to prevent snow shedding from the roof shall be secured to roof framing members or to solid blocking secured to framing members in accordance with the manufacturer's installation instructions.

"Individual devices installed in a group of devices to create a barrier to prevent snow shedding shall be installed in at least two rows with the first row no more than 24 inches from the edge of the roof or eave. The rows shall be parallel with the exterior wall line and the devices in each row shall be staggered for a spacing of no more than 24 inches on center measured parallel with the exterior wall line.

"Continuous snow barriers shall be secured to roof framing at no more than 48 inches on center. Continuous barriers shall be installed parallel with the exterior wall line and no more than 24 inches from the edge of the roof or eave."

(42) Section 1507.5.4 is amended to read as follows:

"1507.5.4 Ice barrier. In areas where there has been a history of ice forming along the eaves causing a backup of water, an ice barrier that consists of at least two layers of underlayment cemented together or of a self-adhering polymer-modified bitumen sheet shall be used in lieu of normal underlayment and extend from the lowest edges of all roof surfaces to a point at least **24 inches (610 mm) 6 feet inside the exterior wall line of the building and 24 inches from the center line of all valleys, fully adhered to the substrate on all habitable structures.**

Exception: Detached accessory structures that contain no conditioned floor area.

"1507.5.4.1 Snow shed barriers. Roof shall be designed to prevent accumulation of snow from shedding above or in front of gas utility or electric utility meters.

(43) Section 1507.6.4 is amended to read as follows:

"1507.6.4 Ice barrier. In areas where there has been a history of ice forming along the eaves causing a backup of water, an ice barrier that consists of at least two layers of underlayment cemented together or of a self-adhering polymer-modified bitumen sheet shall be used in lieu of normal underlayment and extend from the lowest edges of all roof surfaces to a point at least **24 inches (610 mm) 6 feet inside the exterior wall line of the building and 24 inches from the center line of all valleys, fully adhered to the substrate on all habitable structures.**

Exception: Detached accessory structures that contain no conditioned floor area.

"1507.6.4.1 Snow shed barriers. Roof shall be designed to prevent accumulation of snow from shedding above or in front of gas utility or electric utility meters.

(44) Section 1507.7.4 is amended to read as follows:

"1507.7.4 Ice barrier. In areas where there has been a history of ice forming along the eaves causing a backup of water, an ice barrier that consists of at least two layers of underlayment cemented together or of a self-adhering polymer-modified bitumen sheet shall be used in lieu of normal underlayment and extend from the lowest edges of all roof surfaces to a point at least **24 inches (610 mm) 6 feet inside the exterior wall line of the building and 24 inches from the center line of all valleys, fully adhered to the substrate on all habitable structures.**

Exception: Detached accessory structures that contain no conditioned floor area.

"1507.7.4.1 Snow shed barriers. Roof shall be designed to prevent accumulation of snow from shedding above or in front of gas utility or electric utility meters.

(45) Section 1507.8.4 is amended to read as follows:

"1507.8.4 Ice barrier. In areas where there has been a history of ice forming along the eaves causing a backup of water, an ice barrier that consists of at least two layers of underlayment cemented together or of a self-adhering polymer-modified bitumen sheet shall be used in lieu of normal underlayment and extend from the lowest edges of all roof surfaces to a point

at least ~~24 inches (610 mm)~~ 6 feet inside the exterior wall line of the building and 24 inches from the center line of all valleys, fully adhered to the substrate on all habitable structures.

Exception: Detached accessory structures that contain no conditioned floor area.

"1507.8.4.1 Snow shed barriers. Roof shall be designed to prevent accumulation of snow from shedding above or in front of gas utility or electric utility meters.

(46) Section 1507.9.4 is amended to read as follows:

"1507.9.4 Ice barrier. In areas where there has been a history of ice forming along the eaves causing a backup of water, an ice barrier that consists of at least two layers of underlayment cemented together or of a self-adhering polymer-modified bitumen sheet shall be used in lieu of normal underlayment and extend from the lowest edges of all roof surfaces to a point at least ~~24 inches (610 mm)~~ 6 feet inside the exterior wall line of the building and 24 inches from the center line of all valleys, fully adhered to the substrate on all habitable structures.

Exception: Detached accessory structures that contain no conditioned floor area.

"1507.9.4.1 Snow shed barriers. Roof shall be designed to prevent accumulation of snow from shedding above or in front of gas utility or electric utility meters.

(47) Section 1608 is amended to read as follows:

" 1608.1 General. Design snow loads shall be determined in accordance with Chapter 7 of the ACSE 7, but the design roof load shall not be less than that determined by Section 1607 or as established by a licensed Colorado design professional.

A licensed Colorado design professional may design the structure using ground snow loads (pg) complying with the Colorado Design Snow Loads Report and Map, published by the Structural Engineers Association of Colorado (dated May 6, 2015). The design roof snow load values shall be determined from Section 1608 of the IBC, including all applicable factors, loading, and drifting considerations of ASCE 7, Chapter 7.

Additionally, the changing of roofing materials and roof covering other than like materials may require a roof evaluation from a licensed Colorado design professional.

<http://seacolorado.org/publications/>

(48) Section 1609.1 is amended by adding the following to read as follows:

Minimum design wind speed is 105 mph, with exposure category determined by 1609.4*

*The licensed Colorado design professional of record of a project shall designate exposure based on site specific conditions, ASCE 7-10 Compatible, published by the Structural Engineers Association of Colorado (dated 11/18/2013).

(49) Section 1611.1 is amended by adding the following to read as follows:

60-minute duration, 100 – year event is 2.00 inches/hour: 0.0207 gpm/square foot

(50) Section 1612 is repealed in its entirety and reenacted to read as follows:

" 1612 Establishment of flood hazard areas. The Town of Fraser has adopted floodplain regulations within Chapter 18, Article 4 of the Municipal Code."

(51) Section 1613 is amended by adding to the Subsection 1613.2 to read as follows:

1613.2 Definitions. SEISMIC DESIGN CATEGORY "B". *

*except as noted, seismic design values shall be determined from Section 1613 of the 2015 International Building Code. Site specific design values shall be determined from the USGS website.

<http://earthquake.usgs.gov/designmaps/us/application.php>

(52) Section 1703.1 is amended to read as follows:

" 1703.1 Approved agency. An approved agency shall provide all information as necessary for the building official to determine that the agency meets the applicable requirements. **The Fire Department of the State of Colorado Division of Fire Safety Prevention and Control or its authorized representative shall be an approved agency for special inspection of fire protection systems required by this Code and the International Fire Code."**

(53) Section 1704 is amended by adding two (2) new subsections to read as follows:

" 1704.6.2 Fire protection systems. Fire protection systems shall have the design plans approved by a special inspection agency and the systems inspected and tested by a special inspector for compliance with the requirements of this Code and the International Fire Code.

" 1704.6.3 Qualifications. Special inspectors for fire protection systems shall have expertise in fire protection. Special inspectors for fire suppression systems shall be certified fire suppression systems inspector by the State of Colorado Division of Fire Safety.

" Exception: Special inspection by the Fire Department or the State of Colorado Division of Fire Safety Prevention and Control or their authorized representative of fire protection systems."

(54) Section 1804.5 is repealed in its entirety.

(55) Section 1805.1.2.1 is repealed in its entirety.

(56) Section 1807.1 is amended to read as follows:

" 1807.1 Foundation walls. Foundation walls shall be designed and constructed in accordance with Section 1807.1.1 through 1807.1.6. Foundation walls shall be supported by **foundation footings** designed in accordance with Section 1808."

(57) Section 1808 is amended to read as follows:

" SECTION 1808 FOOTINGS AND FOUNDATIONS "

(58) Section 1808.1 is amended to read as follows:

" 1808.1 General. **Footings and** foundations shall be designed and constructed in accordance with Sections 1808.2 through 1808.9. Shallow **footings and** foundations shall also satisfy the requirements of Section 1809. Deep **footings and** foundations shall also satisfy the requirements of Section 1810.

All footings and foundation systems for all occupancies shall be designed by a licensed Colorado design professional.

(59) Section 1808.2 is amended to read as follows:

" 1808.2 Design for capacity and settlement. **Footings and** foundations shall be so designed that the allowable bearing capacity of the soil is not exceeded, and the differential settlement is minimized. **Footings and** foundations in areas with expansive soils shall be designed in accordance with the provisions of Section 1808.6."

(60) Section 1808.3 is amended to read as follows:

" 1808.3 Design loads. **Footings and** foundations shall be designed for the most unfavorable effects due to the combinations of loads specified in Section 1605.2 or 1605.3. The dead load is permitted to include the weight of **footings and** foundations and overlying fill."

(61) Section 1809 is amended to read as follows:

" SECTION 1809 SHALLOW FOOTINGS AND FOUNDATIONS "

(62) Section 1809.1 is amended to read as follows:

" 1809.1 General. Shallow footings and foundations shall be designed and constructed in accordance with Sections 1809.2 through 1809.13.-

All shallow footing and foundation systems for all occupancies shall be designed by a licensed Colorado design professional.

(63) Section 1809.5 is amended to read as follows:

" 1809.5 Frost protection. Except where otherwise protected from frost, foundations and other permanent supports of buildings and structures shall be protected from frost by one or more of the following methods:

"1. Extending below the frost line of the locality; 30 inches;

"2. Constructing in accordance with ASCE 32; or

"3. Erecting on solid rock.

"4. Per licensed Colorado design professional

" Exception: Freestanding buildings meeting both of the following conditions shall not be required to be protected:

"1. Assigned to *Risk Category I*, in accordance with Section 1604.5.

"2. Area of 120 square feet or less for light-frame construction or 120 square feet or less for other than light-frame construction; and pursuant to Section 105.2

"2. Eave height of 10 12 feet or less.

"Shallow foundations shall not bear on frozen soil."

(64) Section 1809.7 is repealed in its entirety.

(65) Section 2301.2 is amended to read as follows:

" 2301.2 General design requirements. The design of structural elements or systems, constructed partially or wholly of wood or wood-based products, shall be in accordance with one of the following methods. **The use of load duration factors for snow load shall not be permitted in any of these design methods.**"

(66) Section 2303.1.11 is amended to read as follows:

" 2303.1.11 Structural log members. Stress grading of structural log members or nonrectangular shape, as typically used in log buildings, shall be in accordance with ASTM D 3957. Such structural log members shall be identified by the grade mark of an approved lumber grading or inspection agency. In lieu of a grade mark on the material, a certificate of inspection as to species and grade issued by a lumber grading or inspection agency meeting the requirements of this Section shall be permitted.

In log construction, all structural logs and wall logs shall be graded, designed, and inspected by a licensed Colorado design professional certifying to the building division that the logs are of the size, quality, and species of the design and that they are installed to that design.

(67) Section 2303.4.1 is amended to read as follows:

" 2303.4.1 Design. Wood trusses shall be designed in accordance with the provisions of this code and accepted engineering practice as well as designed by a licensed Colorado design professional. Members are permitted to be joined by nails, glue, bolts, timber connectors, metal connector plates or other approved framing devices. **The use of load duration factors for snow load or slope of roof shall not be permitted in any of these design methods.**"

(68) Section 2304.2 is amended to read as follows:

" 2304.2 Size of structural members. Computations to determine the required sizes of members shall be based on the net dimensions (actual sizes) and not nominal sizes. **The use of load duration factors for snow load or slope of roof shall not be permitted in any of these computations."**

(69) Section 2304.4 is amended to read as follows:

" 2304.4 Floor and roof framing. The framing of wood-joisted floors and wood-framed roofs shall be in accordance with the provisions specified in Section 2308 unless a specific design is furnished. **The use of load duration factors for snow load or slope of roofs shall not be permitted."**

(70) Section 2304.8.2 is amended to read as follows:

" 2304.8.2 Structural Roof Sheathing. Structural roof sheathing shall be designed in accordance with the general provisions of this Code and the special provisions in this Section. Roof sheathing conforming to the provisions of Tables 2304.7(1), 2304.7(2), 2304.7(3) or 2304.7(5) shall be deemed to meet the requirements of this section. Wood structural panel roof sheathing shall be bonded by exterior glue.

" Exception: A minimum of 5/8 -inch plywood, particle board or wafer wood shall be used on roof rafters or roof trusses spaced 24 inches on center in any snow load area."

