

## CHAPTER 18

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## ARTICLE I

### General Provisions

#### **Sec. 18-1-10. Short title.**

This Chapter may be cited for all purposes as the *City of Rifle Building and Construction Code*. (Prior code 16.02.010)

#### **Sec. 18-1-20. Applicability of codes.**

The building codes adopted by reference in this Chapter shall apply to the following:

(1) The design and construction of a building or structure, including plumbing, heating and electrical installation of the building or structure.

(2) A building, structure, factory-built unit, manufactured home, mobile home or part thereof moved either into or from the City or from one (1) property to another within the City, and to any remaining part affected by the change, unless otherwise provided by law.

(3) The demolition of all or a part of a building, structure, factory-built unit, manufactured home or mobile home, and to any remaining part affected by the change.

(4) The alteration of a building, structure, factory-built unit, manufactured home or mobile home.

(5) The repair of a building, structure, factory-built unit, manufactured home or mobile home.

(6) All parts of a building or structure affected by the change in class of occupancy. (Prior code 16.02.020; Ord. 4 §1, 2005)

#### **Sec. 18-1-30. Exceptions.**

(a) This Chapter does not apply to any mobile home, manufactured home or factory-built unit which conforms to the health and safety requirements of the Colorado Department of Public Health and Environment, the State Fire Marshal, the Colorado Division of Housing or the National Manufactured Housing Construction and Safety Standards Act of 1974.

(b) Any factory-built unit, manufactured home or mobile home referred to in Subsection (a) above shall comply with the provisions of Articles IX and X of this Chapter. Additions, alterations or repairs to any mobile home, manufactured home or factory-built unit shall comply with all provisions of this Chapter. (Prior code 16.02.030; Ord. 4 §1, 2005)

#### **Sec. 18-1-40. Severability of provisions.**

If any section, subsection or provision of this Chapter or any code adopted by reference in this Chapter or the application thereof to any person or circumstance is declared unconstitutional or otherwise invalid by any competent court, such invalidity shall not affect the other sections, subsections, provisions or applications of this Chapter or said code adopted by reference if they can be given effect without the invalid section, subsection, provision or application. (Prior code 16.02.040; Ord. 4 §1, 2005)

**Sec. 18-1-50. Prevailing provisions.**

Where the requirements or conditions imposed by any provision of a code or its appendices adopted by reference in this Chapter differ from the requirements or conditions imposed by a provision of another law, ordinance, resolution or order having application in the City, the provision which is more restrictive shall govern. (Prior code 16.02.050; Ord. 4 §1, 2005)

**Sec. 18-1-60. Rifle Public Works Manual.**

All construction of public improvements shall conform to the requirements of the *Rifle Public Works Manual*, as adopted and amended from time to time by resolution, unless the City Manager, in consultation with the Public Works Director, expressly modifies or exempts the construction of specific public improvements from such requirements. In the event an applicant requests a modification or exemption from the Public Works Manual and the City Manager denies such request, the applicant may appeal the City Manager's decision to the City Council for final resolution. (Prior code 16.02.055)

**Sec. 18-1-70. Violation; penalty.**

Except as may otherwise be provided in this Chapter, any person violating any of the provisions of this Chapter shall be guilty of a criminal offense and shall be punished in accordance with the provisions of Section 1-4-20 of this Code. Said offense shall be one of strict liability. (Prior code 16.02.060; Ord. 4 §1, 2005)

**Sec. 18-1-80. Usage of terms.**

For the purpose of this Chapter, all words, terms and expressions contained in this Chapter shall be interpreted in accordance with the definitions set out in the international and uniform codes adopted by reference in this Chapter. (Prior code 16.04.010; Ord. 4 §1, 2005)

**Sec. 18-1-90. Definitions.**

As used in this Chapter, the following terms shall have the meanings indicated:

*Administrative authority* means the City Building Department.

*Building contractor* means a person who:

a. Undertakes with or for another, within the City, to build, construct, alter, repair, add to or demolish any building or structure or any portion thereof, for which a permit is required and for a fixed sum, price, fee, percentage or other compensation or any combination thereof.

b. Builds, constructs, alters, adds to, moves or demolishes any building or structure, either on his or her own or other property, for purpose of resale or rental, except a residence intended for his or her own personal use and occupancy. A person constructing his or her own home without the aid of a licensed contractor may secure a permit on only one (1) residence in any three-year period. The construction of more than one (1) residence by said person in any three (3) years shall be presumed to have been for resale, and said person shall be considered a *building contractor* for the purposes of this Chapter.

The following shall not be deemed to be *building contractors* as the term is used herein:

a. Plumbers, electricians or other specialized trades for which special licenses are required.

b. A homeowner/builder constructing, remodeling or adding to his or her own residence or accessory structure on the same property. The exemption provided for by this Paragraph may not be used for more than one (1) property in any twelve (12) consecutive months from the date of the issuance of the first building permit utilizing said exemption. A homeowner/builder exempt from the licensing requirements must undertake all work with the assistance of no more than two (2) other people.

*Building Inspector* or *Building Official* means the City Building Official or his or her regularly authorized deputy.

*Chief of the Fire Department* means the Chief of the Rifle Fire Protection District or his or her regularly authorized deputy or, if the context so requires, the Building Official.

*City* means the incorporated area of the City of Rifle which may be referred to in this Chapter as the *regulated area*.

*Electrical contractor* means any person engaged in the business of installing electrical wires, fixtures, signs, appliances or apparatus using electrical energy within the corporate limits of the City. Nothing contained in this Paragraph shall apply to the installation of its own apparatus by a public telephone, telegraph, cable television, messenger call or power company operating under a franchise granted by the City. All electrical contractors shall have at least a master electrician's license issued by the State.

*Factory-built unit* means any structure or component thereof, designed primarily for residential or commercial occupancy, either permanent or temporary, which is wholly or in substantial part made, fabricated, formed or assembled in a manufacturing facility for installation or assembly and installation, on a permanent foundation at a building site and which carries a Colorado Division of Housing "Factory-Built Unit Certification."

*Health Officer* means a person appointed as the Health Officer by the City Manager or by ordinance.

*Jurisdiction* means the corporate limits of the City of Rifle.

*Lot* means any parcel of land or portion thereof on record in the office of the County Clerk and Recorder.

*Manufactured home* means a single-family dwelling which:

- a. Is partially or entirely manufactured in a factory;
- b. Is not less than twenty-four (24) feet in width and thirty-six (36) feet in length;
- c. Is installed on an engineered permanent foundation;

d. Has brick, wood or cosmetically equivalent exterior siding and a pitched roof; and

e. Is certified pursuant to the *National Manufactured Housing Construction and Safety Standards Act of 1974*, 42 C. § 5401 et seq., as amended.

*Mobile home* means a structure as defined in Section 16-1-220 of this Code. The phrase *without a permanent foundation* as used in such definition indicates that the support system is constructed with the intent that the mobile home placed thereon will be moved from time to time at the convenience of the owner.

*Plumbing contractor* means any person engaged in the business of, or desiring to engage in the business of, installing plumbing fixtures, fixture traps, soil, waste and vent pipes with their devices, appurtenances and connections, within or adjacent to buildings or structures, public or private, in the City. All plumbing contractors must be licensed by the State as either a master plumber or master gasfitter.

*Road* means any public or private access road, street, highway, easement or way platted and recorded or shown on any official map, whether or not such road is actually constructed.

*Sign* means any writing, letter, word, numeral, pictorial representation, pictorial abstraction, graphic or pictorial form, emblem, symbol, trademark, object or design which conveys a recognizable meaning, identity or distinction; or any of the above which forms a structure or part of a structure, or which is affixed in any fashion to any structure; and which, by reason of the form, color, wording, stereotyped design or other feature, attracts or is designed to attract attention to the subject matter or is used as a means of identification, advertisement or announcement. The term *sign* shall not include:

a. Flags, not to exceed twenty-four (24) square feet in size, of governments or fraternal, religious, civic or educational organizations and institutions, except when used in connection with a commercial promotion or to advertise a commercial product, service, business, activity, condition or person.

b. Placards, banners, pennants, pictures, bottles or any other devices incorporated in a temporary window display.

c. Works of art which in no way identify a product or business and which are not displayed in conjunction with a commercial, for-profit, enterprise.

d. Temporary decorations or displays directly incidental to and customary and commonly associated with national, local or religious holiday celebrations.

e. Official traffic control devices and other official signs and devices of any public or governmental agency.

*Site* means any parcel or area of land having an area sufficient to satisfy the applicable provisions of Chapter 16 of this Code.

*Special contractor* means a contractor for all other trades not specifically classified elsewhere in this Chapter, such as but not limited to masonry, plastering, elevator installation, glaziers, drywall,

painters, carpet layers, tilers, landscapers, steel fabrication and erection, house moving, demolition, asphalt paving, concrete form and finish, excavating and heavy equipment or any other particular trade or work connected with the building industry.

