

CHAPTER 18

Building Regulations

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ARTICLE 1

Building Code

Sec. 18-1-10. Adoption.

Pursuant to Title 31, Article 16, Part 2, C.R.S., the *International Building Code*, 2006 edition, as published by the International Code Council, 500 New Jersey Avenue NW, 6th Floor, Washington, DC 20001, Chapters 1 through 35 inclusive and Appendix Chapter I, as amended by the subsequent provisions of this Article, is hereby adopted by reference as the Town Building Code, to have the same force and effect as if fully set out in this Article in every particular. The subject matter of the adopted code 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, together with plumbing, mechanical and electrical installations therein or in connection therewith. The code is adopted to preserve and protect the public health, safety and general welfare and the safety, protection and sanitation of dwellings, buildings and structures in the Town; and to provide uniform building regulations, generally conforming to similar regulations through the County, State and Nation. (Ord. 2007-05 §2; Ord. 2007-07 §1)

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

At least one (1) copy of the *International Building Code*, certified to be a true copy, has been and is now on file in the office of the Town Clerk 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. The code as finally adopted shall be available for sale to the public through the office of the Town Clerk at a moderate price. (Ord. 2007-07 §1)

Sec. 18-1-30. Amendments.

The code adopted herein is hereby modified with the additions, deletions, insertions and changes as follows:

- (1) **IBC Section 101.1**, Title, is amended by the addition of the term "Town of Severance" where indicated.
- (2) **IBC Section 101.4.1**, Electrical, is amended by replacing "ICC Electrical Code" with "adopted electrical code."
- (3) **IBC Section 101.4.4**, Plumbing, is amended by the deletion of the last sentence.
- (4) **IBC Section 101.4.6**, Fire prevention, is amended by replacing "International Fire Code" with "adopted fire code."
- (5) **IBC Section 101.4.7**, Energy, is deleted in its entirety.
- (6) **IBC Section 105.1**, Required, is amended by replacing the words "building official" with "town."

(7) **IBC Section 108.6**, Refunds, is amended by deleting the section in its entirety and replacing the section with the following:

"The town may authorize refunding of any fee paid hereunder which was erroneously paid or collected. The town may authorize refunding of not more than 80 percent (80%) of the permit fee paid when no work has been done under a permit issued in accordance with this code. The town may authorize refunding of not more than 80 percent (80%) of the plan review fee paid when an application for a permit for which a plan review fee has been paid is withdrawn or cancelled before any plan reviewing is done. The town shall not authorize refunding of any fee paid except on written application filed by the original permittee not later than 180 days after the date of fee payment."

(8) **IBC Section 109.3.5**, Lath and gypsum board inspection, is amended by deleting the Exception.

(9) **IBC Section 110.3**, Temporary occupancy, is amended by deleting the words "building official" in the first and second sentence and replacing them with "town."

(10) **IBC Section 112.1**, General, is amended by deleting the last two (2) sentences and inserting the following:

"The members of the Board of Appeals shall be comprised of the members of the Town Board of Appeals."

(11) **IBC Section 112.3**, Qualifications, is deleted in its entirety.

(12) **IBC Section 202**, Definitions, is amended by the addition of the following:

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

(13) **IBC Section 1013.1**, Where required, is amended by the addition of a second paragraph inserted before the Exceptions, as follows:

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

(14) **IBC Section 1301**, General, is hereby deleted in its entirety and replaced with the following:

"Buildings in the Group R Division 3 and Group R Division 4 Occupancy group shall be constructed under the energy code provisions of Chapter 11 of the International Residential Code."

(15) **IBC Section 1612.3**, Establishment of flood hazard areas, is amended by the insertion of "Town of Severance" where indicated and the date of the latest flood insurance study for the Town, September 22, 1999, where indicated.

(16) **IBC Section 3109.4**, Residential swimming pools, is amended by replacing the exception with the following:

"A hot tub or spa with a safety cover complying with ASTM F 1346."

(17) **IBC Section 3401.3**, Compliance with other codes, is amended by deleting "International Fire Code" and inserting in its place "adopted fire code"; deleting "International Private Sewage Disposal Code"; and deleting "ICC Electrical Code" and inserting in its place "adopted electrical code." (Ord. 2007-05 §2; Ord. 2007-07 §1)

Sec. 18-1-40. Violations.

(a) It is unlawful for any person to erect, construct, enlarge, alter, repair, move, improve, remove, convert, demolish, equip, use, occupy or maintain any building, structure or equipment in the Town, or to cause or permit the same to be done, in violation of any of the codes as adopted in this Chapter. Maintenance of any condition which was unlawful at the time it was initiated and which would be unlawful under any of the codes adopted in this Chapter, if installed after the effective date of the initial ordinance codified herein, shall constitute a continuing violation. Any person violating any of the provisions of any of the codes as adopted herein shall be deemed guilty of a separate offense for each and every day or portion thereof during which any violation of any of the provisions of any of the codes occurs and/or continues and, upon conviction of any such violation, the violator shall be subject to a fine of not more than three hundred dollars (\$300.00) and imprisonment not to exceed ninety (90) days or both such fine and imprisonment, for each and every offense. In addition to any and all other remedies, the Town may institute an appropriate action for injunction, mandamus or abatement to prevent, enjoin, abate or remove any unlawful repair, construction, reconstruction, alteration, remodeling or use.

