

## CHAPTER 18

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## ARTICLE 1

### Administration

#### Sec. 18-1-10. Adoption of Codes.

(a) Pursuant to Title 31, Article 16, Part 2, C.R.S., there is hereby created the Building Code of the City of Cripple Creek, which is adopted herein by reference, including the following uniform and international codes with amendments and additions, the text of which is set forth below and all of which shall have the same force and effect as if set forth herein in every particular:

(1) The *International Building Code*, 2003 edition, promulgated by the International Code Council, 5360 South Workman Mill Road, Whittier, CA 90601;

(2) The *International Plumbing Code*, 2003 edition, promulgated by the International Code Council, 5360 S. Workman Mill Road, Whittier, CA 90601;

(3) The *International Mechanical Code*, 2003 edition, promulgated by the International Code Council, 5360 S. Workman Mill Road, Whittier, CA 90601;

(4) The *International Residential Code*, 2003 edition, promulgated by the International Code Council, 5360 S. Workman Mill Road, Whittier, CA 90601;

(5) The *International Existing Building Code* edition, 2003, promulgated by the International Code Council, 5360 S. Workman Mill Road, Whittier, CA 90601;

(6) The *International Fire Code*, 2003 edition, promulgated by the International Code Council, 5360 S. Workman Mill Road, Whittier, CA 90601; and the Western Fire Chiefs Association, Palm Brook Corporate Center, 3602 Inland Empire Boulevard, Suite B-205, Ontario, CA 91764;

(7) The *International Energy Conservation Code*, 2003 edition, promulgated by the International Code Council, 5360 S. Workman Mill Road, Whittier, CA 90601;

(8) The *International Property Maintenance Code*, 2003 edition, promulgated by the International Code Council, 5360 S. Workman Mill Road, Whittier, CA 90601;

(9) The *International Fuel Gas Code*, 2003 edition, promulgated by the International Code Council, 5360 S. Workman Mill Road, Whittier, CA 90601;

(10) The *Uniform Code for the Abatement of Dangerous Buildings*, 1997 edition, promulgated by the International Council of Building Officials, 5360 S. Workman Mill Road, Whittier, CA 90601;

(11) The *National Electrical Code*, 2005 edition, promulgated by the National Fire Protection Association, One Batterymarch Park, Quincy, Massachusetts 02269;

(12) The *Safety Code for Elevators and Escalators*, 2004 edition, promulgated by the American Society of Mechanical Engineers, Three Park Avenue, New York, New York 10016;

(13) The *International Electrical Code Administration Provisions*, 2003 edition, promulgated by the International Code Council, 5360 S. Workman Mill Road, Whittier, CA 90601; and

(14) The *International Code Council Performance Code*, 2003 edition, promulgated by the International Code Council, 5360 S. Workman Mill Road, Whittier, CA 90601.

(b) The subject matter of the adopted codes includes comprehensive provisions and standards regulating the erection, construction, enlargement, alteration, repair, moving, removal, conversion, demolition, occupancy, equipment, use, height, area and maintenance of buildings and structures for the purpose of protecting the public health, safety and welfare. (Ord. 2003-23 §1; Ord. 2005-07 §1; Ord. 2007-04 §1)

**Sec. 18-1-20. Title.**

This Chapter shall be known as the *City of Cripple Creek Building Code*, may be cited as such, and may be referred to herein as the *building code*. Said Building Code shall include those codes adopted by reference herein. (Ord. 2003-24 §3-1)

**Sec. 18-1-30. Purpose.**

The purpose of this building code is to provide minimum standards to protect the public health and safety by regulating and controlling buildings, structures and equipment, including but not limited to heating, ventilating, comfort cooling and refrigeration systems; signs and sign structures; elevators, dumbwaiters and escalators; boilers and pressure vessels; plumbing and drainage systems; electric conductors and equipment; and the storage and handling of hazardous materials; and by adopting uniform codes consistent with, and generally conforming to, similar ordinances and regulations throughout the Pikes Peak region; and to effect said purpose by acting with other governmental bodies in the Pikes Peak region in the promulgation of measures and procedures and the establishment of committees and boards as herein provided and establishing procedures for licensing contractors. (Ord. 2003-24 §3-1)

**Sec. 18-1-40. Scope.**

The provisions of the building code shall apply to the construction, enlargement, alteration, repair, moving, removal, conversion, demolition, occupancy, use, storage, height, area, maintenance, installation, inspection, design, operation, testing, handling, erection and fabrication of equipment, structures and buildings within the City, except public utility towers and poles, mechanical equipment not specifically regulated in this Code, structures other than buildings, and structures located primarily in a public way. Where, in any specific case, different sections of this building code, Chapter 16 of this Code, the zoning regulations or other ordinance or resolution of the City or another governmental body specify different requirements, the more restrictive shall govern. (Ord. 2003-24 §3-1; Ord. 2007-04 §1)

**Sec. 18-1-50. Code copies.**

(a) One (1) copy, certified to be a true copy, of each of the following codes is now on file at the office of the City Clerk and will remain on file in the Building Department:

- (1) The City of Cripple Creek Building Code;
  - (2) The International Building Code, 2003 edition;
  - (3) The International Plumbing Code, 2003 edition;
  - (4) The International Mechanical Code, 2003 edition;
  - (5) The International Residential Code, 2003 edition;
  - (6) The International Existing Building Code, 2003 edition;
  - (7) The International Fire Code, 2003 edition;
  - (8) The International Energy Conservation Code, 2003 edition;
  - (9) The International Property Maintenance Code, 2003 edition;
  - (10) The International Fuel Gas Code, 2003 edition;
  - (11) The Uniform Code for the Abatement of Dangerous Buildings, 1997 edition;
  - (12) The National Electrical Code, 2005 edition;
  - (13) The Safety Code for Elevators and Escalators, 2004 edition;
  - (14) The International Code Council Electrical Code Administration Provisions, 2003 edition;
- and
- (15) The International Code Council Performance Code, 2003 edition.

(b) The codes may be inspected by any interested person between the hours of 9:00 a.m. and 4:00 p.m., Monday through Friday, holidays excepted. The City of Cripple Creek Building Code, as finally adopted, shall be available for sale to the public through the Building Department at a moderate price. (Ord. 2003-23 §3; Ord. 2003-24 §3; Ord. 2005-07 §3; Ord. 2007-04 §1)

**Sec. 18-1-60. Penalties.**

(a) Any person, firm, partnership and/or corporation violating any provision of this building code shall be deemed guilty of a misdemeanor and, upon conviction thereof, shall be fined not more than one thousand dollars (\$1,000.00) or punished by imprisonment for not more than one year, or both such fine and imprisonment. Each day on which a violation exists shall be deemed to be a separate offense.

(b) The Building Official shall have the authority to assess a penalty pursuant to this Section. Where work is started before a permit is issued, the applicant shall be required to pay double the fees listed under said Section. (Ord. 2003-23 §4; Ord. 2003-24 §4; Ord. 2007-04 §1)

## ARTICLE 2

### Board of Review, Code Advisory Board and Building Commissioner

#### Sec. 18-2-10. Board of Review.

(a) The Board of Review shall have the authority to propose rules, regulations and standards as may be necessary to accomplish the purposes and objectives of the building code. All said rules, regulations and standards as may be proposed for adoption by the Board of Review shall be subject to final approval of the appropriate legislative body of the City. All rules and regulations, upon adoption, shall be reduced to writing and kept available for public inspection in the offices of the Building Official and City Clerk. All appeals that involve the Building Department shall be presented to the Board of Review.

(b) The Board of Review shall be the duly authorized authority for granting and revoking all licenses provided for in the building code.

(c) The Board of Review shall be charged with the responsibility of reasonable interpretation of all codes adopted by the City that are administered by the Building Department. The Board of Review may make minor variances from the provision of said codes, so long as said minor variances, when granted, are consistent with the intent of said codes and the standards therein specified relating to quality, design of material and construction. (Ord. 2003-24 §3-2)

#### Sec. 18-2-20. Appeals.

(a) The Board of Review shall review all initial appeals and has the power to grant special variances to the building code or to interpret disputed language in the building code, so long as it is in harmony with the general purpose of the code.

(b) Any person, firm, corporation, public officer, department or board, aggrieved by any decision or order of the Building Official may appeal that decision to the Board of Review. Each appeal must be perfected by filing a written notice of appeal within ten (10) working days from the date of the decision or order of the Building Official and by paying the filing fee. The notice of appeal shall be lodged with the Secretary of the Board of Review, shall contain appropriate reference to the decision or order and shall specify the grounds of appeal. An appeal shall stay all proceedings in connection with the decision or order unless the Building Official certifies that a stay would cause imminent hazard to life or property. All appeals shall be decided by the Board of Review within forty-five (45) days of perfection. Minutes shall be maintained of all meetings and shall be retained as public record. In the case of an emergency, a special meeting of the Board may be requested. Any person, firm, corporation, public officer, Building Official, department or board aggrieved by any decision of the Board of Review as listed in Subsection (a) above may appeal that decision to the City Council. Each appeal must be perfected by filing a written notice of appeal within ten (10) working days from the date of the decision of the Board of Review and by paying the filing fee. The notice of appeal shall be lodged with the City Clerk, shall contain appropriate reference to the decision of the Board of Review and shall specify the grounds of appeal. An appeal shall stay all proceedings in connection with the decision unless the Building Official certifies that a stay would cause imminent hazard to life or property. The appeal shall be decided by the City Council within thirty (30) days of perfection. (Ord. 2003-24 §3-2; Ord. 2007-04 §1)

**Sec. 18-2-30. Term.**

The Board of Review shall be appointed by the City Council and shall be composed of at least five (5) members. The term of service shall be for three (3) years, and no member shall succeed himself or herself after completing two (2) full terms of service unless approved by a vote of the whole Board membership. The Board will be comprised of members who are experienced in the building construction industry, such as architects, engineers, contractors and tradesmen. Their terms shall be staggered so that at least one (1) term will expire each year. Any member so appointed may be removed for cause by the City Council upon written charges and after a public hearing. The Board shall elect a chairperson and a vice chairperson annually as its first official act, and shall further provide written standards concerning proper handling of all situations where a member may have a conflict of interest in a pending matter. Until such time as the City Council appoints a separate Board of Review, the City Council shall serve in that capacity. (Ord. 2003-24 §3-2)

**Sec. 18-2-40. Liability.**

Any member of the Board of Review or Advisory Committee or the Building Commissioner, acting in good faith and without malice for the City in the discharge of his or her duties as provided herein, shall not thereby render himself or herself liable personally; and he or she is hereby relieved from all personal liability for any damage that may occur to persons or property as a result of any act required, or by reason of any act or omission related to the discharge of his or her duties. Any suit brought against a member of the Board because of such act or omission performed by him or her in the discharge of his or her duty, shall be defended by the City Attorney until final termination of the proceedings. (Ord. 2003-24 §3-2; Ord. 2007-04 §1)

**Sec. 18-2-50. Fees for appeal.**

The fee for filing an appeal to the Board of Review and the City Council shall be fifty dollars (\$50.00) for each appeal. The fee for filing an appeal at a special meeting of the Board of Review shall be two hundred dollars (\$200.00). (Ord. 2003-24 §3-2)

**Sec. 18-2-60. Code Advisory Board.**

(a) The Code Advisory Board is comprised of one (1) member of each major contractor group; i.e., a general contractor, an electrician, a plumber, a heating contractor and any other representative as required by the Building Official.

(b) The purpose of the Code Advisory Board is as follows: the Code Advisory Board shall be established as advisory to the Board of Review. This Advisory Board shall review all appeals with power to interpret and grant minor variances from the codes and shall examine all applicants requesting licenses and attest as to their fitness and qualifications for licenses. (Ord. 2003-24 §3-2; Ord. 2007-04 §1)

**Sec. 18-2-70. Building Commissioner.**

A member of the City Council may serve as the Building Commissioner. (Ord. 2003-24 §3-2)

## ARTICLE 3

### Licenses and Registration

#### Sec. 18-3-10. Section 101, Definitions.

(a) *Contractor*: Within the meaning of this code, is any person, firm, co-partnership, corporation, association or other organization, or any combination thereof, who builds, constructs, alters, adds to, repairs, moves or wrecks any building or structure either on his or her own or other property, or supervises or advises on any such activity, or hires and pays subcontractors.

#### EXCEPTIONS:

(1) A homeowner may secure a permit to build, repair or remodel only one (1) R-3 occupancy in any twenty-four-month period and only for the homeowner's own use and occupancy. A total of two (2) residences shall be construed to establish that the "homeowner" is a contractor and shall comply with licensing requirements. The above also includes buildings or structures accessory thereto, intended for the homeowner's own personal use and occupancy. The owner of property is not allowed to secure a building permit for any occupancy other than R-3.

(2) Homeowners or homeowners' agents, doing ordinary maintenance or repairs which do not involve the structure of the building. Owners, other than homeowners, are not allowed to do remodeling, alteration or additions without a licensed contractor.

(b) *Examinee*: An examinee is an individual who has passed a test required by the Building Official evidencing satisfactory knowledge of the examinee, and who has been found qualified by the Board of Review as to training and experience to do the type of work allowed by the type of license applied for. An examinee may be the examinee for only one (1) contractor at any given time and shall be employed on a full-time basis for that contractor.

(c) *Registrant*: A registrant is a master plumber or master electrician licensed in the State of Colorado and registered with the City Building Department. (Ord. 2003-24 §3-3)

#### Sec. 18-3-20. Section 102, Requirements.

(a) 102(a), Licenses and Registrations Required: Licenses and registrations shall be required as hereinafter specified in this Section, and it shall be a violation of this Code for any person to perform any work covered by the building code without a license or registration except as allowed by this Code. No building permits shall be issued to any contractor who has not first obtained a license or registration as required in this Code, who is delinquent in the payment of his or her annual fee, or whose license or registration has been suspended or revoked by action of the Board of Review.

(b) 102(b) Applications: Applications for licenses and registrations shall be on such forms as are supplied by the Building Department, shall furnish such information as the Board of Review may prescribe, and shall be accompanied by a fee of twenty-five dollars (\$25.00) for each application/examination. Applicants must be at least eighteen (18) years of age.

(c) 102(c) Examination: Examinations shall be given at regular intervals. All applicants for Building Contractor A, Building Contractor B, Building Contractor C, heating contractor, sign contractor, solar contractor and wrecking contractor licenses, as specified hereinafter, shall take and pass a written examination. Examinations taken at the Pikes Peak Regional Building Department, the Teller County Building Department or the City of Cripple Creek, or the Reciprocal Construction Supervisor Examination, shall be sufficient, provided that proof of passing score is provided and the examinee is the same. In addition, all A, B and C contractors shall be required to pass an exam on the Cripple Creek Building Code. The application fee of twenty-five dollars (\$25.00) shall be paid before any examination is given. If the applicant does not receive a passing score, he or she may, upon payment of an additional twenty-five dollars (\$25.00), take the examination again after thirty (30) days. If the applicant fails the second or any subsequent examinations, then he or she may, upon payment of an additional twenty-five dollars (\$25.00), take the examination after six (6) months.