*Work* means the construction, demolition, alteration, repair, moving or change in the class of occupancy of any building, equipment or structure, and shall include the installation, construction, alteration or repair of any private or subsurface sewage disposal system and the placement and use of a mobile home, manufactured home and factory-built unit anywhere within the City. (Prior code 16.04.020—16.04.190; Ord. 4 §1, 2005)

## ARTICLE II

### Building Code

#### Sec. 18-2-10. Adoption by reference.

Pursuant to the power and authority conferred by Section 31-16-201 et seq., C.R.S., there is adopted by reference thereto the *International Building Code*, 2003 edition, and the appendices thereto, promulgated by the International Code Council Inc., 4051 West Flossmoor Road, Country Club Hills, Illinois, 60478-5795, to have the same force and effect as if set forth herein in every particular. The purpose of this code is to establish minimum regulations governing the conditions and maintenance of all property, buildings and structures within the City; by providing the standards for supplied utilities and facilities and other physical things and conditions essential to ensure that structures are safe, sanitary and fit for occupation and use; and the condemnation of buildings and structures unfit for human occupancy and use and the demolition of such structures. (Ord. 8 §§2, 3, 2004; Ord. 4 §1, 2005)

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

At least one (1) copy of the *International Building Code*, 2003 edition, and the appendices thereto, together with the ordinances codified in this Chapter, shall be kept on file in the office of the City Clerk or Building Official and may be inspected by any interested person between the hours of 8:00 a.m. and 5:00 p.m., Monday through Friday, holidays excepted. Copies of said code and appendices shall be available for sale to the public at a moderate price, as required by Section 31-16-206, C.R.S. (Ord. 8 §§2, 3, 2004; Ord. 4 §3, 2005)

#### Sec. 18-2-30. Amendments.

The *International Building Code*, 2003 Edition, is amended as follows:

(1) At Section 101.1, insert the "City of Rifle."

(2) Section 106.3.4.1, "Design professional in responsible charge – General," is amended by the addition of a new fourth paragraph, to read as follows:

##### "106.3.4.1 General.

\*\*\*For all commercial buildings in the City, architectural plans must be stamped by a licensed architect and structural plans by a licensed engineer."

(3) Section 1608.2 is amended to read as follows:

**"1608.2 Ground snow loads.** The minimum ground snow load for buildings or structures within the City of Rifle shall be forty (40) pounds per square foot ('psf'). Potential accumulation of snow at valleys, parapets, roof structures and offsets of roofs in uneven configuration shall be considered. The following criteria for climatic and geographic design shall apply, as may be amended by resolution of the City Council:

**TABLE R301.2(1)  
CLIMATIC AND GEOGRAPHIC DESIGN CRITERIA**

Ground Snow Load	Wind Speed (mph)	Seismic Design Category	Subject to Damage From				Winter Design Temp	Ice Shield Under-layment Required	Flood Hazards	Air Freezing Index	Mean Annual Temp
			Weathering	Frost Line Depth	Termite	Decay					
40 psf	90 mph	C	Severe	36"	Slight/mod	Slight	-2 F	Yes	Yes/10-15-85	2500	48 F

(4) At Section 1612.3, insert the "City of Rifle."

(5) At Section 1612.3, insert "January 3, 1986."

(6) Section 1704.1, "Special Inspections, General," is hereby amended by the addition of a new last sentence to the first paragraph, to read as follows:

**"1704.1 General.**

\*\*\*The building official shall have the discretion to require special inspections for any commercial structure in the City."

(7) A new Section 1801.3 is hereby adopted, to read as follows:

**"1801.3 Commercial foundations.** Engineered foundations shall be required for all commercial buildings in the City."

(8) Section 1807.1.3 is hereby amended by the addition of the following new last sentence. All other text in Section 1807.1.3 shall remain in full force and effect.

**"1807.1.3 Ground-water control.**

\*\*\*Such drainage systems shall be required in all structures unless specifically exempted by the building official."

(9) At Section 3410.2, insert "May 15, 2004." (Ord. 8 §§2, 3, 2004; Ord. 4 §3, 2005; Ord. 31 §6, 2006)

**Sec. 18-2-40. Penalties.**

Section 113.4 of the adopted code, which contains a penalty clause, is amended to read as follows:

**"Section 113.4. Violation penalties.** Any person who violates a provision of this code or fails to comply with any of the requirements thereof, or who erects, constructs, alters or repairs a building or structure in violation of the approved construction documents or directive of the building official, or of a permit or certificate issued under the provisions of this code, shall be guilty of a separate offense for each and every day or portion thereof during which any violation of any provision of this code is committed, continued or permitted, and upon a conviction of any violation, such person, firm or corporation shall be punished by a fine of not more than \$1,000 or by imprisonment for not more than 90 days, or both. Any criminal offense under this section shall be one of strict liability."

(Ord. 8 §§2, 3, 2004; Ord. 4 §3, 2005)

### ARTICLE III

#### Residential Code

##### **Sec. 18-3-10. Adoption by reference.**

Pursuant to the power and authority conferred by Section 31-16-201 et seq., C.R.S., there is adopted by reference thereto the *International Residential Code*, 2003 edition, and the appendices thereto, promulgated by the International Code Council Inc., 4051 West Flossmoor Road, Country Club Hills, Illinois, 60478-5795, to have the same force and effect as if set forth herein in every particular. The purpose and subject matter of this code is to regulate and govern the construction, alteration, movement, enlargement, replacement, repair, equipment, location, removal and demolition of detached one- and two-family dwellings and multiple single-family dwellings (townhouses) not more than three (3) stories in height with separate means of egress in the City. (Ord. 8 §4, 2004; Ord. 4 §3, 2005)

##### **Sec. 18-3-20. Copy on file.**

At least one (1) copy of the *International Residential Code*, 2003 edition, and the appendices thereto, together with the ordinances codified in this Chapter, shall be kept on file in the office of the City Clerk or Building Official and may be inspected by any interested person between the hours of 8:00 a.m. and 5:00 p.m., Monday through Friday, holidays excepted. Copies of said code and appendices shall be available for sale to the public at a moderate price, as required by Section 31-16-206, C.R.S. (Ord. 8 §4, 2004; Ord. 4 §3, 2005)

##### **Sec. 18-3-30. Amendments.**

The *International Residential Code*, 2003 Edition, is amended as follows:

(1) At Section R101.1, insert the "City of Rifle."

(2) Section R311.5.3.1, "Stair treads and risers - Riser height," is hereby repealed in its entirety and reenacted to read as follows:

**"R311.5.3.1 Riser height.** The maximum riser height shall be 8 inches. The riser shall be measured vertically between the leading edges of the adjacent treads. The greatest riser height within any flight of stairs shall not exceed the smallest by more than  $\frac{3}{8}$  inch (9.5 mm)."

(3) Section R401.4 is hereby amended by the addition of a new last sentence, to read as follows:

**"R401.4 Soil tests.**

\*\*\*Where a soil test is required by the building official, a post-excavation soil report shall also be submitted for review by the building official."

(4) At Section P2603.6.1, insert "thirty inches (30)" in both brackets.

(5) At Section P3103.1, insert "twelve inches (12)" in both brackets. (Ord. 8 §4, 2004; Ord. 4 §3, 2005; Ord. 31 §7, 2006)

**Sec. 18-3-40. Penalties.**

Section R113.4 of the adopted code, which contains a penalty clause, is amended to read as follows:

**"Section R113.4. Violation penalties.** Any person who violates a provision of this code or fails to comply with any of the requirements thereof, or who erects, constructs, alters or repairs a building or structure in violation of the approved construction documents or directive of the building official, or of a permit or certificate issued under the provisions of this code, shall be guilty of a separate offense for each and every day or portion thereof during which any violation of any provision of this code is committed, continued or permitted, and upon a conviction of any violation, such person, firm or corporation shall be punished by a fine of not more than \$1,000 or by imprisonment for not more than 90 days, or both. Any criminal offense under this section shall be one of strict liability."

(Ord. 8 §4, 2004; Ord. 4 §3, 2005)

**ARTICLE IV**

**Mechanical Code**

**Sec. 18-4-10. Adoption.**

Pursuant to the power and authority conferred by Section 31-16-201 et seq., C.R.S., there is adopted by reference thereto the *International Mechanical Code*, 2003 edition, and the appendices thereto, promulgated by the International Code Council Inc., 4051 West Flossmoor Road, Country Club Hills, Illinois, 60478-5795. The purpose of this code is to regulate and control the design, construction, quality of materials, erection, installation, alteration, repair, location, relocation, replacement, addition to, use or maintenance of mechanical systems in the City. (Ord. 8 §§2, 5, 2004; Ord. 4 §3, 2005)

**Sec. 18-4-20. Copy on file.**

At least one (1) copy of the *International Mechanical Code*, 2003 edition, and the appendices thereto, together with the ordinances codified in this Chapter, shall be kept on file in the office of the City Clerk or Building Official and may be inspected by any interested person between the hours of 8:00 a.m. and 5:00 p.m., Monday through Friday, holidays excepted. Copies of said code and appendices shall be available for sale to the public at a moderate price, as required by Section 31-16-206, C.R.S. (Ord. 8 §§2, 5, 2004; Ord. 4 §3, 2005)

**Sec. 18-4-30. Amendments.**

The code adopted herein is amended as follows: The first paragraph of Section 1311.1 is amended as follows:

- (1) At Section 101.1, insert the "City of Rifle."
- (2) At Section 106.5.2, insert "as established by the City of Rifle."
- (3) At Section 106.5.3, insert "as established by the City of Rifle."
- (4) Section 108.5 is amended so that the last sentence reads as follows:

"Any person who shall continue any work on the system after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be liable for a fine as prescribed in Section 108.4 of this code."