(b) It is unlawful for any person to erect, construct, enlarge, alter or change the use of any building or other structure within the Town without first obtaining all permits required by any of the codes as adopted in this Chapter. No permit shall issue unless the plans for the proposed repair, construction, reconstruction, alteration or use fully conform to this Chapter, all zoning ordinances and other applicable regulations of the Town. (Ord. 2002-03 §9; Ord. 2007-07 §1)

ARTICLE 2

Residential Code

Sec. 18-2-10. Adoption.

Pursuant to Title 31, Article 16, Part 2, C.R.S., the *International Residential Code*, 2006 Edition, as published by the International Code Council, Inc., 500 New Jersey Avenue NW, 6th Floor, Washington, DC 20001, Chapters 1 through 43, inclusive, and Appendix Chapters G and H, is hereby adopted by reference as the Town Residential Building Code as if fully set out in this Article. (Ord. 2007-05 §3; Ord. 2007-07 §1)

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

At least one (1) copy of the *International Residential Code*, certified to be a true copy, has been and is now on file in the office of the Town Clerk 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. The code as finally adopted shall be available for sale to the public through the office of the Town Clerk at a moderate price. (Ord. 2007-07 §1)

Sec. 18-2-30. Amendments.

The code adopted herein is hereby modified with the additions, deletions, insertions and changes as follows:

(1) **IRC Section R101.1**, Title, is amended by the addition of the term "Town of Severance" where indicated.

(2) **IRC Section R105.1**, Required, is amended by replacing the words "building official" with "town."

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

"The town may authorize refunding of any fee paid hereunder which was erroneously paid or collected. The town may authorize refunding of not more than 80 percent (80%) of the permit fee paid when no work has been done under a permit issued in accordance with this code. The town may authorize refunding of not more than 80 percent (80%) of the plan review fee paid when an application for a permit for which a plan review fee has been paid is withdrawn or cancelled before any plan reviewing is done. The town shall not authorize refunding of any fee paid except on written application filed by the original permittee not later than 180 days after the date of fee payment."

(4) **IRC Section R109.1.5**, Other inspections, is amended by the addition of two (2) new subsections as follows:

"R109.1.5.3 **Insulation inspection.** Inspection of the structure shall be made following installation of the wall, ceiling and floor insulation and exterior windows and before wall coverings are installed.

"R109.5.4 Lath and gypsum inspection. Inspection of all interior or exterior lathing and gypsum board shall be made after installation but before any plaster is applied or before gypsum board joints and fasteners are taped and finished."

(5) **IRC Section R110.4,** Temporary occupancy, is amended by deleting the words "building official" in the first and second sentence and replacing them with "town."

(6) **IRC Section R112.1,** General, is amended by deleting the last three (3) sentences and inserting the following:

"The members of the Board of Appeals shall be comprised of the members of the Town Board of Appeals."

(7) **IRC Section R202,** Definitions, is amended by the addition of the following:

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

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

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

Ground Snow Load	Wind Speed (mph)	Seismic Design Category	Subject to Damage From			Winter Design Temp	Ice Shield Underlayment Required	Flood Hazard	Air Freezing Index	Mean Annual Temp
			Weathering	Frost Line Depth	Termite					
20 psf	90	B	Severe	30 in.	Slight to Moderate	1	NO	FIRM Map Panels 0001 A, 465 D 09/22/1999	1000	45°F"

(9) **IRC Section R310.2.1,** Ladder and steps, is amended by the addition of the following Exception, to read as follows:

"Exception: Only one window well ladder shall be required in an unfinished basement."

(10) **IRC Section R312.1,** Guards required, is amended by the addition of a third paragraph as follows:

"All area wells, stair wells, window wells and light wells attached to any building that are located less than 36 inches (914 mm) from the nearest intended walking surface and deeper than 30 inches (762 mm) below the surrounding ground level, creating an opening greater than

24 inches (610 mm) measured perpendicular from the building, shall be protected with guardrails conforming to this section around the entire opening, or be provided with an equivalent barrier.

"Exceptions:

"1. The access side of stairways need not be protected.

"2. Area and window wells provided for emergency escape and rescue windows may be protected with approved grates or covers that comply with Section R310 of this code.

"3. Covers and grates may be used over stairways and other openings used exclusively for the service access or for admitting light or ventilation."

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

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

(12) **IRC Section N12101.2**, Compliance, is amended by deleting the following: "either meeting the requirements of the *International Energy Conservation Code* or" from the paragraph.

