

Chapter 17.7 **BUILDING REGULATIONS**

17.7.1 **GENERAL**

- A. All property within the Town of Mountain Village shall comply with the Building Regulations as set forth in this chapter.
- B. The following administrative provisions shall supplement and, in some instances, supersede the administration and enforcement section, as noted herein, in each of the following codes as adopted in the Building Regulations: International Building Code (“IBC”), International Residential Code (“IRC”), International Energy Conservation Code (“IECC”), International Mechanical Code (“IMC”), International Fuel Gas Code (“IFGC”), International Property Maintenance Code (“IPMC”), the National Electric Code, NFPA70, (“NEC”), International Plumbing Code (“IPC”), the International Existing Building Code (“IEBC”), and the International Fire Code (“IFC”) (collectively referred to as the “codes”).

17.7.2 **ADMINISTRATIVE PROVISIONS**

- A. **Referenced Codes and Standards.** The codes shall be considered part of the requirements of the Building Regulations. Local amendments to the codes are set forth in these Building Regulations.
- B. **Rules of Construction.** Where conflicting regulations exist between the Building Regulations and one of the adopted codes, the most stringent shall apply as determined by the Building Official.
 - 1. Where enforcement of a codes provision would violate the conditions of the listing of the equipment or appliance, the conditions of the listing and manufacturer's instructions shall apply.
 - 2. Where the codes or the Building Regulations specify differing materials, methods of construction or other requirements, the most restrictive, applicable requirement shall govern.
 - 3. Where there is a conflict between the codes’ requirements and/or the Building Regulations, the Building Official is authorized to render interpretations and adopt policies and procedures in order to clarify the application of the Codes' provisions. Such interpretations and policies shall not have the effect of waiving requirements specifically provided for in the Building Regulations.
- C. **Building Division** (The following replaces Section R-103.1 of the IRC and IBC, and related sections of the codes)
 - 1. **Administration.** Administration of the Building Regulations falls under the Community Development Department, Building Division, with the Building Official designated as the code official under these regulations.
 - 2. **Building Official Appointment.** The Building Official shall be appointed by the Community Development Director or its designee in consultation and with the consent of the Town Manager and consultation with the Human Resources Director.
 - 3. **Deputies.** In accordance with the proscribed procedures of this Town and with the concurrence of the appointing authority, the Building Official shall have the ability to recommend to the Community Development Director and the Town Manager that the Town appoint inspectors, plan examiners and other employees. Such employees shall

have the powers as delegated by the Town.

D. Building Official Roles and Responsibilities

1. **Duties and Powers of the Building Official.** The Building Official is hereby authorized to:
 - a. Enforce the provisions of the codes and Building Regulations;
 - b. Render interpretations of these codes;
 - c. Adopt policies and procedures in order to clarify the application of the codes and Building Regulations provisions;
 - i. Such interpretations, policies and procedures shall be in compliance with the intent and purpose of the codes.
 - ii. Such policies and procedures shall not have the effect of waiving requirements specifically provided for in the adopted codes.
 - d. Require that hazardous conditions in violation of the codes be corrected when the Building Official has found that conditions are hazardous to life or property;
 - e. Investigate the cause, origin, and circumstances of any fire, flood, explosion, or any other hazardous condition;
 - f. Require and review plans to ensure compliance with codes;
 - g. Require that whenever any installation is covered or concealed without first obtaining the required permits and inspection the Building Official shall be authorized to require that such work be exposed for inspection;
 - h. Order the immediate evacuation of any building deemed unsafe when such building has hazardous conditions that present imminent danger to building occupants;
 - i. Order any electrical, mechanical or plumbing system or portion thereof, that has become hazardous to life, health, property, or has become unsanitary, the Building Official may order that such system either be removed or restored to a safe condition;
 - j. A person shall not use or maintain a defective electrical, mechanical or plumbing system after receiving such notice;
 - k. Waive specific requirements of the Building Regulations or permit alternative methods when it is assured that equivalent objectives can be achieved.
2. **Non-Interference.** Persons shall not interfere with the Building Official carrying out any duties or functions.
3. **Right of Entry.** When the Building Official or his authorized representative has reasonable cause to believe that a violation of the Building Regulations is likely to exist in a structure or upon a premises and that entry into the structure or upon the premises is necessary to verify the violation, the Building Official or his authorized representative shall first make a reasonable effort to locate the owner or other person having charge or control of the structure, or premises, or portion thereof desired to be inspected, and request consent to enter and inspect. If such person cannot be located or if entry is refused, the Building Official or his authorized representative may seek entry by submitting a sworn affidavit to the proper court of Town, setting forth facts sufficient to support a reasonable belief that the violation is likely to exist, and that further investigation of the structure or premises is warranted. Any subsequent entry and inspection shall be conducted in accordance with an administrative search warrant if issued by the court. The foregoing provisions of this subsection, notwithstanding, consent to enter or administrative search warrant shall not be required in the following

circumstances:

- a. To conduct inspections during regular business hours under an applied for issued building permit;
 - b. To make observations of the structure or premises in plain view from public property, public rights-of-way, public easements or from portions of the structure or premises which are open or accessible to the public, or in which the owner or occupant otherwise lacks a reasonable expectation of privacy; or
 - c. In emergency situations in which the Building Official or his authorized representative has reason to believe that the public health or safety is in imminent danger and could be jeopardized by any delay in securing entry.
- 4. Cooperation of Other Officials and Law Officers.** The Building Official may request, and shall receive, the assistance and cooperation of other officials of the Town so far as is required in the discharge of the duties required by the Building Regulations or other pertinent law or ordinance.
- 5. Stop Work Orders.**
- a. If the Building Official finds that work or activity taking place on or within a project is contrary to the Building Regulations, the CDC, the Municipal Code, an adopted Town ordinance (collectively “Town laws”), or in an unsafe or dangerous manner, such work shall be immediately stopped until the situation is resolved and permission is obtained from the Building Official to continue.
 - b. Stop work orders shall require the payment of fees as set forth in the Town Council fee resolution.
 - c. The third issuance of a stop work order due to a violation of the Town laws may result in a suspension or revocation of a Town issued license, including but not limited to the required contractor’s license as set forth in these Building Regulations.

17.7.3 PERMITS

- A. Permits.** Where a permitted project involves more than one trade, a licensed general contractor shall be required to obtain the permit, supervise and or employ a qualified individual to supervise the project in accordance with Contractor Licensing Regulations.
- B. Expiration.** Every permit issued shall become invalid unless the work on the site authorized by such permit is commenced within 90 days after issuance, or if the work authorized on the site by such permit is suspended or abandoned for a period of 180 days after the time the work is commenced. The Building Official is authorized to grant, in writing, one or more extensions of time, for periods not more than 90 days each. The extension shall be requested in writing and justifiable cause demonstrated.
- C. Time Limitation of Permit Application.** An application for a permit for any proposed work shall be deemed to have been abandoned 90 days after the date of filing, unless such application has been pursued in good faith or a permit has been issued; except that the Building Official is authorized to grant, in writing, one or more extensions of time for additional periods not exceeding 90 days each. The extension shall be requested in writing and justifiable cause demonstrated.

- D. **Validity of Permit.** The issuance or granting of a permit shall not be construed to be a permit for, or an approval of, any violation of any provisions the Building Regulations or of any other ordinance of the Town. Permits presuming to give authority to violate or cancel the provisions the Building Regulations, the CDC or other ordinance of the Town shall not be valid. The issuance of a permit based on construction documents and other data shall not prevent the Building Official from requiring the correction of errors in the construction documents and other data. The Building Official is also authorized to prevent occupancy or use of the structure when in violation of the Building Regulations, the CDC, the Municipal Code or of any other ordinances the Town.
- E. **Revocation of License or Permit.** The Building Official shall have the authority to revoke an approval issued if any violation of the codes is found upon re-inspection. In the case of any false statements or misrepresentations submitted in the application or plans on which the permit or approval was based and or any attempt to defraud or otherwise deliberately or knowingly falsify records, reports, or applications, or other related activity in violation of the Town of Mountain Village Building Regulations, the CDC, the Municipal Code and ordinances shall be cause for suspension or revocation of any related licenses, certificates or permits issued by the Town. In addition, any such violation shall be subject to any other criminal or civil penalties.
- F. **Open Permits.** If a contractor has failed to call for final inspection in order to complete the permit process and 90 days has passed without activity then the permit may either be revoked or in the judgment of the Building Official the contractor's license may be put on probation and no further permits allowed for this individual or company until this outstanding permit is completed.

17.7.4 FEES

- A. **Building Permit Valuations.** The applicant for a permit shall provide an estimated permit value at the time of work, for which the permit is being issued. Permit valuations shall be based on the use tax valuations set forth in Chapter 3 of the Municipal Code.
- B. **Payment of Fees.** A permit shall not be valid until the fees and use taxes described by law have been paid, nor shall an amendment to a permit be released until the additional fee and use taxes, if any, has been paid. Any payment returned as insufficient funds or cancelled credit card transaction shall be considered unpaid and the applicant shall repay the fees in cash or certified funds prior to any work commencing. Failure to repay fees shall result in a stop work order if a project has already commenced.
- C. **Plan Review Fees**
 - 1. When submittal documents are required by the Building Regulations, a nonrefundable plan review fee deposit shall be paid at the time of submitting the submittal documents for plan review.
 - 2. The plan review fees specified in this section are separate fees from the permit fees and are a document processing fee and are in addition to the permit fees.
 - 3. When submittal documents are incomplete or changed to require additional plan reviews or when the project involves deferred submittal items, an additional plan review fee shall be charged at the rate set forth by the CDC, additional plan reviews, as it is amended from time to time.
- D. **Investigation Fees for Work Without a Permit**
 - 1. **Investigation.** Whenever any work for which a permit is required by the Building Regulations has commenced without first obtaining said permit, a special investigation shall be made by the Building Official before a permit may be issued for such work.

2. **Fee.** An investigation fee, in addition to the permit fee or stop work order fee, may be collected whether or not a permit is then or subsequently issued at the discretion of the Building Official. The investigation fee shall be equal to the amount of the permit fee required by the Building Regulations. The minimum investigation fee shall be set forth in the fee resolution.
3. **Compliance with Building Regulations and Refunds.** The payment of such investigation fee shall not exempt any person from compliance with all other provisions of the Building Regulations or from any penalty prescribed by law.