(71) Section 2304.8.2 is amended by adding the paragraph to read as follows:

2304.8.2.1 Size of Structural Members. Computations to determine the required sizes of members shall be based on the net dimensions (actual sizes) and not nominal sizes. **The use of load duration factors for snow load or slope of roof shall not be permitted in any of these computations.**

(72) Section 2901.1 is amended to read as follows:

" [P] 2901.1 Scope. The provisions of this Chapter and the International Plumbing Code shall govern the erection, installation, alteration, repairs, relocation, replacement, addition to use or maintenance of plumbing equipment and systems. Plumbing systems and equipment shall be constructed, installed and maintained in accordance with the *International Plumbing Code*."

(73) Section 2901 is amended by adding a new subsection to read as follows:

" [P] 2901.1.1 Sanitation at construction sites. Toilet facilities shall be provided for construction workers, and such facilities shall be conveniently located and maintained in a sanitary condition. The facilities shall be available for use from the start of the project until the certificate of occupancy is issued."

(74) Section 3001.1 is amended to read as follows:

" 3001.1 Scope. This chapter governs the design, construction, installation, *alteration*, *maintenance* and repair of **new and existing installations of elevators, dumbwaiters, escalators and moving walks requiring permits therefor, providing procedures for the inspection and maintenance of such conveyances.**"

(75) Section 3001.1 concerning elevators, moving walks, escalators, or dumbwaiters, is amended by adding four (4) new sections and subsections to read as follows:

" 3001.1.1 Permits required. It shall be unlawful to install any new elevator, dumbwaiter, escalator or moving walk, or to make major alterations to any existing elevator, dumbwaiter, escalator or moving walk, as defined in Part XII of ASME A17.1, without first obtaining a permit for such installation from the building official. Permits shall not be required for maintenance or minor alterations.

" 3001.1.2 Certificates of inspection required. It shall be unlawful to operate any elevator, dumbwaiter, escalator or moving walk without a current certificate of inspection issued by the building official. Such certificate shall be issued upon payment of prescribed fees and the presentation of a valid inspection report indicating that the conveyance is safe and that the inspections and tests have been performed in accordance with Part X of the ASME A17.1. Certificates shall not be issued when the conveyance is posted as unsafe pursuant to Section 3010.

" Exception: Certificates of inspection shall not be required for conveyances within a dwelling unit.

" **3001.1.3 Application for permits.** Application for a permit to install shall be made on forms provided by the building official, and the permit shall be issued to an owner upon payment of the permit fees specified in this Section.

" **3001.1.4 Applications for certificates of inspection.** Application for a certificate of inspection shall be made by the owner of an elevator, dumbwaiter, escalator or moving walk. Applications shall be accompanied by an inspection report as described in Section 3009. Fees for certificates of inspection shall be as specified in this Section.

(76) Chapter 30 is amended by adding the following to read as follows:

" **3009 Detailed requirements.** For detailed design, construction and installation requirements, see Chapter 16 of the Fraser Municipal Code and the appropriate requirements of ASME A17.1.

" **3010.1 Requirements for Operation and Maintenance General.** The owner shall be responsible for safe operation and maintenance of each elevator, dumbwaiter, escalator and moving walk installation and shall cause periodic inspections to be made on such conveyances as required in this section.

" **3010.2 Periodic inspections and tests.** Routine and periodic inspections and tests shall be made as required by Part X of ASME A17.1.

" **3010.3 Alterations, repairs and maintenance.** Alterations, repairs, and maintenance shall be made as required by Part XII of ASME A17.1.

" **3010.4 Inspection costs.** All cost of such inspections and tests shall be paid by the owner.

" **3010.5 Inspection reports.** After each required inspection, a full and correct report of such inspection shall be filed with the building official.

" **3010.6 Unsafe conditions.** When an inspection reveals an unsafe condition of an elevator, dumbwaiter, escalator or moving walk, the inspector shall immediately file with the owner and the building official a full and true report of such inspection and such unsafe condition. If the building official finds that an unsafe condition endangers human life, the building official shall cause to be placed on such elevator, dumbwaiter, escalator or moving walk, in a conspicuous place, a notice stating that the conveyance is unsafe. The owner shall see to it that such notice of unsafe condition is legibly maintained where placed by the building official. The building official shall also issue an order in writing to the owner requiring the repairs or alterations to be made to such conveyance that are necessary to render it safe and may order the operation thereof discontinued until the repairs or alterations are made or the unsafe conditions are removed. A posted notice of unsafe conditions shall be removed only by the building official when satisfied that the unsafe conditions have been corrected."

(77) Section 3109.1 is amended by adding additional language and an exception to read as follows:

" **3109.1 Public swimming pools.** Public swimming pools shall comply with the requirements of this section and other applicable sections of this code and per C.R.S. 25-5-801 et seq. Swimming pools shall be completely enclosed by a fence at least 4 feet (1,290 mm) in height or a screen enclosure. Openings in the fence shall not permit the passage of a four-inch-diameter (102 mm) sphere. The fence or screen enclosure shall be equipped with self-closing and self-latching gates.

" Exception: A swimming pool with a power safety cover or a spa with a safety cover complying with ASTM F 1346."

(78) Section 3309 is amended to read as follows:

" **[F] 3309.1 Where required.** All structures under construction, *alteration* or demolition shall be provided with not less than one *approved* portable fire extinguisher as required by the Fire Department.

"1. At each stairway on all floor levels where combustible materials have accumulated.

"2. In every storage and construction shed.

"3. Additional portable fire extinguishers shall be provided where special hazards exist, such as the storage and use of flammable and combustible liquids."

(79) Section 3311.1 is amended to read as follows:

" **[F] 3311.1 Where required.** In buildings required to have standpipes by Section 905.3.1, as required by the Fire Department."

(80) Section 3311.2 is amended to read as follows:

" **[F] 3311.2 Buildings being demolished.** Where a building is being demolished and a standpipe exists within such a building, such standpipe shall be maintained in an operable condition so as to be available for use by the Fire Department. Such standpipe shall be demolished with the building but shall not be demolished more than one floor below the floor being demolished **or as approved by the Fire Department.**"

(81) Section 3311.4 is added to read as follows:

" **3311.4 Water supply.** Water supply for fire protection, either temporary or permanent, shall be made available as soon as combustible material accumulates or as required by the Fire Department."

The following appendices are deleted in its entirety:

Appendix A, B, D, F, G, H, K & M.

(b) The following sections of the **2021 International Residential Code**, adopted by reference in Section 18-1-10 of this Article, are hereby amended as follows:

(1) Section R101.1 is amended to read as follows:

" R101.1 Title. These regulations shall be known as the Residential Code for One-and Two-family Dwellings of the **Town of Fraser** and shall be cited as such and will be referred to herein as 'this Code.' "

(2) Section R102.7 is amended to read as follows:

" R102.7 Existing structures. The legal occupancy of any structure existing on the date of adoption of this Code shall be permitted to continue without change, except as is specifically covered in this Code, the **International Property Maintenance Code** 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."

(3) Section R103.2 is amended to read as follows:

" **R103.2 Building Official.** See Paragraph 18-1-30 (a) (5) of the Fraser Municipal Code."

(4) Section R103.3 is amended to read as follows:

" R103.3 Deputies. See Paragraph 18-1-30(a)(6) of the Fraser Municipal Code."

(5) Section R104.8 is amended to read as follows:

" **R104.8 Liability.** See Paragraph 18-1-30(a)(8) of the Fraser Municipal Code."

(6) Section R105.2 is amended to read as follows:

" **R105.2 Work exempt from permit.** Permits shall not be required for the following. 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 ordinances of this jurisdiction.

" Building:

"1. One-story detached accessory structures used as tool and storage sheds, playhouses and similar uses, provided that the floor area does not exceed 120 square feet.

"2. Fences not over 6 feet (1,829 mm) high.

~~"3. Retaining walls which are not over 4 feet (1,219 mm) in height measured from the bottom of the footing to the top of the wall, unless supporting a surcharge.~~

~~"4.3. Water tanks supported directly upon grade if the capacity does not exceed 5,000 gallons (18,927 L) and the ratio of height to diameter or width does not exceed 2 to 1.~~

~~"5. Platforms, walks and driveways at grade and which are not part of an accessible route.~~

~~"6. Painting, papering, tiling, carpeting, cabinets, countertops and similar finish work.~~

~~"7. Prefabricated swimming pools that are less than 24 inches (610 mm) deep.~~

~~"8. Swings and other playground equipment.~~

~~"9.8. Window awnings supported by an exterior wall which do not project more than 54 inches (1,372 mm) from the exterior wall and do not require additional support.~~

~~"10. Agricultural buildings as defined herein."~~

~~"10. Replacement or repair of nonstructural siding or siding which is not part of a required fire rated assembly on buildings when the removal of the siding is performed in accordance with state regulations regarding asbestos and lead paint. For structures classified as Group R-3 and U Occupancies.~~

11. Gutters, downspouts, and storm windows (unless specified through design).

(7) Section R105.2.4. is added as a new section to R105.2 to read as follows:

R105.2.4. Exemptions. Unless otherwise exempt by this code, separate plumbing, electrical and mechanical permits will be required for the above exempted items. Exemption from permit requirements of this code shall not be deemed to grant authorization for work to be done in a manner in violation of the provisions of this code or any other laws or resolutions of the Town of Fraser.

(8) Section R105.5 is amended to read as follows:

" R105.5 Expiration. Every permit issued by the building official under the provisions of this Code shall expire 24 months after the date of issue. 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 by such permit is suspended or abandoned for a period of 180 days after the time the work is commenced. The building official is authorized to grant, in writing, one extension of time, for a period of not more than 180 days. The extension shall be requested in writing and justifiable cause demonstrated."

(9) Section R105.8 is amended by the addition of two new subsections, R105.8.1 and R105.8.2, to read as follows:

R105.8.1. Transfer of permits. A building permit or application may be transferred from one party to the other upon written request to the building official, provided there are no changes to the plans and specifications. Additionally, the party to which the permit is transferred must be licensed/registered in the appropriate license/registration category and in good standing.

R105.8.2. Owner assuming role as contractor. Provided that no change in ownership has occurred since the permit was issued, the building official may allow the property owner to assume the role of contractor at any time on an active building permit provided the building official is in receipt of a written request from the application holder stating that the applicant is no longer the contractor of record on the permit application. Additionally, the letter shall list the permit number, the address of the project and stating that the original contractor is no longer in the employ of the owner. This change may be done at no charge. No change will be made in the expiration date of the original building permit.

(10) Section R106.1 is amended by adding new subsections to read:

" **R106.1.6 Proof of water and sewer.** The applicant shall provide documentation from the Water and Sanitation District of an approved water and sewer utility plan which may include paying the required water and sewer tap fees.

" **R106.1.7 Emergency services impact fee.** A developer requesting approval of a development activity requiring additional emergency services shall pay the impact fee to the emergency services provider prior to any issuance of a building permit by the Town. See Section 18-6-30."

(11) Section 106.3 is amended by adding the following to read:

" **R106.3.2.1 Required approvals.** The application and documents for a permit shall be reviewed and approved by the Department of Engineering and the Department of Planning and Zoning for compliance with Town ordinances.

" **R106.3.2.2 Survey requirements.** An Improvement Location Certificate (ILC) and a Setback & Elevation Certificate shall be required for all new foundations within the Town of Fraser. The ILC and Setback & Elevation Certificate shall be submitted to the Town of Fraser for review and approval prior to requesting a rough framing inspection by the Building Department."

(12) Section R106.3.3 is amended to read as follows:

" **R106.3.3 Phased approval.** The *building official Town Manager* is authorized to issue a *permit* for the construction of foundations or any other part of a building or structure before the *construction documents* for the whole building or structure have been submitted, provide that adequate information and detailed statements have been filed complying with pertinent requirement of This Code. The holder of such *permit* for the foundation or other parts of a building or structure shall proceed at the holder's own risk with the building operation and without assurance that a *permit* for the entire structure will be granted.

Section R106 is amended by the addition of new subsections R106.3.4 and R106.3.5 to read as follows:

R106.3.4 Responsibility for preparation of plans and specifications. In accordance with this section, the building official shall require plans, computations, and specifications to be prepared, designed and stamped and signed by an engineer or architect licensed by the State of Colorado in certain circumstances, including but limited to the following:

1. Foundations are constructed on caissons or any other method. The building official may exempt this provision on additions to existing residential and accessory structures constructed on spread footings conforming to the requirements of Chapter 4.
2. Roof framing or wall framing is construction not conforming to the requirements of Chapter 8 and 9.
3. Confirmation of beam sizes and spans, loading, or any structural element affecting the integrity of the building or site specific ground snow load exceeds 70 psf.