(13) **IRC Table N1102.1**, Insulation and Fenestration Criteria, is amended by replacing 1" under Wood Frame Wall R-Value in the 5 and Marine 4 Climate Zone with 15.

(14) **IRC Section M1502.6**, Duct length, is amended by deleting Exception 1 in its entirety.

(15) **IRC Section M1703.2.1**, Size of opening, is amended by the addition of the following Exception:

"Exception: Where combustion air ducts serve equipment which is located within and serves an individual dwelling unit and communicates directly with the outdoors, 6-inch (152.4 mm) round combustion air ducts ducted to within 12 inches (305 mm) of the perimeter of the major appliance shall be sufficient to serve a space where the total combined equipment input rating does not exceed 175,000 Btu. Where the total combined equipment input rating exceeds 175,000 Btu, the ducting shall be increased by adding an additional 1 square inch (645.2 sq. mm) for each 5,000 Btu/hour, or fraction thereof, input rating above 175,000."

(16) **IRC Section G2407.6.1**, Two permanent-openings methods, is amended by the addition of the following Exception:

"Exception: Where combustion air ducts serve equipment which is located within and serves an individual dwelling unit and communicates directly with the outdoors, 6-inch (152.4 mm) round combustion air ducts ducted to within 12 inches (305 mm) of the perimeter of the major appliance shall be sufficient to serve a space where the total combined equipment input rating does not exceed 175,000 Btu. Where the total combined equipment input rating exceeds

175,000 Btu, the ducting shall be increased by adding an additional 1 square inch (645.2 sq. mm) for each 5,000 Btu/hour, or fraction thereof, input rating above 175,000."

(17) **IRC Section G2415.9**, Minimum burial depth, is amended by the addition of the following:

"All plastic fuel gas piping shall be installed a minimum of 18 inches (457 mm) below grade."

(18) **IRC Section G2415.9.1**, Individual outside appliances, is deleted in its entirety.

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

(20) **IRC Section P2603.6.1**, Sewer depth, is amended by filling in both areas where indicated to read "12 inches (305 mm)."

(21) **IRC Section P3103.1**, Roof extension, is amended by filling in both areas where indicated to read "6 inches (152.4 mm)." (Ord. 2007-05 §3; Ord. 2007-07 §1)

ARTICLE 3

Mechanical Code

Sec. 18-3-10. Adoption.

Pursuant to Title 31, Article 16, Part 2, C.R.S., the *International Mechanical Code*, 2006 edition, as published by the International Code Council, Inc., 500 New Jersey Avenue NW, 6th Floor, Washington, DC 20001, Chapters 1 through 15, inclusive, is hereby adopted by reference as the Town Mechanical Code as if fully set out in this Article. The subject matter of the adopted code includes comprehensive provisions and standards relating to the erection, installation, alteration, repair, relocation, replacement, addition to, use or maintenance of heating, ventilating, cooling and refrigeration systems, incinerators or other miscellaneous heat-producing appliances within the Town for the purpose of protecting the public health, safety and general welfare. (Ord. 2007-05 §4; Ord. 2007-07 §1)

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

At least one (1) copy of the *International Mechanical Code*, certified to be a true copy, has been and is now on file in the office of the Town Clerk 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. The code as finally adopted shall be available for sale to the public through the office of the Town Clerk at a moderate price. (Ord. 2007-07 §1)

Sec. 18-3-30. Amendments.

The code adopted herein is hereby modified with the additions, deletions, insertions and changes as follows:

(1) **IMC Section 101.1**, Title, is amended by the addition of the term "Town of Severance" where indicated.

(2) **IMC Section 504.6.1**, Maximum length, is amended by deleting the Exception in its entirety.

(3) **IMC Section 604.1**, General, is amended by the deletion of "and the International Energy Conservation Code."

(4) **IMC Section 703.1.3**, Size of horizontal openings, is amended by the addition of the following Exception:

"Exception: Where combustion air ducts serve equipment which is located within and serves an individual dwelling unit of Groups R-1, R-2, R-3 and R-4 Occupancies and communicates directly with the outdoors, 6-inch (152.4 mm) round combustion air ducts ducted to within 12 inches (305 mm) of the perimeter of the major appliance shall be sufficient to serve a space where the total combined equipment input rating does not exceed 175,000 Btu. Where the total combined equipment input rating exceeds 175,000 Btu, the ducting shall be increased by an additional 1 square inch (645.2 sq. mm) for each 5,000 Btu/hour, or fraction thereof, input rating above 175,000."