E. Stop Work Order Fees

Stop work order fees shall be as set forth in the fee resolution.

F. TFPD Fees

The Telluride Fire Protection District (“TFPD”) is the department of fire prevention as set forth herein for the IFC. The TFPD fees related to the administration and enforcement of the IFC shall be as set forth in the fee resolution.

17.7.5 INSPECTIONS

- A. All construction or work for which a permit is required shall be subject to inspection by the Building Official or its designee, and all such construction or work shall remain accessible and exposed for inspection purposes until approved. In addition, certain types of construction shall have continuous inspection as specified in the International Building Code Chapter 16, Structural Tests and Special Inspections. Inspections that take place outside normal hours of operation shall pay a fee as set forth in the fee resolution. To avoid inspection delays the permit holder shall post the inspection card where visible from the street and post the job site address as required by the IFC. The permit holder is responsible for supplying ladders and safe access to the work for inspection.
- B. If, due to excessive workload and manpower limitations, the Building Official is unable to perform a requested inspection during scheduled work hours on the working day following the inspection request, the Building Official may approve, in writing, special inspection reports, contractor certifications, or other satisfactory evidence of the work being completed substantially in compliance with the Building Regulations may be accepted in lieu of the required inspections noted below. When approved by the Building Official, trenches, footings or pads inspections of foundation walls and/or grade beams steel reinforcement inspections may be performed by a qualified architect or engineer serving as a special inspector. The Building Official may approve in writing the allowance for written, signed certifications from the contractor performing the work in lieu of the required inspections for damp-proofing, perimeter drain, insulation, and lath and/or wallboard fastening if all or a portion of the work cannot be inspected during scheduled work hours on the working day following the day of the inspection request. In addition to the called inspections specified above, the Building Official may make or require other inspections of any construction work to ascertain compliance with the provisions of the Building Regulations.
- C. A re-inspection fee will be assessed for each inspection or re-inspection when such portion of work for which an inspection is called on is not complete or at time of re-inspection the required correction was not made. This subsection is not to be interpreted as requiring re-inspection fees the first time a job is rejected for failure to comply with the requirements of the Building Regulations, but as controlling the practice of calling for inspections before the job is ready for such inspection or re-inspection. Re-inspection fees may be assessed when the inspection card is not posted or otherwise available on the work site, the approved plans are not readily available to

the inspector, for failure to provide access on the date for which inspection is requested, or for deviating from plans requiring the approval of the Building Official. To obtain a re-inspection, the applicant shall pay the re-inspection fee as set forth in the fee resolution. In instances where re-inspection fees have been assessed, no additional inspection of the work will be performed until the required fees have been paid.

- D. Work requiring a permit shall not commence until the permit holder or an agent of the permit holder has posted or otherwise made available an inspection card such as to allow the Inspector/Building Official to conveniently make the required entries thereon regarding inspection of the work. The inspection card shall be maintained and available by the permit holder until final approval has been granted by the Building Official. Loss of an inspection card shall result in the fee as set forth in the fee resolution.
- E. When, in the opinion of the Building Official, certain geologic hazards or constraints, including but not limited to, landslides, rock falls, flash flooding, mudslides, avalanches, subsidence and/or soil creep exist or may exist with respect to a specific building proposal, a soil and/or geologic investigation may be required prior to the issuance of a building permit. Such investigation, when required, shall be documented by submittal to the Building Official of an acceptable written report, which is stamped and signed by a soils engineer and/or an engineering geologist within his field of expertise. Said report(s) shall contain specific recommendations regarding the building location and design. The relationships of: (1) site grading, structural integrity, and septic drain fields and (2) the geologic hazards or constraints, shall be considered in the report.

17.7.6 EPLANS REVIEW AND REQUIRED CONSTRUCTION DOCUMENTS

- A. The Building Department shall receive pdf or other electronic plans and submittal requirements in accordance with posted ePlans process submittal requirement as set forth by the Building Official.
- B. When the Building Official issues a permit, the reviewed red lined construction documents shall be issued to the applicant.
- C. The permittee shall be responsible for providing an official approved plan set on the site of work and shall be open to inspection by the Building Official or his authorized representative. The red-lined job site plan set shall be full size easily legible paper documents.

17.7.7 CERTIFICATE OF OCCUPANCY

- A. **Use and Occupancy.** No building or structure shall be used or occupied, and no permitted change in the existing occupancy classification of a building or structure or portion thereof shall be made until the Building Official has issued a Certificate of Occupancy ("CO") therefor as provided herein.
- B. **Occupancy**
 - 1. **Certificate of Occupancy.** A CO shall be issued by the Building Official as set forth in the codes upon completion of the project and compliance with the Building Regulations, the CDC and other applicable Town laws.
 - a. The CO shall be revoked by the Building Official for projects that fall under the Building Regulations that make the structure uninhabitable during the course of construction.
 - 2. **Temporary Occupancy.** The Building Official is hereby authorized and may elect to issue a temporary certificate of occupancy ("TCO") before the completion of the entire work covered by the permit, provided that such portion or portions shall be occupied safely and there will be no danger to the public and the applicable provisions of the Building Regulations and CDC are met. The Building Official, in conjunction with the

Planning Division staff, shall set a time period during which the TCO is valid. The full CO must be obtained prior to the expiration of the TCO. If the conditions of the TCO are not met and a CO obtained, the right to occupy immediately ceases and the premises shall be vacated.

3. **Certificate of Compliance.** A certificate stating that materials and products meet specified standards or that work was done in compliance with approved construction documents. A certificate of compliance shall be issued in lieu of a CO when such work permitted is not designed for occupancy.
4. **Completion Certificate.** A completion certificate is issued by request at project completion involving additions, remodels or repair from flood, fire or natural disasters.

17.7.8 BUILDING BOARD OF APPEALS

A. Authority

In order to hear and decide appeals of administrative orders, decisions or determinations made by the Building Official relative to the application and interpretation of the Building Regulations, there shall be and is hereby created a Board of Building Appeals (“Board”). The Building Official shall be an ex officio member of and shall act as secretary to said Board but shall have no vote on any matter before the Board. The Board bylaws for conducting its business shall be created by Town Council. The Board shall be appointed by the Town Council and shall hold office at its pleasure. The Board shall render all decisions in writing with findings in accordance with the adopted bylaws.

B. Membership

The Board shall consist of five members, who shall be appointed by the Town Council. To the extent practicable, four members shall be persons qualified by experience and training to judge on matters pertaining to building construction.

C. Appointments and Terms of Office

Of those initially appointed, two shall be for a term of three years, two shall be for a term of two years, and one shall be for a term of one year. Thereafter, appointments shall be for a three-year term. Any member of the Board may be removed with or without cause by a majority vote of the Town Council. Any vacancy occurring on the Board shall be filled for the unexpired term by the Town Council.

D. Attendance

To ensure the orderly conduct of business, member attendance is vital. Except for emergency absences, medical condition absences and absences resulting from military leave of less than two continuous months, no Board member shall miss more than three meetings in any twelve-month period upon any fourth absence within 12 months, other than for an emergency, medical condition or military leave of less than two months, as determined by the chair, the Board member shall be deemed to have resigned from the Board, and the Town Council shall appoint a replacement.

E. Quorum and Voting

Quorum shall consist of three members, and a decision of a majority of the members of the Board shall control. Any absent member may join in a decision of the Board after he or she has considered the evidence presented in any hearings conducted during his or her absence. All decisions are final, subject only to appeal to a court of competent Town.

F. Officers

The Board shall annually elect a chair from its number who shall preside over all hearings and proceedings of the Board. A vice-chair elected annually by the Board shall assume the chair's duties in the chair's absence.

G. Meetings

The Board shall hold meetings at regularly scheduled intervals, but shall meet at a minimum of two times a year. Minutes shall be kept of all Board proceedings.

H. Appeal Procedures

All appeals of administrative decisions shall be filed in writing within 7 calendar days of the decision.

17.7.9 CONTRACTOR LICENSING REGULATIONS

A. Adoption of Contractor Licensing Regulations: The Town hereby adopts the following standards as the Contractor Licensing Regulations. The purpose of adopting the Contractor Licensing Regulations is to establish regulations that mandate and regulate the contracting community in Mountain Village, with the following main purposes:

1. Ensure that construction trades produce high quality buildings and structures;
2. Ensure safe and energy efficient buildings and structures that are built in accordance with the Town adopted International Code Council series of codes and the National Electrical Code;
3. Protect property owners and developers from fraudulent, corrupt and under qualified contractors; and
4. Create a pool of trained and qualified contractors to provide a high level of building service for property owners and developers.

B. Applicability.

The scope of this regulation excludes State of Colorado Plumbing and Electrical Contractors that are licensed and regulated through the state. Every business, sole proprietor, corporation, building company or individual performing or providing construction related services that is required to obtain a permit by the Building Regulations shall be required to obtain maintain the required contractor certifications and Town building licenses as set forth in the Contractor Licensing Regulations.

C. Required Contractor Certifications and Building License.

1. The following trades are required to obtain an International Code Council ("ICC") Certification in order for the Building Official to issue a Town building license. Only

licensed contractors shall be eligible to submit for and obtain a permit as required by the Building Regulations.

- a. General Contractor (A) Exam in order to be issued permits for structures covered under the IBC;
- b. General Contractor (B) Exam for light commercial and residential permits issued under the IBC and IRC;
- c. Residential General Contractor (C) Exam for one-and two-family dwellings permits issued under the IRC;
- d. Master Mechanical Exam for all types of mechanical permits; and
- e. Roofing Contractor Exam for all roofing contractors or subcontractors or roofing permits.

It is the general contractor's and its firm's responsibility to ensure it is obtaining the correct ICC certification. The Building Official may provide guidance on which certification is needed.