R106.3.5 Deferred submittals. For the purposes of this section R106, deferred submittals are defined as those portions of the design that are not submitted at the time of the application and that are to be submitted to the building official within a specified period. Deferral of any submittal items shall have the prior approval of the building official. The licensed Colorado design professional in responsible charge (if required), shall list the deferred submittals on the construction documents for review by the building official.

Submittal documents for deferred submittal items shall be submitted to the licensed Colorado design professional in responsible charge (if required), who shall review them and forward them to the building official with a notation indicating that the deferred submittal documents have been reviewed and that they have been found to be in conformance with the design of the building or structure. The deferred submittal items shall not be installed until the design and submittal documents have been approved by the building official.

Section R108.2 is amended to read as follows:

(13) Section R108.2 is amended to read as follows:

" **R108.2 Schedule of permit fees.** On buildings, structures, gas, mechanical and plumbing systems or alterations requiring a permit, a fee for each permit shall be paid as required, in accordance with *Appendices B and C of the Fraser Municipal code.*"

(14) Section 108.2 is amended in part by the addition of a new subsections to read as follows:

108.2.1 Plan Review Fee. When submittal documents are required by Section 105.1, a plan review fee shall be paid. The plan review fees specified in this section are separate from the permit fees specified in Section 108.2 and are in addition to the permit fees.

R108.2.2 Expiration of Plan Review. Applications for which no permit is issued within thirty (30) days following the date of last action of review without a response or additional information submitted by the applicant shall expire. Plans submitted for checking may thereafter be returned to the applicant or be destroyed by the building official. The building may extend the time for action by the applicant for a period not exceeding thirty (30) days upon written request by the applicant demonstrating that circumstances beyond the control of the applicant have prevented action from being taken. In order to renew action on the application after expiration, the applicant shall resubmit plans and review fee.

(14) Section R108.5 is amended to read as follows:

" R108.5 Refunds. The building official is authorized to establish a refund policy. The building official may authorize the refunding of not more than 80 percent of the permit fee paid when no work has been done under a permit issued in accordance with this Code. The deposit paid for a permit application is nonrefundable. The building official 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."

The building official shall be permitted to authorize a refund of not more than eighty percent (80%) of the permit fee paid when no work has been done under a permit issued in accordance with this code.

The building official shall be permitted to authorize a refund of not more than eighty percent (80%) of the plan review fee when an applicant for a permit for which a plan review fee has been paid is withdrawn or canceled provided that no examination time has been expended.

The building official shall not be permitted to authorize a refund of any fee paid except upon written application filed by the original permittee not later than thirty (30) days after the date of fee payment.

(15) Section R108.6 is amended by adding a new subsection to read as follows:

" R108.6 Work commencing before permit issuance. Any person who commences work requiring a permit on a building, structure, electrical, gas, mechanical or plumbing system before obtaining the necessary permits shall be subject to a fee established by the applicable governing authority that shall be in addition to the required permit fees. The investigation fee shall be as set forth in Appendix B of the Fraser Municipal Code."

(16) Section R108.6 is amended by adding a new subsection R108.6.1 to read as follows:

R108.6.1 Investigative fee – Work without a permit. Whenever any work for which a permit is required by this code has commenced without first obtaining said permit, a special investigation shall be made before a permit may be issued for such work. An investigation fee, in addition to the permit fee, shall be collected whether or not a permit is then or subsequently issued. The investigation fee may be up to or equal to the amount of the permit fee required by this code. The minimum investigation fee shall be the minimum set forth and adopted by the Town Council. The payment of such an investigation fee shall not exempt any person from compliance with all other provisions of this code nor from any penalty prescribed by law.

(17) Section R109.1.3 is repealed in its entirety.

(18) Section R109 is amended by adding two (2) new subsections to read as follows:

(19) Section R109 is amended by adding the additional paragraph(s) to R109.1 to read as follows:

Work requiring a permit shall not be commenced until the permit holder or his/her agent shall have posted an inspection record card in a conspicuous place on the premises and in a position to allow the building official to make the required entries conveniently thereon regarding inspection of the work. The address of the building site must be posted in a conspicuous place readily visible from the public road. This card shall be maintained in such a position by the permit holder until all inspections have been made and final approvals have been granted by the building official.
Section R109.1.1 is amended by the addition of a new subsections R109.1.1.1, R109.1.1.2, R109.1.1.3 and R109.1.1.4 to read as follows:

R109.1.1.1 Drilled pier inspection. Inspection will be made while the piers are being drilled. The licensed Colorado engineer of record or the authorized representative shall be present during the drilling operations and be available to the inspector during required inspections.

R109.1.1.2 Lowest floor elevation. The elevation certificate required in Section 1612.5 shall be submitted when required by the building official or as required by Title 6 Chapter 7 of the Town of Winter Park code.

R109.1.5.2 Energy efficiency inspections. Inspections shall be made to determine compliance with Chapter 13 and shall include, but not limited to inspections for: envelope insulation R and U – values, fenestration U- values, duct system R – values, and HVAC and water-heating equipment efficiency. Blower door testing is not mandatory whereas mechanical ventilation is required.

(20) Section R109.3 is amended by the addition of a new Subsection R109.3.1 to read as follows:

R109.3.1 Inspection record card. Work requiring a building permit shall not be commenced until the permit holder or his agent shall have posted an inspection record card in a conspicuous place on the premises and in a position as to allow the building official to make the required entries conveniently thereon regarding inspection of the work. The address of the building site must be posted in a conspicuous place readily visible from the public road. This card shall be maintained in such a position by the permit holder until all inspections have been made and final approvals have been granted by the building official.

(21) Section R109 is amended by adding a new subsection to read as follows:

" R109.5 Reinspections. A reinspection fee, in an amount per Appendix B of the Fraser Municipal Code, may be assessed for each inspection or reinspection when such portion of work for which inspection is called is not complete or when corrections called for are not made. Reinspection fees may be assessed when the inspection record card is not posted or otherwise available on the work site, the approved plans are not readily available to the inspector, for failing to provide access on the date for which the inspection is requested or deviating from the approved plans. In instances where reinspection fees have been assessed, no additional inspection of the work will be performed until the reinspection fees have been received by the Building Department. This section is not to be interpreted as requiring re-inspection fees the first time the job is rejected for failure to comply with the requirements of this code, but as controlling the practice of calling for inspections before the job is ready for such inspection or re-inspection.

(22) " R109.5.1 Use tax requirements. See Section 4-3-20 of the Fraser Municipal Code."

(23) R109.1.6 is amended by adding the following:

R109.1.6.2 Final Inspection. No final inspection shall be made by the town building inspector, and no certificate of occupancy shall be issued unless an audit has either been completed by the manager and all sales taxes due have been paid or arrangements therefor made with the town manager, or the town manager has specifically waived such audit.

(24) Section R110.1 is amended by adding additional language to exception #3 and the addition of Section R110.1.1 and R110.1.2 read as follows:

" R110.1 Use and occupancy. No building or structure shall be used or occupied, and no change in the existing occupancy classification of a building or structure or portion thereof shall be made, until the building official has issued a certificate of occupancy therefor as provided herein. Issuance of a certificate of occupancy shall not be construed as an approval of a violation of the provisions of this Code or of other ordinances of the jurisdiction. Certificates presuming to give authority to violate or cancel the provisions of this Code or other ordinances of the jurisdiction shall not be valid.

" Exceptions:

- "1. Certificates of occupancy are not required for work exempt from permits under Section R105.2.
- "2. Accessory buildings of structures.
- "3. Group U occupancy and permits not establishing a use or occupancy."

110.1.1 Premises Identification. Buildings shall have approved address numbers, building numbers or approved building identification placed in a position that is plainly legible and visible from the street or road fronting the property. Numbers shall be Arabic numbers or alphabetical letter. These numbers shall be reflective and contrast with their background.

Address numbers shall be a minimum of 4 inches (102mm) high with a minimum stroke width of $\frac{1}{2}$ inch (12.7mm). Where access is by means of a private road and the building address cannot be viewed from the public way, a monument, pole or other sign or means shall be used to identify the structure.

110.1.2 Inspection record card. Work requiring a building permit shall not be commenced until the permit holder or his agent shall have posted on inspection record card in a conspicuous place on the premises and in a position as to allow the building official to make the required entries conveniently thereon regarding inspection of the work. The address of the building site must be posted in a conspicuous place readily visible from the public road, and construction documents kept in an orderly manner. This card shall be maintained in such a position by the permit holder until all inspections have been made and final approvals have been granted by the building official.

(25) Section R110.4 is amended by adding the following to read as follows:

The issuance of a temporary certificate or temporary letter of completion may be granted when all the provisions of a *permit* are not complete, provided all life safety requirements are met and all fees associated with the *permit* are paid.

(26) Section 112 BOARD OF APPEALS is repealed in its entirety and reenacted to read as follows:

112 CONSTRUCTION AND FIRE CODE BOARD OF APPEALS

112.1 Board Established. Pursuant to Section 113, Chapter 1, 2021 International Building Code and Section 108 of International Fire Code, there is hereby created by the town council, a construction and fire code board of appeals, which board shall be composed of five (5) members who shall determine the suitability of alternate materials and methods of construction, and to provide for reasonable interpretation of the 2021 International Building Code, 2021 International Residential Code, 2021 International Fire Code, International Plumbing Code most current edition as adopted by the State of Colorado, 2021 International Mechanical Code, 2021 International Fuel Gas Code, 2021 International Energy Conservation Code and the 2021 International Existing Building Code.

112.2 Membership and Terms.

A. The construction and fire code board of appeals shall consist of five (5) members, three (3) of which are qualified by experience and training to pass upon matters pertaining to building construction. The building official or fire code official when pertaining to fire code issues shall be an ex officio member and shall act as secretary of the board. The board shall be appointed, and their terms of office set by the town council which terms shall be of such length and so arranged that the terms of at least one member will expire each year.

B. Any member of the board may be removed, after a public hearing, by the mayor for inefficiency, neglect of duty, or malfeasance in office. The mayor shall file a written statement of reasons for such removal.

C. Vacancies occurring otherwise and through the expiration of term shall be filled for the remainder of the unexpired term.

112.3 Organization and Procedures. The construction and fire code board of appeals shall elect its chairman from among the members appointed by the town council and create and fill such other of its offices as it may determine. The term of the chairman shall be one year with eligibility for reelection. The board will hold meetings when called by the chairman or building/fire code official. The construction and fire code board of appeals shall transact business according to the rules and regulations adopted herein and shall make findings and determinations on each case considered. Such findings and determinations shall become a public record and shall be kept in the office of the town clerk.

112.4 Rules and Regulations.

The following rules and regulations are adopted for purposes of transacting the business of the construction and fire code board of appeals:

A. The construction and fire code board of appeals shall meet at the call of the chairman or when requested by the building or fire code official.

B. A chairman of the construction and fire code board of appeals shall be elected by a majority of the entire regular

membership at the first meeting of each calendar year, to serve for a term of one year. A vice chairman shall be elected in the same manner at the same time for a term of one year.

C. The chairman of the construction and fire code board of appeals shall preside at all meetings, shall conduct all hearings, and exercise and perform such other powers and duties as may be from time to time assigned to him by the construction and fire code board of appeals, or prescribed by the rules and regulations herein. In presiding at meetings and hearings, the chairman shall rule on procedure and on order of presentation.

D. The construction and fire code board of appeals shall be the judge of the qualifications of persons appearing as expert witnesses and shall be empowered to refuse to receive the testimony of any purported expert not so qualified.

E. In the absence or the disability of the chairman, the vice chairman shall perform all the duties of the chairman, and when so acting, shall have all the powers of, and be subject to all restrictions upon the chairman.

F. In the absence of both the chairman and the vice chairman, a chairman pro tempore shall be elected, among those regular members present, by a majority vote of all the members present.

G. Should any member have knowledge of any fact which may constitute a conflict of interest in his consideration of any appeal, he shall forthwith notify the building official or the fire code official of said facts.

H. The secretary shall keep, or cause to be kept, minutes of the proceedings of the construction and fire code board of appeals, and shall prepare an agenda for each meeting, which shall be furnished to members prior to the actual hour of the meeting. The secretary shall, in addition, be custodian of the records of the construction and fire code board of appeals and shall, upon the filing of an appeal, furnish each regular member with a copy of the letter of appeal. (Ord. 140, Series of 1986)

I. Appeals from decisions of the building official or applicable enforcement officer shall be in writing, shall be directed to a specific decision of the building official or applicable enforcement officer, and consideration of said appeal by the construction and fire code board of appeals shall be limited to said specific decision. (Ord. 140, Series of 1986)

J. Appeals will be heard at special meetings called pursuant to the presiding officer or by a majority of the membership of the construction and fire code board of appeals. Requests for hearings must be scheduled at least ten (10) days prior to such hearing.