(Ord. 8 §§2, 5, 2004; Ord. 4 §1, 2005)

**Sec. 18-4-40. Penalties.**

Section 108.4 of the adopted code, which contains a penalty clause, is amended to read as follows:

**"Section 108.4. Violation penalties.** Any person, who violates a provision of this code or fails to comply with any of the requirements thereof or who erects, constructs, alters or repairs mechanical work in violation of the approved construction documents or directive of the building official, or of a permit or certificate issued under the provisions of this code, shall be guilty of a separate offense for each and every day or portion thereof during which any violation of any provision of this code is committed, continued or permitted, and upon a conviction of any violation, such person, firm or corporation shall be punished by a fine of not more than \$1,000 or by imprisonment for not more than 90 days, or both. Any criminal offense under this section shall be one of strict liability."

(Ord. 8 §§2, 5, 2004; Ord. 4 §1, 2005)

**ARTICLE V**

**Plumbing Code**

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

Pursuant to the power and authority conferred by Section 31-16-201 et seq., C.R.S., there is adopted by reference thereto the *International Plumbing Code*, 2003 edition, and all appendices thereto, promulgated by the International Code Council Inc., 4051 West Flossmoor Road, Country Club Hills, Illinois, 60478-5795. The purpose and subject matter of this code is to regulate and control the design, construction, quality of materials, erection, installation, alteration, repair, location, relocation, replacement, addition to, use or maintenance of plumbing systems in the City. (Ord. 8 §§2, 7, 2004)

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

At least one (1) copy of the *International Plumbing Code*, 2003 edition, and all appendices thereto, together with the ordinances codified in this Chapter, shall be kept on file in the office of the City Clerk or Building Official and may be inspected by any interested person between the hours of 8:00 a.m. and 5:00 p.m., Monday through Friday, holidays excepted. Copies of said code and appendices shall be available for sale to the public at a moderate price, as required by Section 31-16-206, C.R.S. (Ord. 8 §§2, 7, 2004; Ord. 4 §1, 2005)

**Sec. 18-5-30. Amendments.**

The code adopted herein is amended as follows:

- (1) At Section 101.1, insert the "City of Rifle."
- (2) At Section 106.6.2, insert "as established by the City of Rifle."
- (3) At Section 106.6.3, insert "as established by the City of Rifle."
- (4) Section 108.5 is amended so that the last sentence reads as follows:

"Any person who shall continue any work in or about the structure after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be liable for a fine as prescribed in Section 108.4 of this code."

- (5) At Section 305.6.1, insert "thirty inches (30)" in both brackets.
- (6) At Section 904.1, insert "twelve inches (12)" in both brackets. (Ord. 8 §§2, 7, 2004; Ord. 4 §1, 2005)

**Sec. 18-5-40. Penalties.**

Section 108.4 of the adopted code, which contains a penalty clause, is amended and set forth in full below, as follows:

**"Section 108.4. Violation penalties.** Any person who violates a provision of this code or fails to comply with any of the requirements thereof or who erects, constructs, alters or repairs plumbing work in violation of the approved construction documents or directive of the building official, or of a permit or certificate issued under the provisions of this code, shall be guilty of a separate offense for each and every day or portion thereof during which any violation of any provision of this code is committed, continued or permitted, and upon a conviction of any violation, such person, firm or corporation shall be punished by a fine of not more than \$1,000 or by imprisonment for not more than 90 days, or both. Any criminal offense under this section shall be one of strict liability."

(Ord. 8 §§2, 7, 2004; Ord. 4 §1, 2005)

## ARTICLE VI

### Fuel Gas Code

#### Sec. 18-6-10. Adoption.

Pursuant to the power and authority conferred by Section 31-16-201 et seq., C.R.S., there is adopted by reference thereto the *International Fuel Gas Code*, 2003 edition, and all appendices thereto, promulgated by the International Code Council Inc., 4051 West Flossmoor Road, Country Club Hills, Illinois, 60478-5795. The purpose and subject matter of this code is to establish the minimum regulations governing the conditions and maintenance of all property, buildings and structures by providing the standards for supplied utilities and the design and installation of gas systems and gas-fired appliances in the City. (Ord. 8 §6, 2004; Ord. 4 §1, 2005)

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

At least one (1) copy of the *International Fuel Gas Code*, 2003 edition, and all appendices thereto, together with the ordinances codified in this Chapter, shall be kept on file in the office of the City Clerk or Building Official and may be inspected by any interested person between the hours of 8:00 a.m. and 5:00 p.m., Monday through Friday, holidays excepted. Copies of said code and appendices shall be available for sale to the public at a moderate price, as required by Section 31-16-206, C.R.S. (Ord. 8 §6, 2004; Ord. 4 §1, 2005)

#### Sec. 18-6-30. Amendments.

The code adopted herein is amended as follows:

- (1) At Section 101.1, insert the "City of Rifle."
- (2) At Section 106.5.2, insert "as established by the City of Rifle."
- (3) At Section 106.5.3, insert "as established by the City of Rifle."
- (4) Section 108.5 is amended so that the last sentence reads as follows:

"Any person who shall continue any work on the system after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be liable for a fine as prescribed in Section 108.4 of this code."

(Ord. 8 §6, 2004; Ord. 4 §1, 2005)

#### Sec. 18-6-40. Penalties.

Section 108.4 of the adopted code, which contains a penalty clause, is amended to read as follows:

**"Section 108.4. Violation penalties.** Any person who violates a provision of this code or fails to comply with any of the requirements thereof or who erects, constructs, alters or repairs work in violation of the approved construction documents or directive of the building official, or of a permit or certificate issued under the provisions of this code, shall be guilty of a separate offense for each and

every day or portion thereof during which any violation of any provision of this code is committed, continued or permitted, and upon a conviction of any violation, such person, firm or corporation shall be punished by a fine of not more than \$1,000 or by imprisonment for not more than 90 days, or both. Any criminal offense under this section shall be one of strict liability."

(Ord. 8 §6, 2004; Ord. 4 §1, 2005)

## ARTICLE VII

### Dangerous Buildings Code

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

Pursuant to the power and authority conferred by Section 31-16-201 et seq., C.R.S., there is adopted by reference thereto the *Uniform Code for the Abatement of Dangerous Buildings*, 1997 edition, and the appendices thereto, promulgated by the International Conference of Building Officials, 5360 South Workman Mill Road, Whittier, California 90601, as hereinafter amended in this Article. The purpose of this code is to provide a just, equitable and practicable method, to be cumulative with and in addition to any other remedy provided by the Building Code, Housing Code or otherwise available at law, whereby buildings or structures which from any cause endanger the life, limb, health, morals, property, safety or welfare of the general public or their occupants may be required to be repaired, vacated or demolished. (Prior code 16.16.010)

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

At least one (1) copy of the *Uniform Code for the Abatement of Dangerous Buildings*, certified to be a true copy, shall be kept on file in the office of the City Clerk or Building Official and may be inspected by any interested person between the hours of 8:00 a.m. and 5:00 p.m., Monday through Friday, holidays excepted. Copies of said code shall be available for sale to the public at a moderate price. (Prior code 16.16.020; Ord. 4 §1, 2005)

#### **Sec. 18-7-30. Amendments.**

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

- (1) Sections 205.1 and 205.2 are deleted and replaced with the following:

##### **"Section 205 – Board of Appeals.**

"The Rifle City Council will serve as the board of appeals. The board of appeals will hear and decide appeals of orders, decisions or determinations made by the building official relative to the application and interpretations of this Code. The City Council has the power not only to interpret the Uniform Code for the Abatement of Dangerous Buildings, but also to waive any provisions of the Code as determined by a super-majority vote of the City Council. The power of the City Council to waive provisions of the Uniform Code for the Abatement of Dangerous Buildings does not permit the Council to impose rules or regulations not listed in the Uniform Code for the Abatement of Dangerous Buildings, without the normal amending procedure required by law when an ordinance is amended. The City Council may, however, impose specific rules, regulations or

requirements by agreement negotiated with an appellant concerning only the aspects of a specific building as covered by a specific appeal. Granting of a waiver either with or without additional rules, regulations or requirements does not obligate the City Council to make the same agreement with any other appellant. Each and every appeal will be considered separately on its own merits."

(2) Section 302 is amended by deleting the introductory paragraph and replacing it with the following:

"For the purpose of this Code, any building or structure which has any of the conditions or defects hereinafter described shall be deemed to be a dangerous building:"

(3) Section 403 is hereby deleted and replaced with the following:

**"Section 403 - Repair, Vacation and Demolition.**

"The following standards shall be followed by the building official, and also by the board of appeals if an appeal is taken, in ordering the repair, vacation or demolition of any dangerous building or structure:

"1. If the building or structure is in such condition as to make it immediately dangerous to the life, limb, property or safety of the public or its occupants, it shall be ordered to be vacated.

"2. Any building declared a dangerous building under this Code shall be made to comply with one of the following:

"2.1 The building shall be repaired in accordance with the current building code when practicable, or other current code, when practicable, applicable to the type of substandard conditions requiring repair; or

"2.2 The building shall be demolished."