2. General Contractor. The following general contractor requirements shall be met:

- a. The general contractor shall be required to be certified and licensed as set forth herein.
- b. Each company must have at least one license holder with the currently adopted ICC Certification that matches their particular trade.
- c. All trades are required to have the current corresponding building code book on site as adopted by the Town which regulates that particular trade.
- d. The Town building license shall be renewed after the Town adopts the updated ICC codes by either (i) re-taking the applicable ICC test on the current code(s); or (ii) achieving .8 hours (equivalent to an 8 hour class) of continuing education credit, ("CEU") for each code referenced in the Town building license.

3. Renewal Fee. The fee to renew a contractor's license as required herein shall be set forth in the fee resolution. The fees shall be used by the Town to offset costs for contractor training classes that may count as a CEU.

4. Required Town Business Licenses. All contractors are required to have an active business license with the Town.

5. Owner-Builder. Home Owner-Builders that are conducting the building activities themselves, and subcontracting out small portions of the work are exempt from obtaining a Town building license.

- a. An owner-builder shall sign a Town approved homeowner permit affidavit.
- b. An owner-builder is deemed to be a person that will inhabit the SFD home as their main residence Two (2) or more years. The home may not be for sale or lease. The Town approved homeowner permit affidavit shall include a certification of the same and such affidavit shall be recorded in the records of the clerk and recorder's office for San Miguel County, Colorado.

D. Revoking of Building and or Business License. The Town may revoke a Town building and/or general Town business license due to two or more violations of the Building Regulations. Upon a first and second offense, the Building Official shall notify the offending business and/or individual in writing of the violation. On the third offense, within a five year period, the Building Official may permanently or temporarily revoke the Town building and/or general business license.

- E. Insurance requirements of contractors:** Each Contractor, tree removal service or landscaping business, doing business in the town shall have the following minimum insurance coverage:

\$1,000,000 in Employers Liability
\$1,000,000 General Liability
\$1,000,000 Each Occurrence the Town must be listed as an additional insured on the certificate of issuance.

17.7.10 INTERNATIONAL BUILDING CODE

- A. Adoption.** The Town of Mountain Village ("Town") hereby adopts and incorporates herein by reference the International Building Code ("IBC"), 2012 Edition, published by the International Code Council, Inc., 4051 West Flossmoor Road, Country Club Hills, IL 60478.

- B. Amendments, Additions and Modifications.** The IBC 2012 Edition is hereby amended in sections: 17.01.030 through 17.01.200 as follows:

- 1. Section 101.** Section 101 of the IBC is hereby amended as follows:

- a. **“Section 101.1, Title.** These regulations shall be known as the IBC "Town of Mountain Village Building Code" and may be cited as such and will be referred to herein as “this code” or "the IBC”
- b. **“Section 101.4.6.1, Energy.** The provisions of the 2012 IECC as set forth herein shall apply to all matters governing the design and construction of building for energy efficiency. If a prescriptive method of compliance is chosen, then the prescriptive requirements of the 2012 IECC shall be followed. If there are conflicts between the codes the more stringent provision will prevail.”

- 2. Section 103.1, Creation of Enforcement Agency.** Section 103.1 is hereby amended to read:

“The Building Division is hereby charged with enforcing the IBC, with the Building Official acting as the code official.”

- 3. Section 103.2, Appointment.** Section 103.2 is hereby deleted in its entirety due to the administrative provisions set forth herein.

- 4. Section A103.3, Deputies.** Section 103.3 is hereby deleted in its entirety due to the administrative provisions set forth herein.

- 5. Section 202.** Section 202 of the IBC is amended by inserting the following definitions:

- a. **“General Contractor:** The general contractor shall be the main firm or person that contracts with the property owner or developer to undertake a project covered by the Building Regulations that is responsible for and all work on each job site and oversees the subcontracting trades not licensed pursuant to the Building Regulations”
- b. **“Qualified Individual:** An individual who has passed the International Code Council test which covers the applicable currently adopted code or has achieved ongoing training updates to the currently adopted codes in the form of a minimum of 8 classroom hours or 8 CEU’s to update their license in accordance with the Contractor Licensing Regulations.”
- c. **“Plan Review Fee:** The plan review fee is a document preparation fee applicable to all permits.”

6. **Section 1603.** Section 1603 is hereby adopted by inserting the following:
- a. **“Section 1603.** Add: Ground snow load is 130 lbs. min standard plus elevation per SEAC Guide, Wind speed is 90 MPH 3 sec. wind gust exposure C, seismic design class C, weathering is: severe, frost line depth is 48 inches, termites are slight to moderate, decay is slight, winter design temp is is-15 degrees F, ice shield underlayment required: YES, flood hazards - firm: NI A Mountain Village, air freezing index is > 1500 and mean annual temperature is 40 degrees F.”
 - b. **“Section 1609, Wind Loads.** Buildings, structures and parts thereof shall be designed to withstand a minimum wind load of 90 mph with 3 second gust exposure. Section 1609.1.1 is only for reference since the minimum wind load is established herein.”
7. **Section 1613.** Section 1613 of the IBC is hereby adopted by inserting the following:
- “Section 1613.1.** Add: Town of Mountain Village is seismic design class C.”
8. **Section 1800.** Section 1800 of the IBC is hereby amended by inserting the following:
- “Section 1801.3, Design Water Tables.** The design water table shall be the measurement or prediction of the highest potential elevation of the water table at the building site where such measurement or prediction is based upon a report by a soils engineer or other qualified professional and where the accuracy of such measurement or prediction considers the average annual rain fall or other sources or factors which may influence fluctuations in the water table for the area in which the subject building site is located. In cases where the water table may be artificially lowered, the design water table must be determined subsequent to the sub drain system, funds for maintenance, and individual or group responsibility for on-going maintenance.”
9. **Appendix A, Employee Qualifications.** Section A101 is hereby amended as follows:
- “Section A101.4, Termination of Employment.** Employees in the position of Building Official, Inspector or Inspector shall be removed from office in accordance with the procedures for removal of employees as set forth by the Town of Mountain Village.”
10. **Section Appendix F, Rodent Proofing.** Appendix F is a reference standard hereby adopted into the 2012 IBC.
11. **Appendix I - Patio Covers.** Appendix I is a reference standard hereby adopted into the 2012 IBC.
12. All other appendices of the IBC not adopted herein are hereby deleted in their entirety.

17.7.11 INTERNATIONAL RESIDENTIAL CODE

- A. **Adoption.** The Town of Mountain Village ("Town") hereby adopts and incorporates herein by reference the International Residential Code for One-and Two-Family Dwellings, 2012 Edition, ("IRC") published by the International Code Council, Inc., 4051 West Flossmoor Road, Country Club Hills, IL 60478.
1. The IPC, IMC, NEC, IFGC, IFC and other adopted codes under these Building

Regulations shall also apply to construction covered by the IRC.

B. Amendments, Additions and Modifications. The IRC 2012 edition is hereby amended as follows:

1. Section R101. Section R101 of the 2012 IRC is amended as follows.

- a. **“Section 101.1, Title.** These regulations shall be known as the "Town of Mountain Village Building Code" may be cited as such and will be referred to herein as "this code" or as the “IRC””.
- b. **“Section 101.4.6.1, Energy.** The provisions of the 2012 IRC shall apply to all matters governing the design and construction of buildings for energy efficiency. The “local energy savings measures” shall be applicable to building or activities covered under the IRC. If a prescriptive method of compliance is chosen then the prescriptive requirements of the 2012 IRC must be followed. If there are conflicts between the codes the more stringent provision will prevail.”
- c. **“Section R IO1.4.1, Appendages and Projections.** Unenclosed accessory structures attached to buildings with habitable spaces and projections, such as decks, shall be constructed as either non-combustible, heavy timber or exterior grade ignition resistant materials such as those listed as WUIC (Wildland Urban Interface Code) approved products.”

2. Section 103.1, Creation of Enforcement Agency. Section 103.1 is hereby amended to read:

“Section 103.1, Creation of Enforcement Agency. The Building Division is hereby charged with enforcing the IRC, with the Building Official acting as the code official.”

3. Section 103.2, Appointment. Section 103.2 is hereby deleted in its entirety due to the administrative provisions set forth herein.

4. Section A103.3, Deputies. Section 103.3 is hereby deleted in its entirety due to the administrative provisions set forth herein.

5. Chapter 11, Energy Efficiency Section. NII01 of the IRC is hereby amended by adding the following section:

“Section NII01.2.2 International Energy Conservation Code. All IRC regulated heated buildings must be built to the IRC chapter 11 energy efficiency requirements and Local Energy Saving Measures as set forth herein. Where conflicts exist the most stringent requirement shall apply.”

6. Chapter 14, Electrical. Delete chapter 14 in entirety.

7. M1901.2, Cooking Appliances. Delete in entirety.

8. 1901.3, Prohibited Location. Delete in entirety.

9. Section G2415, Trenches. Section G2415.13 is hereby amended as follows:

“Section G2415, Trenches. The trench shall be graded so that the pipe has a firm, substantially continuous bearing on the bottom of the trench. Utility lines shall be located 3 feet horizontally away from any other utility lines. Each utility shall be bedded with 6 inches of pea gravel above and below the service line. Trenches shall have warning tape and or tracing wire as required by the Building Official.”

10. Plumbing

- a. **Section P2303.5.1, Rough Plumbing.** Delete the words “for piping other than plastic.”
 - b. **Section P2706.1, Waste Receptors.** Add: “Waste Receptors used for condensate disposal are permitted in any readily accessible location.”
 - c. **Section P2903.9.3, Fixture Valves and Access.** Add: Wall mounted sinks.
 - d. **Section P3009, Gray Water Recycling Add:** “Gray water may only be used as an effluent for flushing fixtures.”
11. **Appendix A.** Sizing Capacities of Gas Piping Appendix A is a reference standard hereby adopted into the 2012 IRC.
 12. **Appendix B.** Sizing of Venting Systems Serving Appliances Equipped with Draft hoods, Category 1 Appliances, and Appliances Listed for use and Type B Vents. Appendix B is a reference standard hereby adopted into the 2012 IRC.
 13. **Appendix C.** Exit Terminals of Mechanical Draft and Direct-Vent Venting Systems: Appendix C is a reference standard hereby adopted into the 2012 IRC.
 14. **Appendix E.** Manufactured Housing Used as Dwellings: Appendix E is a reference standard hereby adopted into the 2012 IRC
 15. **Appendix G.** Swimming Pools, Spas and Hot Tubs: Appendix G is a reference standard hereby adopted into the 2012 IRC.
 16. **Appendix H.** Patio Covers: Appendix H is a reference standard hereby adopted into the 2012 IRC
 17. **Appendix J.** Existing Buildings and Structures: Appendix J is a reference standard hereby adopted into the 2012 IRC
 18. **Appendix K.** Sound Transmission: Appendix K is a reference standard hereby adopted into the 2012 IRC.
 19. All other appendices of the IRC not adopted herein are hereby deleted in their entirety.