K. If a party of an appeal intends to submit evidence, or a legal argument, outside of the expertise of the construction and fire code board of appeals, said party shall so inform the secretary of the construction and fire code board of appeals in writing at the time of the filing of the appeal. Failure to provide such information shall be cause for the prohibition of the presentation of such evidence or argument.

L. The decision of the construction and fire code board of appeals on an appeal shall be final.

M. A decision shall require a majority vote of those members of the construction and fire code board of appeals present, provided, however, that there must be a quorum of at least three (3) members of said construction and fire code board of appeals prior to transacting any business.

A notice of appeal shall be accompanied by a fee of \$250.00.

(27) Section R113.2 is amended to add R113.2.1 the following sentence to read as follows:

R113.2 Notice of Violation. The building official is authorized to serve a notice of violation or order on the person responsible for the erection, construction, alteration, extension, repair, moving, removal, demolition, or occupancy of a building or structure in violation of the provisions of code, or violation of permit or certificate issued under the provisions of this code. Such issuance shall direct the discontinuance of the illegal action or condition and the abatement of the violation.

R113.2.1 Service. A notice of violation pursuant to this code shall be served upon owner, operator, occupant, or other person responsible for the condition or violation, either by the personal service, mail or by delivering the same to, and leaving it with, some person of responsibility upon the premises. For unattended or abandon locations, a copy of such notice shall be posted on the premises in a conspicuous location at or near the entrance to such premises and the notice of violation shall be mailed by US mail to the last known address of the owner, occupant, or both.

(28) Section R114.1 is amended to add the following sentence to read as follows:

Additionally, posting of the property with a statement providing the conditions under which work will be permitted to resume.

(29) Section R202 is amended by adding the following definitions within the alphabetical order of the existing definitions:

"ACCESSORY BUILDING OR STRUCTURE. A building or structure on the same lot with the building or structure housing the principal use but housing a use customarily incidental and subordinate to the principal use.

"AGRICULTURAL BUILDING. A structure located on real property classified as agriculture by the Grand County Assessor that is designed, constructed and used to house farm implements, hay, grain, poultry, livestock or other horticultural products. This structure shall not be a place of human habitation or a place of employment where agricultural products are processed, treated or packaged, nor shall it be a place used by the public.

"BEDROOM. A room which is designed as a sleeping room, a loft, a mezzanine in Group R occupancies or a room or area that can be used as a sleeping room and contains a closet.

"BUILDING HEIGHT. The vertical distance above a reference datum measured to the highest point of the structure. The reference datum shall be selected by either of the following, whichever yields a greater height of building:

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

"b. An elevation of five (5) feet higher than the lowest grade when the sidewalk or ground surface described in Subparagraph a. above is more than five (5) feet above the lowest grade.

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

"DWELLING UNIT, ACCESSORY. One (1) or more rooms in a dwelling designed for occupancy by one (1) family for living purposes, incidental and subordinate in size and character to the primary residence and having not more than one (1) kitchen. Accessory dwelling units shall contain at least two hundred (200) square feet of habitable floor area.

"FACTORY-BUILT BUILDING. A building which is assembled in a facility that has been approved by the State of Colorado, built to the building, plumbing and mechanical codes as adopted by the Colorado Division of Housing, with the work performed at the facility inspected by and bearing the Colorado Division of Housing identification label.

"FIRE DEPARTMENT. The Chief Officer of East Grand, Granby, Grand Fire Protection District, Grand Lake, Hot Sulphur Springs, and Kremmling Fire Protection Districts, or the Chief Officer's authorized representative.

"KITCHEN. A room or area that is designated to be used for the preparation of food which contains more than one standard size kitchen appliance or fixture.

"MANUFACTURED HOME. A ~~single family dwelling residential unit~~ which is partially or entirely assembled in a factory, ~~is not less than twenty four feet in width and thirty six feet in length, is installed on an engineered, permanent foundation, has a brick, wood or cosmetically equivalent exterior and a pitched roof, which is built on an engineered, permanent frame or non-removable undercarriage~~ is certified pursuant to the 'National Manufactured Housing Construction and Safety Standards Act of 1974', 42 U.S.C. 5401 et seq., as amended, and bearing the H.U.D. identification label, and is installed and set up as required in the set up manual provided with the manufactured home."

"TOWNHOUSE. A single-family *dwelling unit* constructed in a group of ~~two~~ ~~three~~ or more attached units in which each ~~unit resides on its own property and~~ extends from the foundation to roof and with a *yard* or public way on not less than two sides.

UTILITY SPACE (ROOM). Is a room designed or used to house heating and general maintenance equipment.

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

A licensed Colorado design professional may design the structure using ground snow loads (pg) complying with the Colorado Design Snow Loads Report and Map, published by the Structural Engineers Association of Colorado (dated May 6, 2015). The design roof snow load values shall be determined from Section 1608 of the IBC, including all applicable factors, and loading and drifting considerations of ASCE 7, Chapter 7.

Additionally, the changing of roofing materials and roof covering other than like materials may require a roof evaluation from a licensed Colorado engineer.

<https://seacolorado.org/publications/>

WIND SPEED IS NINETY 105 mph with exposure category determined by Section 1609.4
SEISMIC DESIGN CATEGORY IS "B"***

WEATHERING PROBABILITY FOR CONCRETE IS SEVERE

FROST LINE DEPTH IS THIRTY INCHES (30" (762 mm) below finished grade))

TERMITES INFESTATION PROBABILITY NONE TO SLIGHT

DECAY PROBABILITY IS NONE TO SLIGHT

WINTER DESIGN TEMPERATURE IS -16 DEGREES FAHRENHEIT,

MEAN AVE. TEMP. 40 F

FLOOD HAZARDS, SEE FLOOD INSURANCE REFERENCE MAP

***except as noted, seismic design values shall be determined from Section 1613 of the 2015
International Building Code. Site specific design values shall be determined from the USGS website

<http://earthquack.usgs.gov/designmaps/us/application.php>

(30) Table R301.5 is amended to read as follows:

"Table R301.5	
Balconies (exterior) and decks **	60
Sleeping rooms	40

** Uncovered decks and balconies shall be designed to a uniformly distributed live load of 60 lbs. per square foot or the design snow load, whichever is greater."

(31) Section R302.3 is amended with additional language to read as follows:

" R302.3 Two-family dwellings (duplex). Dwelling units in two-family dwellings (two units located on the same legal description or each unit located on separate lots) shall be separated from each other by wall and/or floor assemblies having not less than a 2-hour fire resistance rating when tested in accordance with ASME E 119 or UL 263. Fire-resistance-rated floor-ceiling and wall assemblies shall extend to and be tight against the *exterior wall(s) and/or common wall(s)*, and wall assemblies shall extend from the foundation to the underside of the roof sheathing.

" Exceptions:

"1. Wall assemblies need not extend through attic spaces when the ceiling is protected by not less than 5/8 -inch (15.9 mm) Type X gypsum board and an attic draft stop constructed as specified in Section R302.12.1 is provided above and along the wall assembly separating the dwellings. The structural framing supporting the ceiling shall also be protected by not less than 1/2-inch (12.7 mm) gypsum board or equivalent."

(32) Section R302.13 is amended to read as follows by adding the additional sentence:

Fire protection of floors to be required for all crawlspaces greater than 5' (feet) tall and for any application of fuel fire appliances or storage areas.

(33) Section R303.4 is amended adding the following sentence to read as follows:

Mechanical ventilation shall be required due to the air sealing nature of current standard building practices.

Exception:

This requirement is waived if a blower door test is performed and shows that the home has *more* than 5 Air Changes per Hour (ACH).

(34) Section R305.1 is amended to read as follows:

" R305.1 Minimum height. *Habitable space*, hallways, bathrooms, toilet rooms, laundry room and unfinished basements shall have a ceiling height of not less than 7 feet (2,134 mm). **The required height shall be measured from the finished floor to the lowest projection from the ceiling.**

" Exceptions:

"1. For rooms with sloped ceilings, at least 50 percent of the required floor area of the room must have a ceiling height of at least 7 feet (2,134 mm) and no portion of the required floor area may have a ceiling height of less than 5 feet (1,524 mm).

"2. Bathrooms shall have a minimum ceiling height of 6 feet 8 inches (2,032 mm) at the center of the front clearance area for fixtures as shown in Figure R307.1. The ceiling height above fixtures shall be such that the fixture is capable of being used for its intended purpose. A shower or tub equipped with a showerhead shall have a minimum ceiling height of 6 feet 8 inches (2,032 mm) above a minimum area of 30 inches (762 mm) by 30 inches (762 mm) at the showerhead."

(35) Section R305.1.1 is repealed in its entirety.

(36) Section R306 is amended by adding a new subsection to read as follows:

" R306.5 Sanitation at construction sites. Toilet facilities shall be provided for construction workers, and such facilities shall be conveniently located and maintained in a sanitary condition. The facilities shall be available from the time the first work is started until the letter of occupancy or certificate of occupancy is issued."

(37) Section R309.3 is repealed in its entirety.

(38) Section R310.1 is amended to read as follows:

" R310.1 Emergency escape and rescue required. *Basements, habitable attics and every sleeping room, loft, mezzanine in Group R occupancies, or a room or area that can be used as a sleeping room and contains a closet* shall have at least one operable emergency escape and rescue opening. Where basements contain one or more sleeping rooms, emergency egress and rescue openings shall be required in each sleeping room. Where emergency escape and rescue openings are provided, they shall have a sill height of not more than 44 inches (1,118 mm) above the floor. Where a door opening having a threshold below the adjacent ground elevation serves as an emergency escape and rescue opening and is provided with a bulkhead enclosure, the bulkhead enclosure shall comply with Section R310.3. The net clear opening dimensions required by this section shall be obtained by the normal operation of the emergency escape and rescue opening from the inside. Emergency escape and rescue openings with a finished sill height below the adjacent ground elevation shall be provided with a window well in accordance with Section R310.2. Emergency escape and rescue openings shall open directly into a public way or to a yard or court that opens to a public way." **Window wells with a vertical depth greater than 44 inches (118 mm) shall be equipped with a permanently affixed ladder or steps usable with the window in the fully open position. If the window well is stepped and has a horizontal dimension less than 36 inches, a ladder is required out of that said level complying with requirements.**

(39) Section R313.2 is repealed in its entirety.

(40) Section R313.2.1 is repealed in its entirety.

(41) Section R315.1 is amended by adding the following to read as follows:

R315.1 General. Carbon monoxide alarms and detectors shall be installed and comply with Section R315 **and Title 38 of the Colorado Revised Statutes.**

(42) Section R320.1 shall be amended to read as follows:

R320.1 Scope. Where four or more *dwelling units* or *sleeping units* are constructed in a single structure or **constructed as part of a planned development containing a total of seven or more units, regardless of whether such units are separated by fire-resistive rated assemblies, the applicable provisions of the Colorado Revised Statutes, federal regulations, and the provisions of Chapter 11 of the adopted International Building Code for Group R-2 shall apply.**

(43) Section R322 is repealed in its entirety.

(44) Section R327 is amended to read as follows:

R326.1 General. The design and construction of pools and spas shall comply with the *International Swimming Pool and Spa Code* as well as the requirements of this section and other applicable sections of this code and per C.R.S. 25-5-801 et seq. Swimming pools shall be completely enclosed by a fence at least 4 feet (1290 mm) in height or a screen enclosure. Openings in the fence shall not permit the passage of a four-inch-diameter (102 mm) sphere. The fence or screen enclosure shall be equipped with self-closing and self-latching gates.

Exception: A swimming pool with a power safety cover or a spa with a safety cover complying with ASTM F1346.

(45) Section R403.1 is amended to read as follows:

R403.1 General. All exterior walls shall be supported on continuous solid or fully grouted masonry or concrete footings, crushed stone footings, wood foundations or other approved structural systems which shall be of sufficient design to accommodate all loads according to Section R301 and to transmit the resulting loads to the soil within the limitations as determined from the character of the soil. Footing shall be supported on undisturbed natural soils or engineered fill. Concrete footings shall be designed and constructed in accordance with the provisions of Section R403 or in accordance with ACI 332

" Exception: Unless designed and stamped by an engineer."

(46) Section R408.7 is repealed in its entirety.