(4) Section 601.3 is hereby deleted and replaced with the following:

"601.3. Reporting. The proceedings at the hearing shall also be reported by a court reporter if requested by any party thereto. The party requesting the presence of the court reporter shall be responsible for paying for the cost of the court reporter. A transcript of the proceedings shall be made available to all parties upon request and upon payment of the fee charged by the court reporter for said transcript."

(5) Section 701.1 is deleted and replaced with the following:

"701.1 General. After any order of the building official or the board of appeals made pursuant to this Code has become final, no person to whom any such order is directed shall fail, neglect or refuse to obey any such order. Any such person who fails to comply with any such order shall be in violation of this Code and subject to the penalties section set forth in this Chapter."

(6) Section is hereby deleted and replaced with the following:

**"Section 906 – Contest.**

"The validity of any personal obligation or assessment deemed appropriate by the legislative body of this jurisdiction pursuant to the provisions of this Code shall not be contested in any action or proceeding unless the same is commenced within thirty (30) days after the decision is made by the legislative body of this jurisdiction. Any appeal from the final decision made by the legislative body of this jurisdiction must be perfected within thirty (30) days after the decision is made."

(7) Section 802 is amended to add a subsection 802.3, as follows:

"802.3. Establishment of Fund. The failure of the City to establish a special revolving repair and demolition fund shall not constitute a defense to any action brought by the City under the provisions of this Code, or under any other applicable law."

(8) Section 908.1 creates a lien for the costs of repair or demolition done pursuant to the provisions of such Code. Section 908.1 reads as follows:

"908.1. Priority. Immediately upon its being placed on the assessment roll, the assessment shall be deemed to be complete, the several amounts assessed shall be payable, and the assessments shall be liens against the lots or parcels of land assessed, respectively. The lien shall be subordinate to all existing special assessment liens previously imposed upon the same property and shall be paramount to all other liens except for state, county and property taxes with which it shall be upon a parity.

"The lien shall continue until the assessment and all interest due and payable thereon are paid."

(9) Sections 909 and 910 are deleted and replaced with the following:

**"Section 909 – Collection Of Assessments.**

"After confirmation of the report, a certified copy of the assessment shall be forwarded to the Garfield County Treasurer, who shall be authorized to collect the same in the manner provided by C.R.S. §§31-20-105 and 31-20-106."

(Prior code 16.16.030, 16.16.040, 16.16.050, 16.16.060, 16.16.070, 16.16.080, 16.16.090, 16.16.100, 16.16.110; Ord. 4 §3, 2005)

**Sec. 18-7-40. Procedures not exclusive.**

The procedures set forth in the code adopted herein shall be cumulative with and in addition to all other remedies available to the City for the abatement of dangerous buildings, including remedies arising under other codes adopted by the City, City ordinances and state and federal law. (Prior code 16.16.120; Ord. 4 §3, 2005)

**Sec. 18-7-50. Penalties.**

(a) Section 203 of the code adopted herein, which contains a penalty clause, is herein set forth in full and is amended by an additional paragraph, to read as follows:

**"Section 203 – Violations.**

"It shall be unlawful for any person, firm or corporation to erect, construct, enlarge, alter, repair, move, improve, remove, convert or demolish, equip, use or occupy or maintain any building or structure or cause or permit the same to be done in violation of this Code.

"Any person, firm or corporation violating any of the provisions of this Code shall be guilty of a criminal offense and shall be guilty of a separate offense for each and every day or portion thereof during which any violation of any provision of this Code is committed, continued or permitted and upon a conviction of any violation, such person, firm or corporation shall be punished by a fine of not more than \$300 or by imprisonment for not more than 90 days, or both. Any criminal offense under this section shall be one of strict liability."

(b) Section 603.3 of the code adopted herein, which contains a penalty clause, is amended and herein set forth in full, to read as follows:

**"603.3. Penalties.** Any person who refuses without lawful excuse to attend any hearing or to produce material evidence which the person possesses or controls as required by any subpoena served upon such person as provided for herein shall be guilty of a criminal offense and shall be guilty of a separate offense for each and every day or portion thereof during which any such violation is committed, continued or permitted and upon a conviction of any such violation, such person, firm or corporation shall be punished by a fine of not more than \$300 or by imprisonment for not more than 90 days, or both. Any criminal offense under this section shall be one of strict liability."

(Prior code 16.16.130; Ord. 4 §3, 2005)

## ARTICLE VIII

### Existing Building Code

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

Pursuant to the power and authority conferred by Section 31-16-201 et seq., C.R.S., there is adopted by reference thereto the *International Existing Building Code*, 2003 Edition, and all appendices thereto, promulgated by the International Code Council, Inc., 4051 West Flossmoor Road, Country Club Hills, Illinois 60478-5795. The purpose and subject matter of this code is to regulate and govern the repair, alteration, change of occupancy, addition and relocation of existing buildings, including historic buildings in the City. (Ord. 31 §2, 2006)

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

At least one (1) copy of the *International Existing Building Code*, 2003 Edition, and the appendices thereto, together with the ordinances codified in this Chapter, shall be kept on file in the office of the City Clerk or Building Official. Copies of the code and appendices shall be available for sale to the public at a moderate price, as required by Section 31-16-206, C.R.S. (Ord. 31 §2, 2006)

#### Sec. 18-8-30. Amendments.

The *International Existing Building Code*, 2003 Edition, is amended as follows:

(1) Section 101.1: insert "City of Rifle."

(2) Section 1201.2: insert "April 1965." (Ord. 31 §2, 2006)

**Sec. 18-8-40. Penalties.**

Section 113.4 of the *International Existing Building Code*, 2003 Edition, which contains a penalty clause, is amended to read as follows:

**"Section 113.4 Violation penalties.** Any person who violates a provision of this code or fails to comply with any of the requirements thereof or who repairs, alters or changes the occupancy of a building or structure in violation of the approved construction documents or directive of the building official, or of a permit or certificate issued under the provisions of this code, shall be guilty of a separate offense for each and every day or portion thereof during which any violation of any provision of this code is committed, continued or permitted and, upon a conviction of any violation, such person, firm or corporation shall be punished by a fine of not more than one thousand dollars (\$1,000.00) or by imprisonment for not more than ninety (90) days, or both. Any criminal offense under this section shall be one of strict liability."

(Ord. 31 §2, 2006)

**ARTICLE IX**

**Fire Code**

**Sec. 18-9-10. Adoption.**

Pursuant to the power and authority conferred by Section 31-16-201 et seq., C.R.S., there is adopted by reference thereto the *International Fire Code*, 2003 Edition, and all appendices thereto, promulgated by the International Code Council, Inc., 4051 West Flossmoor Road, Country Club Hills, Illinois 60478-5795. The purpose and subject matter of this code is to regulate and govern the safeguarding of life and property from conditions hazardous to life or property in the occupancy of buildings and premises in the City and provide for the issuance of permits and collection of fees therefor. (Ord. 31 §3, 2006)

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

At least one (1) copy of the *International Fire Code*, 2003 Edition, and the appendices thereto, together with the ordinances codified in this Chapter, shall be kept on file in the office of the City Clerk or Building Official. Copies of the code and appendices shall be available for sale to the public at a moderate price, as required by Section 31-16-206, C.R.S. (Ord. 31 §3, 2006)

**Sec. 18-9-30. Amendments.**

The *International Fire Code*, 2003 Edition, is amended as follows:

(1) Section 101.1: insert "City of Rifle."

(2) Section 102.6 is amended to add the following last sentence:

**"102.6 Referenced codes and standards.**

\*\*\*\*Where the City has not generally adopted a code or standard referenced in this code, the referenced code or standard shall be applied to the extent it is incorporated herein."

(3) Section 105.4.1 is amended to add the following:

**"105.4.1 Submittals.**

\*\*\*\*All plans for fire alarm systems submitted for approval shall have affixed the signature of a NICET Level III or higher in fire alarm design. Exception: Where the fire alarm system designer has the equivalent of NICET Level III training, all certificates and documentation shall be presented for compliance."

(4) Section 105.6.28 is hereby repealed in its entirety and reenacted as follows:

**"105.6.28 LP-gas.** An operational permit is required for:

"1. Storage and use of LP-gas.

" Exception: A permit is not required for individual containers with a 1000-gallon (3786 L) water capacity or less serving occupancies in Group R-3.

"2. Operation of cargo tankers that transport LP-gas."

(5) Section 109.2.2 is hereby amended to add the following subsections:

**"109.2.2 Compliance with orders and notices.**

\*\*\*\*

"1. If the building or other premises is owned by one person and occupied by another, under lease or otherwise, and the notice of violation requires additions to or changes in the building or premises such as would be considered real estate and become the property of the owner, said notice and order shall be directed to such owner of the building or premises.

"2. Except for cases where immediate compliance is required, violations pursuant to this chapter may be appealed as set forth in Section 108.

"3. In cases where immediate compliance is required, the notice of violation so stating shall be final and conclusive."

(6) Section 111.4 is amended to read as follows:

**"111.4 Failure to comply.** Any person who shall continue any work in or about the structure after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be liable for a fine as prescribed in Section 109.3 of this code."