17.7.12 INTERNATIONAL ENERGY CONSERVATION CODE

- A. **Adoption.** The Town of Mountain Village ("Town") hereby adopts and incorporates herein by reference as the energy code of the Town of Mountain Village the International Energy Conservation Code, 2012 Edition, ("IECC") published by the International Code Council, Inc., 4051 West Flossmoor Road, Country Club Hills, IL 60478.
- B. **Alternative Methodologies.** A developer may propose to meet LEED Gold or higher certification as an alternative methodology to meeting the requirements of this section.
- C. **Amendments, Additions and Modifications.** The IECC 2012 edition is hereby amended as follows:
 1. **Section 103.1, Creation of Enforcement Agency.** Section 103.1 is hereby amended to read:

“**Section 103.1, Creation of Enforcement Agency.** The Building Division is hereby charged with enforcing the IECC, with the Building Official acting as the code official.”
 2. **Section 103.2, Appointment.** Section 103.2 is hereby deleted in its entirety due to the administrative provisions set forth herein.
 3. **Section A103.3, Deputies.** Section 103.3 is hereby deleted in its entirety due to the administrative provisions set forth herein.
 4. **Section C101.1, Title.** Section C101.01, Title is hereby amended as follows:

“Section C101.1, Title. This Code shall be known as the International Energy Conservation Code of the Town of Mountain Village and shall be cited as “this code” or the “IECC”

5. Local Energy Saving Measures

- a) **Scope.** The following requirements apply to all new residential construction, remodels, or additions, including without limitation single-family dwellings, multi-family dwellings, and mixed use developments.
- b) **Mandatory Requirements.** All projects shall comply with the local energy savings measures as set forth herein unless the Building Official, after receiving and reviewing a proposal for alternative means from a Colorado Licensed Engineer, determines that the alternative proposal meets the required renewable offset requirements as set forth herein. The Town may retain an engineering consultant for verification as needed at the expense of the permit holder. (Ordinance 2015-02)
- c) **HERS Ratings.**
 - i. All new detached single-family dwellings shall achieve the following Home Energy Rating System (“HERS”) ratings prior to the issuance of a building permit based on the gross floor area of the home:
 - (a) 7,000 sq. ft. or less: HERS rating of 60 or lower.
 - (b) 7,000 to 13,000 sq. ft.: HERS rating of 55 or lower
 - (c) 13,000 feet and larger: HERS rating of 50 or below.
 - ii. A confirmed HERS rating is required at or before CO.
- d) **Smart Building Program. (Ordinance 2015-02)** The intent of the Smart Building Program (“Program”) is to reduce the amount of energy and greenhouse gas emissions produced in the community through the promotion of energy efficient designs and building practices.

The following incentives are provided to accomplish the intent of the Program:

Renewable Energy. A renewable energy 20% building permit fee discount shall be provided when (1) there is no exterior energy use; and (2) at least 20% of the estimated energy use is offset by a renewable energy source.

Exterior Energy Use: Buildings designed with no exterior energy use elements other than lighting are eligible for a 15% building permit fee discount, which shall be applied in addition to any other building permit fee discounts available. When this rebate is awarded, a covenant shall be recorded against the property for the benefit of the town, acknowledging the acceptance of the owner’s forfeiture of the right to install any exterior energy use items after obtaining the CO for a period of fifty years in a form acceptable to the town attorney’s office. If during this period after CO it is found that exterior energy use items are desired by the owner and installed, the awarded building permit fee discount pursuant to this section shall be paid to the town per the terms of the covenant.

Interior Energy Use HERS Rating: Buildings designed with a HERS rating below 50 are eligible for a building permit fee discount in addition to the building permit fees set forth herein. The discount calculation begins at a HERS rating of 50. A new building with a

HERS rating of 50 would pay 100% of the building permit fee. The building permit fee would be reduced proportionately with the percentage reduction in the HERS rating. For instance a HERS score of 25 is a 50% reduction in the building permit fee. A HERS score of 0 would result in a 100% building permit fee discount. HERS ratings can be lowered by either on-site or off-site solar photovoltaic systems.

These three (3) owner incentives can be used collectively toward a building permit fee discount. Maximum collective building permit fee discount available with the Program efficient home design is a maximum cumulative discount of 100% of the building permit fee.

Exterior Energy Use. The IECC or accepted performance compliance methods do not address exterior energy use. However, it is the intent of the Program to include all energy use on site in the evaluation of the building's performance regarding energy use. Therefore, the energy required of exterior snowmelt systems, as well as site-built pools and spas must also be offset with renewable energy via the Offset Program.

Program Scope. The Offset Program shall apply to site built outdoor, spas, pools and all exterior energy used for snowmelt.

Snowmelt.

All snowmelt anywhere on the property shall be offset via the Program except for:

- (i.) Single-family Development: 1,000 square feet of exempt hydronic snow melt that shall be allowed without mitigation located only on the main drive and/or code required exit walkways, decks, stairs and landings.
- (ii.) Multi-family, Mixed Use and Commercial Development: 1,000 sq. ft. plus 50 square feet per dwelling unit of exempt hydronic snow melt that shall be allowed without mitigation located only on the main drive(s), decks, amenity areas and/or code required exit walkways, stairs and landings.
- (iii.) Attached single family units reviewed from the IRC (Duplex and Townhomes). 500 square foot of exempt per dwelling unit hydronic snowmelt shall be allowed without mitigation located only on the main drive and/or code required exit walkways, decks stairs and landings.
- (iv.) Pedestrian routes and plaza areas in the Village Center provided such areas meet the Design Regulations.
- (v.) Pool deck areas for multi-family or mixed-use hotbeds development sites as envisioned in the Comprehensive Plan.

Definition of Exempt Snow-Melt Area. Tubing installed to melt snow on a deck etc. where the intent is to remove snow from the walkable or drivable area shall be measured per the size of the entire potentially snow-melted area. For example if a 10' x 20' deck only has perimeter snow melt tubing, the entire area shall be counted toward the snow melt exemption.

All snow melt systems shall be equipped with both moisture and temperature sensors to control operation per the IECC and IRC. Hydronic snow melt systems shall have a minimum of R-15 insulation on the non-snow melt side.

Spas. Factory built spas (hot tubs) that are in compliance with section 1604 of title 20 of the current California Energy Commission requirements and have a maximum standby energy use of 205 watts per hour are exempt. Spa energy uses above 205 watts per hour adjusted for local climatic conditions are included in renewable energy mitigation offset requirements. Proof that the site built spa meets this requirement may be provided by a town engineering consultant, if needed, and will be at the expense of the owner. The owner of said property shall have the option of providing energy from a town approved renewable energy system, or making payment in lieu, or a combination of both, in order to offset energy used by exterior energy use equipment with renewable energy sources.

Exterior Pools. Exterior heated swimming pools must prove compliance with the currently adopted Energy Codes. The Council may waive the need to offset exterior pool heating for multifamily or mixed use hotbed projects that are envisioned in the Comprehensive Plan, or the town may use a portion of the project revenues to pay for part of or all of the energy offset.

Heated Garages. Heated garages must prove compliance with the currently adopted Energy Codes. This can be accomplished with a free program known as RES-Check. The garage would be included in the Res-Check calculation with the heated home. The blower door test required as per R402.4.1.2 shall apply only to the homes habitable space and the air sealing for the garage shall be visually inspected.

Exterior Energy Use Calculation. The total exterior energy use that must be offset with renewable energy, or payment made as a payment in-lieu as allowed in these regulations, will be calculated by the Town Building Official using the Build Smart Exterior Energy Calculation Spreadsheet (“Spreadsheet”) (Appendix 17-2). The Spreadsheet calculations were developed using the standard amount of energy used by the exterior systems and adjusted for local climatic conditions. Alternate and creative engineering solutions to reduce exterior energy use are encouraged and may be accepted as an offset method, when approved by the Building Official. The Spreadsheet will be updated regularly according to market fluctuations and may be amended and adopted by the annual Fee Resolution.

Renewable Energy Credit Calculation. Renewable mitigation offsets may be produced on-site or off-site and must be approved by the town. On site renewable energy methods receive double credit for offset purposes. For example if a town approved renewable energy source such as solar, geothermal heat pump, etc. installed on site produces 4KW then it will get credit for offsetting 8KW of exterior energy use. As new technology or other offsite renewable energy projects come on line, they may also be considered as approved systems by the Building Official. Where the necessary amount of renewable energy is unattainable on-site, a combination of renewable energy methods may be used.

Payment In-lieu. The town has the resources and ability to install renewable energy systems on public property or invest in offsite renewable energy systems that will offset exterior energy used in the community. If preferred by the property owner, the Town may accept payment from the owner of the affected property, in lieu of providing energy produced by a Town approved renewable energy system, Or, the town may accept partial payment in lieu from the affected property owner that provides only partial energy produced by a Town approved on-site or off-site renewable energy mitigation system. The owner shall make payment prior to receiving the building permit. The payment in lieu shall be calculated using the Spreadsheet.

Approved Renewable Energy Systems. All renewable energy systems proposed as part of the Build Smart Renewable Mitigation Program must be approved in advance by the Building Official. An engineering analysis may be required for calculating the renewable energy mitigation credit produced by an on- or off –site system. Review of the system by a Town engineering consultant, if needed, will be at the expense of the owner.

On-site renewable energy systems provided to offset exterior energy use will be required to be maintained and operated for the lifetime of the property, through a written agreement with the property owner and a covenant on the property.

Off-site renewable mitigation shall only be approved by the Building Official if, through a written agreement: (1) the system is legally tied to the property using exterior energy use with the inability to transfer to another property; and (2) the Town can easily verify at any time the offsite renewable energy system continues to provide renewable energy as provided for herein, with no restrictions on the Town’s ability to access renewable energy utility information.