(d) 102(d) Examinee: If the applicant is a firm, co-partnership, corporation, association or other organization, then it shall designate one (1) of its members as the examinee, who shall take and pass the examination. If the designated examinee terminates his or her affiliation with the applicant, then another examinee shall be designated and shall take and pass the examination within thirty (30) days of the termination of the agreement with the original examinee, or the issued license shall be suspended or revoked.

(e) 102(e) Financial Responsibility: The applicant for all licenses or registrations shall furnish evidence of his or her financial responsibility and solvency on such forms as may be required by the Building Department. Any license or registration may be denied if the Board of Review finds that the applicant is not reasonably financially responsible to undertake the kind and scope of contracts that are authorized by the particular license or registration being requested.

(f) 102(f) Insurance Requirements: Applicants shall supply two (2) certificates of insurance:

(1) Liability insurance.

a. A certificate of public liability insurance indicating the types and amounts of coverage, including the policy number. The certificate must be in the licensed company name and the company name must appear as it is to appear on the license. The certificate must list the Cripple Creek Building Department at P.O. Box 430, Cripple Creek, CO 80813, as Certificate Holder with a ten-day cancellation notification clause. Interim certificates must show at least thirty (30) days' or better coverage upon the day submitted to be considered, and conform to the above requirements. Certificates must be current in the City's files to obtain a building permit.

b. General liability must include premises and operations and products and completed operations insurance coverage. Exception: If a wrecking contractor, or a building contractor acting as a wrecking contractor, proposes to demolish a building that is, in the opinion of the Building Official, sufficiently removed from other buildings or structures so as to not become a hazard to or cause damage to such other buildings or structures during the course of demolition, the Building Official, at his or her discretion, may waive the explosion, collapse and underground provisions of the building code.

The lapse, cancellation or reduction of insurance shall be cause for automatic suspension of the license until the required coverage are reinstated.

(2) A certificate of workers' compensation insurance shall be required to be current in the contractor's file. Sole proprietors and partnerships with no employees are exempt from this requirement; however, the examinee must submit a yearly letter attesting to the status of its company with the examinee's signature. Corporations are not exempt.

<b>MINIMUM COVERAGE REQUIREMENTS</b>					
<b>GENERAL LIABILITY POLICY</b>					
<i>License Category</i>	<i>Bodily Injury</i>	<i>Property Damage</i>	<i>C.S.L.*</i>	<i>Workers' Compensation**</i>	<i>Explosion Collapse &amp; Underground</i>
Building Contr. A	\$100,000/300,000	\$100,000	\$500,000	Required	
Building Contr. B-1		"	"		
Building Contr. B-2		"	"		
Building Contr. C		"	"		
Building Contr. D					
1. One Trade Only	50,000/100,000	"	300,000		
2. Wrecking A	300,000/500,000	"	750,000		\$500,000***
Wrecking B	100,000/300,000	"	500,000		200,000***
3. Automatic Fire Sprinkler	50,000/100,000	"	300,000		
4. Moving Contr.	100,000/300,000	"	500,000		
5. Sign Contr. A	50,000/100,000	"	300,000		
Sign Contr. B	"	"			
Building Contr. E	"	"			
Building Contr. F-1	"	"			
Building Contr. F-2	"	"			
Concrete Contr.	100,000/300,000	"	400,000		
Electrical Contr.	50,000/100,000	"	300,000		
Heating Contr. A	"	"			
Heating Contr. B	"	"			
Heating Contr. C	50,000/100,000	"	300,000		
Plumbing Contr.	"	"			
Water Contr. Appl.	"	"			
* Combined single limit					
** Sole proprietors and partnerships with no employees shall not be required to carry workers' compensation insurance					
*** Any general contractor acting as a wrecking contractor is required to carry explosion, collapse & underground insurance coverage in these amounts					

(g) 102(g) Letters of Reference: Companies must furnish three (3) letters on the examinee's experience on the forms provided by the City. An additional two (2) letters are required on the "firm," one (1) from a bank and another from a supplier or an accountant. Letters documented by partners, relatives or subcontractors are not acceptable.

(1) Form reference letters for class "A" contractor applicants must show experience in construction of Type I F.R. & Type II buildings and A, E or I occupancies. This experience must be documented by an architect or engineer who worked on the site; an owner of a building that the applicant has worked on or built; or a general contractor for whom the applicant has worked in the capacity of job superintendent or foreman.

(2) Form reference letters for class "B" and "B-1" contractor applicants must show commercial experience. This experience must be documented by an architect or engineer who worked on the site; an owner of a building that the applicant has worked on or built; or a general contractor for whom the applicant has worked in the capacity of job superintendent or foreman.

(3) Form reference letters for class "C" contractor applicants must show home building experience. Minimum qualifications generally are having built three (3) houses or having worked in the capacity of job superintendent or foreman for a general contractor. This experience must be documented by an architect or engineer who worked on the site; an owner of a building that the applicant has worked on or built; or a general contractor for whom the applicant has worked in the capacity of job superintendent or foreman.

(4) Form letters for contractor applicants other than those mentioned above must show experience in areas of expertise similar to that which is covered by the license for which the applicant is applying. Experience must be documented as outlined above.

(h) 102(h) State Licenses: Whenever the laws of the State require that a particular trade be licensed, then such license shall be a prerequisite for applicants for registration under the Building Department.

(i) 102(i) Welders: A copy of lab certifications must be supplied for verification by the Building Department.

(j) 102(j) Performance Bonds: Applicants shall provide performance bonds as required by the City. (Ord. 2003-24 §3-3; Ord. 2007-04 §1)

**Sec. 18-3-30. Section 103, Issuance of license.**

(a) 103(a.1): The Board of Review shall publish in a local newspaper with regional coverage a list of all pending licenses and solicit commentary from the public at least one (1) week prior to its consideration of the license or as soon as possible upon receipt of a completed application. If, in the opinion of the Board of Review, the applicant for a Class A, B or C license is qualified, it shall direct the Building Official to issue the applicant a license, upon payment of the annual fee prescribed in this Code. Class D licenses shall be granted by the Building Official if, in his or her opinion, the applicant is qualified and upon payment of the annual fee prescribed in this Code. The annual fee shall be in addition to the examination fee. If the annual fee is not paid and the license is not issued within sixty (60) days of approval by the Board of Review, the application shall be destroyed, and reexamination and reapplication shall be required.

(b) 103(a.2): In the interest of time, class A, B and C licenses may be issued when approved by the Building Official, but such licenses shall bear the following statement: "This license is

conditional until ratified by the Board of Review, which ratification shall be presumed unless contrary notification is received within sixty (60) days from date of issue."

(c) 103(b) Denial of License: In case the Board of Review refuses to ratify any such license, it shall hold a special hearing for the purpose of allowing the contractor to present his or her case. If ratification of such license is not forthcoming at said hearing, the license shall become null and void. Except in cases where fraud or falsification of the application is shown, the contractor may be allowed to complete any permits which have been issued in his or her name.

(d) 103(c) Temporary Permits: The Building Official may, at his or her discretion, issue temporary permits to contractors licensed in other cities whose applications have been filed pending action of the Board of Review, provided that the full first year's license fee and insurance certificates have been deposited with him or her. Such temporary permits may be revoked if the application for a license is denied by the Board or at the discretion of the Building Official.

(e) 103(d) Conditional Licenses: Conditional or probation licenses may be granted to a contractor where the Advisory Committee and the Board of Review deem it necessary in order to establish capability prior to the actual license issuance.

(f) 103(e) Responsibility of Contractors: A contractor shall be responsible for all work included in his or her contract, whether or not such work is done by him or her directly or by one (1) of his or her subcontractors. On any work requiring a licensed contractor, permits shall be issued only to the contractor or to his or her authorized representative. If a particular project requires a general contractor, all work being performed on that project shall be under the supervision of the general contractor.

(g) 103(f) Continuation of Business, Re-Examination: The respective licensee's rights to do business shall be dependent upon the continued retention of the examinee, in an active full-time capacity. Whenever the examinee terminates his or her active full-time capacity or otherwise becomes inactive, the licensee shall immediately notify the Building Official. There shall be a thirty-day grace period in order for the licensee to acquire a proper examinee to take the appropriate examination and appear before the Board of Review or the Building Official. The license shall terminate automatically if, after notification to renew within thirty (30) days, the holder fails to do so.

(h) 103(g) Special Limited Licenses: The Board of Review shall have the authority to grant to any applicant a special limited license, for the sole purpose of evaluating the experience of any applicant who has otherwise fulfilled all the code requirements prerequisite to the granting of any contractor's license. The special license shall be for the specific contractor's license applied for by the applicant, and it shall terminate after the completion of work done on one (1) permit. The Building Official shall, after reviewing the completed work, report his or her comments concerning the applicant's experience qualifications for the license to the Board of Review. The Board shall then reconsider the original application for the contractor's license requested by the applicant. (Ord. 2003-24 §3-3; Ord. 2007-04 §1)

#### **Sec. 18-3-40. Section 104, Experience.**

(a) All Building Contractor A applicants shall have held a Building Contractor B license issued by the City for at least two (2) years.

(b) All Building Contractor B applicants shall have held a Building Contractor C license issued by the City for at least three (3) years.

(c) All Building Contractor C applicants shall have served as a resident engineer or foreman in responsible charge of building contracts for at least three (3) years.

(d) Any of the foregoing experience requirements shall be satisfied by satisfactory evidence of the applicant presently holding a license of the same type as that applied for, issued by the Pikes Peak Regional Building Department, Teller County Building Department or any other municipality acceptable to the Board of Review. (Ord. 2003-24 §3-3)

**Sec. 18-3-50. Section 105, Categories of licenses and registrations.**

There are hereby established the following categories of licenses and registrations. The Building Official shall review applications, conduct examinations for the building and other classes of contractor licenses, when accompanied by the annual fee as prescribed for each class, and make appropriate recommendations to the Board of Review:

(1) 105(a) Building Contractor A (General): This license shall entitle the holder to contract for the construction, alteration or repairing of any type or size of structure permitted by the International Building Code. The annual fee shall be three hundred dollars (\$300.00). Testing is required.

(2) 105(b) Building Contractor B (General Limited): This license shall entitle the holder to contract for the construction, alteration or repairing of any type and occupancy classifications allowed by this code, with the exception of any building that requires type I and type II fire-resistive construction, and also A, E and I occupancies as specified in the International Building Code. The annual fee shall be two hundred dollars (\$200.00). Testing is required.

(3) 105(c) Building Contractor B-1 (Remodel): This license entitles the holder to contract for remodeling in all occupancies with the exception of any building that requires type I and type II fire-resistive construction and A, E and I occupancies. Further, this license shall entitle the holder to contract for any work authorized under a Building Contractor C license, the construction of B-2 occupancies of not more than one (1) story in height and not more than seven thousand five hundred (7,500) square feet in area and construction of R-1 occupancies of not more than two (2) stories in height and not more than twenty-one thousand (21,000) square feet in total area. The annual fee shall be two hundred dollars (\$200.00). Testing is required.

(4) 105(d) Building Contractor C (Home Builder): This license shall entitle the holder to contract for construction, alteration and repair of R-3 and M occupancies and for repair or remodeling to other occupancies which, in the opinion of the Building Official, is minor and does not affect the structure of the building. The annual fee shall be one hundred fifty dollars (\$150.00). Testing is required.

(5) 105(e) Building Contractor C-1 (Remodel): This license entitles the holder to contract for remodeling, additions and all work that is authorized for a C license except for complete homes. The annual fee shall be one hundred fifty dollars (\$150.00). Testing is required.

(6) 105(f) Building Contractor D (Specialty): This license shall be issued by the Building Official to those engaged in contracting for labor or for labor and material involving only one (1) trade, such as brick contractors, plastering contractors, excavating contractors, elevator contractors or other designated trades. Such license may include only one (1) trade. An additional license is required for an additional trade. Only two (2) class D licenses shall be issued per company. The annual fee shall be one hundred fifty dollars (\$150.00) for the first license. An additional trade is thirty-five dollars (\$35.00). Testing may be required.

a. One (1) Trade Only – This license limits the licensee to contract for work only in the single trade and its related trades designated on the license.

b. Wrecking – This license shall be issued to wrecking contractors. No wrecking shall be done, except by a licensed wrecking contractor who has successfully passed the wrecking examination, with the following exceptions:

1. A wrecking license may be issued without testing for buildings not exceeding two (2) stories at the discretion of the Building Official.

2. A licensed general contractor may wreck minor buildings or remove portions of buildings where such wrecking is a portion of the project of alteration or remodeling, at the discretion of the Building Official.

This contractor shall show proof of inclusion of the X, C and U provisions of his or her liability insurance policy prior to the issuance of each permit.

c. Automatic Sprinkler – This license shall be issued to automatic sprinkler contractors who shall be able to do plumbing work only in the installation of their equipment to the source of water supply directly and shall not perform other work requiring licensing elsewhere in this Section without holding the applicable license to do that work.

d. Fire Detection – This license shall be issued to fire detection contractors who shall be able to run low-voltage wiring to install the fire detection systems.

e. House Setter – This license shall be issued to those engaged in contracting for the sole purpose of placing a manufactured house on its foundation and completing the assembly of the house as designed and built in the factory. The contractor must be a certified installer with the State.

(7) 105(g.1) Heating Contractor A: This license shall authorize the holder to contract for and obtain permits for gas piping installation, repair and venting of air-conditioning systems, ventilation systems, heating systems, hydronic piping and setting, venting and ducts for new or replacement of existing appliances. The annual fee shall be one hundred fifty dollars (\$150.00). Testing is required.

(8) 105(g.2) Heating Contractor B: This license shall authorize the holder to obtain permits for the installation and venting of heating, ventilating and air-conditioning systems, with the exception of gas piping. The holder may also replace existing gas appliances that do not require removal or alteration of rigid gas piping. The annual fee shall be one hundred fifty dollars (\$150.00). Testing is required.

(9) 105(h) Water-Connected Appliance Contractor: This license shall authorize the firm or company holding the license to sell, take out permits to install, and install one (1) of the following specific items:

- a. Ice cube maker.
- b. Lawn sprinkler systems.
- c. Water softeners.
- d. Humidifiers.

The annual fee shall be fifty dollars (\$50.00). Testing is not required.

(10) 105(i) Excavator: This license entitles the holder to excavate. The annual fee shall be one hundred fifty dollars (\$150.00). Testing is not required.