(7) The first paragraph of Section 508.2 is hereby amended as follows:

**"508.2 Type of water supply.** A water supply shall consist of reservoirs, pressurized tanks, elevated tanks, water mains, tanker shuttles or other approved systems capable of providing the required fire flow."

(8) Subsection 903.2, "Automatic Sprinkler Systems - Where required," is hereby amended to read as follows:

**"903.2 Where required.** Approved automatic sprinkler systems in new buildings and structures shall be provided in the locations described in this section.

"1. In every story of all buildings three stories or more in height.

"2. In every story, basement and mezzanine of any building where total floor area (including basement and mezzanine) exceeds the limits shown in Table A below.

"3. Whenever any addition to an existing building causes the total floor area of the building to exceed the limits set forth in the preceding item number 2, the entire building shall be provided with an approved automatic sprinkler system, or a firewall conforming to Section 705 of the International Building Code (IBC) must be installed. Openings in these walls shall conform to the IBC and be controlled by actuation of a smoke detector. When the automatic-closing fire assembly is installed in a building with an approved fire detection system, the fire assembly actuating the smoke detectors shall be made a part of the fire detection.

"4. Existing structures and facilities. When in any 24-month period the floor area of an alteration, remodel or modification to any existing building exceeds 40% of the floor area of the building being improved, the entire building shall be made to comply with the requirements of Chapter 9 of the 2003 IBC, and the 2003 International Fire Code, as amended and adopted by the City of Rifle.

"Exception: Spaces or areas in telecommunications buildings used exclusively for telecommunications equipment, associated electrical power distribution equipment, batteries and standby engines, provided those spaces or areas are equipped throughout with an automatic fire alarm system and are separated from the remainder of the building by a wall with a fire-resistance rating of not less than one hour and a floor/ceiling assembly with a fire-resistance rating of not less than two hours.

"Exception: Parking garages classified as S Division 2 occupancies, open on three or more sides.

"TABLE A	
<i>Building Type</i>	<i>Maximum Floor Area</i>
II-B*, III-B, V-B	7,500
V-A*	9,000
II-A, III-A, IV-H.T.*	12,000
I-A or B, II-A	15,000
* A-Protected/B-Protected (per Table 601 2003 IBC) H.T. – Heavy Timber	

(9) Section 907, "Fire Alarm and Detection Systems," is amended by the addition of a new Subsection 907.1.3, to read as follows:

**"907.1.3. Installation.** All fire alarm systems installations shall be supervised by a NICET Level 2 or higher in fire alarm installation.

"Exception: When the fire alarm installer has the equivalent of a NICET Level 2 training, all certificates and documents shall be presented for compliance."

(10) Section 907.4 is amended by deletion of the Exception paragraph. (Ord. 31 §3, 2006)

**Sec. 18-9-40. Penalties.**

Section 109.3 of the *International Fire Code*, 2003 Edition, which contains a penalty clause, is amended to read as follows:

**"Section 109.3 Violation penalties.** Any person who violates a provision of this code or fails to comply with any of the requirements thereof or who erects, constructs, alters or repairs work in violation of the approved construction documents or directive of the building official, or of a permit or certificate issued under the provisions of this code, shall be guilty of a separate offense for each and every day or portion thereof during which any violation of any provision of this code is committed, continued or permitted and, upon a conviction of any violation, such person, firm or corporation shall be punished by a fine of not more than one thousand dollars (\$1,000.00) or by imprisonment for not more than ninety (90) days, or both. Any criminal offense under this section shall be one of strict liability."

(Ord. 31 §3, 2006)

**ARTICLE X**

**Energy Conservation Code**

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

Pursuant to the power and authority conferred by Section 31-16-201 et seq., C.R.S., there is adopted by reference thereto the *International Energy Conservation Code*, 2003 Edition, and all appendices

thereto, promulgated by the International Code Council, Inc., 4051 West Flossmoor Road, Country Club Hills, Illinois 60478-5795. The purpose and subject matter of this code is to regulate and govern energy-efficient building envelopes and installation of energy-efficient mechanical, lighting and power systems and provide for the issuance of permits and payment of fees therefor. (Ord. 31 §4, 2006)

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

At least one (1) copy of the *International Energy Conservation Code*, 2003 Edition, and the appendices thereto, together with the ordinances codified in this Chapter, shall be kept on file in the office of the City Clerk or Building Official. Copies of the code and appendices shall be available for sale to the public at a moderate price, as required by Section 31-16-206, C.R.S. (Ord. 31 §4, 2006)

**Sec. 18-10-30. Amendments.**

The *International Energy Conservation Code*, 2003 Edition, is amended as follows:

- (1) Section 101.1: insert "City of Rifle." (Ord. 31 §4, 2006)

**ARTICLE XI**

**Property Maintenance Code**

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

Pursuant to the power and authority conferred by Section 31-16-201 et seq., C.R.S., there is adopted by reference thereto the *International Property Maintenance Code*, 2003 Edition, and all appendices thereto, promulgated by the International Code Council, Inc., 4051 West Flossmoor Road, Country Club Hills, Illinois 60478-5795. The purpose and subject matter of this code is to regulate and govern the conditions of all property, buildings and structures by providing standards for supplied utilities and facilities and other physical things and conditions essential to ensure that structures are safe, sanitary and fit for occupation and use; the condemnation of buildings and structures unfit for human occupancy and use; and the demolition of existing structures; and by providing for the issuance of permits and collection of fees therefor. (Ord. 31 §5, 2006)

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

At least one (1) copy of the *International Property Maintenance Code*, 2003 Edition, and the appendices thereto, together with the ordinances codified in this Chapter, shall be kept on file in the office of the City Clerk or Building Official. Copies of the code and appendices shall be available for sale to the public at a moderate price, as required by Section 31-16-206, C.R.S. (Ord. 31 §5, 2006)

**Sec. 18-11-30. Amendments.**

The *International Property Maintenance Code*, 2003 Edition, is amended as follows:

- (1) Section 101.1: insert "City of Rifle."
- (2) Section 103.5: insert "as established by the City of Rifle."

- (3) Section 304.14: insert "March 1 through November 1."
- (4) Section 602.3: insert "September 1 through June 1."
- (5) Section 602.4: insert "September 1 through June 1." (Ord. 31 §5, 2006)

**Sec. 18-11-40. Penalties.**

Section 106.4 of the *International Property Maintenance Code*, 2003 Edition, which contains a penalty clause, is amended to read as follows:

**"Section 106.4 Violation penalties.** Any person who violates a provision of this code or fails to comply therewith or with any of the requirements thereof shall be guilty of a separate offense for each and every day or portion thereof during which any violation of any provision of this code is committed, continued or permitted and, upon a conviction of any violation, such person, firm or corporation shall be punished by a fine of not more than one thousand dollars (\$1,000.00) or by imprisonment for not more than ninety (90) days, or both. Any criminal offense under this section shall be one of strict liability."

(Ord. 31 §5, 2006)

**ARTICLE XII**

**Administration and Enforcement**

**Sec. 18-12-10. Building Official designated.**

The City Manager shall designate a person to serve as the Building Official. The City Council may authorize the City Manager to serve in the capacity of Building Official. The Building Official is authorized and directed to enforce all provisions of this Chapter and the codes adopted by reference hereunder. The City may contract with other persons or other governmental entities to perform inspections and other duties of the Building Official provided for in this Chapter and the codes adopted by reference hereunder. (Prior code 16.20.010; Ord. 31 §2, 2006)

**Sec. 18-12-20. Interpretation.**

The Building Official shall be the judge as to the proper interpretation of the rules and requirements of this Chapter and the codes adopted by reference hereunder pertaining to the construction, alteration, enlargement or improvement of buildings and structures regulated by this Chapter or the codes adopted by reference hereunder. The Building Official shall not be permitted to modify any substantive rules and regulations contained in this Chapter and the codes adopted by reference hereunder. (Prior code 16.20.020; Ord. 31 §2, 2006)

**Sec. 18-12-30. Promulgation of regulations.**

The Building Official shall be authorized to promulgate from time to time additional regulations, design standards, tables, drawings and guidelines not in conflict with the provisions of this Chapter and the codes adopted by reference hereunder. (Prior code 16.20.030; Ord. 31 §2, 2006)

**Sec. 18-12-40. Powers and duties of Building Official.**

(a) The Building Official is charged with the administration and enforcement of this Chapter and all codes adopted by reference hereunder under the authority of the City Council and the City Manager.

(b) The Building Official shall have the power to:

(1) Enter any premises at any reasonable time for the purpose of administering this Chapter.

(2) Direct that tests of materials, devices, construction methods, structural assemblies or foundation conditions be made, or sufficient evidence or proof be submitted at the expense of the owner, where such evidence or proof is necessary to determine whether the material, devices, construction or foundation meets the requirements of this Chapter. The records of such tests shall be kept available for inspection during the construction of the building or structure and for such a period thereafter as required by the Building Official.

(3) Direct by written notice, or by attaching a placard to the premises, the correction of any condition where, in the opinion of the Building Official, such a condition violates the provisions of this Chapter.