Shut-off Timers. Exterior energy use items not mentioned shall be supplied with automatic shutoff timers.

Appropriation of Funds. All renewable mitigation program payments in lieu received by the town shall be deposited into a separate account with the Town to offset energy consumption for the benefit of the town’s citizens.

- e) **Engineered Heating Systems.** All detached single-family dwellings with equipment that meets the requirements for commissioning per sub-section N must have engineered heating systems. Where mechanical ventilation is required high efficiency energy recovery ventilators or heat recovery units shall be utilized for this purpose.
- f) **Direct Vent Furnace.** When the scope of the work of an addition to a dwelling or a remodel of a dwelling requires replacement of a furnace, the furnace shall be replaced with a direct vent unit that has a minimum 92 percent AFUE.
- g) **Direct Vent Boiler.** When the scope of the work of an addition to a dwelling or a remodel of a dwelling requires replacement of a boiler, the boiler shall be a direct vent unit that has a minimum 90 percent AFUE.
- h) **Prohibition on Electric Heating.** Electric resistance heating shall not be used as the buildings primary heating source.

- i) **Fireplaces.** Fireplaces must be EPA or California certified, and have tight fitting gasketed doors. Wood burning fireplaces shall meet the Solid Fuel Burning Device Regulations.
- j) **Programmable Thermostats.** Programmable thermostats are required for all heating and cooling systems as per the 2015 IRC section N1103.2.1
- k) **Automatic Exhaust Fan Switches.** Timers, humidistats or motion sensors are required for bath exhaust fans.
- l) **Local Insulation Requirements.**
 - i. Headers shall be insulated full open depth.
 - ii. Framed corners must be capable of being insulated.
 - iii. Shaft and knee walls for skylights shall be insulated as exterior walls and provided with adequate backing to support the insulation.
- m) **Range Hood Ducting.** Range hoods are required and must be ducted to the exterior.
- n) **Mechanical Systems Commissioning and Completion Requirements.** Engineering and commissioning of the mechanical and hot water heating systems shall be required on all residential where any of the following apply:
 - i. The equipment input rating exceeds 200,000 btu.
 - ii. The heated water exceeds 210 deg. F
 - iii. The heated water or water glycol storage capacity exceeds 120 gallons
Prior to the approval of the final mechanical inspection, the registered design professional shall provide evidence of mechanical systems commissioning and completion of the mechanical system installation to the Building Official.
- o) **Systems Adjusting and Balancing.** HVAC systems shall be balanced in accordance with generally accepted engineering standards. Air and water flow rates shall be measured and adjusted to deliver final flow rates within the tolerances provided in the product specifications.
- p) **Air Systems Balancing.** Each supply air outlet and zone terminal device shall be equipped with a means for air balancing in accordance with the International Mechanical Code. Discharge dampers are prohibited on constant volume fans and variable volume fans with motors of 10 hp (7.35 kW) and larger. Air systems shall be balanced in a manner to first minimize throttling losses then, for fans with system power of greater than 1 hp (735 W), fan speed shall be adjusted to meet design flow conditions.

Exception: Fans with fan motor horsepower of 1 hp (735 W) or less.

- q) **Hydronic Systems Balancing.** Individual hydronic heating and cooling coils shall be equipped with means for balancing and measuring flow. Hydronic systems shall be proportionately balanced in a manner to first minimize throttling losses, then the pump impeller shall be trimmed or pump speed shall be adjusted to meet design flow conditions. Each hydronic system shall have either the capability to measure pressure or temperature across the pump, or shall have test ports at each side of each pump.
Exceptions: pumps with pump motors of 5 hp (3677 W) or less where throttling results in not greater than 5 percent of the nameplate horsepower draw above that

required if the impeller were trimmed.

- r) **Functional Performance Testing.** Functional performance testing shall be in accordance with the requirements of this section.
- s) **Equipment.** Equipment functional performance testing shall demonstrate the installation and operation of components, systems, and system-to-system interfacing relationships in accordance with approved plans and specifications so that operation, function, and maintenance serviceability for each of the commissioned systems is confirmed. Testing shall include all specified modes of control and sequence of operation, including under full-load, part-load and all of the following emergency conditions:
 - i. Each mode as described in the sequence of operation.
 - ii. Redundant or automatic backup mode.
 - iii. Performance of alarms.
 - iv. Mode of operation upon a loss of power and restoration of power.
- t) **Controls.** HVAC control systems shall be tested to document that control devices, components, equipment, and systems are calibrated, adjusted and operated in accordance with the approved plans and specifications. Sequences of operation shall be functionally tested to document that they operate in accordance with the approved plans and specifications.
- u) **Economizers.** Air economizers shall undergo a functional test to determine that they operate in accordance with the manufacturer's specifications.
- v) **Acceptance.** Buildings, or portions thereof, shall not pass the final mechanical inspection until such time as the code official has received a final commissioning report from the design professional.
- w) **System Balancing Report.** A written report describing the activities and measurements completed shall be provided.
- x) **Final Commissioning Report.** A complete report, signed and sealed by the registered design professional, documenting that the mechanical and service water heating systems comply with the International Energy Conservation Code, the approved plans and manufacturer's specifications shall be provided to the Building Official.
- y) **Site Built Spas and Pools.** Site built pools and Spas shall be insulated equivalent to current California Energy compliant factory built hot tubs and spas or be offset by a Town approved renewable energy source.

17.7.13 INTERNATIONAL MECHANICAL CODE

- A. **Adoption.** The Town of Mountain Village ("Town") hereby adopts and incorporates herein by Reference as the mechanical code of the Town of Mountain Village the International Mechanical Code, 2012 Edition, ("IMC") published by the International Code Council, Inc., 4051 West Flossmoor Road, Country Club Hills, IL 60478.
- B. **Amendments, Additions and Modifications.** The IMC 2012 Edition is hereby amended as follows:
 - 1. **Section 101.** Section 101 of the IMC is hereby amended as follows:

“**Section 101.1, Title.** These regulations shall be known as the Mechanical Code of the Town of Mountain Village, Colorado, hereinafter referred to as "this code" or the “IMC.”

2. **Section 103.1, General.** Section 103.1 is hereby amended to read:

“**Section 103.1, General.** The Building Division is hereby charged with enforcing the IMC, with the Building Official acting as the code official.”

3. **Section 103.2, Appointment.** Section 103.2 is hereby deleted in its entirety due to the administrative provisions set forth herein.

4. **Section A103.3, Deputies.** Section 103.3 is hereby deleted in its entirety due to the administrative provisions set forth herein.

5. **Section 106.** Section 106 of the IMC is hereby amended as follows:

6. **Section 106.3.1, Construction documents.** Add: “A Colorado Licensed Professional Mechanical Engineer shall provide stamped drawings for approval to the Building Official. Exceptions may be allowed at the discretion of the Building Official.”

7. **Appendix A Chimney Connector Pass-Through.** Appendix A is a reference standard hereby adopted into the 2012 IMC.

8. All other appendices of the IMC not adopted herein are hereby deleted in their entirety.

17.7.14 INTERNATIONAL FUEL GAS CODE

A. **Adoption.** The Town of Mountain Village hereby adopts and incorporates herein by reference as the Fuel Gas Code of the Town, the International Fuel Gas Code, 2012 Edition ("IFGC") as published by the International Code Council, Inc. 4051 West Flossmoor Road, Country Club Hills, IL 60478.

B. **Amendments, Additions and Modifications.** The IFGC, is hereby amended as follows:

1. **Section 101.** Section 101 of the IFGC is hereby amended as follows:

“**Section 101.1, Title.** These regulations shall be known as the Town of Mountain Village Fuel Gas Code, hereinafter referred to as "this code" or the “IFGC”.”

2. **Section 103.1, General.** Section 103.1 is hereby amended to read:

“**Section 103.1, General.** The Building Division is hereby charged with enforcing the IFGC, with the Building Official acting as the code official.”

3. **Section 103.2, Appointment.** Section 103.2 is hereby deleted in its entirety due to the administrative provisions set forth herein.

4. **Section A103.3, Deputies.** Section 103.3 is hereby deleted in its entirety due to the administrative provisions set forth herein.

5. **Section 401.** Section 401 of the IFGC is hereby amended by inserting the following section:

“**Section 401.1.2, Underground Installation.** Gas service lines shall be separated by 3 feet horizontally of undisturbed or compacted earth from other service lines such as water, sewer, electric and gas.

Exception: The required separation distance shall not apply within the first five feet of the foundation and if the services lines are encased.”

6. **Appendix A, Sizing and Capacities of Gas Piping.** Appendix A is a reference standard

hereby adopted into the 2012 IFGC.

7. **Appendix B, Sizing of Venting Systems Serving Appliances Equipped with Draft Hoods, Category I Appliances and Appliances Listed for Use and Type B Vents.** Appendix B is a reference standard hereby adopted into the 2012 IFGC
8. **Appendix C, Exit Terminals of Mechanical Draft and Direct-Vent Venting Systems.** Appendix C is a reference standard hereby adopted into the 2012 IFGC.
9. All other appendices of the IFGC not adopted herein are hereby deleted in their entirety.

17.7.15 INTERNATIONAL PROPERTY MAINTENANCE CODE

- A. **Adoption.** The Town of Mountain Village hereby adopts and incorporates herein by reference as the Property Maintenance Code of the Town, the International Property Maintenance Code 2012 Edition, ("IPMC") as published by the International Code Council, Inc. 4051 West Flossmoor Road, Country Club Hills, IL 60478.
- B. **Amendments, Additions and Modifications.** The IPMC is hereby amended as follows:
 1. **“Section 101.1, Title.** These regulations shall be known as the Town of Mountain Village Property Maintenance Code, hereinafter referred to as "this code" or the “IPMC”.”
 2. **Section 103.1, General.** Section 103.1 is hereby amended to read:

“**Section 103.1, General.** The Building Division is hereby charged with enforcing the IPMC, with the Building Official acting as the code official.”
 3. **Section 103.2, Appointment.** Section 103.2 is hereby deleted in its entirety due to the administrative provisions set forth herein.
 4. **Section A103.3, Deputies.** Section 103.3 is hereby deleted in its entirety due to the administrative provisions set forth herein.
 5. **Section 103.5, Fees.** Section 103.5 is hereby deleted in its entirety due to the administrative provisions set forth herein.