(47) Section R502.11 is amended to read as follows:

R502.11.1 Design. Wood trusses shall be designed in accordance with approved engineering practice. The design and manufacture of metal-plate-connected wood trusses shall comply with ANSI/TPI 1. The design drawings shall be prepared by a registered professional where required by the statutes of the jurisdiction in which the project is to be constructed in accordance with Section R106.1. **The use of load duration factors for snow load or slope of roof shall be prohibited.**

(48) Section R6021.4 is amended by adding an additional paragraph to read as follows:

R602.1.4 Structural Log Members. Stress grading of structural log members of nonrectangular shape, as typically used in log buildings, shall be in accordance with ASTM D 3957. Such structural log members shall be identified by the grade *mark* of an *approved* lumber grading or inspection agency. In lieu of a grade *mark* on the material, a certificate of inspection as to species and grade issued by a lumber grading or inspection agency meeting the requirements of this section shall be permitted.

In log construction, all structural logs and wall logs shall be graded, designed, and inspected by a licensed Colorado design professional certifying to the building division that the logs are of the size, quality, and species of the design and that they were installed to that design.

(49) Section 602.2 is amended to read as follows:

" R602.2 Grade. Studs shall be a minimum No. 3, standard or stud grade lumber.

" Exception:

"1. Bearing studs not supporting floors and nonbearing studs may be utility grade lumber, provided that the studs are spaced in accordance with Table R602.3(5).

"2. In single-family dwellings of log construction, wall logs need not be graded.

"3. In single-family dwellings of log construction, all structural logs shall be designed by a licensed Colorado architect or engineer and inspected by that architect or engineer after the completion of the framing, with the architect or engineer certifying to the Building Department that the logs are of the size, quality and species of the design and that they were installed to that design. Wall logs need not be part of the structural design."

(50) Section R602.3 is amended to read as follows:

" R602.3 Design and construction. Exterior walls of wood-frame construction shall be designed and constructed in accordance with the provisions of this Chapter and Figures R602.3(1) and R602.3(2) or in accordance with AF&PA's NDS. **The use of load duration factors for snow load shall be prohibited.** Components of exterior walls shall be fastened in accordance with Tables R602.3(1) through R602.3(4). Structural wall sheathing shall be fastened directly to structural framing members. Exterior wall coverings shall be capable of resisting the wind pressures listed in Table R301.2(2) adjusted for height and exposure using Table R301.2(3). Wood structural panel sheathing used for exterior walls shall conform to the requirements of Table R602.3(3).

"Studs shall be continuous from support at the sole plate to a support at the top plate to resist loads perpendicular to the wall. The support shall be a foundation of floor, ceiling or roof diaphragm or shall be designed in accordance with accepted engineering practice.

" Exception: Jack studs, trimmer studs and cripple studs at openings in wall that comply with Table R502.5(1) and R502.5(2)."

(51) Section R802.2 is amended to read as follows:

" R802.2 Design and construction. The framing details required in Section R802 apply to roofs having a minimum slope of three units vertical in 12 units horizontal (25-percent slope) or greater. Roof-ceilings shall be designed and constructed in accordance with the provisions of this chapter and Figures R606.11(1), R606.11(2) and R606.11(3) or in accordance with AFPA/NDS. **The use of load duration factors for snow load shall be prohibited.** Components of roof-ceilings shall be fastened in accordance with Table R602.3(1)."

(52) Section R802.10 is amended to read as follows:

" R802.10.2 Design. Wood trusses shall be designed in accordance with accepted engineering practice. The design and manufacture of metal-plate-connected wood trusses shall comply with ANSI/TPI 1. The truss design drawings shall be prepared by a registered professional where required by the statutes of the jurisdiction in which the project is to be constructed in accordance with Section R106.1. The use of load duration factors for snow load or slope of roof shall be prohibited."

(53) Section R803.2 is amended by adding a new subsection to read as follows:

" R803.2.1.3 Wood structural panel sheathing thickness. A minimum of 5/8 -inch plywood, particle board or waferwood shall be used on roof rafters or roof trusses spaced 24 inches on center in any snow load area. Wood structural panel roof sheathing shall be bonded by exterior glue."

(54) Section R905 is deleting subsection R905.1.2 and re-written as follows and adding subsection R905.1.3 by to read as follows:

R905.1.2 Ice Barrier. An ice barrier that consists of an approved self-adhering polymer modified bitumen sheet shall be used in lieu of normal underlayment on all sloped roofs. Roof(s) under 4:12 pitch shall have double underlayment. Base layer to have total coverage of self-adhering polymer modified bitumen sheet 100 percent of roof surface. Second layer

shall also be of self-adhering polymer modified bitumen sheet from eaves to a point 6 feet inside the exterior wall line of building, with the remainder of roof may be synthetic or felt underlayment.

This ice dam protection underlayment shall be installed from the eaves to a point 6 feet inside the exterior wall line of the building and 24 inches from the center line of all valleys, fully adhered to the substrate on all habitable structures.

Exception: Detached accessory structures that contain no conditioned floor area.

R905.1.3 Snow-Shed Barriers. Roofs shall be designed to prevent accumulations of snow from shedding above or in front of gas utility or electric utility meters.

(55) Sections R905.2.7.1, R905.4.3.1, R905.5.3.1, R905.6.3.1, R905.7.3.1 and R905.8.3.1 are repealed in their entirety.

(56) Section R905.4 is amended by adding a new subsection to read as follows:

" **R905.4.7 Mechanical barriers.** Mechanical barriers installed to prevent snow shedding from the roof shall be secured to roof framing members or to solid blocking secured to framing members in accordance with the manufacturer's installation instructions.

"Individual devices installed in a group of devices to create a barrier to prevent snow shedding shall be installed in at least two rows with the first row no more than 24 inches from the edge of the roof or eave. The rows shall be parallel with the exterior wall line, and the devices in each row shall be staggered for a spacing of no more than 24 inches on center measured parallel with the exterior wall line.

"Continuous snow barriers shall be secured to roof framing at no more than 48 inches on center. Continuous barriers shall be installed parallel with the exterior wall line and no more than 24 inches from the edge of the roof or eave."

(52) Section R905.10 is amended by adding a new subsection to read as follows:

" **R905.10.5.1 Mechanical barriers for metal roof shingles and metal roof panels.** Roofs with metal roof shingles or metal roof panels shall be designed so as to prevent accumulations of snow from shedding onto pedestrian and vehicular exits from building and onto sidewalks, streets and alley ways.

"Mechanical barriers installed to prevent snow shedding from the roof shall be secured to roof framing members or to solid blocking secured to framing members in accordance with the manufacturer's installation instructions.

"Individual devices installed in a group of devices to create a barrier to prevent snow shedding shall be installed in at least two rows with the first row no more than 24 inches from the edge of the roof or eave. The rows shall be parallel with the exterior wall line and the devices in each row shall be staggered for a spacing of no more than 24 inches on center measured parallel with the exterior wall line.

"Continuous snow barriers shall be secured to roof framing at no more than 48 inches on center. Continuous barriers shall be installed parallel with the exterior wall line and no more than 24 inches from the edge of the roof or eave."

(53) Section R907.3 is amended to read as follows:

" **R907.3 Recovering versus replacement.** New roof coverings shall not be installed without first removing all existing layers of roof coverings where any of the following conditions exist:

"1. Where the existing roof or roof covering is water-soaked or has deteriorated to the point that the existing roof or roof covering is not adequate as a base for additional roofing.

"2. Where the existing roof covering is wood shake, slate, clay, cement or asbestos-cement tile.

"3. Where the existing roof has **two or more than one** application of any type of roof covering.

(54) Section R1004.4 is amended to read as follows:

" **R1004.4 Unvented gas log heaters.** Installation of unvented gas log heaters is prohibited."

(55) Section R1005 is amended by adding a new subsection to read as follows:

"R1005.9 Factory-built chimneys. Factory-built chimneys shall be effectively fire blocked within such enclosure at each floor-ceiling level and at the roof. The vertical distance between adjacent fire blocking shall not exceed 10 feet."

(56) Section M1414 is amended by deleting the following language to read as follows:

" M1414.1.1 Fireplace stoves. Fireplace stoves shall be listed, labeled, and installed in accordance with the terms of the listing. Fireplace stoves shall be tested in accordance with UL737. Detached one- and two-family dwellings may have no more than one solid fuel-burning device per property. Condominiums and apartment houses may have one solid fuel-burning device located in a lobby or other main common area. Factory-built fireplaces and stoves shall meet E.P.A. Phase II or Colorado Phase III air quality requirements."

(57) Section G2404.7 is repealed in its entirety.

(58) Section G2406.2 is amended to read as follows:

" G2406.2 (303.3) Prohibited locations. Appliances shall not be located in sleeping rooms, bathrooms, toilet rooms, storage closets or surgical rooms, or in a space that opens only into such rooms or spaces, except where the installation complies with one of the following:

"1. The *appliance* is a direct-vent appliance installed in accordance with the conditions of the listing and the manufacturer's instructions.

"2. Vented room heaters, wall furnace, vented decorative *appliances*, vented gas fireplaces, vented gas fireplace heaters and decorative *appliances* for installation in vented solid fuel-burning fireplaces are installed in rooms that meet the required volume criteria of Section G2407.5.

"3. The *appliance* is installed in a room or space that opens only into a bedroom or bathroom, and such room or space is used for no other purpose and is provided with a solid weather-stripped door equipped with an approved self-closing device. All *combustion air* shall be taken directly from the outdoors in accordance with Section G2407.6."

"4. A clothes dryer is installed in a residential bathroom or toilet room having a permanent opening with an area of not less than 100 square inches that communicates with a space outside of a sleeping room, bathroom, toilet room or storage closet.

(59) Section G2417.4.1 is amended to read as follows:

" G2417.4.1 (406.4.1) Test pressure. The test pressure to be used shall not be less than one and one-half times the proposed maximum working pressure, but not less than 3-10 psig, irrespective of design pressure. Where the test pressure exceeds 125 psi (862 kPa gauge), the test pressure shall not exceed a value that produces a hoop stress in the piping greater than 50 percent of the specified minimum yield strength of the pipe."

(60) Section G2425.8 is amended to read as follows:

" G2425.8 (501.8) Appliance not required to be vented. The following *appliances* shall not be required to be vented provided the appliance is listed and tested and installed per manufacturers specifications:

"1. Ranges.

"2. Built-in domestic cooking units listed and marked for optional venting.

"3. Hot plates and laundry stoves.

"4. Type 1 clothes dryers (Type 1 clothes dryers shall be exhausted in accordance with the requirements of Section G2439).

"5. Refrigerators.

"6. Counter appliances."

(61) Section G2433 (603) is amended to read as follows:

" **G2433.1 (603.1) General.** Installation of log lighters is prohibited."

(62) Section G2445 is amended to read as follows:

" **G2445.1 (621.1) Prohibited installation.** Installation of unvented room heaters is prohibited."

(63) Section P2501.1 is amended to read as follows:

" **P2501.1 Scope.** The provisions of this chapter shall establish the general administrative requirements applicable to plumbing systems and inspection requirements of this Code. **The intent of this Code is to meet or exceed the requirements of the State of Colorado Plumbing Code. When technical requirements, specifications or standards in the Colorado Plumbing Code conflict with this Code, the more restrictive shall apply.**"

(64) Section P2603.6.1 is amended to read as follows:

" **P2603.6.1 Sewer depth.** *Building sewers* shall be as required by the local water and sanitation district having jurisdiction."

(65) Section P3103.1 is amended to read as follows:

" **P3103.1 Roof extension.** Open vent pipes that extend through a roof shall be terminated at least **twelve (12) inches** above the roof, 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 (2,134 mm) above the roof **and within twenty-four (24) inches of the peak of the roof.**"

The following appendices are deleted in its entirety:

Appendix AE, AF, AH, AI, AM, AO & AV.

(c) The following sections of the **2021** International Plumbing Code, adopted by reference in Section 18-1-10 above, are hereby amended as follows:

(1) Section 101.1 is amended to read as follows:

" 101.1 Title. These regulations shall be known as the International Plumbing Code of the **Town of Fraser**, hereinafter referred to as 'this Code.'

(2) Section 101.3 is amended to read as follows:

" 101.3 Intent. The purpose of this Code is to provide minimum standards to safeguard life or limb, health, property and public welfare by regulating and controlling the design, construction, installation, quality of materials, location, operation and maintenance or use of plumbing equipment and systems. **The intent of this Code is to meet or exceed the requirements of the State of Colorado Plumbing Code. When technical requirements, specifications or standards in the Colorado Plumbing Code conflict with this Code, the more restrictive shall apply.**" Additionally, the intent is when the state of Colorado adopts the most current edition of the International Plumbing Code, the town of Fraser concurrently adopts the most current edition.