(11) 105(j) Registrations: In addition to the requirements of Section 102, it shall be the duty of any registration applicant to furnish the Building Department with copies of his or her current state-issued electrical or plumbing licenses, to send updates as the licenses expire, and to provide other information which may be necessary for the Building Department to verify the authenticity and current good standing of the same. No permits for electrical wiring or plumbing work may be issued to any applicant until such state licenses are properly verified and registered.

(12) 105(j.1) Electrical Contractor: There shall be no annual fee for registering the State Master's License.

(13) 105(j.2) Plumbing Contractor: The annual fee for registering the State Master's license shall be one hundred fifty dollars (\$150.00).

(14) 105(k) Building Contractor E (Maintenance and Remodeling): This license entitles the holder to contract for minor structures such as decks, fences, detached sheds and garages in connection with R-3 and U occupancies and for minor repair or remodeling of the same type occupancies which do not affect the structure of the building (also includes basement finishes). The annual fee shall be one hundred fifty dollars (\$150.00) (Ord. 2003-24 §3-3; Ord. 2007-04 §1)

**Sec. 18-3-60. Section 106, Expiration of licenses and registrations.**

(a) All licenses and registrations shall expire on the last day of December. No building permits may be obtained, nor may any work already under permit be continued, until the license or registration has been reissued.

(b) All applicants for a reissued license shall meet all current requirements for that particular license, except that any examination requirements shall be waived if the application for reissuance occurs before the expiration date of the presently valid license, or within thirty (30) days from said expiration date. Annual license and registration fees shall not be prorated for any portion of a year. Licenses renewed after the thirty-day grace period will necessitate reapplication, examination and evaluation by the Board of Review. (Ord. 2003-24 §3-3)

**Sec. 18-3-70. Section 107, License revocation or suspension.**

(a) All licenses and registrations shall expire on the last day of December. No building permits may be obtained, nor may any work already under permit be continued, until the license or registration has been reissued.

(b) All applicants for a reissued license shall meet all current requirements for that particular license, except that any examination requirements shall be waived if the application for reissuance occurs before the expiration date of the presently valid license, or within thirty (30) days from said expiration date. Annual license and registration fees shall not be prorated for any portion of a year. Licenses renewed after the thirty-day grace period will necessitate reapplication, examination and evaluation by the Board of Review.

(c) 107(a): The Building Official, upon the verified complaint in writing of any person, may at his or her own discretion, require a contractor to appear before the Board of Review for hearing of the complaint of said person or the Building Official. The contractor shall be given a written notice of said hearing at least fifteen (15) days prior to the hearing, which shall be posted by certified mail to said contractor's last known post office address.

(d) At the hearing before the Board of Review, the contractor and his or her examinee, in the event the contractor and the examinee are different persons or entities, shall have the right to present his or her case by oral and documentary evidence; to submit rebuttal evidence; and to conduct such cross-examination as may be required for a full and true disclosure of the facts. The contractor and his or her examinee, shall be entitled at said hearing to have the benefit of legal counsel of his or her own choosing and at his or her own expense.

(e) 107(b): The Board of Review, after review of the evidence presented, shall have the power to suspend or revoke said contractor's license and to suspend or revoke the contractor's right to act as an examinee for any other licensed contractor, and shall have the power to suspend or revoke the right of the examinee to be an examinee for any other partnership, joint venture or corporation if, in the opinion of a simple majority of Board members, the evidence supports a finding that the contractor and/or his or her examinee committed or omitted one (1) or more of the following:

- (1) Abandonment of a contract without legal cause.
- (2) Fraudulent departure from plans or specifications without authority from the owner or the owner's authorized representative.
- (3) Willfully violating any provisions of this building code, including any codes which are adopted by reference.
- (4) Failure to comply with any lawful order of the Building Official or of any other authorized representative of the Building Department pertaining to the administration of the building code and those codes adopted by reference.
- (5) Fraudulently using a contractor's license to obtain permits required under this code for any other person, corporation or legal entity.

(6) Misrepresentation by an applicant of a material fact when applying for a contractor's license, or fraud in obtaining a contractor's license.

(7) Failure to obtain a proper permit for any work for which a permit is required by virtue of this code.

(8) Commitment of any act of gross negligence in the conduct of the contractor's specific trade or business on work done by the contractor which is regulated by the provisions of this building code.

(9) Conviction by a court having competent jurisdiction of the contractor or the examinee of fraudulent use of funds or property received by virtue of contract.

(10) Fraudulent use of funds or property received for performance or completion of a contract.

(11) The doing of any willfully fraudulent act by the contractor in connection with work done pursuant to any building permit obtained by the contractor whereby a person, corporation or other legal entity is substantially injured, either financially or physically.

(f) 107(c) Definitions:

(1) *Willfully*, as used in Section 107(b), is defined as designed; intentional; not accidental or involuntary; proceeding from a conscious motion of the will. A *willful act* may be described as one done intentionally, knowingly and purposely, without justifiable excuse, as distinguished from an act done carelessly, thoughtlessly, needlessly or inadvertently.

(2) The elements necessary for establishing *fraudulent* acts or conduct in Section 107(b) are:

a. The contractor made a false representation of a past or present act.

b. The fact was material to the subsequent action.

c. The contractor made the representation without an honest belief that it was true.

d. The contractor made the representation with the intent that the owner act, or refrain from acting, based on the representation.

e. The owner, relying on the representation, acted or refrained from acting as the contractor intended.

f. The owner's reliance was justified.

If the Board of Review finds that all of these elements have been established by a preponderance of the evidence, then it may find that the contractor has committed *fraudulent* conduct. If, on the other hand, any one (1) or more of the elements has not been established by a preponderance of the evidence, the Board of Review shall not find the acts or conduct to be *fraudulent*.

(3) *Gross negligence*, as used in Section 107(b), is defined as negligence which consists of an affirmative act purposefully committed, or the purposeful failure to do an act, which the contractor (or examinee) knew was dangerous to another's person or property and which he or she performed or omitted needlessly, without regard to the consequences or of the rights or safety of another's person or property. *Gross negligence* is sometimes characterized as willful, wanton or reckless negligence. (Ord. 2003-24 §3-3; Ord. 2007-04 §1)

## ARTICLE 4

### International Building Code

#### Sec. 18-4-10. Adoption.

As set forth in Section 18-1-10 of this Chapter, there is hereby adopted by reference as if set out at length the *International Building Code*, 2003 edition, as published by the International Code Council, 5360 South Workman Mill Road, Whittier, California 90601, to include Appendix Chapters except as deleted hereafter. (Ord. 2003-24 §3-4; Ord. 2007-04 §1)

#### Sec. 18-4-20. Amendments to Chapter 1.

(a) Addition to Section 105.5: Add to the end of the first paragraph:

"If no inspection is performed within 180 days of issuance of a permit, or more than 180 days has elapsed since the last inspection, the building permit is considered expired."

(b) Addition to Section 106.1: Add to the second paragraph:

"Plans must be in 1/8 or 1/4 inch scale."

(c) Addition to Section 106.1.1: Add sub-section as follows:

"1. The following areas shall be engineered by a State of Colorado Licensed Engineer:

"a. All concrete and/or masonry retaining walls over four (4) feet.

"b. All foundations, except foundations for Type U occupancy detached garages not exceeding 750 sq. ft.

"c. All structures using ungraded lumber.

"d. All structures using precast concrete panels.

"e. All plans shall be drawn by a licensed architect or engineer, except for R-3 and U occupancies.

"2. The following items are required to apply for a building permit:

"a. Completed application for building permit.

"b. Approval of planning commission when required.

"c. Copy of Warranty Deed or Proof of Ownership.

"d. Partial permit – letter stating the applicant is the authorized agent of the owner, signed by owner.

"e. If any foundation or footer work is proposed except foundation work for Type U occupancy detached garages not exceeding 750 sq. ft.:

"1. Soils engineer letter, stamped by a State of Colorado licensed engineer. Foundation design plans stamped by a structural engineer must be included.

"2. Foundation design plans stamped by a structural engineer must be included.

"3. Financial surety as required in Article 21 of this Chapter of the Cripple Creek Municipal Code.

"f. All projects in the historic district:

"1. Certificate of appropriateness from the historic commission; submitted plans must reflect acceptance from the historic commission.

"2. Any variances (if required) must be included.

"g. All nonresidential plans submitted for a permit must include:

"1. Two (2) complete sets of plans and calculations.

"2. Detailed plot plan of entire structure with exact setback distance measurements and North arrow, drawn to scale.

"3. All calculations, specifications and plans; each page or cover letter listing table of contents, must be stamped and signed by an architect or engineer.

"4. Plans required:

"a) Structurals.

"b) Architecturals.

"c) Electricals.

"d) Mechanicals – plumbing, heating and ventilation.

"5. Gaming establishments:

"a) Gaming layout (must be on the on-site copy prior to final inspection).

"Note: Grading plans need stamp of a licensed engineer or licensed surveyor. Drainage plans need stamp of a licensed civil engineer.

"6. Approval from Health Department on any food areas must be submitted prior to issuance of final permit."

(d) Amend Section 106.3.2: Change the first reference to "180 days" to read "30 days."

(e) Addition to Section 106.5: Add second paragraph:

"As-built drawings must be submitted to the Building Department within 30 days of completion of the project."

(f) Addition to Section 108.2: Add second paragraph:

"The cost valuation of a project is determined by using the building valuation data published in the ICC Building Safety magazine or the contract amount supplied by the General Contractor. The modifier allowed by ICC for Colorado as published in the Building Standards magazine will be used."

(g) Addition to Section 108.3: Add second paragraph:

"The permit and plans review fees for partial permits, which are determined by the dollar valuation of the partial project, will be charged at the time of issuance of the partial permit. In addition, the dollar valuation used for the partial permit, with the exception of demolition/excavation costs, will also be included in the dollar valuation for the final plans for the purpose of determining the permit fee and plans review fee for the final permit (i.e., foundation, structural steel costs, etc., will be included twice)."

(h) Addition to Section 109.3: Add the following sections:

"Required Inspections:

"1. The following are the inspections (one per each item) that will be performed by the Building Department under each permit, the cost of which is included in the permit fee:

"a. Footer: Inspection.

"b. Foundation: Inspection.

"c. Peripheral Drain: Inspection – If peripheral drain is required.

"d. Concrete slab compaction: Inspection.

"e. Floor and Roof: Before they are covered.

"f. Bond Beam: Inspection – 1 per floor.

"g. Frame after rough electrical, gas and plumbing: Inspection – electrical, gas and plumbing must be complete and signed off on card before the Building Department will inspect.

"h. Lath/drywall: Inspection – 1 per floor nail or screw.

"i. Final (after final electrical, plumbing, heating and fire): 1 Final – everything must be complete and card must be signed off for electrical, plumbing, heating and fire before building department will inspect."

(i) Addition to Section 109.3.8: Add the following sections:

"1. A moisture inspection shall be made for all structures built with logs.

"2. Other inspections required from architect and engineers:

"a. Required from architects of record.

"(1) Framing inspection and letter of compliance.

"(2) Substantial completion inspection and letter of compliance to that fact.

"(3) Final completion inspection and letter of compliance to that fact.

"b. Required from engineers of record.

"(1) Soils report.

"(2) Compaction testing results of all fill material.

"(3) Structural steel welds and structural steel bolts.

"(4) Structural wood members installation.

"(5) Framing inspection and letter of compliance.

"(6) Inspection of all rebar placement prior to concrete pouring.

"(7) Concrete testing – minimum of three cylinders for any concrete exceeding 3 cubic yards for structural elements and 25 cubic yards for structural. Copy of the test results must be turned into Building Department.

"(8) Condition of foundation and walls and a report stating findings. If walls are out of plumb, report must contain required corrections.

"(9) Final completion inspection and letter of compliance to that fact.

"(10) The fabricator's licensed engineer will inspect all installation and provide a written report to the Building Department.

"These inspections do not replace Building Department inspections unless special permission given by Building Department.

"3. Because ceiling tile and grid systems are no longer stamped by the manufacturer to indicate the fire rating, an inspection must be called for prior to opening any of the packages and the contractor must be able to show the inspector a reference book showing the UL listing. The reference book must be acceptable to ICC and the publication itself must be on site at the time of the inspection."

(j) Addition to Section 109.5: Add second paragraph:

"If the approved set of plans, with any changes by the architect and engineer, which must have been approved by the Building Department, are not on the job site at the time of the inspection, the inspection will not be made."

(k) Addition to Section 109.5, second paragraph:

"Inspections will not be made on job sites with loose and/or unattended dogs, and the \$42.00 reinspect fee shall be charged."

(l) Amend Section 110.1, first paragraph to read as follows:

"No building, structure or parking lot 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."

(m) Amend Section 112.1: Amend "Board of Appeals" to read "Board of Review," and any further reference thereto. (See City of Cripple Creek Ordinance #1991-30.)

(n) Amend Permit Fee Table to read as follows:

**"CRIPPLE CREEK PERMIT FEE TABLE**

<i>Total Valuation</i>	<i>Fee</i>	
\$1.00 to \$4,000.00	\$84.00	(use minimum fee – see below)
\$4,001.00 to \$25,000.00	\$54.00 for the first \$2,000.00 plus \$10.80 for each additional \$1,000.00 or fraction thereof, up to and including \$25,000.00	
\$25,001.00 to \$50,000.00	\$302.40 for the first \$25,000.00 plus \$7.80 for each additional \$1,000.00 or fraction thereof, up to and including \$50,000.00	
\$50,001.00 to \$100,000.00	\$497.40 for the first \$50,000.00 plus \$5.40 for each additional \$1,000.00 or fraction thereof, up to and including \$100,000.00	
\$100,001.00 to \$500,000.00	\$767.40 for the first \$100,000.00 plus \$4.20 for each \$1,000.00 or fraction thereof, up to and including \$500,000.00	
\$500,001.00 to \$1,000,000.00	\$2,447.40 for the first \$500,000.00 plus \$3.60 for each additional \$1,000.00 or fraction thereof, to and including \$1,000,000.00	
\$1,000,001.00 and up	\$4,247.40 for the first \$1,000,000.00 plus \$2.40 for each additional \$1,000.00 or fraction thereof	

"The minimum Building Permit Fee shall be \$84.00.

"The minimum Plan Review Fee shall be \$54.60.

"The minimum total fee for a permit with plans shall be \$138.60."

(o) Delete other inspections and fees and insert:

"1. Partial inspections – \$42.00, fee payable in advance.

"2. Inspections outside of normal business hours (minimum charge) – \$60.00.

"3. Reinspection fee – \$42.00, payable in advance.

"4. Reinspection after a partial Certificate of Occupancy has been issued –\$60.00, payable in advance.

"5. Inspections for which no fee is specifically indicated – \$42.00 fee, payable in advance.