17.7.16 NATIONAL ELECTRIC CODE

- A. The Town of Mountain Village hereby adopts and incorporates herein by reference as the Electrical Code of the Town, the of the National Electrical Code (“NEC”) as are published by the National Fire Protection Association Inc, and adopted as the electrical code of the State of Colorado.
- B. The NEC shall automatically be re-adopted as the electrical code for the Town of Mountain Village at the time of the State of Colorado adopting such updated versions as the electrical code of the State of Colorado.
- C. **Amendments, Additions and Modifications.** The NEC is hereby amended as follows:
 1. The Building Division is charged with administering and enforcing the provisions of the NEC.

17.7.17 INTERNATIONAL PLUMBING CODE

- A. **Adoption.** There is hereby adopted and incorporated herein by reference as the plumbing code of the Town of Mountain Village, the International Plumbing Code ("IPC"), 2012 Edition, published by the International Code Council, Inc. 4051 West Flossmoor Road, Country Club Hills, IL 60478.

B. Amendments, Additions and Modifications. The International Plumbing Code, 2012 Edition is hereby modified as follows:

1. Section 101. Section 101.1 of the IPC is hereby modified to read as follows:

“**Section 101.1, Title.** These regulations shall be known as the International Plumbing Code of the Town of Mountain Village, hereinafter referred to as "this code" or the “IPC””

2. Section 103.1, General. Section 103.1 is hereby amended to read:

“**Section 103.1, General.** The Building Division is hereby charged with enforcing the IPC, with the Building Official acting as the code official.”

3. Section 103.2, Appointment. Section 103.2 is hereby deleted in its entirety due to the administrative provisions set forth herein.

4. Section A103.3, Deputies. Section 103.3 is hereby deleted in its entirety due to the administrative provisions set forth herein.

5. Section 305. Section 305 of the IPC is hereby amended as follows:

“**Section 305.6.1 Sewer Depth.** Private sewage disposal systems are prohibited in the town. Building sewers shall be a minimum of 6 feet below grade.”

6. Section 312.3, Drainage and Vent Air Test. Section 312.3 of the IPC is hereby amended as follows:

“**Section 312.3 Drainage and Vent Air Test.** The sentence “Plastic piping shall not be tested using air” shall be deleted.”

7. Section 708. Section 708 of the IPC is hereby amended as follows:

“**Section 708.3 Where Required.** A minimum of one clean out shall be located outside the building within 10 feet of the outside foundation wall and in accordance with Sections 708.3.1 through 708.3.6.”

8. Section 904. Section 904 is hereby amended as follows:

“**Section 904.1, Roof Extension.** All open vent pipes that extend through a roof shall be terminated at least 36 inches above the roof.”

9. Appendix E, Sizing of Water Piping. Adopt entire Appendix E.

10. Appendix F, Structural Safety. Adopt entire Appendix F.

11. All other appendices of the IPC not adopted herein are hereby deleted in their entirety.

17.7.18 INTERNATIONAL EXISTING BUILDING CODE

A. Adoption. There is hereby adopted and incorporated herein by reference as the Existing Building Code of the Town of Mountain Village, the International Existing Building Code (“IEBC”), 2012 Edition, published by the International Code Council, Inc. 4051 West Flossmoor Road, Country Club Hills, IL 60478.

B. Amendments, Additions and Modifications. The International Existing Building Code, 2012 Edition is hereby modified as follows:

1. **Section 101.** Section 101 of the IEBC is hereby modified to read as follows:

“**Section 101.1, Title.** These regulations shall be known as the International Existing Building Code of the Town of Mountain Village, hereinafter referred to as "this code" or the “IEBC””

2. **Section 103.1, General.** Section 103.1 is hereby amended to read:

“**Section 103.1, General.** The Building Division is hereby charged with enforcing the IEBC, with the Building Official acting as the code official.”

3. **Section 103.2, Appointment.** Section 103.2 is hereby deleted in its entirety due to the administrative provisions set forth herein.

4. **Section A103.3, Deputies.** Section 103.3 is hereby deleted in its entirety due to the administrative provisions set forth herein.

5. **Section 116.** Section 116 of the IEBC is hereby amended to read as follows:

“**Section 116.1, Emergency Measures 116.1.** When in the opinion of the Building Official there is imminent danger of snow or ice falling from a building in a public area endangering the public or of failure or collapse of a building that endangers life, or when any building or a part of a building has fallen and life is endangered by the occupation of the building, or when there is actual or potential danger to the building occupants or those in proximity of any structure explosives, explosive fumes or vapors, or the presents of toxic fumes or vapors, or the presence of toxic fumes, gases or materials, or operation of defective or dangerous equipment, the code official shall cause to be posted at each entrance to such structure a notice reading as follows: “This Structure is Unsafe and Its Occupancy Has Been Prohibited by the Code Official.” It shall be unlawful for any person to enter such structure except for the purpose of securing the structure, making the required repairs, removing the hazardous condition, or of demolishing the same.”

17.7.19 INTERNATIONAL FIRE CODE

A. **Adoption.** The Town hereby adopts and incorporates herein by reference the International Fire Code (“IFC”) 2012 Edition, published by the International Code Council, Inc., 4051 West Flossmoor Road, Country Club Hills, IL 60478.

B. **Amendments, Additions and Modifications.** The IFC 2012 Edition is hereby amended as follows:

1. **Section 103.1 General.** Section 103.1 is hereby amended to read as follows:

“**Section 103.1 General.** The Telluride Fire Protection District (“TFPD”) is hereby appointed by the Town to act as the department of fire prevention. The Building Division may also serve as the department of fire prevention as circumstances warrant.” The department of fire prevention shall be under the direction of the fire code official.”

2. **Section 103.2 Appointment.** Section 103.2 is hereby amended to read as follows:

“**Section 103.2 Appointment.** “The fire code official shall be the TFPD appointed Fire Marshal. The Building Official may also act as the fire code official as circumstances warrant.”

3. **104.3 Right of Entry.** Section 104.3 is hereby amended to read as follows:

“104.3 Right of Entry. Whenever it is necessary to make an inspection to enforce the provisions of this code, or whenever the Fire Marshal has reasonable cause to believe that there exists in a building or upon any premises any conditions or violations of this code which make the building or premises unsafe, dangerous or hazardous, the Fire Marshal shall have the authority to enter the building or premises at all reasonable times to inspect or to perform the duties imposed upon the Fire Marshal by this code. If such building or premises is occupied, the Fire Marshal shall present credentials to the occupant and request entry. If such building or premises is unoccupied, the Fire Marshal shall first make a reasonable effort to locate the building owner or other person having charge or control of the building or premises and request entry. If entry is refused, the Fire Marshal has recourse to every remedy provided by law to secure entry. Said person who refuses entry is in violation of Section 18-8-106 of the Colorado Revised Statutes.”

4. **104.10.1 Assistance from Other Agencies.** Section 104.10.1 is hereby amended to read as follows:

“104.10.1 Assistance from Other Agencies Police and other enforcement agencies shall have the authority to render necessary assistance in the investigation of fires and the enforcement of this code when requested to do so by the Fire Marshal.”

5. **104.11.2 Obstructing Operations.** Section 104.11.2 is hereby amended to read as follows:

“104.11.2 Obstructing Operations. No person shall obstruct the operations of the fire department in connection with the extinguishment or control of any fire, or actions relative to other emergencies, or disobey any lawful command of the fire chief or officer of the fire department in charge of the emergency, or any part thereof, or any lawful order of a police officer assisting the fire department. Said person shall be in violation of Section 18-8-104 of the Colorado Revised Statutes.”

6. **105.1.1 Permits Required.** Section 105.1.1 is hereby amended to read as follows:

“105.1.1 Permits Required. Any property owner or authorized agent who intends to conduct an operational business, or install or modify systems and equipment which is regulated by this code, or to cause any such work to be done, shall first make application to the Fire Marshal and obtain the required permits. Permit fees, if any, shall be paid prior to the issuance of the permit. Issued permits shall be kept on the premises designated therein and shall be readily available for inspection by the Fire Marshal.”

7. **105.4.1 Submittals.** Section 105.4.1 is hereby amended to read as follows:

“105.4.1 Submittals. Construction documents and supporting data shall be submitted with each application for a permit and in such form and detail as required by this code, nationally recognized standards, and the Fire Marshal. The construction documents shall be prepared by a registered design professional where required by the statutes of the State and or the jurisdiction in which the project is to be constructed.”

8. **105.4.2.1 Fire Protection System Shop Drawings.** Section 105.4.2.1 is hereby amended to read as follows:

“105.4.2.1 Fire Protection System Shop Drawings. Shop drawings for the fire protection system(s) shall be submitted to indicate compliance with this code and the construction

documents, and shall be approved prior to the start of installation. Shop drawings shall contain all information as required by the referenced installation standards in Chapter 9 and the appropriate NFPA standard.”

9. **105.4.2.1 Fire Protection System Shop Drawings.** Section 105.4.2 is hereby amended to add a new section 105.4.2.2 as follows:

“**105.4.2.2 Fire Alarm and Detection System Shop Drawings.** Shop drawings for the fire alarm and detection system(s) shall be submitted to indicate compliance with this code, the TFPD Fire Alarm Policy, the construction documents, and the appropriate NFPA standard and shall be approved prior to the start of installation. Shop drawings shall contain all information as required by Section 907 of this code, the TFPD Fire Alarm Policy, and the appropriate NFPA Standard.”