(3) Section 103.2 is amended to read as follows:

" **103.2 Building Official.** See Paragraph 18-1-30(a)(5) of the Fraser Municipal Code."

(4) Section 103.3 is amended to read as follows:

" **103.3 Deputies.** See Paragraph 18-1-30(a)(6) of the Fraser Municipal Code."

(5) Section 103.4 is amended to read as follows:

" 103.4 Liability. See Paragraph 18-1-30(a)(8) of the Fraser Municipal Code."

(6) Section 106.5.1 shall be amended by replacing the word "**APPROVED**" with "**REVIEWED FOR CODE COMPLIANCE**"

(7) Section 106.5.3 is amended to read as follows:

" 106.5.3 Expiration. See Paragraph 18-1-30(a)(11) of the Fraser Municipal Code."

(8) Section 106.6.2 is amended to read as follows:

" 106.6.2 Fee schedule. The fees for plumbing work shall be in accordance with Appendices B and C of the Fraser Municipal Code."

(9) Section 106.6.3 is 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** percent of the permit fee is paid when no work has been done under a permit issued in accordance with this Code.

"3. Not more than **80** percent 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 **30** days after the date of fee payment."

(10) Section 106.6 is amended and buy adding by adding a new subsection(s) to read as follows:

" 106.6.4 Reinspections. A reinspection fee, in an amount per Appendices B and C of the Fraser Municipal Code, may be assessed for each inspection or reinspection when such portion of work for which inspection is called is not complete or when corrections called for are not made. **Reinspection fees may be assessed when the inspection record card is not posted or otherwise available on the work site, the approved plans are not readily available to the inspector, for failing to provide access on the date for which the inspection is requested or deviating from the approved plans.** In instances where reinspection fees have been assessed, no additional inspection of work will be performed until the reinspection fees have been received by the Building Division."

106.6.5 Investigative fee – Work without a permit. Whenever any work for which a permit is required by this code has been commenced without first obtaining said permit, a special investigation shall be made before a permit may be issued for such work. An investigation fee, in addition to the permit fee, shall be collected whether a permit is then or subsequently issued. The investigation fee may be up to or equal to the amount of the permit fee required by this code. The minimum investigation fee shall be as the minimum set forth and adopted by the Town Council. The payment of such investigation fee shall not exempt any person from compliance with all other provisions of this code nor from any penalty prescribed by law.

106.6.6 Inspection Requests. It shall be the duty of the person doing the work, the owner, contractor, or subcontractor to know that the building or structure has a valid permit and to notify the building department when work is ready for inspection. It shall be the duty of the person doing the work, the owner, contractor, or subcontractor requesting any inspections required by this code to provide access and means for inspection of such work.

All inspections requested prior to 4:00 pm the day requested will be performed the **same** following working day. Such request for inspection may be made by calling the 24-hour automated telephone answering system or the automated inspection portal.

(11) Section 108.4 is amended to read 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 building official, or of a permit or certification issued under the provisions of this Code, shall be guilty of a violation, punishable by a fine of not more than \$1,000.00 or by imprisonment not exceeding one year, or both such fine and imprisonment. Each day that a violation continues after due notice has been served shall be deemed a separate offense in accordance with Section 18-1-40 of the Fraser Municipal Code."

(12) Section 108.5 is amended to read as follows:

" 108.5 Stop work Orders. See Paragraph 18-1-30(d) (10) of the Fraser Municipal Code."

(13) Section 305.6.1 is amended to read as follows:

" 305.6.1 Sewer depth. Building sewers shall be per the water and sanitation district having jurisdiction"

(14) Section 312.3 shall be amended by adding the following to read as follows:

"312.3. Drainage and vent air testing. A plastic pipe tested with air is permitted provided the individual and/or company responsible for performing the work and, provide proper notification by posting the area where the work and test is being performed.

(15) Section 701.2 is amended to read as follows:

" 701.2 Sewer required. Every building in which plumbing fixtures are installed and all premises having drainage piping shall be connected to a public sewer. " Exception: When approved by Board of Trustees."

(16) Section 904.1 is amended to read as follows:

" 904.1 Roof extension. All open vent pipes that extend through a roof shall be terminated at least **12 inches (304.8 mm)** 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 (2,134 mm)** above the roof."

(d) The following sections of the International Mechanical Code, adopted by reference in Section 18-1-10 above, is hereby amended as follows:

(1) Section 101.1 is amended to read as follows:

" 101.1 Title. These regulations shall be known as the **2021 Mechanical Code of the Town of Fraser**, hereinafter referred to as 'this Code.'

(2) Section 103.2 is amended to read as follows:

" 103.2 Building official. The **building official** is hereby authorized and directed to enforce all the provisions of this Code; however, a guarantee that all buildings and structures have been constructed in accordance with all the provisions of this Code is neither intended nor implied."

(3) Section 103.3 is amended to read as follows:

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

(4) Section 104.8 is amended to read as follows:

" 104.8 Liability. The adoption of this Code, and any previous building codes adopted by the Town of Fraser, shall not be deemed to give rise to a duty of care on the part of any public entity, public employee or agent, nor shall this Code or any previous building codes be deemed to create any civil remedy against a public entity, public employee or agent. The building official, member of board of appeals or employee charged with the enforcement of this Code, while acting for the jurisdiction in good faith and without malice in the discharge of the duties required by this Code or other pertinent law or

ordinance, shall not thereby be rendered liable personally and is hereby relieved from personal liability for any damages accruing to persons or property as a result of any act or by reason of an act or omission in the discharge of official duties.

"Any suit instituted against an officer or employee because of an act performed by that officer or employee in the lawful discharge of duties under the provisions of this Code shall be defended by legal representative of the jurisdiction until the final termination of the proceedings. The building official or any subordinate shall not be liable for cost in any action, suit or proceeding that is instituted in pursuance of the provisions of this Code."

(5) Section 106.4.1 shall be amended by replacing the word "**APPROVED**" with "**REVIEWED FOR CODE COMPLIANCE**"

(6) Section 106.4.3 is amended to read as follows:

" 106.4.3 Expiration. Every permit issued by the building official under the provisions of this Code shall expire 24 months after the date of issue. Every permit issued by the building 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 on the site by such permit is suspended or abandoned at any time after the work is commenced for a period of 180 days. Before such work recommences, a new permit shall first be obtained and the fee therefor shall be one-half the amount required for a new permit for such work, provided that 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. The extension shall be requested in writing and justifiable cause demonstrated."

(7) Section 106.5.2 is amended to read as follows:

" 106.5.2 Fee schedule. The fees for mechanical work shall be in accordance with **Appendices B and C of the Fraser Municipal Code.**"

(8) Section 106.5.3 is 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** percent 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** percent of the plan review fee 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 **30** days after the date of fee payment."

(9) Section 106.5 is amended by adding a new subsections to read as follows:

" 106.5.4 Reinspections. A reinspection fee, in an amount per Appendices B and C of the Fraser Municipal Code, may be assessed for each inspection or reinspection when such portion of work for which inspection is called is not complete or when corrections called for are not made. **Reinspection fees may be assessed when the inspection record card is not posted or otherwise available on the work site, the approved plans are not readily available to the inspector, for failing to provide access on the date for which the inspection is requested, or deviating from the approved plans.** In instances where reinspection fees have been assessed, no additional inspection of work will be performed until the reinspection fees have been received by the Building Department."

106.6.5 Investigative fee – Work without a permit. Whenever any work for which a permit is required by this code has been commenced without first obtaining said permit, a special investigation shall be made before a permit may be issued for such work. An investigation fee, in addition to the permit fee, shall be collected whether a permit is then or subsequently issued. The investigation fee may be up to or equal to the amount of the permit fee required by this code. The minimum investigation fee shall be as the minimum set forth and adopted by the Town Council. The payment of such investigation fee shall not exempt any person from compliance with all other provisions of this code nor from any penalty prescribed by law.

106.6.6 Inspection Requests. It shall be the duty of the person doing the work, the owner, contractor, or subcontractor to know that the building or structure has a valid permit and to notify the building department when work is ready for inspection. It shall be the duty of the person doing the work, the owner, contractor, or subcontractor requesting any inspections required by this code to provide access and means for inspection of such work.

All inspections requested prior to 4:00 pm the day requested will be performed the ~~same~~ following working day. Such request for inspection may be made by calling the 24-hour automated telephone answering system or the automated inspection portal.

(10) Section 108.4 is amended to read 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 mechanical work in violation of the *approved construction documents* or directive of the *building* official, or of a permit or certification issued under the provisions of this Code, shall be guilty of a violation, punishable by a fine of not more than \$1,000.00 or by imprisonment not exceeding one year, or both such fine and imprisonment. Each day that a violation continues after due notice has been served shall be deemed a separate offense in accordance with Section 18-1-40 of the Fraser Municipal Code."

(11) Section 113.1 is amended to read as follows:

" 113.1 Stop work orders. Upon notice from the building 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, ~~posted on the property, given~~ 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 building official shall not be required to give a written notice prior to stopping the work."

(12) Section 114.1 is amended to read as follows:

" 114.1 Application for appeal. A person shall have the right to appeal a decision of the building official or fire code official to the Construction and Fire Code Board of Appeals established in Paragraph 18-1-30(a)(21) of the Fraser Municipal Code. An application for appeal shall be based on a claim that the true intent of this Code or the rules legally adopted thereunder have been incorrectly interpreted, the provisions of this Code do not fully apply, or an equally good or better form of construction is proposed. The application shall be filed on a form obtained from the building or fire code official within 20 days after the notice was served.

"Notice of appeal shall be accompanied by a fee of \$250.00."

(13) Section 903.3 is amended with additional language to read as follows:

" 903.3 Unvented gas log heaters. ~~Unvented gas log heaters are prohibited.~~"

(14) Section 905.1 is amended by adding the following sentence to read as follows:

~~Solid fuel appliances shall be listed and tested and fully complies with E.P.A. Phase II and/or Colorado Phase III air quality requirements.~~

(15) Section 1001 is amended by adding section 1001.2 to read as following:

1001.2 Operations and maintenance of boilers and pressure vessels. Boilers and pressure vessels shall be operated and maintained in conformity with requirements for adequate protection of the public according to nationally recognized standards. The State Boiler Inspector shall notify the owner or the authorized representative of defects or deficiencies, which shall be properly and promptly corrected.

(e) The following sections of the **2021 International Fuel Gas Code**, adopted by reference in Section 18-1-10 above, are hereby amended as follows:

(1) Section 101.1 is amended to read as follows:

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

(2) Section 103.2 is amended to read as follows:

" 103.2 Building official. The **building** official is hereby authorized and directed to enforce all the provisions of this Code; however, a guaranty that all buildings and structures have been constructed in accordance with all the provisions of this Code is neither intended nor implied."

(3) Section 103.3 is amended to read as follows:

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

(4) Section 104.8 is amended to read as follows:

" 104.8 Liability. The adoption of this Code, and any previous building codes adopted by the Town of Fraser, shall not be deemed to give rise to a duty of care on the part of any public entity, public employee or agent, nor shall this Code or any previous building codes be deemed to create any civil remedy against a public entity, public employee or agent. The building official, member of board of appeals or employee charged with the enforcement of this Code, while acting for the jurisdiction in good faith and without malice in the discharge of the duties required by this Code or other pertinent law or ordinance, shall not thereby be rendered liable personally, and is hereby relieved from personal liability for any damages accruing to persons or property as a result of an act or by reason of an act or omission in the discharge of official duties.

"Any suit instituted against an officer or employee because of an act performed by that officer or employee in the lawful discharge of duties under the provisions of this Code shall be defended by legal representative of the jurisdiction until the final termination of the proceedings. The building official or any subordinate shall not be liable for cost in any action, suit or proceeding that is instituted in pursuance of the provisions of this Code."

(5) Section 106.1.1 & 106.1.2 shall be deleted in its entirety.

(6) Section 106.5.3 is amended to read as follows:

" 106.5.3 Expiration. Every permit issued by the building official under the provisions of this Code shall expire 24 months after the date of issue. Every permit issued by the building 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 is suspended or abandoned at any time after the work is commenced for a period of 180 days. Before such work recommences, a new permit shall first be obtained and the fee therefor shall be one-half the amount required for a new permit for such work, provided that 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. The extension shall be requested in writing and justifiable cause demonstrated."