(4) Revoke a permit where there is a violation of the provisions of the applicable code or ordinance. (Prior code 16.20.040; Ord. 31 §2, 2006)

**Sec. 18-12-50. Responsibility of owner.**

Neither the granting of a permit, the approval of the drawings and specifications nor inspections made by the Building Official shall in any way relieve the owner of such building or structure from full responsibility for carrying out all work in accordance with the requirements of this Chapter and the codes adopted by reference hereunder. (Prior code 16.20.050; Ord. 31 §2, 2006)

**Sec. 18-12-60. Prohibitions.**

(a) No person shall commence or continue any work in respect to any building, structure, factory-built housing unit, manufactured home, mobile home or equipment without first obtaining required permits from the Building Department.

(b) No person shall construct or commence any work in respect to any private or subsurface sewage disposal facilities without first obtaining a permit from the Building Department.

(c) The written approval of the Building Official shall be obtained before the backfilling of any subsurface sewage disposal facilities.

(d) The written approval of the Building Official shall be obtained before:

(1) The placing or pouring of any concrete.

(2) A foundation below the land surface is backfilled or covered.

(3) The structural framework of a building or structure is covered or concealed.

(e) In respect to any work undertaken in violation of the provisions of Subsections (b), (c) or (d) above, the Building Official may at any time require that such work, in whole or in part, be exposed for inspection.

(f) No person shall occupy any new building, factory-built housing unit, manufactured home or mobile home until sewage disposal facilities, meeting the minimum standards of the Colorado Department of Public Health and Environment and the ordinances of the City have been installed and have been approved. No person shall occupy any building, factory-built housing unit, manufactured home or mobile home unless potable domestic water facilities have been installed and have been approved, in writing, by the City.

(g) No person within the Rifle Institutional Control Boundary and within the municipal limits shall construct or occupy any structure, building, factory-built housing unit, manufactured home or mobile home that requires or utilizes a water source without first connecting to the potable municipal water system. (Prior code 16.20.060; Ord. 4 §1, 2005; Ord. 31 §2, 2006)

## **ARTICLE XIII**

### **Permits and Fees**

#### **Sec. 18-13-10. Permits required.**

The Building Official shall promulgate a table that sets forth the projects which require permits, if any, and specifies the specific type of permits required and the site inclusion requirements. It shall be the duty of the applicant for a proposed project which is not specifically set forth in said table to contact the Building Official for a determination of the type of permit required, if any, and the site inclusion requirements. (Prior code 16.22.010; Ord. 31 §3, 2006)

#### **Sec. 18-13-20. Waiver of permit requirements.**

Except for property within the Rifle Institutional Control Boundary, the Building Official may waive any permit requirements contained within this Chapter or the codes adopted by reference hereunder only after a determination is made that the effect of such a waiver is minor and will not affect the health, safety and welfare of the citizens of the City. (Prior code 16.22.020; Ord. 31 §3, 2006)

#### **Sec. 18-13-30. Issuance of permits.**

(a) The Building Official shall issue a permit where:

(1) Application for a permit has been made in accordance with the provisions of this Article.

(2) The proposed work set out in the application conforms to this Chapter and all other laws, regulations, resolutions or orders applicable within the City, including the necessity of a development permit if required by this Code.

(3) All construction drawings, applications and permit fees have been submitted and approved, including those for plumbing, electrical and mechanical portions of the project. A footing and

foundation permit may be awarded prior to the reception of other permit information if adequate structural and site plan information has been provided.

(b) The Building Official shall not issue a permit where:

(1) The proposed work, as set forth in the application, or the proposed use of the building or structure when completed, does not comply with the provisions of Chapter 16 of this Code.

(2) The following subdivision improvements, in the subdivision where the proposed building or structure is located, have not been installed or have not been approved by the Public Works Director:

a. Survey monuments.

b. Wastewater lines and laterals to each lot.

c. Water mains and laterals to each lot.

d. Fire hydrants.

e. Storm drainage structures.

f. Grading and base construction. of streets and alleys.

g. Soil stabilizing structures.

h. Utilities, including telephone, cable television, electrical service and gas lines, or as required by the applicable subdivision improvements agreement or development permit.

(3) The proposed building or structure is located in a development requiring a development permit, and said development permit has not been issued.

(4) The proposed site is located, all or in part, within any area determined by the Building Official to necessitate special building requirements as a result of potential avalanche, earth movement, floods, surface water or other potentially hazardous conditions, or is located within an area of special flood hazard as designated pursuant to Chapter 16, Article XII of this Code, and any special permits required by said Chapter have not been obtained by the applicant. All special building requirements included in any such special permit shall be incorporated into the permit issued to the applicant under this Chapter. (Prior code 16.22.030; Ord. 31 §3, 2006)

**Sec. 18-13-40. Contents of application.**

An application for a permit issued under this Chapter shall:

(1) Be made on the form prescribed by the Building Official.

(2) Be signed by the applicant.

(3) Be accompanied by the fee prescribed for the work to be undertaken.

(4) State the intended use of the building or structure.

(5) Include copies in triplicate of a plot plan and scale drawings and specifications of the work to be carried out as required by Building Code as adopted in this Chapter. The plot plan shall show and include:

- a. Property lines.
- b. Outline of proposed and existing building with setbacks from property lines indicated on all sides.
- c. All easements, utility, water and sewer lines.
- d. Driveway and driveway intersection with public roads, including grades, width and necessary culverts and ditches.
- e. Parking places dimensioned and numbered, with snow removal areas indicated.
- f. Proposed method of drainage of water away from the foundation and into the drainage way.
- g. Proposed revegetation or landscape plan with erosion and sediment control.
- h. Location of live streams, ponds or lakes, and all other dry washes and irrigation ditches.
- i. Any other information required by this Chapter, any applicable code adopted by reference under this Chapter, or the Building Official. (Prior code 16.22.040; Ord. 4 §1, 2005; Ord. 31 §3, 2006)

**Sec. 18-13-50. Sign board on site.**

(a) An address sign board shall be required at all building sites for construction permitted through the Building Official. The sign board shall provide a place to mount the permit card where it can be signed during various inspections. The Building Official may promulgate recommended dimensions for said sign board as a guideline only.

(b) The person to whom the permit is issued shall, during construction, post in a conspicuous place on the property in respect of which the permit was issued a copy of the building permit or a poster or placard approved by the Building Official in lieu thereof.

(c) The person to whom the building permit is issued shall, during construction, keep a copy of the approved drawings and specifications referred to in Subsection 18-13-40(5) above on the property in respect of which the permit was issued. (Prior code 16.22.050; Ord. 31 §3, 2006)

**Sec. 18-13-60. General conditions of permit.**

Every permit is issued upon the condition that:

- (1) Construction is to be started within six (6) months from the date of the issuance of the permit.

- (2) Construction is not to be discontinued or suspended for a period of more than one (1) year.
- (3) The exterior of any building shall be finished in durable, weather-resistant materials prior to employment of the particular use for which the building is intended.
- (4) All structures within the Rifle Institutional Control Boundary that require potable water service shall be connected to the potable municipal water system. (Prior code 16.22.060; Ord. 31 §3, 2006)

**Sec. 18-13-70. Permit fees generally.**

(a) The estimated value of the work shall be reviewed by the Building Official and shall be based on the declared cost of materials and labor for each permit for each building or structure. The Building Official shall account for all fees paid under this Chapter for any building, mobile home placement, manufactured home placement or factory-built unit placement. All fees collected shall be paid to the City Treasurer.

(b) The estimated value of work shall be determined by the Building Official generally in accordance with the annually updated Building Standards Valuation Data published by the International Conference of Building Officials ("ICBO"), and subject to Subsection (c) below. Under the Building Standards Valuation, the average costs per square foot of residential and commercial buildings are estimated each year with regional modifiers. The regional modifier is multiplied by the listed cost per square foot to determine the adjusted cost of constructing an average building in that region.

(c) The Valuation Data published by the ICBO may be modified at the discretion of the Building Official, based upon local conditions and subject to the prior approval of the City Manager; provided that the Building Official's discretion shall be limited to plus or minus ten percent (10%) of the ICBO's annually published regional modifier.

(d) The ICBO Valuation Data may be relied upon by the Building Official for building permit fees and for assessing use taxes in accordance with Section 4-2-230 of this Code; provided, however, that nothing herein shall modify Section 4-2-210 of this Code pertaining to use taxes on manufactured homes and mobile homes.

(e) If the Building Official discovers any person undertaking work in violation of this Chapter, he or she shall notify the violator to cease such act, and such violator shall pay for such applicable permit twice the amount of the fee otherwise levied. (Prior code 16.22.070; Ord. 4 §1, 2005; Ord. 31 §3, 2006)

**Sec. 18-13-80. Building permit fees.**

(a) Pursuant to the power and authority conferred by Section 31-16-201 et seq., C.R.S., and Article 4.7 of the City Charter, the schedule of fees to be charged for the issuance of a building or other permit, for an inspection and for other fees under this Chapter is as set forth and adopted hereto by reference in:

- (1) The Building Code, as adopted in Article II of this Chapter;
- (2) The Mechanical Code, as adopted in Article III of this Chapter; and
- (3) The Plumbing Code, as adopted in Article IV of this Chapter.