10. **105.6.3 Aviation Facilities.** Section 105.6.3 is hereby deleted in its entirety.
11. **105.6.11 Cutting and Welding.** Section 105.6.11 is hereby deleted in its entirety.
12. **105.6.13 Exhibits and Trade Shows.** Section 105.6.13 is hereby deleted in its entirety.
13. **105.6.16 Flammable and Combustible Liquids.** Section 105.6.16 is hereby amended to delete sections 10 and 11 in their entirety.
14. **105.6.23 Hot Work Operations.** Section 105.6.23 is hereby amended by deleting section number 3 in its entirety. All other sections remain in effect.
15. **105.6.25 Lumber Yards and Woodworking Plants.** Section 105.6.25 is hereby deleted in its entirety.
16. **105.6.27 LP-Gas.** Section 105.6.27 is hereby deleted in its entirety.
17. **105.6.32 Open Flames and Candles.** Section 105.6.32 is hereby deleted in its entirety.
18. **105.6.34 Places of Assembly.** Section 105.6.34 is hereby deleted in its entirety.
19. **105.6.39 Repair Garages and Motor Fuel Dispensing Facilities.** Section 105.6.39 is hereby deleted in its entirety.
20. **105.6.43 Temporary Membrane Structures and Tents.** Section 105.6.43 is hereby deleted in its entirety.
21. **105.6.45 Waste Handling.** Section 105.6.45 is hereby deleted in its entirety.
22. **105.6.46 Wood Products.** Section 105.6.46 is hereby deleted in its entirety.
23. **105.7.13 Solar Photovoltaic Power Systems.** Section 105.7.13 is hereby deleted in its entirety.
24. **105.7.16 Temporary Membrane Structures and Tents.** Section 105.6.16 is hereby deleted in its entirety.
25. **Section 106.2.1 Inspections.** Section 106.2.1 is hereby amended to read as follows:

“**106.2.1 Inspection requests.** It shall be the duty of the permit holder or their duly authorized agent to notify the Fire Marshal when work is ready for inspection. It shall be the duty of the permit holder to provide access to and means for inspections of such work that are required by this code. A minimum of 24 hours notice is required for all inspections.”

26. **107.2 Testing and Operation.** Section 107.2 is hereby amended to read as follows:

“**107.2 Testing and Operation.** Equipment requiring periodic testing or operation to ensure maintenance shall be tested or operated as specified in this code, or other nationally recognized standards. The more stringent of the testing or operational requirements shall apply.”

27. **108.1 Board of Appeals Established.** Section 108.1 is hereby amended to read as follows:

“108.1 Board of Appeals Established. In order to hear appeals of orders, decisions or determinations made by the TFPD Fire Marshal relative to the application and interpretation of this code, there shall be and is hereby created a board of appeals. The Board of Directors of the TFPD shall act as the board of appeals. The TFPD Fire Marshal shall be an ex officio member of the board of appeals but shall have no vote on any matter before the board. The board shall adopt bylaws and rules of procedure for conducting its business, and shall render all decisions and findings in writing to the appellant with a duplicate copy to the Fire Marshal and the Town Building Official.

108.1.1 Variances to the Provisions for Driveways and Fire Department Access. The board may, at its discretion, grant variances to the provisions of this code as it relates to driveways and fire department access, if in the determination of the Fire Marshal in consultation with the Community Development Department, the variance complies with the intent of the code. Variances may only be requested if the TFPD Fire Marshal determines, in consultation with the Community Development Department, that special conditions exist with the applicant’s site conditions.”

28. 108.3 Qualifications. Section 108.3 is hereby deleted in its entirety.

29. 109.4 Violation Penalties. Section 109.4 is hereby amended to read as follows:

“109.3 Violations and Penalties. Persons who shall violate a provision of this code or shall fail to comply with any of the requirements thereof or who shall erect, install, alter, repair or do work in direct violation of the approved construction documents or directive of the TFPD Fire Marshal, Building Official or of a permit or certificate used under provisions of this code, shall be guilty of a misdemeanor, punishable by a fine of not more than \$3,000.00, or by imprisonment not exceeding 30 days, or both such fine and imprisonment. Each day that a violation continues after due notice has been served shall be deemed a separate offense.”

30. 111.4 Failure to Comply. Section 109.4 is hereby amended to read as follows:

“111.4 Failure to Comply. Any person who shall continue any work 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 to a fine of not less than \$3,000.00 or more than \$10,000.00.”

31. Section 202 General Definitions. Section 202 is hereby amended to:

- a. Add a definition of Driveway as follows: **“Driveway.** Shall provide access to Group R-3 occupancies only and shall meet the requirements of Section 503.7 of this code.
- b. Amend the definition of Fire Chief as follows: **“Fire Chief.** The Chief of the department of fire prevention, or its duly authorized representative. A.K.A. Fire Marshal”
- c. Amend the definition of fire code official as follows: **“Fire Code Official.** The TFPD Fire Marshal or other designated authority charged with the administration and Enforcement of the code, or a duly authorized representative. In the absence of the TFPD Fire Marshal or a TFPD duly authorized representative, the Building Official may act as the fire code official.
- d. Amend the definition of high rise building as follows: **“High Rise Building.** A building with an occupied floor located more than 65 feet (19812mm) above the lowest level of fire department vehicle access.”

32. 307.1.1 Prohibited Open Burning. Section 307.1.1 is hereby amended to read as follows:

“**307.1.1 Prohibited Open Burning.** Prescribed burning for the purpose of reducing the impact of wildland fire.”

33. 307.2 Permit Required. Section 307.2 is hereby amended to read as follows:

“**307.2 Permit Required.** A permit shall be obtained from the Fire Marshal, for areas within incorporated town limits within the TFPD in accordance with Section 105.6 of this code and Ordinance #2012-1 San Miguel County Colorado, prior to kindling a fire for recognized silvicultural or range or wildlife management practices, prevention or control of disease or pests, or a bonfire. Application for such approval shall only be presented by and permits issued to the owner of the land upon which the fire is to be kindled.”

34. 308.1.4 Open Flame Cooking Devices. Section 308.1.4 is hereby amended to add one additional exception in sections 4 as follows:

4. Permanently installed and piped gas grill operating on natural gas that are installed and maintained per manufactures directions.”

35. 314.3 Highly Combustible Goods. Section 314.3 is hereby amended to read as follows:

“**314.3 Highly Combustible Goods.** The display of highly combustible goods, including but not limited to fireworks, flammable or combustible liquids, liquefied flammable gasses, oxidizing materials, pyroxylin plastics and agricultural goods, in main exit access aisles, corridors, covered and open malls, or within 5 feet (1524mm) of entrances to exits and exterior exit doors is prohibited when a fire involving such goods would rapidly prevent or obstruct egress. The display and retail sale of fireworks shall comply with State of Colorado Statutes.”

36. 401.3.3 Delayed Notification. Section 401.3.3 is hereby amended to read as follows:

“**401.3.3 Delayed Notification.** A person shall not, by verbal or written directive, require any delay in the reporting of a fire to the fire department. Said person is in violation of Colorado Revised Statute Section 18-8-111.

37. 401.5 Making False Report. Section 401.5 is hereby amended to read as follows:

“**401.5, Making False Report.** A person shall not give, signal or transmit a false alarm. Said person is in violation of Colorado Revised Statute Section 18-8-111.”

38. 401.8 Interference with Fire Department Operations. Section 401.8 is hereby amended to read as follows:

“**401.8 Interference with Fire Department Operations.** It shall be unlawful to interfere with, attempt to interfere with, conspire to interfere with, obstruct or restrict the mobility of or block the path of travel of a fire department emergency vehicle in any way, or to interfere with, attempt to interfere with, conspire to interfere with, obstruct or hamper any fire department operation. Said person is in violation of Colorado Revised Statute Section 18-8-104.”

39. 405.2 Frequency. Section 405.2 is hereby amended to read as follows:

“**405.2 Frequency.** Required emergency evacuation drills shall be held at the intervals specified in Table 405.2 or more frequently where necessary to familiarize all occupants with the drill procedure. Occupancies regulated by the State of Colorado shall comply with the state requirements as a minimum.”

40. 407.1 General. Section 407.1 is hereby amended to read as follows:

“**407.1 General.** The provisions of Sections 407.2 through 407.7 shall be applicable where hazardous materials subject to permits under Section 5001.5 are located on the premises or where required by the Fire Marshal or by State or Federal regulations.”

41. 407.6 Hazardous Materials Management Plan. Section 407.6 is hereby amended to read as follows:

“**407.6 Hazardous Materials Management Plan.** Where required by this code, State or Federal regulations, each application for a permit shall include a Hazardous Materials Management Plan (HMMP) in accordance with Section 5001.5.1. The Fire Marshal is authorized to accept a similar plan required by other regulations.”

42. 408.3.1 First Emergency Evacuation Drill. Section 408.3.1 is hereby amended to read as follows:

“**408.3.1 First Emergency Evacuation Drill.** The first emergency evacuation drill of each school year shall be scheduled and conducted per state regulations or within 10 days of the beginning of classes, whichever is more stringent.”

43. 408.7 Group I-3 Occupancies. Section 408.7 is hereby amended to read as follows:

“**408.7 Group I-3 Occupancies.** Group I-3 occupancies shall comply with the requirements of Sections 408.7.1 through 408.7.4 and Sections 401 through 406 or State and or Federal regulations, whichever is more stringent.”

44. 503.1 Where Required. Section 503.1 is hereby amended to read as follows:

“**503.1 Where Required.** Fire apparatus access roads shall be provided and maintained in accordance with Sections 503.1.1 through 503.1.3 and resolution 88-1 as adopted by the TFPD, and or the regulations of the local jurisdiction, whichever is more stringent.”

45. 503.1.1 Buildings and Facilities. Section 503.1.1, Exception opening sentence only is hereby amended to read as follows:

“**503.1.1 Buildings and Facilities. Exception:** The Fire Marshal is authorized to increase the dimension of 150 feet (45720mm) to 225 feet (68580mm) where:...””, with no change to the three criteria.”

46. 503.2.3 Surface. Section 503.2.3 is hereby amended to read as follows:

“**503.2.3 Surface.** Fire apparatus access roads shall be designed and maintained to support the imposed loads of fire apparatus and shall be surfaced to provide all weather driving capabilities.

At a minimum fire apparatus access roads shall be compacted to withstand a 20 ton point load anywhere along its length and width.”

47. 503.2.4 Turning radius. Section 503.2.4 is hereby amended to read as follows:

“**503.2.4 Turning Radius.** The inside turning radii for a fire apparatus access road shall not be less than 32 feet (9753.8mm).”