"6. Additional plan review required for changes, additions or revisions to approved plans – \$42.00 per page (minimum charge \$50.00).

"7. Plans for projects located in the Floodplain require review by a Floodplain Consultant. Review, which includes site visits – \$200.00 minimum.

"8. Compliance Inspections:

"a. Commercial Building: \$300.00.

"b. Residential (single-family) – \$150.00; over 5 rooms, additional \$10.00 per room.

"c. Residential other than single-family considered commercial buildings.

"9. Elevator inspections:

Initial inspection	\$350.00
Annual inspection	100.00
Five-year inspection	200.00
Chair-lifts, dumbwaiters & residential	50.00

"10. Consultation on plans which have been submitted for review and the review fee has been paid.

"a. First consultation: No fee.

"b. Subsequent consultations on same plans or revisions of plans: \$42.00.

"All Fees are subject to change by City Council"

(Ord. 2003-24 §3-4; Ord. 2007-04 §1)

**Sec. 18-4-30. Amendments to Chapter 3.**

Addition to Section 303.1, Paragraph 2:

"GAMING ESTABLISHMENT is any existing or new building which is to be occupied as a gaming establishment wherein live gaming is provided, and includes restaurants, cocktail lounges, bars, offices and other uses pertaining to such gaming establishment when all within the confines of the same building and not separated one from the other by fire-resistive wall, area separation wall or fire-resistive floor/ceiling assemblies.

"A gaming establishment shall be classified as an A occupancy (regardless of the occupant load)."

(Ord. 2003-24 §3-4)

**Sec. 18-4-40. Amendments to Chapter 5.**

Addition to Section 501.2:

"Letters shall be 5" high and ½" stroke."

(Ord. 2003-24 §3-4)

**Sec. 18-4-50. Amendments to Chapter 10.**

Addition to Section 1025.1: Add second paragraph:

"Egress windows, if required, may be ¾-hour fire-rated assemblies, provided they meet all requirements of this section and are maintained as self-closing or automatic closing."

(Ord. 2003-24 §3-4; Ord. 2007-04 §1)

**Sec. 18-4-60. Amendments to Chapter 16.**

(a) Addition to Section 1604.2: Add third paragraph:

"Anything other than small and lightweight items installed overhead must have engineered drawings; i.e., signs, awnings, etc. *Lightweight* shall mean 20 lbs. total or less."

(b) Addition to IBC Table 1604.5:

"Snow Loads: A minimum of 40 lbs. per square foot live load."

(c) Addition to Section 1609.4, Item 3, second paragraph:

"Exposure 'C' will be used in all areas within the City of Cripple Creek."

- (d) Change to Section 1609.1.1: Add paragraph:

"Wind load of 85 m.p.h. will be used within the City limits of Cripple Creek."

- (e) Change to Table 1609.6.2.1(4): Delete exposure B and D.

- (f) Addition to Section 1616.2.1: Add second sentence:

"City of Cripple Creek is classified as Seismic Use Group I."

(Ord. 2003-24 §3-4)

### **Sec. 18-4-70. Amendments to Chapter 18.**

- (a) Addition to Section 1802.2.3: Add Subsection 1802.2.3.1:

"If sub-surface drainage is required or used, the peripheral drains must be daylighted or tied into a storm sewer or connected to a sump pump which in turn must expel at a daylighted point."

- (b) Section 1804.3 is deleted and replaced with the following:

"General – The classification of the soil at each building site shall be determined by an engineer licensed in the State of Colorado. All foundations, including concrete and wood, shall be designed for adequacy of soil conditions by an architect or engineer licensed in Colorado.

"Exception: Foundations for U Occupancies 750 sq. ft. or less."

- (c) Change to Section 1805.2: Add to first paragraph, last sentence:

"Under normal conditions, the frost protection for foundations in Cripple Creek shall be 36 inches.

#### **"EXCEPTIONS:**

"If bedrock of substantial stability is encountered, frost protection may be reduced as determined by soils engineer or architect, but in no event to less than 12 inches.

"Monolithic slab for detached garage, 750 sq. ft. or less shall require minimum of 12" cover to bottom of footer and minimum of 6" from grade to unprotected wood."

- (d) Change to Table 1805.4.2, to read:

"Footing depth to read 36"."

Add footnote #H: "Monolithic slab requires minimum of 12" cover to bottom of footing."

(Ord. 2003-24 §3-4)

**Sec. 18-4-80. Amendments to Chapter 23.**

(a) Addition to Section 2303.1.5.3:

"Minimum R values for insulation:

"1. Floor/ceiling and roof/ceiling assemblies: R-19.

"2. Vertical exterior walls: R-11."

(b) Addition to Chapter 23: Add Subsection 2308.1.1:

"Log Homes and Buildings:

"All log homes and buildings shall be I.C.B.O. and I.C.C. approved; or shall be engineered to include the following:

"1. Log attachment and nailing schedule.

"2. Log rafters, beams and trusses must be engineered.

"3. Engineering shall include heat loss calculations for less than nominal six (6) inch diameter logs."

(Ord. 2003-24 §3-4)

**Sec. 18-4-90. Amendments to Chapter 30.**

Addition to Chapter 30: Add Section 3007.

"Evidence of maintenance by qualified personnel is required. Maintenance of elevator will be performed as required, but not to exceed 3 months between maintenance."

(Ord. 2003-24 §3-4)

**Sec. 18-4-100. Amendments to Chapter 33.**

Addition to Section 3302.2: Add second paragraph:

"There will be no dumping of excess cement nor washing out of cement trucks or mixers within the City limits of Cripple Creek, except as approved by the Building Official within approved areas of grading on permitted construction sites."

(Ord. 2003-24 §3-4)

**Sec. 18-4-110. Amendments to Chapter 34.**

Addition to Section 3408.1: Add second paragraph with Exception:

"Prior to issuance of a building permit to move a building, the foundation must be completed at the site to which the building is being moved.

"Exception: Historic Buildings for conformance."

(Ord. 2003-24 §3-4)

## **ARTICLE 5**

### **International Plumbing Code**

#### **Sec. 18-5-10. Adoption.**

As set forth in Section 18-1-10 of this Chapter, there is hereby adopted by reference as if set out at length the *International Plumbing Code*, as published by the International Code Council, 5360 S. Workman Mill Road, Whittier, CA 90601. (Ord. 2003-24 §3-5; Ord. 2007-04 §1)

#### **Sec. 18-5-20. Amendments to Chapter 1.**

(a) Amend Part 1, Administration, Chapter 1:

"There is hereby adopted by reference as if set out at length the part 1 administration section 10.3(c) 'International Plumbing Code' 2003 edition, the provisions in the Installation Standards, as published by the International Conference of Building Officials, 5360 South Workman Mill Road, Whittier, California 90601."

(b) Insert in Section 106.6.2 the following fee schedule:

"1. Minimum fee for a permit is \$42.00.

"2. Permit fee will be charged by number of inspections x \$42.00.

"3. Fee for reinspection is \$42.00.

"4. Plan review will be calculated at 65% of permit fee amount calculated on dollar value of the project."

(Ord. 2003-24 §3-5; Ord. 2007-04 §1)

#### **Sec. 18-5-30. Amendments to Chapter 3.**

(a) Addition to Section 302.1: Add subsection (a):

"Where a conflict may arise between the requirements of this chapter and the regulations of the sanitation district, the regulations of the sanitation district shall prevail."

(b) Addition to Section 306.2: Add subsection (a):

"All plastic cold water distribution piping outside of building, underground shall be installed with an 18-gauge tracer wire. Tracer wire shall not come in contact with plastic water line."

(c) Addition to Section 306.2: Add Subsection (b): Change wording in the last paragraph to read:

"All water service piping shall be installed at a minimum of seven feet (7') below grade."

(Ord. 2003-24 §3-5)

#### **Sec. 18-5-40. Amendments to Chapter 4.**

Add to Section 425.1:

"a. Tank type water closet must be a flush-mate flush-o-meter tank operating system, 1.6 gal. plus pressure-assisted flush or the equivalent thereof. If a flush-o-meter fixture is used, it shall be equipped with a 1.6 gal. operating system. 1.6 gal gravity flush water closets will be allowed for private water closet usage.

"b. A gravity flush 1.6 gallon water closet may be used if it meets ASME 112.19.6-1995 standards and is labeled to that effect.

"c. All icemakers must be of an approved air-cooled design. All other water-using appliances and/or any and all water uses must be approved by the Building Official, who may require the use of flow reduction devices, recirculating systems, appliances with no water use or reduced water use, and/or any other appropriate water conservation measures necessary to limit the amount of water used by any business or household. In addition, appliances using water in businesses may be required to be phased out of use and/or replaced, as required by the Building Official, in his discretion. Any replacement water using appliance must be approved by the Building Official prior to its installation."

(Ord. 2003-24 §3-5)

#### **Sec. 18-5-50. Amendments to Chapter 6.**

Addition to Section 607.3.2: Add to paragraph 1:

"A back flow prevention device is required on all buildings at, or near, the water meter. Owners of businesses must submit to the Building Department a copy of a passing Cross-Connection Control Program Back Flow Prevention Device Assembly Test and Maintenance Report, issued by a Cross-Connection Control Technician authorized by the Cross-Connection Control Committee, for the fire sprinkler water supply line."

(Ord. 2003-24 §3-5)

**ARTICLE 6**

**International Mechanical Code**

**Sec. 18-6-10. Adoption.**

As set forth in Section 18-1-10 of this Chapter, there is hereby adopted by reference as if set out at length the *International Mechanical Code*, 2003 edition, as published by the International Code Council, 5360 South Workman Mill Road, Whittier, California 90601 and International Association of Plumbing and Mechanical Officials, 20001 South Walnut Drive, Walnut, California 91789. (Ord. 2003-24 §3-6; Ord. 2007-04 §1)

**Sec. 18-6-20. Amendments to Chapter 1.**

Add (a) to Section 106.1:

"Replacement of existing furnace or water heater will require a permit."

(Ord. 2003-24 §3-6)

**Sec. 18-6-30. Amendments to Chapter 9.**

Add Section 926, to Chapter 9:

"1. Standard Clearances for Solid Fuel Burning Appliances: These clearances apply to appliances installed in rooms that are large in comparison with the size of the appliance.

<i>"Type of Appliance</i>	<i>Clearance in Inches</i>			
	<i>Top</i>	<i>Front</i>	<i>Back</i>	<i>Sides</i>
Room Heaters, Fireplace Stoves, Combinations	42	42	42	42
Ranges:			Firing Side	Opposite Side
Lined Chamber	36	42	30	24
Unlined	36	42	42	24

"(Clearances to combustible material or metal cabinets.) If the underside of such combustible material or metal cabinet is protected with sheet metal of not less than 0.024 inches (0.61 mm or 24 gauge) spaced out one (1) inch (25.4 mm), the distance may be reduced to not less than thirty (30) inches. Adequate clearance for cleaning and maintenance shall be provided. Provisions for fuel storage shall be located at least forty-two (42) inches from any side of the appliance.

"Note: Six-inch minimum safety was added in the above to the original N.F.P.A. – 211 table.

"2. Reduction of Appliance Clearance with Special Forms of Protection:

"When the minimum allowable clearance with no protection is 42 inches, the clearances listed below are the minimum allowable clearances with protection:

<i>"Protection</i>		<i>As Wall Protector</i>	<i>As Ceiling Protector</i>
(a)	3½-inch thick masonry wall without ventilated air space	30"	–
(b)	½-inch thick noncombustible insulation board over 1-inch glass fiber or mineral wool batts without ventilated air space	24"	–
(c)	0.024-inch (24 gauge) sheet metal over 1-inch glass fiber or mineral wool batts reinforced with wire, or equivalent, on rear face with ventilated air space	18"	24"
(d)	3½-inch thick masonry wall with ventilated air space	18"	–
(e)	0.024-inch (24 gauge) sheet metal with ventilated air space	18"	24"
(f)	½-inch thick noncombustible insulation board with ventilated air space	18"	24"
(g)	0.024-inch (24 gauge) sheet metal with ventilated air space over 0.024 inch sheet metal with ventilated air space	18"	24"
(h)	1-inch glass fiber or mineral wool batts sandwiched between two sheets 0.024 (24 gauge) sheet metal with ventilated air space	18"	24"
NOTE: Ventilated air space shall be 1" minimum spacers and ties shall be of noncombustible material. No spacers or ties shall be used directly behind appliance or conductor."			

(Ord. 2003-24 §3-6)

**Sec. 18-6-40. Amendments to Chapter 31.**

(a) Addition to Section 3102.1; add second paragraph:

"All solid fuel burning 'stoves' shall conform to the requirements of this chapter and the International Mechanical Code. A permit is required for such installation."

(b) Add a new Section 3102.8:

"Outside Combustion Air.

"(a) General. All masonry and factory-built fireplaces and fireplace stoves burning solid fuels shall be provided with a source of combustion air from outside the conditioned atmosphere of the structure. Any duct supplying air into the combustion chamber shall be equipped with rodent screening at the inlet and a tightly closing damper at the appliance. Ducts of other than masonry construction shall be insulated.

"(b) Factory-built fireplaces: All factory-built fireplaces shall be provided with outside combustion air and installed in accordance with the condition of their listing.

"(c) Masonry fireplaces: All masonry fireplaces shall be provided with outside combustion air directed into the firebox. The free area of the screened combustion air inlet shall not be less than the cross-sectional area of the combustion air passageway. The passageway between the screened combustion air and the air intake pit, directly under the firebox combustion air opening, shall have

a minimum cross-sectional area of fifty-five (55) square inches. The air intake pit shall be located directly below the firebox air inlet and be at least (13) inches deep. The firebox air inlet shall be equipped with a damper located in the front of the firebox and in front of the grate.

"(d) Factory-built fireplace stoves: All factory-built fireplace stoves shall be provided with a source outside combustion air into the room and in close proximity to where the appliance is located. The combustion air supply duct shall be sized for the flow of air needed by the appliance, independent of infiltration through the structure, but in no case less than four (4) inches in diameter."

(Ord. 2003-24 §3-6)

## ARTICLE 7

### International Residential Code

#### Sec. 18-7-10. Adoption.

As set forth in Section 18-1-10 of this Chapter, there is hereby adopted by reference as if set out at length the *International Residential Code*, 2003 edition, as published by the International Code Council, 5360 South Workman Mill Road, Whittier, California 90601, to include Appendix Chapters except as deleted hereafter. (Ord. 2003-24 §3-13; Ord. 2007-04 §1)

#### Sec. 18-7-20. Amendments.

(a) Addition to Section R105.5: Add to end of first paragraph:

"If no inspection is performed within 180 days of issuance of a permit, or more than 180 days has elapsed since the last inspection, the building permit is considered expired."

(b) Addition to Section R106.1: Add to second paragraph:

"Plans must be in 1/8 or 1/4 inch scale."