(5) **IMC Section 703.1.4**, Size of vertical openings, is amended by the addition of the following Exception:

"Exception: Where combustion air ducts serve equipment which is located within and serves an individual dwelling unit of Groups R-1, R-2, R-3 and R-4 Occupancies and communicates directly with the outdoors, 6-inch (152.4 mm) round combustion air ducts ducted to within 12 inches (305 mm) of the perimeter of the major appliance shall be sufficient to serve a space where the total combined equipment input rating does not exceed 175,000 Btu. Where the total combined equipment input rating exceeds 175,000 Btu, the ducting shall be increased by an additional 1 square inch (645.2 sq. mm) for each 5,000 Btu/hour, or fraction thereof, input rating above 175,000."

(Ord. 2007-05 §4; Ord. 2007-07 §1)

ARTICLE 4

Plumbing Code

Sec. 18-4-10. Adoption.

Pursuant to Title 31, Article 16, Part 2, C.R.S., the *International Plumbing Code*, 2006 edition, as published by the International Code Council, 500 New Jersey Avenue NW, 6th Floor, Washington, DC 20001, Chapters 1 through 13 inclusive, is hereby adopted by reference as the Town Plumbing Code as if fully set out in this Article. The subject matter of the adopted code includes comprehensive regulations governing materials, installation methods and other matters pertaining to

plumbing for the purpose of protecting the public health, safety and general welfare. (Ord. 2007-05 §6; Ord. 2007-07 §1)

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

At least one (1) copy of the *International Plumbing Code*, certified to be a true copy, has been and is now on file in the office of the Town Clerk and may be inspected by an interested person between the hours of 8:00 a.m. and 5:00 p.m., Monday through Friday, holidays excepted. The code as finally adopted shall be available for sale to the public through the office of the Town Clerk at a moderate price. (Ord. 2007-07 §1)

Sec. 18-4-30. Amendments.

The code adopted herein is hereby modified with the additions, deletions, insertions and changes as follows:

- (1) **IPC Section 101.1**, Title, is amended by the addition of the term "Town of Severance" where indicated.
- (2) **IPC Section 305.6.1**, Sewer depth, is amended by filling in both areas where indicated to read "12 inches (305 mm)."
- (3) **IPC Section 313**, Equipment efficiencies, is deleted in its entirety.
- (4) **IPC Section 904.1**, Roof extension, is amended by inserting the number "6 inches (152.4 mm)" where indicated in the second sentence. (Ord. 2007-05 §6; Ord. 2007-07 §1)

ARTICLE 5

Fire Code

Sec. 18-5-10. Adoption.

Pursuant to Title 31, Article 16, Part 2, C.R.S., the 2003 International Fire Code and International Fire Code Standards as published by the International Code Council, Inc., and the Western Fire Chiefs Association, 5360 South Workman Mill Road, Whittier, California, are hereby adopted by reference. The subject matter of the adopted code includes comprehensive provisions and standards designed to prevent fires. The purpose of the adopted code is to protect the health, safety and welfare of the residents of the Town. (Ord. 2005-03 §1; Ord. 2007-07 §1)

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

At least one (1) copy of the *International Fire Code*, certified to be a true copy, has been and is now on file in the office of the Town Clerk 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. The code as finally adopted shall be available for sale to the public through the office of the Town Clerk at a moderate price. (Ord. 2007-07 §1)

Sec. 18-5-30. Amendments.

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

(1) Definitions.

a. Wherever the word *District* is used, it shall mean the Windsor-Severance Fire Protection District.

b. Wherever the word *jurisdiction* is used in the adopted code and standards, it is meant to be inclusive of the boundaries of the Windsor-Severance Fire Protection District as they now or may hereafter exist.

c. Where the term *Chief* or *Chief of the Bureau of Fire Prevention* is used, it shall be held to mean the Chief of the Windsor-Severance Fire Protection District, or a designated member of the District.

d. Where the term *Bureau of Fire Prevention* is used, it shall be held to mean either the entire Fire Prevention Division or those employees (paid or volunteer) designated by the Chief to carry out enforcement duties relating to the prevention of fires and suppression of arson.

e. Where the term *Board* is used, it shall be held to mean the Board of Directors of the Windsor-Severance Fire Protection District.

f. Where the term *Board of Appeals* is used, it shall refer to the Board of Appeals of the Windsor-Severance Fire Protection District.

g. Wherever the term *International Building Code* is used, it shall be held to mean the International Building Code as adopted, amended and incorporated into the Weld/Larimer County Building Code or the Town of Severance Building Code.

(2) Open burning. The following section shall be added to Chapter 1 and be known as Section 105.6.31:

"105.6.31 This Article shall be interpreted to be consistent with the provisions of §32-1-1002(3), C.R.S."

Chapter 1, Section 105.6.31 shall be amended by the addition of a sentence reading as follows:

"No such permit shall be required where burning is regulated pursuant to other Ordinances of the Town of Severance."

(3) Violation, penalties. The following section 109.3 of Chapter 1 shall be repealed and replaced, to read as follows:

"109.3 Violation.