(7) Section 106.5.1 shall be amended by replacing the word "**APPROVED**" with "**REVIEWED FOR CODE COMPLIANCE**"

(8) Section 109.2 is amended to read as follows:

" 109.2 Fee schedule. The fees for work shall be in accordance with Appendices B and C of the Fraser Municipal Code."

(9) Section 109.6 is amended to read as follows:

" 109.6 Fee refunds. The building official shall authorize the refunding of fees as follows:

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

"2. Not more than **80** percent 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** percent 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** **30** days after the date of fee payment."

(10) Section 112.2.1. is amended by adding a new subsections to read as follows:

" 112.2.1.1 Reinspections. A reinspection fee, as specified in Appendix B of the Fraser Municipal Code, may be assessed for each inspection or reinspection when such portion of work for which inspection is called is not complete or when corrections called for are not made. Reinspection fees may be assessed when the inspection record card is not posted or otherwise available on the work site, the approved plans are not readily available to the inspector, for failing to provide access on the date for which the inspection is requested, or for deviating from plans requiring the approval of the building official. In instances where reinspection fees have been assessed, no additional inspection of work will be performed until the reinspection fees have been collected by the Building Department."

112.2.1.2 Investigative fee – Work without a permit. Whenever any work for which a permit is required by this code has been commenced without first obtaining said permit, a special investigation shall be made before a permit may be issued for such work. An investigation fee, in addition to the permit fee, shall be collected whether a permit is then or subsequently issued. The investigation fee may be up to or equal to the amount of the permit fee required by this code. The minimum investigation fee shall be as the minimum set forth and adopted by the Town Council. The payment of such investigation fee shall not exempt any person from compliance with all other provisions of this code nor from any penalty prescribed by law.

(11) Section 112.2.2 Inspection requests is amended by adding an additional paragraph

All inspections requested prior to 4:00 pm the day requested will be performed the **same** following working day. Such request for inspection may be made by calling the 24-hour automated telephone answering system or the automated inspection portal.

(12) Section 113 is repealed in its entirety and reenacted to read as follows:

" SECTION 113 MEANS OF APPEAL is amended by adding the following paragraph:

" 113.5 Application for appeal. A person shall have the right to appeal a decision of the building official to the Construction and Fire Code Board of Appeals established in Paragraph 18-1-30(a)(21) of the Fraser Municipal Code. An application for appeal shall be based on a claim that the true intent of this Code or the rules legally adopted thereunder have been incorrectly interpreted, the provisions of this Code do not fully apply, or an equally good or better form of construction is proposed. The application shall be filed on a form obtained from the building official within 20 days after the notice was served.

"Notice of appeal shall be accompanied by a fee of \$250.00."

(13) Section 115.1 is amended to read as follows:

" 115.1 Violation penalties. Any person who shall violate a provision of this Code or shall 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 building official, or of a permit or certification issued under the provisions of this Code, shall be guilty of a violation, punishable by a fine of not more than \$1,000.00 or by imprisonment not exceeding one year, or both such fine and imprisonment. Each day that a violation continues after due notice has been served shall be deemed a separate offense in accordance with Section 18-1-40 of the Fraser Municipal Code."

(14) Section 116.1 is amended to read as follows:

" 116.1 Authority, Stop work orders. Upon notice from the building 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, **posted on the property or given** to the owner's agent or the person doing the work. The notice shall state the conditions under which work is authorized to resume. Where any emergency exists, the building official shall not be required to give a written notice prior to stopping the work."

(15) Section 303.3 is amended to read as follows:

" 303.3 Prohibited locations. Appliances shall not be located in sleeping rooms, bathrooms, toilet rooms, storage closets or surgical rooms, or in a space that opens only into such rooms or spaces, except where the installation complies with one of the following:

"1. The appliance is a direct-vent appliance installed in accordance with the conditions of the listing and the manufacturer's instructions.

"2. Vented room heaters, wall furnaces, vented decorative appliances, vented gas fireplaces, vented gas fireplace heaters and decorative appliances for installation in vented solid fuel-burning fireplaces are installed in rooms that meet the required volume criteria of Section 304.5.

"3. The appliance is installed in a room or space that opens only into a bedroom or bathroom, and such room or space is used for no other purpose and is provided with a solid weather-stripped door equipped with an approved self-closing device. All combustion air shall be taken directly from the outdoors in accordance with Section 304.6."

(16) Section 406.4.1 is amended to read as follows:

" 406.4.1 Test pressure. The test pressure to be used shall not be less than 1½ times the proposed maximum working pressure, but not less than **10 psig**, irrespective of design pressure. Where the test pressure exceeds 125 psig (862 kPa gauge), the test pressure shall not exceed a value that produces a hoop stress in the piping greater than 50 percent of the specified minimum yield strength of the pipe."

(17) Section 501.8 is amended to read as follows:

" 501.8 Appliances not required to be vented. The following appliances shall not be required to be vented:

"1. Ranges.

"2. Built-in domestic cooking units listed and marked for optional venting.

"3. Hot plates and laundry stoves.

"4. Type 1 clothes dryers. (Type 1 clothes dryers shall be exhausted in accordance with the requirements of Section 614.)

"5. A single booster type automatic instantaneous water heater, where designed and used solely for the sanitizing rinse requirements of a dishwashing machine, provided that the heater is installed in a commercial kitchen having a mechanical exhaust system. Where installed in this manner, the draft hood is required, shall be in place and unaltered and the draft hood outlet shall be not less than 36 inches (914 mm) vertically and 6 inches (152 mm) horizontally from any surface other than the heater.

"6. Refrigerators.

"7. Counter appliances.

"8. Direct-fired make-up air heaters.

"9. Other equipment listed for unvented use and not provided with flue collars.

"10. Specialized equipment of limited output such as laboratory burners and gas lights."

(17) Section 603.1 is amended to read as follows:

" 603.1 General. Log lighters are prohibited."

(18) Section 621.1 is repealed in its entirety and reenacted to read as follows:

" 621.1 Prohibited installation. Installation of unvented room heaters is prohibited."

(f) The following sections of the **2021 International Fire Code**, adopted by reference in Section 18-1-10 of this Chapter, are hereby amended as follows:

(1) Section 101.1 is amended to read as follows:

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

(2) Section 101.2.1 is amended to read as follows:

" 101.2.1 Appendices. Provisions in the appendices are specifically adopted."

(3) Section 103.2 is amended to read as follows:

" 103.2 Appointment. See Paragraph 18-1-30(a)(5) of the **Fraser Municipal Code**."

(4) Section 103.3 is amended to read as follows:

" 103.3 Deputies. See Paragraph 18-1-30(a)(6) of the **Fraser Municipal Code**."

(5) Section 104.7 is amended to read as follows:

" 104.7 Liability. See Paragraph 18-1-30(a)(8) of the **Fraser Municipal Code**."

(6) Section 105.3.1 is amended to read as follows:

" 105.3.1 Expiration. See Paragraph 18-1-30(a)(11) of **Fraser Municipal Code**."

Section 105.5 is amended to read as follows:

105.5.11 An operational permit is required to produce, transport on site use, handle or dispense cryogenic fluids in any amount.

Section 105.5 is amended by adding a new subsection to read as follows:

105.5.53 Each and every listed permit may not be required by the district.

Section 105.6.3 is repealed in its entirety and reenacted to read as follows:

105.6.3 Cryogenic fluids storage is prohibited.

(7) Section 108.2 is amended by adding a new subsection to read as follows:

" 108.2.1 Reinspections. A reinspection fee, as specified in Appendix B of the Fraser Municipal Code, may be assessed for each inspection or reinspection when such portion of work for which such inspection is called is not complete or when corrections called for are not made. Reinspection fees may be assessed when the inspection record card is not posted or otherwise available on the work site, the approved plans are not readily available to the inspector, for failing to provide access on the date for which the inspection is requested, or for deviating from plans requiring the approval of the building official and/or fire code official. In instances where reinspection fees have been assessed, no additional inspection of work will be performed until the reinspection fees have been collected by the Building Department or Fire Department. (Fire Department - East Grand Fire Protection District No. 4, Plan Review & Inspection Fee Schedule)."

(8) Section 111.1 is repealed in its entirety and reenacted to read as follows:

" 111.1 Board of appeals established. A person shall have the right to appeal a decision of the building official and fire code official to the Construction and Fire Code Board of Appeals established pursuant to Paragraph 18-1-30(a)(21) of the Fraser Municipal Code.

"Notice of appeal shall be accompanied by a fee of \$250.00."

(9) Section 114.8 is added to read as follows:

" 114.8 Water flushing. The fire chief or fire code official shall be authorized to witness, accept or approve flushing and flow testing of a water system supplying water for all fire protection systems."

(10) Section 903.2.8 is amended by adding an exception to read as follows:

" 903.2.8 Group R. An automatic fire sprinkler system installed in accordance with Section 903.3 shall be provided through all buildings with a Group R fire area.

" Exception: An automatic sprinkler system is not required in existing non-sprinklered buildings, two stories or less, where a change of occupancy/alteration creates no more than two dwelling units, provided that a manual and automatic fire alarm system is installed in accordance with NFPA 72 throughout the building and the residential occupancies are separated from other occupancies per Section 508.4 of the International Building Code ."

(11) The limits referred to in certain sections of the **2021** International Fire Code are hereby established as follows:

Section 3404.2.9.6.1 Locations Where Above-Ground Tanks Are Prohibited. ~~Storage of Class I and Class II liquids in above ground tanks outside of buildings is prohibited within the limits established by law as the limits of districts in which such storage is prohibited.~~ **Storage of class I and class II liquids in above ground tanks outside of buildings is restricted to 250 gallons or less.**

Exception: When a permit has been issued by the fire chief.

Section 5504.3.1.1.3 Location. ~~Containers of cryogenic fluids shall not be located within diked areas containing other hazardous materials.~~ **Any amount of storage of flammable cryogenic fluids is prohibited.**

Section 5704.2.9.6.1 Locations Where Above-Ground Tanks Are Prohibited. ~~Storage of Class I and Class II liquids in above ground tanks outside of buildings is prohibited within the limits established by law as the limits of districts in which such storage is prohibited.~~ **Storage of Class I and Class II liquids in above ground tanks is restricted to 250 gallons or less.**

Exception: When a permit has been issued by the fire chief.

Section 5806.2 Limitations. ~~Storage of flammable cryogenic fluids in stationary containers outside of building is prohibited within the limits established by law as the limits of districts in which such storage is prohibited (see Section 3 of the Sample Ordinance for Adoption of the International Fire Code on page xiii).~~ **Any amount of storage of flammable cryogenic fluids is prohibited.**

Section 6104.2 Maximum Capacity Within Established Limits. Within the limits established by law 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 (7570L).

Exception: When a permit has been issued by the fire chief.

Section A101.3 is repealed and reenacted to read as follows:

(12) Section A101.2 is amended to read as follows:

" A101.2 Membership. The membership of the appeals board shall consist of five voting members, three of which having the qualifications established by this Section. Members shall be nominated by the building official, fire code official or the chief administrative officer of the respective jurisdiction, subject to confirmation by a majority vote of the governing body.

" A101.2.2 Licensed electrician. Registered design professional with electrical engineering experience or an electrical contractor with at least ten years' experience, five of which shall have been in responsible charge of work.

" A101.2.3 Licensed plumber. Registered design professional with mechanical and plumbing experience or a mechanical contractor with at least ten years' experience, five of which shall have been in responsible charge of work."

(13) Section D102.1 is amended to read as follows:

" D102.1 Access and loading. Facilities, buildings or portions of building hereafter constructed shall be accessible to fire department apparatus by way of an approved fire apparatus access road with asphalt, concrete, or other approved driving surface capable of supporting the imposed load of fire apparatus weighing at least **84,000** pounds."

(g) The National Electrical Code (NEC), most current edition, issued and published by the National Fire Protection Association, Batterymarch, Quincy, MA 02269, and Title 12, Article 23 of the Colorado State Electrical Laws and Rules and Regulations, are enacted and adopted by reference in Section 18-1-10 of this Chapter as secondary codes and incorporated herein. A copy of said code, certified as a true copy by the mayor and town clerk, shall be on file in the office of the town clerk and may be inspected during regular business hours.

The intent and purpose of this Code is to provide minimum standards to safeguard life or limb, health, property and public welfare by regulating and controlling the design, construction and installation, quality of materials, location, operation and maintenance or use of electrical equipment, systems and methods. The intent of this Code is to meet or exceed the requirements of the State of Colorado Electrical Code.