(c) Addition to Section R106.1.1: Add subsection as follows:

"1. The following areas shall be engineered by a State of Colorado Licensed Engineer:

"a. All concrete and/or masonry retaining walls over four (4) feet.

"b. All foundations except foundations for Type U occupancy detached garages not exceeding 750 sq. ft.

"2. The following items are required to apply for a building permit:

"a. Completed application for building permit.

"b. Approval of Planning Commission when required.

"c. Any variance granted by Planning Commission.

"d. Copy of Warranty Deed or Proof of Ownership.

"e. Partial permit – letter stating the applicant is the authorized agent of the owner, signed by owner.

"f. If any foundation or footer work is proposed except foundation work for Type U occupancy detached garages not exceeding 750 sq. ft.

"3. Soils engineer letter, stamped by a State of Colorado licensed engineer.

"a. Foundation design plans stamped by a structural engineer."

(d) Amend Section R106.3.2: Change the first reference to "180 days" to read "30 days."

(e) Addition to Section R106.5: Add second paragraph:

"As-built drawings must be submitted to the building department within 30 days of completion of the project if required by building department."

(f) Addition to Section R108.2: Add second paragraph:

"The cost valuation of a project is determined by using the building valuation data published in the ICC Building Safety Journal or the contract amount supplied by the General Contractor. The modifier allowed by ICC for Colorado as published in the Building Standards Journal will be used."

(g) Addition to Section R109.3: Add the following sections:

"Required Inspections:

"1. The following are the inspections (one per each item) that will be preformed by the Building Department under each permit, the cost of which is included in the permit fee.

"a. Footer: Inspection.

"b. Foundation: Inspection.

"c. Peripheral drain: Inspection – if peripheral drain is required.

"d. Concrete slab Compaction: Inspection.

"e. Floor and Roof: Before they are covered.

"f. Insulation: Inspection.

"g. Frame (after rough electrical plumbing and gas): Inspection – electrical, gas and plumbing must be complete and signed off on card before the Building Department will inspect.

"h. Final (after final electrical, plumbing and heating): Final – everything must be complete and card must be signed off for electrical, plumbing and heating and fire before the Building Department will inspect."

(h) Addition to Section R109.3: Add second paragraph:

"If the approved set of plans, with any changes which must have been approved by the Building Department, are not on the job site at the time of the inspection, the inspection will not be made."

(i) Addition to Section R109.3, third paragraph:

"Inspections will not be made on job sites with loose and/or unattended dogs, and the \$42.00 re-inspect fee shall be charged."

(j) Addition to Section R109.3.8: Add the following section:

"1. A moisture inspection shall be made for all structures built with logs."

(k) Amend Section R110.1, first paragraph, to read as follows:

"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 until the building official has issued a Certificate of Occupancy therefor as provided herein."

(l) Amend Section R112.1: Amend Board of Appeals to read: "Board of Review and any further reference thereto. See City of Cripple Creek Ordinance #1991-30.

**"CRIPPLE CREEK PERMIT FEE TABLE**

"For all Residential Construction Groups:

<i>Total Valuation</i>	<i>Fee</i>	
\$1.00 to \$4,000.00	\$84.00	(use minimum fee – see below)
\$4,001.00 to \$25,000.00	\$54.00 for the first \$2,000.00 plus \$10.80 for each additional \$1,000.00 or fraction thereof, up to and including \$25,000.00	
\$25,001.00 to \$50,000.00	\$302.40 for the first \$25,000.00 plus \$7.80 for each additional \$1,000.00 or fraction thereof, up to and including \$50,000.00	
\$50,001.00 to \$100,000.00	\$497.40 for the first \$50,000.00 plus \$5.40 for each additional \$1,000.00 or fraction thereof, up to and including \$100,000.00	
\$100,001.00 to \$500,000.00	\$767.40 for the first \$100,000.00 plus \$4.20 for each \$1,000.00 or fraction thereof, up to and including \$500,000.00	
\$500,001.00 to \$1,000,000.00	\$2,447.40 for the first \$500,000.00 plus \$3.60 for each	

	additional \$1,000.00 or fraction thereof, up to and including \$1,000,000.00
\$1,000,001.00 and up	\$4,247.40 for the first \$1,000,000.00 plus \$2.40 for each additional \$1,000.00 or fraction thereof

"Plan Review Fee: 65% of the permit fee

"The minimum Building Permit Fee shall be \$84.00.

"The minimum Plan Review Fee shall be \$54.60.

"The minimum total Fee for a permit with plans shall be \$138.60.

"For all other Construction Groups:

<i>Total Valuation</i>	<i>Fee</i>	
\$1.00 to \$3,000.00	\$84.00	(minimum fee – see below)
\$3,001.00 to \$25,000.00	\$108.00 for the first \$2,000.00 plus \$21.60 for each additional \$1,000.00 or fraction thereof, up to and including \$25,000.00	
\$25,001.00 to \$50,000.00	\$604.80 for the first \$25,000.00 plus \$15.60 for each additional \$1,000.00 or fraction thereof, up to and including \$50,000.00	
\$50,001.00 to \$100,000.00	\$994.80 for the first \$50,000.00 plus \$10.80 for each additional \$1,000.00 or fraction thereof, up to and including \$100,000.00	
\$100,001.00 to \$500,000.00	\$1,534.80 for the first \$100,000.00 plus \$8.40 for each \$1,000.00 or fraction thereof, up to and including \$500,000.00	
\$500,001.00 to \$1,000,000.00	\$4,894.80 for the first \$500,000.00 plus \$7.20 for each additional \$1,000.00 or fraction thereof, up to and including \$1,000,000.00	
\$1,000,001.00 and up	\$8,494.80 for the first \$1,000,000.00 plus \$4.80 for each additional \$1,000.00 or fraction thereof	

"Plan Review Fee: 65% of the permit fee

"The minimum Building Permit Fee shall be \$84.00.

"The minimum Plan Review Fee shall be \$54.60.

"The minimum total Fee for a permit with plans shall be \$138.60."

All construction groups, residential, commercial etc., which are constructed in a business or commercial zone, as defined in this chapter, will pay fees as listed under "For all residential construction groups" in Subsection (1) above at the time of initial construction. At such time as a certificate of occupancy is required for conversion to business or commercial use, the additional fees as listed under "For all other construction groups" in Subsection 1 above will be addressed.

(m) Delete Other Inspections and Fees and insert:

- "1. Partial inspections – \$42.00, fee payable in advance.
- "2. Inspections outside of normal business hours (minimum charge) – \$60.00.
- "3. Reinspection fee – \$42.00, payable in advance.

"4. Reinspection after a partial Certificate of Occupancy has been issued – \$60.00, payable in advance.

"5. Inspections for which no fee is specifically indicated – \$42.00 fee, payable in advance.

"6. Additional plan review required for changes, additions or revisions to approved plans – \$42.00 per page.

"7. Plans for projects located in the Floodplain require review by a Floodplain Consultant. Review, which includes site visits – \$200.00 minimum.

"8. Compliance Inspections:

"a. Residential (single-family): \$150.00 – Over 5 rooms, additional \$10.00 per room.

"b. Residential other than single-family considered commercial buildings.

"9. Residential elevator inspections:

"a. Initial inspection: \$350.00.

"b. Annual inspections for chairlifts, dumbwaiters and residential elevators: \$50.00.

"10. Consultation on plans which have been submitted for review and the review fee has been paid:

"a. First consultation: No fee.

"b. Subsequent consultations on same plans or revisions of plans – \$42.00.

*"All Fees are subject to change by City Council"*

(n) Add to (a), (b) and (c) of Section R301.2:

"a. Snow loads: A minimum of 40 lbs. per square foot live load.

"b. 85 mph. wind load within the City limits of Cripple Creek.

"c. Exposure "C" will be used in all areas within the City of Cripple Creek."

(o) Addition to Section R301.2.2 to read:

"City of Cripple Creek is classified as Seismic Use Group A."

(p) Addition to Section R321.1:

"Letters shall be 5" high by ½" stroke wide."

(q) Section R401.4 is deleted and replaced with the following:

"General – The classification of the soil at each building site shall be determined by an engineer licensed in the State of Colorado. All foundations, including concrete and wood, shall be designed for adequacy of soil conditions by an architect or engineer licensed in Colorado.

"Exception: Foundations for U Occupancies 750 sq. ft. or less."

(r) Change to Section 403.1.4.1, add to first paragraph, last sentence:

"Under normal conditions, the frost protection for foundations in Cripple Creek shall be 36"."

(s) Delete Exception 2 from Section R 403.1.4.1 and add new Exceptions 2 and 3:

"2. If bedrock of substantial stability is encountered, frost protection may be reduced as determined by soils engineer or architect, but in no event to less than 12 inches.

"3 Monolithic slab for detached garage, 750 sq. ft. or less, shall require minimum of 12" cover to bottom of footer and minimum of 6" from grade to unprotected wood."

(t) Addition to Section R403.1.4.1: Footing depth to read 36".

(u) Addition to Chapter 6, add Subsection R601.2.2:

"Log Homes and Buildings.

"1. Log attachment and nailing schedule.

"2. Log rafters, beams and trusses must be engineered.

"3. Engineering shall include heat loss calculations for less than nominal six-inch diameter logs."

(v) Addition to Section AJ101.1(a) of Appendix:

"Prior to issuance of a building permit to move a building, the foundation must be completed at the site to which the building is being moved."

(Ord. 2003-24 §3-13; Ord. 2007-07 §§1-3)

## ARTICLE 8

### International Existing Building Code

#### Sec. 18-8-10. Adoption.

As set forth in Section 18-1-10 of this Chapter, there is hereby adopted by reference as if set out at length the *International Existing Building Code*, 2003 edition, as published by the International Code Council, 5360 South Workman Mill Road, Whittier, California 90601. (Ord. 2003-24 §3-11; Ord. 2007-04 §1)

## ARTICLE 9

### International Fire Code

#### Sec. 18-9-10. Adoption.

As set forth in Section 18-1-10 of this Chapter, there is hereby adopted by reference as if set out at length the *International Fire Code* 2003 edition, furthered as the IFC including appendix chapters A, B, C and D, as published by the International Code Council, 5360 South Workman Mill Road, Whittier, California 90601; applicable codes and standards of the *National Fire Code* current edition, not specifically addressed by the IFC, published by the National Fire Protection Association, International Code Council, 5360 South Workman Mill Road, Whittier, California 90601; applicable codes and standards of the *Urban-Wildland Interface Code*, 2000 edition, not specifically addressed by the IFC, published by the International Fire Code Institute, 5360 Workman Mill Road, Whittier, CA 90601-2298; and applicable guidelines of the *Guidelines for the Rehabilitation of Existing Buildings*, 2000 edition, not specifically addressed by the IFC, published by the International Code Council, 5360 South Workman Mill Road, Whittier, CA 90601-2298. (Ord. 2003-24 §3-12; Ord. 2007-04 §1)

#### Sec. 18-9-20. Amendments to Chapter 1.

(a) Addition to Section 101.1, Title: The phrase "The City of Cripple Creek" shall be inserted in place of the phrase "(NAME OF JURISDICTION)."

(b) Add new Section 102.5.1, Historic Buildings:

"All commercial historic buildings, i.e., any commercial structure built between 1896 and 1911, shall be required to be sprinklered if the structure is two or more stories in height and has an aggregate floor area of 5000 square feet or more, or has one floor in excess of 2500 square feet aggregate floor area. Existing commercial historic structures which are not sprinklered at the time of adoption of this code shall be required to be sprinklered upon change of building ownership, change in building use or a remodeling of 50% or more of the total aggregate area of floor space of the entire structure."

(c) Addition to Section 103.2 Fire Code Official, and to Section 202 General Definitions:

"Fire Code Official: Whenever the words *Fire Code Official* are used throughout the body of text, they shall be held to mean the Cripple Creek Emergency Services, Fire Chief or the Chief's authorized representative."

(d) Add new Section 105.4.7, Corrected Construction Documents:

"Prior to the issuance of a City of Cripple Creek Certificate of Occupancy, corrected constructed documents, commonly referred to "as-built" drawings, for all fire protection systems, shall be submitted to the fire code official for review and approval."

(e) Add new Section 106.4, Certificate of Compliance in a Gaming Establishment:

"Prior to occupancy of any gaming establishment, the Colorado Division of Fire Safety shall conduct an inspection of the building to ensure compliance with the provisions of the International Fire Code and the Cripple Creek Building Code. A certificate of compliance shall be issued to those facilities that are in compliance. Said certificate shall be numbered and dated and shall expire one year from the date of issuance.

"A temporary Certificate of Compliance may be issued to those buildings that are not in compliance with the International Fire Code and the Cripple Creek Building Code. Said temporary certificate shall be numbered and dated and shall bear an expiration date that may be less than one year from the date of issuance.

"Prior to the renewal of a Certificate of Compliance or Temporary Certificate, the Division of Fire Safety shall conduct an inspection of the building to ensure continued compliance with the International Fire Code and the Cripple Creek Building Code."

(f) Add new Section 112, City of Cripple Creek Business License:

"Prior to the issuance of a City of Cripple Creek business license, whether it be a new application or renewal, applicants/business owners shall provide the fire code official with documentation that all required fire protection systems are current with regard to annual inspections, testing and maintenance. If fire protections systems are not current at the time of business license renewal, the fire code official may allow a thirty-day waiver while such work is being completed. Failure to comply with this section may result in the revocation or suspension of business license."

(Ord. 2003-24 §3-12; Ord. 2007-04 §1)

## **Sec. 18-9-30. Amendments to Chapter 2.**

Section 202, General Definitions, addition of exception to Institutional Group 1-4:

"Exception: A 'Family home daycare facility' is defined as a daycare facility that provides less than twenty-four (24) hour care, with less than ten (10) children between the ages of 0–13 years of age. A family home daycare shall not be required to meet the requirements of an Educational (E) occupancy; however, shall meet minimum requirements set forth in this amendment.

"1. Family home daycare is only allowable within one (1) and two (2) single-family residential homes and cannot be operated in multi-family occupancies (i.e. apartment buildings).

"EXITING REQUIREMENTS:

"(a) Required exits shall be located to provide an unobstructed path outside the building to a public way or area of refuge.

"(b) Exit doors shall be readily available to open without the use of a key or any special knowledge or effort.

"(c) There shall be at least two exits (travel distance between not to exceed 75 feet) located a distance apart, not less than one-half the diagonal dimension of the building or portion used for daycare.

"(d) Required exits shall be not less than 32 inches of clear exit width and not less than six feet, eight inches (6'8") in height.