"1. Any owner, lessee, agent or occupant of any building or premises maintaining any condition likely to cause fire or to constitute an additional fire hazard; or any condition which

impedes or prevents the egress of persons from such building or premises in violation of the provisions of §32-1-1002(3), C.R.S., shall be deemed to be maintaining a fire hazard. Any person who violates any provision of said Subsection (3) is guilty of a misdemeanor and, upon conviction thereof, shall be punished by a fine of not less than fifty dollars (\$50.00) or no more than two hundred fifty dollars (\$250.00). Each day in which such violation occurs shall constitute a separate violation of §32-1-1002(3), C.R.S.

"2. The application of the above penalty shall not be construed to prevent the enforced removal or correction of prohibited conditions or other injunctive relief."

(4) Compliance agreement. The following section shall be added to Chapter 1, Section 109 and be known as Section 109.3.2:

"109.3.2. The Board (upon recommendation of the Chief or upon its own motion) may enter into written agreements for the enforcement or compliance with the owner, lessee, occupant or authorized agent thereof, of any property, building or structure, or any interested person directly affected by the application of this code. Said agreements may extend the time for compliance with this code, and may contain such terms and conditions that the Board deems appropriate to adequately protect the life, health, property, security and welfare of the general public."

(5) Chapter 1, Section 109 Violations, shall be amended to include as follows, and shall be known as Chapter 1, Section 109.3.3:

"109.3.3 Violation.

"(1) A 'Notice of Violation or Hazard' may be issued by the Chief or his or her designee concerning violations or hazards which are not corrected on site during an inspection. Said Notice shall be signed by the inspector and contain, as a minimum, the following information:

- "a. Date of inspection;
- "b. Name/address of premises inspected;
- "c. Name of inspector;
- "d. Nature of violations, including specific reference to sections/ subsections of code;
- "e. Date of compliance/ reinspection;
- "f. Suggested methods of corrections, if applicable;
- "g. Right to appeal to Board;
- "h. Consequences of failure to correct the violation.

"(2) An 'Order for Immediate Correction of Hazard' may be issued by the Chief:

"a. For failure to correct a violation or hazard within the time specified in a previously issued 'Notice of Violation or Hazard'; or

"b. For violating the code or state statute and said violation renders the building, structure or premises especially liable to fire or is hazardous to the safety of the occupants thereof, or which is so situated as to endanger other property as set forth in §32-1-1002(3)(c), C.R.S., whether or not a Notice has been previously issued.

"c. An Order shall be signed by the Chief or his or her designee and shall contain, as a minimum, the following information:

"1. Date of issuance;

"2. Name/address of premises inspected;

"3. Nature of violation or hazard;

"4. Time limit for correction;

"5. Right of appeal, if any, to the Board;

"6. Right of appeal to the District Court and time limit;

"7. Penalties for violation of order;

"8. Signature of the Chief or his or her designee;

"9. Acknowledgment of receipt signed by owner, lessee, agent or other responsible person.

"(3) An appeal of a Notice of Violation or Hazard may be made to the Board of Appeals by delivery to the Chief, in writing, a notice of appeal within five (5) days of the issuance of the Notice of Violation or Hazard. The appeal shall be heard at the next regular meeting called for that purpose. The Board may affirm, rescind or modify the Notice and may enter into such enforcement agreements as it deems proper.

"(4) An appeal of an 'Order for Immediate Correction of Hazard' may be made to the Board of Appeals only if no previous appeal has been made of a previously issued 'Notice of Violation or Hazard' concerning the same violation or hazard. An appeal of an Order must be in writing and filed with the Board within three (3) days of issuance of the Order.

"(5) The Board of Appeals shall hear all such appeals and application for relief and render its decision thereon, in accordance with its bylaws, rules and regulations.

"(6) In the event no appeal is made to the Board pursuant to this code and resolution or to the court pursuant to §32-1-1002(3), C.R.S., and compliance with the order and/or correction of the hazard has not occurred, the Board may, upon recommendation by the Chief or upon its own motion, refer the matter to the Town Attorney of the Town of Severance.

"(7) An appeal shall suspend the time limits for compliance or correction of a fire hazard or hazards, until the appeal is resolved by the Board of Appeals."

(6) Fees. The following section is hereby added to Chapter 1, to be known as Section 112:

"**112** Pursuant to §32-1-1002(1)(e) (11), C.R.S., the Board may fix and from time to time may increase or decrease fees and charges, in its discretion, for inspections and review of plans and specifications which are:

"a. Requested or mandated for existing structures, buildings and improvements; and

"b. Necessitated in conjunction with any County regulation, resolution or condition of development; or

"c. Performed in conjunction with the construction of new structures, buildings and improvements.

"Fees for such items shall be assessed per the Windsor-Severance Fire Protection District.

"Said fees and charges may, in the discretion of the Board, include a charge for reimbursement to the District of any consultation fees, expenses or costs incurred by the District in the performance of the inspections, or review of the plans and specifications."