(b) The schedule of fees to be charged under or pursuant to other international and uniform codes adopted in this Chapter shall be as set forth in each code adopted by reference hereunder. Copies of these codes are available for inspection and purchase at the office of the City Clerk. (Prior code 16.22.080; Ord. 4 §1, 2005; Ord. 31 §3, 2006)

**Sec. 18-13-90. Other permit fees.**

The schedule of fees to be charged for the issuance of other permits required under this Chapter is as follows:

(1) For moving or demolishing any building or structure, the amount set forth in Appendix A to this Code; and

(2) For placement and use of a mobile home as a living unit elsewhere than in an approved mobile home park, see Chapter 16, Article IX of this Code (Prior code 16.22.090; Ord. 4 §1, 2005; Ord. 31 §3, 2006)

**Sec. 18-13-100. Issuance of certificate of occupancy.**

In addition to the requirements for the issuance of a certificate of occupancy contained in the codes adopted by reference in this Chapter, no certificate of occupancy shall be issued until the following improvements have been installed in the development where the building or structure is located and have been approved by the Public Works Director:

(1) Sidewalks and bikeways.

(2) Signs.

(3) Street paving with curb and gutter as required.

(4) Street lighting.

(5) Soil stabilization and revegetation measures.

(6) All other public improvements required by a development permit or subdivision improvements agreement.

(7) Land dedication, if required.

(8) Landscaping, if required.

(9) For property within the Rifle Institutional Control Boundary, a connection is made to the potable municipal water system and no access is made to groundwater sources for potable purposes. (Prior code 16.22.100; Ord. 31 §3, 2006)

## ARTICLE XIV

### Contractor Licensing

#### Sec. 18-14-10. License required; examination.

(a) It is unlawful for any contractor, specialty contractor or person who installs alarm systems as listed by the Board of Examiners for Standardized Testing (B.E.S.T.) to engage in any work, or at the business, trade or calling of such contractor in the City, without first taking and passing the B.E.S.T. contractor examination, paying the City's annual contractor license fee and securing a contractor's license from the Building Official.

(b) Before a license is issued, the applicant for the license shall take and pass the current examination in use under the B.E.S.T. program as participated in with other jurisdictions. In licensing of general contractors or specialty contractors, the City will recognize the examinations successfully completed by the applicant examinee in other jurisdictions taken within the last three (3) years, so long as such jurisdiction provides reciprocity to persons who take the Rifle test. Examinations under the B.E.S.T. program given in the City will be administered by the Building Official. The cost of these examinations shall be set by the Board of Examiners. Licenses shall only be issued to individuals.

(c) Before a license is issued, the applicant shall pay the license fee established by the Board of Examiners for Standardized Testing, as may be amended, and satisfy the Building Official as to his or her financial responsibility and integrity. The Building Official shall make such investigation as he or she deems necessary. (Prior code 16.24.010; Ord. 4 §1, 2005; Ord. 31 §§4, 8, 2006)

#### Sec. 18-14-20. Classification of license.

(a) General contractor's license classifications shall be as follows:

(1) General contractor (Type "AA" Unlimited). This license shall entitle the holder to contract for the construction, alteration or repair of any structure of any type of construction or occupancy classification as permitted by the Building Code.

(2) General contractor (Type "A" Commercial Limited). This license shall entitle the holder to contract for the construction of any structure of any type of construction and occupancy classification as permitted by the Building Code, with the exception of Type I-A or I-B fire-resistive construction. This license also entitles the holder to contract for the alteration or repair of any structure of any type of construction or occupancy classification permitted by the Building Code.

(3) General contractor (Light Commercial Limited). This license shall entitle the holder to contract for the construction, alteration or repair of A, A-2, A-3, B, F-1, F-2, I-1, M, R-3, R-4, S-1, S-2 and U occupancies, with the exception of Type I-A or I-B fire-resistive construction as set forth in the Building Code.

(4) General contractor (Home Builder). This license shall entitle the holder to contract for the construction, alteration or repair of detached one- and two-family dwellings and multiple single-family dwellings (townhouses) not more than three (3) stories in height with a separate means of egress and their accessory structures as regulated by the *International Residential Code*, 2003 Edition.

(5) Specialty. This license shall entitle the holder to contract for work involving any specialty trades regulated by the Building Code, including but not limited to:

- a. Alarm installation;
- b. Alteration and maintenance;
- c. Boiler (hot water heat);
- d. Carpentry;
- e. Drywall;
- f. Electrical;
- g. Excavation;
- h. Fire sprinkler;
- i. Gas fitter;
- j. Insulation;
- k. Masonry;
- l. Mechanical contractor;
- m. Metal stud installation;
- n. Plumbing;
- o. Roofing;
- p. Solid fuel and gas appliance;
- q. Structural steel erection;
- r. Stucco; and
- s. Warm air heating.

(b) The annual license fee for a general contractor is set forth in Appendix A to this Code.

(c) The holder of a contractor's license issued by the City shall be required to maintain throughout the time his or her license is in effect workers' compensation insurance as required by state law and combined single-limit insurance which includes both bodily injury and property damage insurance in the minimum amount set forth in Appendix A to this Code.

(d) No building permit shall be issued unless the contractor has obtained and paid for the proper license. (Prior code 16.24.010; Ord. 4 §1, 2005; Ord. 31 §§4, 9, 2006)

**Sec. 18-14-30. License expiration.**

All licenses issued under this Article expire on December 31 of each year. The full annual license fee shall be payable on licenses issued prior to October 1, and one-half (½) of the annual license fee shall be charged on licenses issued after that date. (Prior code 16.24.020; Ord. 4 §1, 2005; Ord. 31 §4, 2006)

**Sec. 18-14-40. Revocation of license.**

Any license granted under this Article may be revoked by the City Council if the licensee violates any ordinance, law or code regarding construction or building. No license shall be revoked until a hearing before the City Council is granted to the person holding the license. Such person shall be given notice of the hearing and an adequate opportunity to respond. Should the City Council find that revocation of the contractor's license is warranted, it shall also determine for what period of time the person shall be ineligible to receive a contractor's license under this Article. Failure to comply with the provisions for public improvements required by Section 18-1-60 of this Chapter shall be considered a violation of the building code and, as such, shall constitute grounds for the suspension or revocation of a contractor's license. (Prior code 16.24.030; Ord. 31 §4, 2006)

## ARTICLE XV

### Street Naming and Property Numbering

**Sec. 18-15-10. Designation of street type.**

Street type designations should be consistent with the road's functional classification, expected traffic use, width of right-of-way and continuity. In order to achieve some consistency of name usage, the following definitions and guidelines are adopted, with acceptable abbreviations. Roads and streets are sometimes ranked by size and function and, accordingly, are assigned a suffix. The following definitions have been applied throughout the United States and should be used when establishing new names. All street names shall have one (1) of the identified suffixes.

(1) Street types.

a. Road, street, avenue: minor local thoroughfare that is frequently used and carries heavy traffic.

1. These can be considered a secondary facility connecting with a federal or state primary highway.

2. Continuous curvilinear streets running in one (1) general direction shall be designated as a street or avenue, based upon the most continuous direction.

b. Court: A minor street, often a cul-de-sac, generally less than five hundred (500) feet long, ending in a turnabout. Also, short horseshoe-shaped streets.

c. Drive: A thoroughfare generally longer than one thousand (1,000) feet. A road that meanders and continues through another right-of-way.

d. Boulevard, parkway: A wide thoroughfare with a median reflecting boulevard character, usually with trees or shrubbery in the center median.

e. Lane, place: A reduced right-of-way generally less than one thousand (1,000) feet.

f. Loop, circle: A circular or semicircular road. A circle can be a street that returns to itself. A loop can be a short drive that begins and ends on the same street or road. A circle is usually longer than a loop and can be a secondary road that begins and circles back to terminate on the same road.

g. Way, trail: A dead-end right-of-way generally less than one thousand (1,000) feet long. A minor street that changes direction or begins and ends on the same thoroughfare that is generally a private but sometimes public road.

h. Highway, bypass, turnpike: Designated state or federal primary road.

i. Interstate, freeway, expressway: A road of the highest order with limited access.

(2) All streets and avenues that are in the same relative position within the City, although not connected, should have the same name if a logical extension of the street exists.

a. Logical connection shall be determined by the Planning and Development Director. The determination of logical extensions shall consider major topographic features (i.e., the Colorado River, steep bluffs), large-scale land uses (i.e., the high school, the airport), and existing street patterns.

b. Street names shall not be extended across the Colorado River unless connected by a bridge.

(3) Baseline streets north of the Colorado River shall be First Street and Railroad Avenue.

a. First Street shall constitute the base line for the naming of all east-west oriented streets north of the Colorado River. Beginning with First Street and progressing north, all streets shall be named numerically by consecutive numbers as long as they follow the general grid pattern established by downtown Rifle. If the streets are in a new subdivision which have patterns unrelated to the downtown grid pattern and if no logical extension between the streets exists, the streets can be named without reference to the numeric system. In this case, they can also be designated as a *road*. See Paragraph (2) above regarding logical extensions.

b. Railroad Avenue shall divide all streets running east and west north of the Colorado River.

1. If a street crosses Railroad Avenue or shows evidence that a logical extension could be made in the future that would connect a street across Railroad Avenue, all that portion of any and all such streets lying east of Railroad Avenue shall be known by its name with the word "East" prefixed thereto, and all that portion of any and all such streets lying west of Railroad Avenue shall be known by its name and the word "West" prefixed thereto. See Paragraph (2) above regarding logical extensions.