*"Exception: Sliding patio doors will be accepted as a required second exit in 'Home Daycare Facilities' only.*

"(e) Sleeping rooms shall be provided with at least one (1) emergency egress window having at least a minimum single net clear opening of 5.7 square feet, minimum height 24 inches, minimum width 20 inches, and maximum finished sill height not over 44 inches. *Note: An approved exit door is acceptable in lieu of egress windows. Also, an approved piece of furniture or platform, if anchored in place, can be approved to sit in front of a window if the sill height is over 44 inches.*

"(f) Approved egress windows from sleeping areas shall be operable from the inside without the use of special tool.

"(g) Where children are located on a story below the level of exit discharge (basement), there shall be at least two exits provided, one of which is directly to the outside.

"(h) Home daycare is prohibited on any upper floor beyond the first floor. *Exception: Daycare is permitted at the second floor level, provided that the building is protected throughout by an automatic fire sprinkler system and has two exit doors directly from the second floor level to the outside.*

### "3. FIRE EXTINGUISHER REQUIRED:

"There shall be a portable fire extinguisher (minimum 2A-10BC) properly maintained and mounted securely in a visible location not to exceed five (5) feet from the floor to the top of the extinguisher, and not more than seventy five (75) feet travel distance, and is properly maintained. Note: Fire extinguishers shall be maintained as per the International Fire Code Standards.

### "4. TELEPHONE REQUIRED:

"There shall be an operable telephone on the premises for notification of an emergency.

### "5. SMOKE DETECTOR(S) REQUIRED:

"Approved smoke detectors shall be provided in all sleeping areas, common halls, and common areas of the home."

(Ord. 2009-02 §2)

**Sec. 18-9-40. Amendment to Chapter 5.**

Addition to Section 506.1, Key Boxes:

"All commercial buildings within the City of Cripple Creek requiring a business license issued by the City of Cripple Creek and all City-owned buildings shall be required to install and maintain a key box in a location as approved by the Fire Code Official. Key boxes shall be installed within 6 months after the adoption of the IFC unless otherwise specified by the Fire Code Official. Key boxes shall contain at least one key to the main entrance door to allow rapid entry of emergency services personnel and the fire alarm system key code, if applicable, for purposes of silencing or resetting the fire alarm system.

*"Exception: Commercial occupancies that are staffed 24 hours each day, without exception, with employees that are able to allow the fire department access to all areas of the building, shall not be required to have key boxes installed."*

(Ord. 2003-24 §3-12; Ord. 2009-02 §1)

**Sec. 18-9-50. Amendments to Chapter 9.**

(a) Addition to Section 901.6.1, Standards:

"Inspection, testing and maintenance of automatic sprinkler systems shall be performed by a technician certified at no less than NICET Level II or equivalent."

(b) Add new Section 901.9, Fire Department Connection:

"All fire department connections for fire protection systems and standpipes shall be capped with a locking device of the fire department's specification within 18 months of the adoption of this code. Failure to comply with this section may require the complete flushing of the fire sprinkler system at the discretion of the code official."

(c) Addition to Section 903.2, Where required:

"All buildings which are classified as historic by the City of Cripple Creek's Historic Preservation Director, that have existing fire sprinkler systems, shall be required to maintain in an operable condition such systems regardless of occupancy use. Inspection, testing and maintenance of said systems shall meet the provisions set forth in NFPA 25, *Standard for the Testing, Inspection and Maintenance of Water-based Fire Protection Systems*."

(d) Addition to Section 903.2.1, Gaming Establishments:

"The entire building in which limited gaming is allowed shall be provided with an automatic sprinkler system. Such systems shall be installed in accordance with NFPA Standard 13.

"1. Sprinkler system contractors shall be registered with the State of Colorado and be certified to perform maintenance on sprinkler systems. All requirements of the fire suppression program administered by the Colorado Division of Fire Safety shall be satisfied.

"2. Sprinkler contractors shall obtain a fire protection system permit from Cripple Creek Emergency Services prior to performing any work.

"3. Double backflow protection shall be required on all sprinkler installations. Backflow valves shall be inspected and tested by a certified backflow inspector. Certification of the test shall be provided to the Fire Code Official.

"4. Tamper switches shall be provided on all control valves.

"5. Water flow alarms shall be connected to an exterior visual and audible alarm and shall be marked as water flow alarm.

"6. All tamper slow switches and the low-pressure alarm (if applicable) shall be connected to, and monitored by, an Underwriter's Laboratory listed central station fire alarm monitoring company, regardless of the size of the system.

"7. Automatic sprinkler systems shall be inspected and maintained by a certified fire suppression system inspector in accordance with NFPA Standard 13 and NFPA Standard 25. Evidence of inspection and maintenance shall be supplied to the Fire Code Official.

"8. Flushing the system before connections made to the backflow valves shall be inspected by the Fire Code Official or the City of Cripple Creek Building Official. Once completed, a second inspection to ensure proper connection to the valves shall be made by the Fire Code Official or the City of Cripple Creek Building Code Official."

(e) Addition to Section 903.3.1, Standards:

"Sprinkler systems requiring a fire department connection shall be fitted with a 5" storz connection with cap and chain and an appropriate escutcheon. Where required by the code official, a 45-degree elbow shall be fitted immediately behind the storz connection.

"Fire sprinkler systems shall be designed by a technician certified at no less than level III by the National Institute for Certification in Engineering Technologies (NICET), or equivalent. Fire sprinkler system plans shall bear a stamp indicating the designer's certification level."

(f) Add new Section 903.7, Sprinklers in Elevator Hoist Ways/Shafts and Equipment Rooms:

"When elevator hoist ways/shafts and equipment rooms are constructed of noncombustible materials and combustible hydraulic liquids are not used and construction meets the requirements of ASME A17.1, sprinklers shall be omitted at the top of the hoist way/shaft and the equipment room. In addition to this requirement, only detection shall be provided in conjunction with the fire alarm system and heat detection designed for use with an electrical shunt trip shall be omitted."

(g) Add new Section 907.1.3, Fire Alarm System Graphic Annunciator:

"Where required by section 907 of the IFC and where required by the International Building Code, all fire alarm systems shall have at least one graphic annunciator panel with LED indicators within 20 linear feet of the main building entrance. An 'as-built' floor plan shall be used to accurately represent all floors of the building and LED indicator lights shall be used to indicate the

initiation device(s) that have activated the alarm system. A compass rose or similar notation shall be used to orient the graphic to true north. The size of the panel will vary depending on the size of the building; however, the minimum size shall be no less than 250 square inches. The background of the graphic shall be black. The graphic representing the floor plan of the building shall be drawn using white with a stroke of no less than  $\frac{1}{16}$  inch. Labeling indicating the floor level or other pertinent information shall be block lettering measuring no less than  $\frac{1}{2}$  inch in height with a white stroke of no less than  $\frac{5}{64}$  inch. LED indicator lights shall be no less than  $\frac{1}{8}$  inch in diameter."

(h) Add new Section 907.1.4, Elevator Requirements:

"When elevator hoist ways/shafts and equipment rooms meet requirements of ASME A17.1, sprinkler heads shall be eliminated in the hoist way/shaft and the equipment room. Therefore, shunt trips shall not be used to disconnect power to the elevator. Smoke detection shall be required in hoist ways/shafts and equipment rooms and will flash a red light in the elevator car indicating smoke detection in these areas during firefighter operation of elevator car."

(i) Addition to Section 907.2.1, Gaming establishments:

"An approved manual and automatic fire detection system shall be installed throughout any building containing a gaming establishment when the building contains two or more stories, the aggregate floor area on any story exceeds 5000 square feet, or when any of the building is classified as a group R occupancy, or when otherwise required by the IFC.

"A public address system to provide live evacuation or other instructions shall be installed in all gaming establishments, existing or new, with an occupant load of 100 or more persons. Where a public address system is required, there shall be installed sufficient loudspeakers in all areas of the building that an evacuation message shall be clearly heard and be intelligible regardless of the maximum noise level produced by equipment and occupants during normal operating conditions of occupancy."

(j) Addition to Section 907.2.1.1, System Initiation in Group A Occupancies with an Occupant Load of 1,000 or more:

"Where required by this code or NFPA 72, all prerecorded and live evacuation messages shall be conducted in the American English and Spanish languages spoken in an intelligible dialect."

(k) Add new Section 907.6.1, Wiring of Fire Alarm System Components:

"All wiring of alarm system components, with the exception of AC components, shall only be performed by installers certified at level I by the National Institute for Certification in Engineering Technologies (NICET) or equivalent. The job superintendent or equivalent shall be certified as at least level II NICET or equivalent. Only a state-licensed electrician shall wire AC fire alarm system components in accordance with the National Electrical Code and ICC Electrical Code. Appropriate credentials shall be presented to the code official prior to the issuance of a fire protection systems work permit."

(Ord. 2003-24 §3-12; Ord. 2009-02 §1)

**Sec. 18-9-60. Amendments to Chapter 10.**

(a) Addition to Section 1011.1, Exit Signs, Where Required:

"All establishments, regardless of occupant load, shall have EXIT signs installed at required exits and as necessary, to clearly identify the direction of the means of egress and maintained in accordance with the International Building Code."

(b) Add new Section 1024.16, Aisle Widths for Gaming Establishments:

"The requirements for aisles in any room used wholly or partially for purposes of gaming shall be as follows:

"1. MAIN AISLES: At minimum there shall be provided and maintained. one main aisle to all required exits with a minimum unobstructed, clear and continuous width of 44 inches.

"2. CROSS AISLES: All cross aisles shall have a minimum unobstructed, clear and continuous width of 36 inches. In aisles where obstructions such as seating, fixed or otherwise, are placed, aisle minimum width shall be as follows:

"a. Mobile seating on one side: Aisle width shall be 44 inches measured from coin tray to coin tray.

"b. Mobile seating on both sides: Aisle width shall be 52 inches measured from coin tray to coin tray.

"c. Fixed seating on one side: Aisle width shall be 36 inches measured from fixed seat back to coin tray.

"d. Fixed seating on both sides: Aisle width shall be 36 inches measured from seat back to seat back.

"e. Combination seating both sides where there is fixed seating on one side and mobile seating on one side: Aisle width shall be 44 inches measured from fixed seat back to coin tray."

(Ord. 2003-24 §3-12; Ord. 2009-02 §1)

**Sec. 18-9-70. Amendment to Chapter 33.**

Add new Section 3301.2.3.1, Storage of explosives prohibited:

"Storage of explosives within the city limits of Cripple Creek, Colorado is prohibited except as allowed by section 3301 or as permitted by the code official. Temporary storage of explosives shall be allowed by permit from the code official and shall be in compliance with applicable state and federal regulations. A temporary storage permit with an expiration date not exceeding 30 days shall be obtained from Cripple Creek Emergency Services prior to the storage of any explosive materials. Only persons holding a valid and current explosives permit issued by the State of Colorado may request a temporary storage permit."

(Ord. 2003-24 §3-12; Ord. 2009-02 §1)

**Sec. 18-9-80. Amendments to Chapter 38.**

(a) Amendment to Section 3804.2, Maximum Established Limits: Amend maximum capacity of 2,000 gallons to 500 gallons water capacity.

(b) Addition to Section 3804.2, Maximum Established Limits:

"In commercial areas the maximum quantity of LPG may be increased to 1,000 gallons water capacity if allowed by the code official. Tanks used for storage of LPG in excess of 500 gallons water capacity shall be installed in accordance with section 3803 and protected from vehicular impact in accordance with section 312."

(Ord. 2003-24 §3-12; Ord. 2009-02 §1)

**ARTICLE 10**

**International Energy Conservation Code**

**Sec. 18-10-10. Adoption.**

As set forth in Section 18-1-10 of this Chapter, there is hereby adopted by reference as if set out at length the *International Energy Conservation Code*, 2003 edition, as published by the International Code Council, 5360 South Workman Mill Road, Whittier, California 90601. (Ord. 2003-24 §3-14; Ord. 2007-04 §1)

**ARTICLE 11**

**International Property Maintenance Code**

**Sec. 18-11-10. Adoption.**

As set forth in Section 18-1-10 of this Chapter, there is hereby adopted by reference as if set out at length the *International Property Maintenance Code*, 2003 edition as published by the International Code Council, 5360 South Workman Mill Road, Whittier, California 90601. (Ord. 2003-24 §3-15; Ord. 2007-04 §1)

**ARTICLE 12**

**International Fuel Gas Code**

**Sec. 18-12-10. Adoption.**

As set forth in Section 18-1-10 of this Chapter, there is hereby adopted by reference as if set out at length, the *International Fuel Gas Code*, 2003 edition, as published by the International Code

Council, 5360 Workman Mill Road, Whittier, California 90601. (Ord. 2003-24 §3-7; Ord. 2007-04 §1)

**Sec. 18-12-20. Amendments to Chapter 3.**

Add footnote to Section 306.4:

"Replacement LPG appliances are permitted in crawl spaces and basements in existing structures only when a listed gas detector system which incorporates an automatic shut-off and audible alarm is used."

(Ord. 2003-24 §3-7)

**Sec. 18-12-30. Amendments to Chapter 4.**

(a) Amend Section 404.9: 12" should read 18".

(b) Add (a) to Section 406.4.1:

"Gas piping installations are to be inspected before line is covered or concealed and shall be tested with air, CO<sub>2</sub> or Nitrogen pressure. The test shall be at 50 lbs for 30 minutes for commercial construction and at 15 lbs for 30 minutes for residential minimum, prior to inspection."

(c) Add footnote to Section 409.1(a):

"When connectors are used to connect a furnace, the piping from the control valve to the outside of the case shall be of rigid metal."

(d) Add footnotes to Section 409.1.1:

"(a) Exterior gas shut-off valves for natural gas shall be of iron body construction.

"(b) Exterior gas shut-off valves for LP gas shall be of iron body construction or AGA approved brass.

"(c) Inside gas shut-off valves shall be AGA approved brass."

(Ord. 2003-24 §3-7)

**ARTICLE 13**

**Uniform Code for the Abatement of Dangerous Buildings**

**Sec. 18-13-10. Adoption.**

As set forth in Section 18-1-10 of this Chapter, there is hereby adopted by reference as if set out at length the *Uniform Code for the Abatement of Dangerous Buildings*, 1997 edition as promulgated by

the International Conference of Building Officials, 5360 South Workman Mill Road, Whittier, California 90601. (Ord. 2007-04 §1)

## ARTICLE 14

### National Electrical Code

#### Sec. 18-14-10. Adoption; purpose.

(a) As set forth in Section 18-1-10 of this Chapter, there is hereby adopted by reference as if set out at length the *National Electrical Code*, 2005 edition, of the National Fire Protection Association, One Batterymarch Park, Quincy, Massachusetts 02269 and the *International Code Council Electrical Code Administration Code*, 2003 edition, as published by the International Code Council, 5360 South Workman Mill Road, Whittier, California 90601.