When technical requirements, specifications or standards in the Colorado Electrical Code conflict with this Code, the more restrictive shall apply." Additionally, the intent is when the state of Colorado adopts the most current edition of the National Electrical Code, the town of Fraser concurrently adopts the most current edition.

Permit fees shall be assessed as set forth by this code shall be established by town council from time to time as amended and adopted by the Town of Fraser and shall be based on valuation of the work to be done.

It shall be unlawful for any person, firm or corporation to erect, construct, enlarge, alter, repair, move, improve, remove, convert or demolish, equip, use, occupy or maintain any electrical system or equipment or cause or same to be done contrary to or in violation of any of the provisions of the National Electrical Code. Any person, firm or corporation violating any of the provisions of the National Electrical Code shall be deemed guilty of a misdemeanor, and subject to penalties set forth of the Town of Fraser.

(h) The following sections of the **2021 International Existing Building Code**, adopted by reference in Section 18-1-10 above, are hereby amended as follows:

(1) Section 101.1 is amended to read as follows:

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

(2) Section 103.2 is amended to read as follows:

" 103.2 Building official. The building official is hereby authorized and directed to enforce all the provisions of this Code; however, a guarantee that all buildings and structures have been constructed in accordance with all provisions of this code is neither intended nor implied."

(3) Section 103.3 is amended to read as follows:

" 103.3 Deputies. In accordance with the prescribed procedures of this jurisdiction, 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 the powers as delegated by the building official."

(4) Section 104.1 is amended to read as follows:

" 104.1 General. The building official is hereby authorized and directed to enforce all of the provisions of this Code; however, a guarantee that all buildings and structures have been constructed in accordance with all the provisions of this Code is neither intended nor implied. The building official shall have the authority to render interpretations of this Code and to adopt policies and procedures in order to clarify the application of its provisions. Such interpretations, policies, and procedures shall be in compliance with the intent and purposes of this Code. Such policies and procedures shall not have the effect of waiving requirements specifically provided for in this Code."

(5) Section 104.8 is amended to read as follows:

" 104.8 Liability. The adoption of this Code, and any previous building codes adopted by the Town of Fraser, shall not be deemed to give rise to a duty of care on the part of any public entity, public employee or agent, nor shall this Code or any previous building codes be deemed to create any civil remedy against a public entity, public employee or agent. The building official, member of board of appeals or employee charged with acting for the Town of Fraser in good faith and without malice in the discharge of the duties required by this Code or other pertinent law or ordinance, shall not thereby be rendered liable personally and is hereby relieved from personal liability for any damages accruing to persons or property as a result of any act or by reason of an act or omission in the discharge of official duties. Any suit instituted against an officer or employee because of an act performed by that officer or employee in the lawful discharge of duties under the provisions of this Code shall be defended by a legal representative of the Town of Fraser until the final termination of the proceedings. The building official or any subordinate shall not be liable for cost in any action, suit or proceeding that is instituted in pursuance of the provisions of this Code."

(6) Sections 105.1.1 and 105.1.2 are repealed in their entirety.

(7) Section 105.5 is amended to read as follows:

" 105.5 Expiration. Every permit issued by the building official under the provision of this Code shall expire 24 months after the date of issue. 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 or abandoned 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. The extension shall be requested in writing and justifiable cause demonstrated."

(8) Section 106.3.3 is amended to read as follows:

" 106.3.3 Phased approval. The ~~building official~~ *Town Manager* shall not issue a permit until the ~~construction documents for the whole building or structure have been submitted and approved.~~ ^{3.} is authorized to issue a *permit* for the construction of foundations or any other part of a building or structure before the *construction documents* for the whole building or structure have been submitted, provide that adequate information and detailed statements have been filed complying with pertinent requirement of This Code. The holder of such *permit* for the foundation or other parts of a building or structure shall proceed at the holder's own risk with the building operation and without assurance that a *permit* for the entire structure will be granted.

(9) Section 106.3.4 is repealed in its entirety.

(10) Section 107.3 is repealed in its entirety.

(11) Section 108.2 is amended to read as follows:

" 108.2 Schedule of permit fees. On buildings, structures, gas, mechanical, and plumbing systems or alterations requiring a permit, a fee for each permit shall be paid as required in accordance with Appendices B and C of the Fraser Municipal Code."

(12) Section 108.5 is amended by adding a new subsection to read as follows:

" 108.5.1 Use tax requirements. See Section 4-3-20 of the Fraser Municipal Code."

(13) Section 108 is amended by adding a new subsection to read as follows:

" 108.7 Reinspection fees. A reinspection fee, in an amount per Appendix B of the Fraser Municipal Code, may be assessed for each inspection or reinspection when such work for which inspection is called is not complete or when corrections called for are not made. Reinspection fees may be assessed when the inspection record card is not posted or otherwise available on the work site, the approved plans are not readily available to the inspector, for failing to provide access on the date for which the inspection is requested or deviating from the approved plans. In instances where reinspection fees have been assessed, no additional inspection of the work will be performed until the reinspection fees have been received by the building department."

(14) Section 109.5 is amended to read as follows:

" 109.5 Inspection requests. It shall be the duty of the person doing the work, the owner, contractor, or subcontractor to know that the building or structure has a valid building permit and to notify the building department when work is ready for inspection. It shall be the duty of the person who requests an inspection to provide access to and means for any inspections of such work that are required by this Code."

(15) Section 1301.2 is amended to read as follows:

" [B] 1301.2 Applicability. Structures existing prior to May 12, 1975, in which there is work involving additions, alterations or changes of occupancy shall be made to conform to the requirements of this chapter or the provisions of Chapters 4 through 12. The provisions of Sections 1301.2.1 through 1301.2.5 shall apply to existing occupancies that will continue to be, or are supposed to be, in Groups A, B, E, F, M, R, and S. These provisions shall not apply to buildings with occupancies in Group H or I."

(Ord. 282 Part 1.2, 2003; Ord. 330 §1, 2007; Ord. 332 Part 1, 2007; Ord. 342 §1.2, 2008; Ord. 351 Part 1.2, 2009; Ord. 370 Part 1, 2010; Ord. 410 Part 1, 2013; Ord. 418 Part 1, 2014; Ord. 450 §1.1(Exh. A), 2018)

Sec. 18-1-40. - Penalties and enforcement.

(a) Every person convicted of a violation of any provision of this Article or the codes adopted herein shall be punished as set forth in Section 1-4-10 of this Code.

(b) In the event of any violation or threatened violation of this Article or the codes adopted herein, the Board of Trustees may, in addition to other remedies provided by law, institute an appropriate action for injunction, mandamus or abatement to prevent, enjoin, abate or remove such violation or threatened violation.

(Prior code 4-1-3; Ord. 282 Part 2, 2003; Ord. 330 §1, 2007; Ord. 332 Part 1, 2007; Ord. 450 §1.1(Exh. A), 2018)

ARTICLE 2 - Energy Conservation Code

Sec. 18-2-10. - Adoption.

(a) Pursuant to Title 31, Article 16, Parts 1 and 2, C.R.S, the following code is hereby adopted and enacted by reference: the *International Energy Conservation Code*, **2021** Edition, including all Appendices, with amendments as provided herein (sometimes referred to herein as the "Energy Code").

(b) Said code has been promulgated and published by the International Code Council, 500 New Jersey Avenue, NW, 6 th Floor, Washington, DC 20001-2070.

(Ord. 342 §1.1, 2008; Ord. 450 §1.1(Exh. A), 2018)

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

(a) Not less than one (1) copy of said code hereby adopted, including amendments provided herein, all certified by the Mayor and the Town Clerk to be true copies of said code and amendments as they were adopted by this Article, shall be

kept on file in the office of the Town Clerk and available for public inspection; provided, however, that a copy of said code, as amended, may be kept in the office of the Chief Enforcement Officer designated pursuant to such code instead of the office of the Town Clerk.

(b) The Town Clerk shall maintain a reasonable supply of copies of said code and amendments adopted herein for purchase by the public at a reasonable price as established from time to time by the Town Clerk.

(Ord. 342 §1.1, 2008; Ord. 450 §1.1(Exh. A), 2018)

Sec. 18-2-30. - Applicability; exemptions.

(a) The Energy Code shall apply to the construction of, renovations and additions to all commercial and residential buildings in the Town unless otherwise exempted herein.

(b) The following buildings are exempt from provisions of the Energy Code adopted herein:

(1) Any building that is otherwise exempt from the provisions of the building code adopted by the Board of Trustees and buildings that do not contain a conditioned space.

(2) Any building that does not use either electricity or fossil fuels for comfort heating. A building will be presumed to be heated by electricity, even in the absence of equipment used for electric comfort heating, if the building is provided with electrical service in excess of one hundred (100) amps, unless the Code Enforcement Official determines that the electrical service is necessary for a purpose other than for providing electric comfort for heating.

(3) Historic buildings that are listed on the National Register of Historic Places or the State Registers of Historic Properties and buildings that have been designated as historically significant or that have been deemed eligible for designation by a local governing body that is authorized to make such designations.

(4) Any building that is exempt pursuant to the Energy Code.

(Ord. 342 §1.1, 2008; Ord. 450 §1.1(Exh. A), 2018; Ord. 450 §1.1(Exh. A), 2018))

Sec. 18-2-40. - Amendments.

(a) Preface to amendments. The amendments to the Energy Code provided in this Section are deemed appropriate for local conditions and do not decrease the effectiveness of the Energy Code.

(b) The following sections of the Energy Code adopted by reference in Section 18-2-10 above are hereby amended as follows:

(1) Section 101.1 is amended to read as follows:

" 101.1 Title. This code shall be known as the International Energy Conservation Code of the Town of Fraser and shall be cited as such. It is referred to herein as 'this code.' "

(2) **Section R104.2 is amended by adding the following:**

Blower door tests would not be mandatory, mechanical ventilation is required.

Table R402.1.2 is amended with the addition of footnote j to read as follows:

An acceptable alternative to 20+5 or 13+10 exterior wall continuous insulation requirement is an R-24 cavity insulation.

(3) Section 101.6 is added to read as follows:

" 101.6 Use of terms. The terms 'code official' and 'building official' shall be interchangeable and shall be the Town's 'Building Official.' See Fraser Municipal Code Section 18-1-30(a)(7) amending Section 103.2 of the Fraser Building Code."

(4) Section 402.1.4 is eliminated in its entirety and replaced to read as follows:

" 402.1.4 Total UA alternative. If the total building thermal envelope UA (sum of U-factor times assembly area) is less than or equal to the total UA resulting from using the U-factors in Table 402.1.3 (multiplied by the same assembly area as in the proposed building), provided that the Skylight U-Factor and Ceiling R-Value are not less than the requirements of Table 402.1.1, the building shall be considered in compliance with Table 402.1.1. The Skylight U-Factor and Ceiling R-Value shall not be less than the requirements of Table 402.1.1 if ice damming potential would increase as determined by the Building Official. If the roof design avoids or decreases potential ice damming, then the Skylight U-Factor and Ceiling R-Value may be reduced as allowed per this Section. The UA calculation shall be done using a method consistent with the ASHRAE Handbook of Fundamentals and shall include the thermal bridging effects of framing materials. The SHGC requirements shall be met in addition to UA compliance."

(5) Section 404.2 is eliminated in its entirety and replaced to read as follows:

" 404.2 Mandatory requirements. Compliance with this Section requires that the criteria of Sections 401, 402.4, 402.5, 402.6 and 403 be met. The Skylight U-Factor and Ceiling R-Value shall not be less than the requirements of Table 402.1.1 if ice damming potential would increase as determined by the Building Official. If the roof design avoids or decreases potential ice damming, then the Skylight U-Factor and Ceiling R-Value may be reduced as allowed per this Section."

(6) Section 506.1, General, is amended by adding:

"3. If the roof design avoids or decreases potential ice damming."

(Ord. 342 §1.1, 2008; Ord. 450 §1.1(Exh. A), 2018)

Sec. 18-2-50. - Penalties and enforcement.

(a) Every person convicted of a violation of any provision of this Article or the codes adopted herein shall be punished as set forth in Section 1-4-10 of this Code.

(b) In the event of any violation or threatened violation of this Article or the codes adopted herein, the Board of Trustees may, in addition to other remedies provided by law, institute an appropriate action for injunction, mandamus or abatement to prevent, enjoin, abate or remove such violation or threatened violation.

(Ord. 342 §1.1, 2008)