2. If a street lies on only one (1) side of Railroad Avenue and no logical extension is determined for the future, then the prefix "East" or "West" is not required. See Paragraph (2) above regarding logical extensions.

(4) The north-south baseline street south of the Colorado River shall be Taugenbaugh Boulevard for the purpose of distinguishing streets "East" or "West." Because numbered streets shall not be utilized, no east-west baseline is necessary for street naming south of the river.

a. If a street crosses Taugenbaugh Boulevard or shows evidence that a logical extension could be made in the future that would connect a street across Taugenbaugh Boulevard, all that portion of any and all such streets lying east of Taugenbaugh Boulevard shall be known by its name with the word "East" prefixed thereto, and all that portion of any and all such streets lying west of Taugenbaugh Boulevard shall be known by its name and the word "West" prefixed thereto. See Paragraph (2) above regarding logical extensions.

b. If a street lies on only one (1) side of Taugenbaugh Boulevard and no logical extension is determined for the future, then the prefix "East" or "West" is not required. See Paragraph (2) above regarding logical extensions.

(5) Streets extending east and west generally shall be designated as "Streets."

(6) Streets extending north and south generally shall be designated as "Avenues."

(7) Streets that do not fit into the definition of *street* or *avenue* shall be designated as something other than a street or avenue as determined by the street types and definitions in Paragraph (1) above.

(8) The abbreviations for street suffixes shall be as follows:

Ave	for	Avenue
Blvd	for	Boulevard
Byp	for	Bypass
Cir	for	Circle
Ct	for	Court
Dr	for	Drive
Expy	for	Expressway
Fwy	for	Freeway
Hwy	for	Highway
Ln	for	Lane
Loop	for	Loop
Pkwy	for	Parkway
Pl	for	Place
Rd	for	Road
St	for	Street
Trl	for	Trail
Tpk	for	Turnpike
Way	for	Way

(9) Alleys shall not be named.

(10) For the purposes of addressing property identification, any property with multiple street frontages shall use the street name from which it maintains primary access. (Ord. 31, 2003 §2; Ord. 4 §1, 2005; Ord. 31 §4, 2006)

**Sec. 18-15-20. Street naming.**

(a) Developers of new developments may: (1) submit street names; (2) request that the City choose street names; or (3) choose from a pre-assigned list of acceptable or recommended names maintained by the City. Final approval of appropriate names shall be made by the Planning and Development Director. Special circumstances may require the City to name or rename streets without developer input.

(b) The following guidelines shall be followed when naming public or private streets in the City:

(1) Street names shall be unique and not repeated, with the exception of continuation of existing streets and logical extensions as determined by the Planning and Development Director. See Subsection 18-15-10(2) above regarding logical extensions.

(2) Street names shall not be longer than two (2) words, not including the suffix.

(3) When a subdivision creates multiple streets, a general theme shall be used for all street names in that subdivision.

(4) Any time that a street makes a directional change of approximately ninety (90) degrees, the street name shall change. A directional change of approximately ninety (90) degrees shall mean a horizontal curve where a reduction in the design speed is required (i.e., a sharp turn vs. a sweeping curve).

(5) Continuous streets shall have continuous names and shall continue across intersections and through roundabouts. Names shall not change except at the City limits; however, names are not required to change at the City limits.

(6) Within the City limits, streets shall use City names, not county road numbers.

(7) Street names shall not contain any punctuation or special characters. Only alphabetical symbols A through Z, numbers 0 through 9 and blank spaces may be used in street names.

(8) Homonyms, proper names of living people, vulgar words or derogatory terms shall not be used for street names.

(9) Cardinal directions shall not be used in the name. Directions are used only to designate the portion of an existing road. (Not acceptable – North Road, East Fort Road, Northstar Drive.)

(10) Street names shall be of the commonly acceptable spelling, according to a standard dictionary.

(11) Street names shall be simple to pronounce, as determined by the Planning and Development Director.

(12) Exceptions to these standards may be granted by the Planning and Development Director.

(13) Changes to existing street names shall be approved by the City Council. (Ord. 31, 2003 §2; Ord. 4 §1, 2005; Ord. 31 §4, 2006)

**Sec. 18-15-30. Property numbering.**

(a) Purpose. All developed property within the City limits shall be assigned a property number that is consistent with the adopted City standard outlined in this Section. Numbers will be used for addressing and property identification. These numbers shall progress along streets in a logical, consecutive and clear manner. All attempts shall be made to reduce confusion for property identification purposes.

(b) Number required. All buildings within the City limits shall display a City-assigned number, placed on the building at time of construction and maintained throughout the existence of the structure. All property previously maintaining a County-assigned address shall adopt a City-assigned number at the time of annexation to the City.

(c) Style of number. The numbers shall be clear, legible, at least five (5) inches in height and placed upon the building as to designate the front entrance of the building. If the entrance of the building does not face the street, the numbers shall be placed on the side of the building facing the street on the side of the building closest to the entrance of the building. The numbers shall be in a conspicuous place and not obscured so that they can be read easily from the center of the street in the daytime. In addition, numbers shall be a contrasting color to the building in order to promote visibility at night.

(d) Violations. If the owner or lessee of any building shall fail, refuse or neglect to place the number, or replace it when necessary, such owner or occupant shall be deemed guilty of a Class B misdemeanor offense. Such person shall have ten (10) days to comply or otherwise shall be deemed guilty of a separate offense for each subsequent day that the violation is committed or continued. Said offense shall be deemed to be one of strict liability. (Ord. 31, 2003 §2; Ord. 31 §4, 2006)

**Sec. 18-15-40. Assignment of property numbers.**

(a) The Planning and Development Director shall assign the proper number to any lot or building that will be constructed. Street number assignments shall be made when a building permit application is made.

(b) No changes shall be made to assigned building numbers unless it is demonstrated that a conflict exists. Conflicts are at the discretion of the Planning and Development Director, who shall determine if the conflict warrants the assignment of a new number. Numbers shall be assigned or reassigned only by the Planning and Development Director.

(c) Insofar as it is practicable, the City shall maintain a list of assigned property numbers and provide these numbers to emergency and utility services upon request. (Ord. 31, 2003 §2; Ord. 4 §1, 2005; Ord. 31 §4, 2006)

**Sec. 18-15-50. Numbering system.**

The City has a variety of street patterns, types of land use and densities of development. Therefore, the roadway network and development trends in each area must be carefully studied to determine the most appropriate property numbers. At times, this may require the use of different methods to assign numbers. In order to provide a basic framework for consistency in making these decisions, the following numbering standards shall be used:

(1) System of numbering. The block system using whole numbers shall be used and one hundred (100) numbers shall be assigned to each block. Each block shall be approximately four hundred (400) feet long. Where there is no intersecting street or avenue or the block is odd-sized, another one hundred (100) numbers shall be assigned to correspond with the numbers in the standard sized block in the area, insofar as it may be practical.

(2) Numbering streets.

a. For the purpose of numbering the lots and buildings on all streets running east and west, the base shall be as follows:

1. North of the Colorado River, the base shall be Railroad Avenue

2. South of the Colorado River, the base shall be Taugenbaugh Boulevard as extended.

b. Beginning with the number 101 of the northeast corner of all blocks lying west of the base lines as set forth above, numbering to the west, odd numbers shall be assigned to the south side and even numbers to the north side of all streets. Numbers shall continue consecutively until another

street or avenue is reached, when the numbers shall commence with the next 101. The numbering shall continue for the entire length of each street west, except as provided in Paragraph (1) above.

c. Beginning with the number 101 on the northwest corner of all blocks lying east of the base lines as set forth herein, numbering to the east, the odd numbers shall be on the south side and even numbers on the north side of all such streets. The numbers shall continue consecutively until another street or avenue is reached, when the numbers shall commence with the next 101. The numbering shall continue for the entire length of each street east, except as provided in Paragraph (1) above.

(3) Numbering avenues. For the purpose of numbering the lots or building on all avenues running north and south, First Street shall be used as a baseline. Beginning with the number 101 on the southeast corner of all blocks on the north side of First Street, numbering to the north, the odd numbers shall be on the west side and the even numbers on the east side of all such avenues. The numbers shall continue consecutively until another street is reached, when the numbers shall again commence with the next 101. The numbering shall continue for the entire length of each avenue, or until the next block begins as defined by Paragraph (1) above.

(4) Multi-addressed buildings. Buildings such as offices or apartments that require several addresses per building shall be addressed one (1) property address, and each unit within shall be given a suite or apartment number.

(5) Multi-family units. Multi-story units shall fall in line with the numbering system. The first story shall be addressed first, the second story next, and the numbers shall commence with the next property.

(6) Determining street orientation. As defined in Subsection 18-15-10(1) above, streets and avenues are designated based on their most continuous direction and, using the block system, shall be addressed as such.

(7) Multiple frontages. Lots that have more than one (1) frontage shall be addressed during the building permit application process to determine the proper frontage. Addresses to multiple frontage lots will be issued after the Planning Department has approved a frontage.

(8) Addressing at annexation. For the purposes of addressing, when the City annexes a section of road previously in the County, the City shall re-number the properties and structures along this road. (Ord. 31, 2003 §2; Ord. 4 §1, 2005; Ord. 31 §4, 2006)