(b) In addition to the purpose set out in Section 18-1-30 of this Chapter, the purpose of this code is the practical safeguarding of persons and property from hazards arising from the installation and use of electricity. The subject matter of the code is the safe use, application and installation of electrical wiring. (Ord. 2003-24 §3-8; Ord. 2005-07 §§1, 2, 4; Ord. 2007-04 §1)

#### Sec. 18-14-20. Application to existing wiring.

(a) When any additions, alterations or renewals of existing installations are made, that portion added, altered or renewed shall be made to conform with the requirements for a new building, except as provided hereafter in Subsections (b) and (c) below.

(b) When more than fifty percent (50%) of the wire (based upon the square footage of floor space served) in any building is changed, the entire wiring installation in the building shall be made to conform to all the requirements for new buildings.

(c) When more than fifty percent (50%) of the wiring (based upon the number of outlets served) or any circuit is changed, the entire circuit shall be made to conform with all the requirements for new buildings.

(d) When any part of a wiring installation has been disconnected due to the wiring having been damaged by fire, flood, etc., altered by unauthorized persons, nature, calamity or otherwise becoming a hazard, such installation may not be reconnected without inspection and approval by the Building Official. (Ord. 2003-24 §3-8; Ord. 2005-07 §5)

#### Sec. 18-14-30. Amendments.

The National Electrical Code, as adopted in this Article, is amended as follows:

(1) Article 90-8 is amended by adding Subsection c as follows:

"c. Provisions for the future:

"1. A range stub on one-inch conduit.

"2. A dryer stub of three-fourths-inch conduit.

"3. A future wiring stub of three-fourths-inch conduit shall be installed in new houses for future use. All stubs should go to the basement if accessible, if not, to attic, and must be left in a position where it can be reached for connection."

(2) Article 210-19(b) is amended by adding the following language to the first paragraph thereof:

"All freestanding electric ranges are to be supplied by fifty-ampere circuits."

(3) Article 210-22(a) is amended by adding the following language to the end of the paragraph as follows:

"A furnace installation shall be made on a separate circuit.

"EXCEPTION: A furnace service light may be on the same circuit."

(4) Article 210-52(b)(1) is amended by adding a third exception to Subparagraph (1), to read as follows:

"Exception No. 3: A range hood, combination range hood and light or combination range hood and microwave oven."

(5) Article 210-52(b) is amended by adding Subparagraphs (4) and (5), to read as follows:

"(4) One separate twenty-ampere circuit shall be installed for supplying power to a dishwasher and/or disposal.

"(5) One separate twenty-ampere circuit shall be installed for microwave oven."

(6) Article 220-3(c) is amended by adding Subparagraphs 8 and 9, to read as follows:

"(8) The number of outlets per circuit for general lighting loads in dwelling occupancies shall not exceed eight (8) on a fifteen-ampere circuit nor ten (10) on a twenty-ampere circuit.

"(9) Branch circuits serving electronic gaming devices having a load no greater than 350VA shall have no more than six (6) machines per 20 amp. circuit."

(7) Article 230-26 is amended by adding Subparagraph (a), to read as follows:

"(a) A service mast type riser is required if the eave of the building is less than twelve (12) feet above the finished grade."

(8) Article 300-1 is amended by adding Paragraph (c), to read as follows:

"(c) All nonresidential construction wiring methods shall be by Article 346 or Article 348. For the purposes of this section only, *residential* shall be defined as R-3 and R-1 occupancies under three stories high, private garages and private sheds."

(9) Article 305-3(b) is amended by adding the following language:

"Christmas lighting installed for a period exceeding the time allowed by City Ordinance, or in any event exceeding 90 days, shall be considered as permanent and shall comply with the sections of this article. A permit and inspection will be required."

(10) Article 305-3(a) is amended by adding a second paragraph, to read as follows:

"Six months. Temporary electrical power is permitted for a period not to exceed six (6) months. If temporary power is required after six (6) months, permit can be renewed for another six (6) months."

(11) Section 600-1 is amended by adding a second paragraph, to read as follows:

"Electric signs and outline lighting shall have a permit and be inspected. Existing signs and outline lighting shall be inspected within 30 days after the effective date of the ordinance adopting this electrical code."

(12) Article 600-6(b) is amended by adding a second paragraph, to read as follows:

"Outlets for electric Christmas lighting shall be located so as to provide power for each 1200 volt-amperes of lighting load, without the use of extension cords and/or 'multi-tap' assemblies."

(13) Article 12-23-111(36) of the Colorado State Electrical Laws and Regulations is amended as follows:

a. Delete the word "alteration" in the second sentence. The sentence shall read:

"Likewise, nothing in this article shall be construed to require any firm or corporation or its regular employees to be required to hold a license before doing maintenance or repair of existing facilities on the property of any such firm or corporation, whether or not any such property is generally open to the public; nor shall inspection by the board or its inspectors nor the payment of any fees connected therewith be required."

b. Define "maintenance" as:

"Activities that preserve the life of existing electrical equipment, including re-lamping of incandescent, fluorescent and H.I.D. fixtures."

c. Define "repair" as:

"Exact replacement of existing lighting fixtures, receptacles, devices and equipment."

(Ord. 2005-07 §5; Ord. 2007-04 §1)

## ARTICLE 15

### ASME Safety Code for Elevators and Escalators

#### Sec. 18-15-10. Adoption.

As set forth in Section 18-1-10 of this Chapter, there is hereby adopted by reference as if set out at length the *ASME A 17.1 – 2004 Safety Code for Elevators and Escalators* edition as published by the American Society of Mechanical Engineers, Three Park Avenue, New York, New York 10016. (Ord. 2003-24 §3-10; Ord. 2005-07 §§1, 6; Ord. 2007-04 §1)

#### Sec. 18-15-20. Purpose.

The purpose of this code is the practical safeguarding of persons and property from the hazards arising from installation, use and maintenance of elevators and escalators. The subject matter of this code is the safe use, installation and maintenance of elevators and escalators. (Ord. 2005-07 §2; Ord. 2007-04 §1)

## ARTICLE 16

### International Code Council Electrical Code

#### Sec. 18-16-10. Adoption.

As set forth in Section 18-1-10 of this Chapter, there is hereby adopted by reference as if set out at length the *International Code Council Electrical Code*, 2003 edition, as published by the International Code Council, 5360 South Workman Mill Road, Whittier, California 90601. (Ord. 2003-24 §3-9; Ord. 2007-04 §1)

## ARTICLE 17

### International Electrical Code Administration Provisions

#### Sec. 18-17-10. Adoption.

As set forth in Section 18-1-10 of this Chapter, there is hereby adopted by reference as if set out at length the *International Electrical Code Administration Provisions*, 2003 edition, as published by the International Code Council, 5360 South Workman Mill Road, Whittier, California 90601. (Ord. 2003-24 §3-9; Ord. 2007-04 §1)

## ARTICLE 18

### International Code Council Performance Code

#### Sec. 18-18-10. Adoption.

As set forth in Section 18-1-10 of this Chapter, there is hereby adopted by reference as if set out at length the *International Code Council Performance Code*, 2003 edition, as published by the International Code Council, 5360 South Workman Mill Road, Whittier, California 90601. (Ord. 2007-04 §1)

## ARTICLE 19

### Mobile Home Code

#### Sec. 18-19-10. Definitions.

As used in this Chapter, the following words shall have the definitions ascribed to them, unless otherwise provided:

*Manufactured home* means any manufactured single-family dwelling unit displaying Certification Number or a Mobile Home Certification Number, issued by the Colorado Division of Housing. *Manufactured homes* shall mean all mobile homes and modular homes.

*Mobile camping unit* means a mobile camp trailer, recreation vehicle or any unit manufactured for the purposes of being self-contained and equipped with eating, sleeping and sanitation facilities. All mobile camping units shall have the capability of holding all discharge waste. Mobile camping units shall be in a mobile or movable condition at all times, to include inflated tires and current registration displayed.

*Mobile Home Certification Number.* All mobile homes placed in the City shall display a Mobile Home Certification Number.

*Modular home* means any manufactured single-family dwelling unit. It shall have an engineered foundation, as specified in the 1985 Uniform Building Code, Chapters 3 and 23. It shall have a Factory-Built Unit Certification Number issued by the State of Colorado. The unit shall have a pitched roof, and must meet the National Manufactured Housing Construction and Safety Standards act of 1974, 42, as outlined in Colorado Senate Bill #102.

*Self-contained* means a unit requiring no "outside" connections or attachments to any utility, any public or private septic system, or any other temporary or permanent structure or object which would require a disconnect to enable the mobile camping unit to be moved.

EXCEPTION: Chains may be utilized for security when connected to a fixed object by a padlock. (Ord. 2003-24 §3-16; Ord. 2007-04 §1)

**Sec. 18-19-20. Permits required.**

(a) Mobile homes and manufactured homes as defined in Section 18-19-10 above and certified by the Department of Housing and Urban Development (hereinafter "HUD-certified manufactured homes") located in the mobile home park zone as established by Chapter 16 of this Code, shall be issued special permits by the Building Official, subject to requirements of the applicable building codes in effect at the time of application. Such permits shall be revocable. The special permits apply only to the mobile home or HUD-certified manufactured home for which it was obtained and shall not run with the land as a permitted use. Prior to the occupation of any mobile home or HUD-certified manufactured home in a mobile home park, the mobile home or manufactured home shall be inspected by the Building Department and shall be in conformance with the requirements of this Article. Mobile homes and HUD-certified manufactured homes located in mobile home parks shall not have permanent foundations, but shall be anchored in accord with the structural connection section.

(b) HUD-certified manufactured homes and manufactured homes as defined in Section 31-23-301(5)(a)(1), C.R.S., certified by the Division of Local Housing of the State of Colorado in accord with Section 24-32-703(3), C.R.S., and 8 C.C.R. § 1302-3 (Factory-Built Housing Construction Certified Code of Colorado) shall be permitted in the mobile home subdivision zone of the City as established in Chapter 16 of this Code. Prior to locating these structures in a mobile home subdivision, a building permit for each structure must be obtained and these homes shall be anchored as set forth in the structural connections section below or placed on permanent foundations. If they are to be placed on a permanent foundation, such permanent foundation system shall be designed to comply with all applicable local standards by an engineer licensed to practice in the State.

(c) State-certified manufactured homes, as set out in this Section, are allowed in all other residential zones of the City, as set out in Chapter 16 of this Code. These homes shall be placed on a permanent foundation designed to comply with all applicable local standards by an engineer licensed to practice in the State. Prior to locating State-certified manufactured homes in these residential zones, a building permit from the Building Department must first be obtained. (Ord. 2003-24 §3-16; Ord. 2007-04 §1)

**Sec. 18-19-30. Structural connections.**

(a) Anchoring and blocking systems:

(1) Anchoring system: All mobile homes shall be anchored to the pad or ground by an approved anchoring system. The anchoring system shall consist of no less than four (4) approved tie-downs for each unit (2 pairs) but shall require two (2) additional tie-downs for each twenty (20) feet or portion thereof over fifty (50) feet in length. Each anchor shall be capable of withstanding a three-thousand-five-hundred-pound force along its axis.

(2) Blocking system: Blocking for support shall be as follows:

- a. Bottom: 4" x 8" x 16" solid concrete blocks.
- b. Intermediate: 8" x 8" x 16" hollow concrete blocks.

c. Top: 4" x 8" x 16" solid concrete blocks or 2" x 8" x 16" wood (nominal).

d. Shims (wood) may be used in conjunction with the above units but only to an accumulative depth of two (2) inches (nominal).

(3) Axles and tongues: Axles shall not be removed from mobile homes. Tongues may be removed and stored with the mobile home.

(b) Foundation systems: Manufactured homes that are in compliance with the Manufactured Housing and Safety Standards Act of 1974, as amended, may be installed on permanent foundation systems in mobile home subdivisions or on privately owned tracts of land on which zoning regulations permit mobile homes. Such permanent foundations systems shall be designed to comply with all applicable local standards by an engineer licensed to practice in the State. (Ord. 2003-24 §3-16)

**Sec. 18-19-40. Heating.**

All mechanical systems, to include gas appliances and piping, shall conform to the requirements of Article 2, Part 2, International Mechanical Code. (Ord. 2003-24 §3-16)

**Sec. 18-19-50. Electrical.**

All electrical connections shall be compatible with the services provided. Any modifications shall be performed by properly licensed persons and inspected prior to connection. (Ord. 2003-24 §3-16)

**Sec. 18-19-60. Plumbing.**

All plumbing shall conform to the requirements of the adopted plumbing code, and the following:

(1) Water service connection. Water piping connection to the mobile home shall be not less than three-quarter-inch nominal diameter.

(2) Sewer connection. A watertight connection between the mobile home drainage system and the mobile home park sewer connection shall be made by means of a readily removable semi-rigid connector with a cleanout. (Ord. 2003-24 §3-16)

**Sec. 18-19-70. Zoning.**

The mobile homes must comply with all requirements of Chapter 16 of this Code. (Ord. 2003-24 §3-16)

**Sec. 18-19-80. Additions and accessory structures.**

(a) No additions shall be made to an approved mobile home system unless the addition either meets the building code or is an approved system.

(b) No permit is required for patio covers and carports connected to the mobile home along one (1) entire side and open on at least two (2) sides.

(c) A permit is required for any electrical, plumbing or mechanical work that is installed in a mobile home or any accessory structure over one hundred (100) square feet in size. (Ord. 2003-24 §3-16)

**Sec. 18-19-90. Setbacks.**

(a) General. Mobile homes shall be set up in accordance with the applicable setbacks of the zoning where located.

(b) Proximity. In mobile home parks, mobile homes shall be no closer than:

(1) Five (5) feet from the street with no infringement into setback.

(2) Twelve (12) feet from an adjacent home with no infringement into setback (both built after 1976).

(3) Six (6) feet from the property line, built after 1976.

(4) Ten (10) feet from the property line, built before 1976.

Note: No infringement, except that open carports or shelters (two [2] open sides) may extend to within two (2) feet of property line.

(c) Accessory buildings (more than two [2] sides closed) shall require a building permit, inspections and plot plan. In a mobile home park, the setback shall be:

(1) Five (5) feet from the property line (side, rear).