(7) Chapter 9, Section 903.1 is amended to include and read as follows:

"**903.1** Unless granted a variance by the Board of Trustees of the Town of Severance after submission of plans and permit application, an automatic sprinkler system shall be required in the occupancies and locations set forth in this Section 903, or in any Commercial or Industrial building where the floor area exceeds 5,000 square feet. Such variance shall be pursuant to policies established by the Town to obtain the advice and expertise of the Fire Protection District.

"For purposes of this Section 903, the term 'floor area' shall have the same meaning as set forth in the International Building Code, 2003 edition.

"The floor area of any portion of a basement having a ceiling height of eighty inches or greater shall be included in the calculation of the floor area of the building.

"The requirement for the installation of automatic sprinkler systems shall not apply to floor area expansions of existing buildings where the cumulative floor area of all such expansions does not exceed twenty-five percent (25%) of the floor area of the building as it was permitted on the day this adoption is signed.

"For buildings permitted after this adoption is signed, the installation of automatic sprinkler systems shall apply when the floor area exceeds 5,000 square feet, regardless of the cumulative floor area expansion.

"**Exception:** This Section 903.1 shall not be applicable to Group R, Division 3 Occupancies."

(8) The following Section 3301.1.3 is amended to read as follows:

"The applicable provisions of Colorado Revised Statutes shall govern all fireworks and their sale, storage and use."

(9) Section 3401.1.1 is added to Chapter 34, to read as follows:

"3401.1.1 Establishment of limits in which storage of flammable or combustible liquids is within the limits of the Town of Windsor or Severance shall be governed by any and all Town ordinances. Outside the Town limits, this shall be governed by either Larimer/Weld County standards or the 2003 International Fire Code."

(10) Appendix C shall be supplemented by the following. Section C105 is hereby repealed and replaced in its entirety to read as follows:

"C105 Distribution of Fire Hydrants:

"Multi-Family Residential: Hydrants shall be 200' from structures and spacing of 400' in the Town limits.

"Commercial and Industrial: Hydrants shall be 150' from structures and spacing of 300'.

"Residential: Fire hydrants shall be no greater than 600 feet apart; with no structure greater than 300 feet from hydrant (600/300).

"Low-Density Residential: An individual analysis will be conducted for each subdivision where lots within the subdivision are equal to or greater than 2 acres. Low-Density Residential shall comply with residential unless the District approves an alternative. Alternatives shall be based upon the individual analysis and the proposal submitted by the developer. Cisterns, dry hydrants and open water sources are not acceptable alternatives.

"Hydrants on streets, without access to structures or where no structural hazard is present, shall be spaced at 1,000 feet, except in rural areas where water supplies may not be available.

"Hydrants shall not be more than 10 feet from an approved fire access or roadway. The grade from the roadway or access and the hydrant shall be near to level.

"The placement of hydrants in developments without a grid-type street design will be based upon an evaluation by the fire department to ensure operational needs.

"Placement of hydrants in dead-end streets shall be based upon the distance of the street from the intersection to the end of the street.

"The placement of hydrants at the end of dead-end streets where the water line also is a dead-end shall be used as a blowout and it is not credited for use in firefighting operations.

"Blowouts shall be designed to ensure that the blowout will not adversely affect firefighting operations due to failure. (2" single outlet with a 2" valve off of the main water line with a like

seal such as the Waterous Pacer with equivalent pressure ratings and an isolated, resilient wedge valve).

"Streets with islands may require additional hydrants unless the hydrants are placed in the islands."

(11) Appendix C shall be supplemented by the following. Section C106 shall be added, to read as follows:

"C106 Types of Hydrants:

"Fire Hydrants shall be the Mueller Centurion or the Waterous Pacer. The Waterous Pacer shall be equipped with an upper standpipe section with a nominal height equal to the Mueller Centurion. Fire hydrants shall be dry barrel. Fire hydrants shall have two 2½" ports and one 4½" port. All threads shall be National Standard Thread, (NST). Fire hydrants shall operate by opening in a counter-clockwise direction and closing in a clockwise direction. The hydrant shall have the standard five-sided nut on the port caps and the operating stem. The hydrant shall be installed with the 4½" port facing the roadway."

(Ord. 2005-03 §1; Ord. 2007-07 §1)

ARTICLE 6

Fuel Gas Code

Sec. 18-6-10. Adoption.

Pursuant to Title 31, Article 16, Part 2, C.R.S., the *International Fuel Gas Code*, 2006 Edition, as published by the International Code Council, 500 New Jersey Avenue NW, 6th Floor, Washington, DC 20001, Chapters 1 through 8, inclusive, is hereby adopted by reference as the Town Fuel Gas Code as if fully set out in this Article. (Ord. 2007-05 §5; Ord. 2007-07 §1)

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

At least one (1) copy of the *International Fuel Gas Code*, certified to be a true copy, has been and is now on file in the office of the Town Clerk 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. The code as finally adopted shall be available for sale to the public through the office of the Town Clerk at a moderate price. (Ord. 2007-07 §1)

Sec. 18-6-30. Amendments.