(2) Twenty (20) feet from the property line (front). (Ord. 2003-24 §3-16; Ord. 2007-04 §1)

**Sec. 18-19-100. Application.**

This Article shall apply to every mobile home within or outside the corporate limits of the City, over the use of which the City has jurisdiction and authority to regulate. (Ord. 2003-24 §3-16)

**Sec. 18-19-110. Interpretation.**

This Article shall be interpreted and construed so as to effectuate its general purpose to make uniform the local mobile home regulations contained herein. Article and section headings of this Article shall not be deemed to govern, limit, modify or in any manner affect the scope, meaning or extent of provisions of any article or section hereof. (Ord. 2003-24 §3-16)

**Sec. 18-19-120. Additional requirements.**

Refer to Chapter 16 of this Code, as amended, for other requirements. (Ord. 2003-24 §3-16; Ord. 2007-04 §1)

## ARTICLE 20

### Blasting Regulations

#### **Sec. 18-20-10. Purpose.**

The intent of these regulations is to ensure that excavation in the City limits which requires the use of explosives is accomplished in a safe manner to protect the public, work site employees and property. Explosives will be allowed when the work utilizes small-diameter boreholes, small amounts of explosive per delay interval and closely spaced boreholes. Only the amount of explosive products required on a daily basis shall be allowed on the site and shall be securely stored until they are to be used. The person in charge of the detonation of explosives must be well versed in the use of explosives in congested urban areas. The City will cooperate with the user of explosives to ensure that the work progress is satisfactory to all concerned. (Ord. 2003-24 §3-17)

#### **Sec. 18-20-20. Application of regulations.**

The use of explosives shall be consistent with applicable federal and state regulations. Such use shall be in a safe manner by experienced staff holding a permit from the State relative to the public and structures and licensed by the City. The following are some examples of structures: commercial buildings, residences, utilities, storage areas and pavement. These examples are not all-inclusive. (Ord. 2003-24 §3-17)

#### **Sec. 18-20-30. Explosives plan.**

Twenty-four (24) hours prior to the use of explosives, a plan, for informational purposes only, shall be submitted to the Building Department. The plan must be drawn to an appropriate scale and indicate north by an arrow, the work area relative to any structures, the maximum amount of explosive per delay, borehole spacing, diameter and depth, type of explosive products used and method of ignition. (Ord. 2003-24 §3-17)

#### **Sec. 18-20-40. Regulations.**

(a) The safe amount of explosive may be calculated by the scaled distance formula using a scaled distance of 65 or by the use of a seismograph using a peak particle velocity of 1.5. When a structure is less than one hundred (100) feet from the nearest borehole loaded with explosives, it is recommended that a seismograph be used to monitor vibrations next to the structure. The seismograph shall be located by a qualified third party consultant and operated at the direction of the consultant if such consultant is not present.

(b) All boreholes containing explosives shall be covered by an earth blanket or blasting mats. (Ord. 2003-24 §3-17)

#### **Sec. 18-20-50. Notification, warnings.**

(a) The Fire Department shall be notified twenty-four (24) hours prior to the use of any explosives within the City.

(b) Where the movement of traffic or pedestrians or an occupied building is a concern, the Police Department shall be notified fifteen (15) minutes before the detonation of explosives. Traffic and pedestrians will be stopped at a safe distance five (5) minutes before and after the detonation of explosives. The type of warnings to be used shall be described at the time the plan to use explosives is submitted to the Building Department and shall be made part of the plan. (Ord. 2003-24 §3-17)

**Sec. 18-20-60. Storage; insurance.**

In the principal business districts, there shall be no storage of explosives and blasting agents, and in the closely built commercial areas, the maximum of five (5) pounds may be allowed, provided that all sections of Article 77 of the Uniform Fire Code, 1991 edition, have been met and proof of insurance of five million dollars (\$5,000,000.00) worth of coverage has been provided to the City. In heavily populated areas, there shall be no storage allowed at any time. If explosives are stored within the City limits, the contractor shall provide the Building Department with the street address for location of storage, and the owner must be notified thirty (30) minutes prior to any detonation of explosives. (Ord. 2003-24 §3-17)

**Sec. 18-20-70. Safety.**

(a) In the event a misfire occurs, the contractor shall use an accepted method to locate and detonate the misfire in accordance with federal and state procedures.

(b) The City is concerned with both safety and quality of work and does not dictate the exact methods for the use of explosives. Where the use of explosives is the same each day, verbal notification is adequate to the Building Department and to other parties as necessary. (Ord. 2003-24 §3-17)

**Sec. 18-20-80. Notice of exception.**

Any exceptions to these regulations must be made in writing to the Building Department. (Ord. 2003-24 §3-17)

**Sec. 18-20-90. Compliance.**

Transportation and storage must comply with applicable state and federal regulations. (Ord. 2003-24 §1-17)

**Sec. 18-20-100. Time limits.**

The time for the detonation of explosives is between 7:00 a.m. to 4:00 p.m., Monday through Thursday and between 8:00 a.m. and 2:00 p.m. on Friday. (Ord. 2003-24 §1-17)

## ARTICLE 21

### Building Permits and Certificates

#### *Division 1 Building Permits*

#### **Sec. 18-21-10. Letter of credit required.**

(a) From and after the effective date of Ordinance 2007-13, each owner and/or developer, as a condition of receiving a building permit for any construction involving structural changes to existing buildings or the construction of any new structures within the City where the estimated cost of construction, as determined by the City, exceeds the amount of fifty thousand dollars (\$50,000.00), shall be required to demonstrate the following:

- (1) That the financial capabilities and resources of the owner and/or developer are adequate to complete the project;
- (2) That there exists a past performance of the owner and/or developer in completing projects within the boundaries of the City;
- (3) That construction financing is in place or committed to for the project by a reputable and financially sound construction lender;
- (4) That a performance bond or other security has been posted by the general contractor for completion of the project; and
- (5) Any other factors relevant, in the opinion of the City, to the need for the security required by this Section.

If it is determined by the Building Department that the above have not been demonstrated to the Department's satisfaction, the owner and/or developer shall place with the City an irrevocable letter of credit or other security for the completion of construction, satisfactory in form and substance to the City, to be held in trust by the City, in the amount of fifty thousand dollars (\$50,000.00) for each twenty-five (25) feet of the longest frontage of building with the City. Appeal of the Building Department's determination can be made in accordance with Section 18-21-40 (c) below.

(b) The letter of credit shall be in form and content acceptable to the City and the City Attorney.

(c) The letter of credit and/or cash may be drawn, after notice to the owner and/or developer, by the City and used by the City to render any structure into a safe condition, as specifically set forth herein. (Ord. 1992-18 §§1—3; Ord. 2006-06 §1; Ord. 2007-04 §1; Ord. 2007-13 §1)

#### **Sec. 18-21-20. Right of entry.**

The City shall be specifically authorized to enter upon the private property of such owner and/or developer for the purposes of completing portions of construction necessary to render the structure in a safe condition and removing any obstruction or impediment located in any public way, roadway, alley and/or sidewalk. (Ord. 1992-18 §1)

**Sec. 18-21-30. Completion of work.**

The owner and/or developer will be notified, in accordance with the Dangerous Building Code, as adopted in Section 18-13-10 of this Chapter. In the event the owner and/or developer does not cause the requisite construction to be complete pursuant to the terms of that notice, then the City shall be entitled to utilize the funds from the letter of credit and/or cash held by the City to complete the necessary construction. (Ord. 1992-18 §1; Ord. 2007-04 §1)

**Sec. 18-21-40. Release of funds.**

(a) Upon completion of the structure and issuance of a final certificate of occupancy, the letter of credit shall be cancelled and/or the cash shall be returned to the owner and/or developer, without interest thereon.

(b) The letter of credit required by Section 18-21-10 above may be reduced and/or eliminated in the discretion of the City Council, upon application by the owner or developer (the "applicant") if one (1) or more of the following criteria are met:

(1) The estimated cost of the project is less than fifty thousand dollars (\$50,000.00), and evidence of the cost is approved by an independent architect, at the applicant's expense, certifying to the City that the cost of the project is less than fifty thousand dollars (\$50,000.00). In such event, the letter of credit or cash deposit requirement may be reduced to twenty-five percent (25%) of the estimated cost of the project.

(2) The cost of rendering the project in a safe condition is less than fifty thousand dollars (\$50,000.00). The costs necessary to include in the estimate to put the project in a safe condition shall include, but shall not be limited to, the following:

- a. The cost of permanently stabilizing all exterior walls.
- b. Backfill of foundation to the City's specifications.
- c. Removing any and all impediments or obstructions to all public ways, including all public roadways, alleys and/or sidewalks.
- d. Putting in any drainage improvements or other public improvements required of the applicant at the time of the application for the building permit as a condition of obtaining a certificate of occupancy.

The estimated costs shall be verified by an independent architect, chosen by the City, whose fee shall be paid by the applicant. In the event the architect determines that the estimated costs are less than fifty thousand dollars (\$50,000.00) per twenty-five (25) feet of frontage, the letter of credit and/or cash deposit will be reduced to the estimated costs of putting the building into a safe condition, as set forth above.

(c) The City Council may, in its discretion, and after receiving evidence at a public hearing of the applicant's creditworthiness and/or financial ability to complete the project, reduce or waive the letter of credit requirements. Such evidence shall be in form and content satisfactory to the City Council

and may include verified financial statements, verified information from lending sources, evidence of successful completion of other projects within the City and any other information the applicant and/or City Council deems necessary or desirable in reaching its decision. (Ord. 1992-18 §1; Ord. 1993-8 §1)

**Sec. 18-21-50. Affidavit of accuracy.**

The applicant shall verify under oath, by written affidavit, under penalty of perjury, that any and all information, either written or oral, given to the City Council is true, complete and accurate, and that no information necessary to make such information true, complete and accurate has been withheld or omitted. (Ord. 1993-8 §1)

**Sec. 18-21-60. Stop work order.**

(a) In the event any of the information provided by the applicant is determined to be false, or ceases to be true because of the passage of time or other conditions, then a stop work order may be issued by the Building Department at the request of the City Council. In the event such a stop work order is issued, no further work will be allowed to be completed on the project until such time as the necessary letter of credit or cash deposit is made to the City in the amount of fifty thousand dollars (\$50,000.00) per twenty-five (25) feet of frontage of the project, or lesser amount is specifically provided for herein.

(b) The obligation to keep the information supplied in the application updated with the City Council on a monthly basis shall be that of the applicant. Supplemental certifications may be required by the City Council on a monthly or other periodic basis, in the City Council's sole and subjective discretion. In the event the applicant does not provide the necessary supplemental information as required by the City Council within five (5) business days of the request for the same, a stop work order may be issued by the Building Department at the request of the City Council, and all work shall cease until the required information is received and approved, or the required letter of credit or cash deposit of fifty thousand dollars (\$50,000.00) per twenty-five (25) feet of frontage of the project is placed with the City. (Ord. 1993-8 §10)

**Sec. 18-21-70. Exception to requirements.**

(a) In the event the construction proposed on a building that was built during the Period of Significance, as defined in Section 16-12-20 of this Code, which construction shall consist solely of repair and/or restoration of said structure, specifically excluding any structural alterations, alteration of external facades or architectural elements, internal structural components or architectural elements, windows or other external openings, the financial requirements shall be waived.

(b) In order to obtain said waiver, the owner of the structure shall apply to the Historic Preservation Department and Building Department, providing complete plans of the proposed repair and/or restoration. The Historic Preservation Department and Building Department shall make findings that the proposed construction complies with the terms hereof, and shall provide a waiver of the financial requirements. The provisions of Section 18-21-50 above shall apply to such waivers. (Ord. 2000-03 §§11, 12; Ord. 2007-04 §1)

**Sec. 18-21-80. Appeal.**

In the event the applicant is dissatisfied with the results of the review and decision by the Historic Preservation Department and Building Department, the applicant shall be entitled to appeal such decision to the City Council, which shall hear all matters concerning the application and shall make the final decision as to whether to waive the financial requirements. (Ord. 2000-03 §13)

*Division 2*  
*Certificates of Occupancy*

**Sec. 18-21-110. Application.**

Any applicant for a temporary certificate of occupancy shall apply for the temporary certificate of occupancy to the Building Department. (Ord. 1993-18 §1)

**Sec. 18-21-120. Grant of certificate.**

(a) Temporary certificates of occupancy may be granted only in instances where minor work necessary to receive a full certificate of occupancy cannot be completed in a timely basis, but which minor work does not present any risk to the health, safety or welfare of the owner, occupants, visitors and/or guests to such building or structure.

(b) The granting of the temporary certificate of occupancy shall be in the sole discretion of the Building Official, taking into account whether the granting of the temporary certificate of occupancy is for purposes of only the completion of minor work which does not represent a risk to the health, safety or welfare of the building owner, occupants, visitors and/or guests. (Ord. 1993-18 §§2, 3)

**Sec. 18-21-130. Estimate required.**

In order to receive a temporary certificate of occupancy, the owner or developer of the property shall submit a written estimate of the costs to complete all work necessary to receive a final certificate of occupancy. (Ord. 1993-18 §4)

**Sec. 18-21-140. Review of estimate.**

The costs of the work necessary to receive a final certificate of occupancy shall be reviewed by the Building Official. In the event the Building Official does not agree that the estimate is a realistic estimate of the actual cost of the work necessary to receive a final certificate of occupancy, the Building Official shall be entitled to obtain an independent architect's review of the estimate. In the event the independent architect's review reveals a discrepancy of more than ten percent (10%) of the costs, the cost of the independent review of the architect shall be borne by the owner. (Ord. 1993-18 §5)

**Sec. 18-21-150. Assurance of payment; letter of credit.**

(a) Upon receipt of a final acceptable estimate of costs of work necessary to receive a final certificate of occupancy, the owner or developer shall place with the City an irrevocable letter of credit, cash bond or certified check in the amount equal to complete all work necessary for the final

certificate of occupancy and shall sign a waiver allowing the City to complete said work within the time specified by the Building Official. Any assurance of payment shall be, in form and content reasonably satisfactory to the City, the City Attorney and the Building Department. If the assurance of payment is in the form of an irrevocable letter of credit, the same may contain the following language to allow the letter of credit to be reduced as items are complete:

"The amount available under this irrevocable letter of credit may be reduced by the issuing bank upon receipt of a statement from the beneficiary, the City of Cripple Creek, Colorado, signed by the City of Cripple Creek's Building Official, authorizing a reduction and stating to what amount this irrevocable letter of credit may be reduced."

(b) The owner or applicant shall not be entitled to interest from the City on any amount placed with the City as an assurance for performance of the work necessary to receive a final certificate of occupancy. (Ord. 1993-18 §§6, 7)

**Sec. 18-21-160. Completion limit.**

(a) The Building Official shall grant to the owner or applicant a period of time, not to exceed one (1) year, in which to complete all work necessary for the final certificate of occupancy.

(b) In the event the work is not completed within the time specified, the City shall be entitled to bid the work necessary to receive the final certificate of occupancy, and to complete said work. In addition, the amount necessary to complete the work to obtain the final certificate of occupancy shall be taken from the financial assurance set forth in Section 18-21-150 above. (Ord. 1993-18 §§8, 9)

**Sec. 18-21-170. Refund.**

In the event the work is completed within the time specified for completion, the City will refund, without interest, the amount of the financial assurance, or will release the financial assurance, as the form of the financial assurance dictates. (Ord. 1993-18 §10)