The code adopted herein is modified with the additions, deletions, insertions and changes as follows:

(1) **IFGC Section 101.1**, Title, is amended by the addition of the term "Town of Severance" where indicated.

- (2) **IFGC Section 301.2**, Energy utilization, is deleted in its entirety.
- (3) **IFGC Section 404.9**, Minimum burial depth, is amended by the addition of the following:

"All plastic fuel gas piping shall be installed a minimum of 18 inches (457 mm) below grade."
- (4) **IFGC Section 404.9.1**, Individual outside appliances, is deleted in its entirety.
- (5) **IFGC Section 406.4.1**, Test pressure, is amended by changing "3 psig" to "10 psig."
- (6) **IFGC Section 409.5**, Equipment shutoff valve, is amended by deleting the Exception.
- (7) **IFGC Section 614.6.1**, Maximum length, is amended by deleting the Exception in its entirety. (Ord. 2007-05 §5; Ord. 2007-07 §1)

ARTICLE 7

Uniform Code for Building Conservation

Sec. 18-7-10. Adoption.

Pursuant to Title 31, Article 16, Part 2, C.R.S., there is hereby adopted by reference the *Uniform Code for Building Conservation*, 1997 Edition, published by the International Conference of Building Officials, 5360 South Workman Mill Road, Whittier, CA 90601, as if fully set out in this Article. (Ord. 2002-03 §7; Ord. 2007-07 §1)

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

At least one (1) copy of the *Uniform Code for Building Conservation*, certified to be a true copy, has been and is now on file in the office of the Town Clerk 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. The code as finally adopted shall be available for sale to the public through the office of the Town Clerk at a moderate price. (Ord. 2007-07 §1)

Sec. 18-7-30. Amendments.

The code adopted herein is hereby modified by the following amendments: none. (Ord. 2007-07 §1)

ARTICLE 8

Energy Conservation Code

Sec. 18-8-10. Adoption.

Pursuant to Title 31, Article 16, Part 2, C.R.S., the *International Energy Conservation Code*, 2006 edition, published by the International Code Council, 500 New Jersey Avenue NW, 6th Floor, Washington, DC 20001, Chapters 1 through 6 inclusive, is hereby adopted by reference as the Town Energy Conservation Code, to have the same force and effect as if fully set out in this Article in every particular. (Ord. 2007-05 §7; Ord. 2007-07 §1)

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

At least one (1) copy of the *International Energy Conservation Code*, certified to be a true copy, has been and is now on file in the office of the Town Clerk 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. The code as finally adopted shall be available for sale to the public through the office of the Town Clerk at a moderate price. (Ord. 2007-07 §1)

Sec. 18-8-30. Amendments.

The code adopted herein is hereby modified by the following amendments: none. (Ord. 2007-07 §1)

ARTICLE 9

Property Maintenance Code

Sec. 18-9-10. Adoption.

Pursuant to Title 31, Article 16, Part 2, C.R.S., the *International Property Maintenance Code*, 2006 edition, published by the International Code Council, 500 New Jersey Avenue NW, 6th Floor, Washington, DC 20001, Chapters 1 through 8 inclusive, is hereby adopted by reference as the Town Property Maintenance Code as if fully set out in this Article. (Ord. 2007-05 §8; Ord. 2007-07 §1)

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

At least one (1) copy of the *International Property Maintenance Code*, certified to be a true copy, has been and is now on file in the office of the Town Clerk 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. The code as finally adopted shall be available for sale to the public through the office of the Town Clerk at a moderate price. (Ord. 2007-07 §1)

Sec. 18-9-30. Amendments.

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

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

(2) **IPMC Section 103.5**, Fees, is deleted in its entirety.

(3) **IPMC Section 111.2**, Membership of board, is amended by deleting the section in its entirety and inserting the following:

"The members of the Board of Appeals shall be comprised of the members of the Town Board of Appeals."

(4) **IPMC Section 111.2.1**, Alternate members, is deleted in its entirety.

(5) **IPMC Section 111.2.2**, Chairman, is deleted in its entirety.

(6) **IPMC Section 111.2.3**, Disqualification of member, is deleted in its entirety.

(7) **IPMC Section 111.2.4**, Secretary, is deleted in its entirety.

(8) **IPMC Section 111.2.5**, Compensation of members, is deleted in its entirety.

(9) **IPMC Section 604.2**, Service, is amended by replacing "ICC Electrical Code" with "adopted electrical code."

(10) **IPMC Section 702.1**, General, is amended by replacing "International Fire Code" with "adopted fire code."

(11) **IPMC Section 702.2**, Aisles, is amended by replacing "International Fire Code" with "adopted fire code."

(12) **IPMC Section 704.1**, General, is amended by replacing "International Fire Code" with "adopted fire code."

(13) **IPMC Section 704.2**, Smoke alarms, is amended by replacing "International Fire Code" with "adopted fire code." (Ord. 2007-05 §8; Ord. 2007-07 §1)

ARTICLE 10

Existing Building Code

Sec. 18-10-10. Adoption.

Pursuant to Title 31, Article 16, Part 2, C.R.S., the *International Existing Building Code*, 2006 edition, published by the International Code Council, 500 New Jersey Avenue NW, 6th Floor, Washington, DC 20001, Chapters 1 through 15 inclusive, is hereby adopted by reference as the Town Existing Building Code as if fully set out in this Article. (Ord. 2007-05 §9; Ord. 2007-07 §1)

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

At least one (1) copy of the *International Existing Building Code*, certified to be a true copy, has been and is now on file in the office of the Town Clerk 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. The code as finally adopted shall be available for sale to the public through the office of the Town Clerk at a moderate price. (Ord. 2007-07 §1)

Sec. 18-10-30. Amendments.

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

(1) The Code is amended by replacing all references to "International Fire Code" with "adopted fire code."

(2) The Code is amended by replacing all references to "ICC Electrical Code" with "adopted electrical code."

(3) **IEBC Section 101.1**, Title, is amended by the addition of the term "Town of Severance" where indicated.

(4) **IEBC Section 305.5**, Energy, is deleted in its entirety.

(5) **IEBC Section 602.3**, Materials and methods, is amended by deleting "International Energy Conservation Code."

(6) **IEBC Section 607.1**, Minimum requirements, is amended by deleting the section in its entirety and replacing it with the following:

"Level 1 alterations to existing Group R Division 3 dwelling units are permitted without requiring the entire structure to comply with the energy requirements of the International Residential Code. The alterations shall conform to the energy requirements of the International Residential Code as they relate to new construction only."

(7) **IEBC Section 711.1**, Minimum requirements, is amended by deleting the section in its entirety and replacing it with the following:

"Level 2 alterations to existing Group R Division 3 dwelling units are permitted without requiring the entire structure to comply with the energy requirements of the International Residential Code. The alterations shall conform to the energy requirements of the International Residential Code as they relate to new construction only."

(8) **IEBC Section 808.1**, Minimum requirements, is amended by deleting the section in its entirety and replacing it with the following:

"Level 3 alterations to existing Group R Division 3 dwelling units are permitted without requiring the entire structure to comply with the energy requirements of the International Residential Code. The alterations shall conform to the energy requirements of the International Residential Code as they relate to new construction only."

(9) **IEBC Section 1201.2**, Conformance, is amended by deleting the section in its entirety and replacing it with the following:

"Structures moved into or within the jurisdiction shall comply with the provision of this code for new structures."

(Ord. 2007-05 §9; Ord. 2007-07 §1)

ARTICLE 11

Building Permits

Sec. 18-11-10. Issuance.

The Board of Trustees shall designate a Building Official for the Town, and the Building Official shall have the duties set forth in this Section:

(1) **Criteria.** The Building Official is authorized to issue or deny building permits if a proposed permit conforms to the requirements of the ordinances of the Town, including the appropriate building codes. The Building Official shall issue a building permit only if the following conditions exist or are met:

a. The building and building site conform or will conform to all requirements of the zoning district where the building site is located.

b. The building site has not been divided or subdivided except by approval of the Board of Trustees.

c. The building site abuts or fronts and has legal access to a dedicated public street or highway which has been accepted for maintenance by the Town, the County or the State, or abuts, fronts or has legal access to an approved private street or roadway.

d. Any structure which requires a supply of domestic water or generates wastewater has been connected to the authorized water system and wastewater system, if applicable.

e. No permit shall be issued for construction in any area of special flood hazard until such proposal is in compliance with the flood damage prevention regulations of the Town. Upon finding that any development within an area of special flood hazard complies with the appropriate regulations, the Planning Commission shall refer the matter to the Board of Trustees for final determination of the issuance of a building permit.

f. No building permit shall be issued without proof of ownership by means of a deed, title insurance commitment or equity position, evidenced by a contract or other documentation satisfactory to the Building Official. If the applicant is an equity owner, the legal owner shall sign any necessary documents together with the equity owner.

(2) **Referral to Planning Commission.** If any question arises as to whether any proposed permit complies with the requirements of this Section, the Building Official may refer such issue

to the Planning Commission for clarification, and any decision by the Planning Commission shall be based upon the criteria set forth in this Section.

(3) Appeal of denial. The denial of any building permit may be appealed to the Board of Adjustment as provided by law. (Ord. 2001-04 §2)

Sec. 18-11-20. Surcharge.

The administration surcharge on each building permit shall be thirty percent (30%) of the actual cost of the permit or thirty dollars (\$30.00), whichever is greater. (Ord. 7-95 §1)