48. 503.2.5 Dead Ends. Section 503.2.5 is hereby amended to read as follows:

“**503.2.5 Dead Ends.** Dead-end fire apparatus access roads in excess of 150 feet (45720mm) in length shall be provided with an approved area for turning around fire apparatus. See Appendix D for approved apparatus turnarounds.”

49. 503.2.7 Grade. Section 503.2.7 is hereby amended to read as follows:

“**503.2.7 Grade.** The grade of fire apparatus access roads shall be: Normal grades shall not exceed 8 percent. Transitional sections not exceeding 500 feet (152400 mm) in length may be allowed a maximum of 10 percent if approved by the Fire Marshal. Transitional sections exceeding 8 percent shall not be within 500 feet (152400 mm) of each other. Curves with a centerline radius of less than 250 feet (76200 mm) shall not exceed 8 percent grade.

EXCEPTION: Transitional sections may be allowed a maximum grade up to 12 percent with the approval of the Fire Marshal, providing all structures served by the fire apparatus access road other than Group U are equipped with a fire sprinkler system meeting the requirements of Sections 903.3.1.1, 903.3.1.2 or 903.3.1.3 as determined by the occupancy.”

50. 503.2.8, Angles of Approach and Departure. Section 503.2.8 is hereby amended to read as follows:

“**503.2.8 Angles of approach and departure.** The angles of approach and departure for fire apparatus access roads shall be no more than a maximum of a 5 percent grade for a minimum of 20 feet (6096mm).”

51. 503.6 Security Gates. Section 503.6 is hereby amended to read as follows:

“**503.6 Security gates.** The installation of security gates across a fire apparatus access road shall be approved by the Fire Marshal. Where security gates are installed, they shall have an approved means of emergency operation. The security gates and the emergency operation shall be maintained at all times. Electric gate operators, where provided, shall be listed in accordance with UL 325. Gates intended for automatic operation shall be designed, constructed and installed to comply with the requirements of ASTM F 2200. Security gates shall not encroach into the required fire apparatus access road width as stated in Section 503.2.1 and Section D105 for aerial fire apparatus access roads.”

52. 503.7 Driveways. Section 503.7 is hereby d established as a new section to read as follows:

“**503.7 Driveways.** Driveways shall be provided and maintained in accordance with Sections 503.7.1 through 503.7.2.

503.7.1 Driveways for R-3 Occupancies. An approved driveway shall be provided for every structure, or portion of a structure hereafter constructed or moved into or within the jurisdiction. The driveway shall comply with the requirements of this section and shall extend to within 150 feet (45720 mm) of all portions of the exterior walls of the first story of a structure as measured by an approved route around the exterior of the structure. A driveway shall serve no more than 3 R-3 structures.

EXCEPTION: The Fire Marshal is authorized to increase the dimension of 150 feet (45720mm) to 225 feet (68580mm) where:

1. The structure is equipped throughout with an approved automatic fire sprinkler system installed in accordance with Section 903.3.1.3; and
2. Driveway cannot be designed and installed per Section 503.7 because of the location on property, topography, waterways, non-negotiable grades or other similar conditions and the structure is equipped throughout with an approved, automatic fire sprinkler system installed in accordance with Section 903.3.1.3.

503.7.2 Specifications. Driveways shall be installed and arranged in accordance with Sections 503.7.2.1 through 503.7.2.10.

503.7.2.1 Dimensions. Driveways shall have an unobstructed width of not less than 12 feet (4876.8mm) and an unobstructed height of not less than 13 feet 6 inches (4114.8mm), with shoulders measuring 2 feet (609.6mm) on each side of a 12 foot (3657.6mm) drive surface. The shoulders shall be compacted to withstand a 20 ton load minimum. The shoulders shall pitch at no more than a 2 percent grade from the edge of the normal drive surface.

503.7.2.1.1 Authority. The Fire Marshal, in consultation with the Community Development Department, shall have the authority to require an increase in the minimum width of driveways where they are inadequate for fire or rescue operations.

503.7.2.2 Surface. Driveways shall be designed and maintained to support the imposed loads of fire apparatus, 20 tons minimum, and shall be surfaced so as to provide all-weather driving capabilities.

503.7.2.3 Turning Radius. The inside turning radii of a corner shall not be less than 32 feet (9753.6mm).

503.7.2.4 Dead end Driveways. Dead end driveways in excess of 150 feet (45720mm) shall be provided with an approved fire apparatus turnaround. See Figure D 103.1 for approved fire apparatus turnarounds.

503.7.2.5 Driveways in Excess of 200 Feet (60960mm) in Length. Driveways in excess of 200 feet (60960mm) in length and less than 20 feet (6096mm) in width shall be provided with turnouts in addition to an approved fire apparatus turnaround.

503.7.2.6 Turnouts. Driveway turnouts shall be an all-weather driving surface at least 10 feet (3048mm) wide and 40 feet (12192mm) long and be compacted to withstand a 20 ton load minimum. Driveway turnouts shall be located as required by the Fire Marshal.

503.7.2.7 Bridges and Elevated Surfaces. See Section 503.2.6.

503.7.2.8 Grades. Normal grades shall not exceed 8 percent. Transitional sections not exceeding 500 feet (152400mm) may be allowed a maximum of 10 percent if approved by the Fire Marshal. Transitional sections exceeding 8 percent grade shall not be within 500 feet (152400mm) of each other. Curves with a centerline radius of less than 250 feet (76200mm) shall not exceed 8 percent.

EXCEPTION: Transitional sections may be allowed a maximum grade up to 12 percent providing all Group R-3 structures are equipped with an approved automatic fire sprinkler system meeting the requirements of Section 903.1.3.

503.7.2.9 Angles of Approach and Departure. The angles of approach and departure for driveways shall be no more than a maximum of a 5 percent grade for a minimum of 20 feet (6096mm).

503.7.2.10 Security Gates. The installation of security gates across a driveway shall be approved by the Fire Marshal. Where security gates are installed, they shall have an approved means of emergency operation. The security gates and emergency operation shall be maintained operational at all times. Security gates shall not encroach into the required driveway width or height.”

53. 505.1 Address Identification. Section 505.1 is hereby amended to read as follows:

“**505.1 Address Identification.** New and existing buildings shall have approved address numbers, building numbers or approved building identification placed in a position that is plainly legible and visible from the street or road fronting the property. These numbers shall contrast with their background. Where required by the Fire Marshal address numbers shall be provided in additional approved locations to facilitate emergency response. Address numbers shall be Arabic numbers or alphabetical letters. Numbers shall be a minimum of 4 inches (101.6mm) high with a stroke width of 0.5 inch (12.7mm). Where access is by means of a private road and the building cannot be viewed from the public way, a monument, pole or other sign or means shall be used to identify the structure. Address numbers shall be maintained. If local design requirements are more stringent they shall apply, however in no case shall less stringent requirements apply.”

54. 507.1 Required Water Supplies. Section 507.1 is hereby amended to read as follows:

“**507.1 Required Water Supplies.** An approved water supply capable of supplying the required fire flow for fire protection shall be provided to premises upon which facilities, buildings or portions of buildings are hereafter constructed or moved into or within the jurisdiction. Water supply systems in service at the time of the adoption of this code shall not be required to meet the distance requirement for hydrant spacing contained herein. However, installation of new hydrants on a pre-existing system, whether due to maintenance or expansion of the system, shall meet the distance requirements contained herein.”

55. 508.1.1 Location and Access. Section 508.1.1 is hereby amended to read as follows:

“**508.1.1 Location and Access.** The location and accessibility of the fire command center shall be approved by the Fire Marshal.”

56. 510.2 Emergency Responder Radio Coverage in Existing Buildings. Section 510.2 is hereby amended to read as follows:

“**510.2 Emergency Responder Radio Coverage in Existing Buildings.** Existing buildings that do not have approved radio coverage for emergency responders within the building, shall be equipped with such coverage when existing wired communication system cannot be repaired or is being replaced, or where not approved in accordance with section 510.1 Exception 1.”

57. 603.1 Installation. Section 603.1 is hereby amended to read as follows:

“603.1 Installation. The installation of non-portable fuel gas appliances shall comply with the International Fuel Gas Code or the appropriate NFPA standard, whichever is more stringent. The installation of all other fuel-fired appliances, other than internal combustion engines, oil lamps and portable devices such as blow torches, melting pots and weed burners, shall comply with this section, the International Mechanical Code or the appropriate NFPA standard, whichever is more stringent.”

58. 603.1.2 Approval. Section 603.1.2 is hereby amended to read as follows:

“603.1.2 Approval. The design, construction and installation of fuel-fired appliances shall be in accordance with the International Fuel Gas Code, the International Mechanical Code, or the requirements of the appropriate NFPA standard, whichever is more stringent.”

59. 603.3 Fuel Oil Storage Systems. Section 603.3 is hereby amended to read as follows:

“603.3 Fuel Oil Storage Systems. Fuel oil storage systems shall be installed in accordance with this code, state and federal EPA regulations or the appropriate NFPA standard, whichever is more stringent. Fuel oil piping systems shall be installed in accordance with the International Mechanical Code, state and federal EPA regulations or the appropriate NFPA standard, whichever is more stringent.”

60. 603.3.1 Fuel Oil Storage in Outside, Above-Round Tanks. Section 603.3.1 is hereby amended to read as follows:

“603.3.1 Fuel Oil Storage in Outside, Above-Round Tanks. Where connected to a fuel oil piping system, the maximum amount of fuel oil storage allowed outside above ground without additional protection shall be 660 gallons (2498L). The storage of fuel oil above ground in quantities exceeding 660 gallons (2498L) shall comply with NFPA 31 or state and federal EPA regulations, whichever is more stringent.”

61. 603.3.3 Underground Storage of Fuel Oil. Section 603.3.3 is hereby amended to read as follows:

“603.3.3 Underground Storage of Fuel Oil. The storage of fuel oil in underground storage tanks shall comply with NFPA 31 or state and federal EPA regulations, whichever is more stringent.”

62. 603.8 Incinerators. Section 603.8 is hereby amended to read as follows:

“603.8 Incinerators. Commercial, industrial and residential-type incinerators and chimneys shall be constructed in accordance with the International Building Code, the International Fuel gas code and the International Mechanical Code or state and federal EPA regulations, whichever is more stringent.”

63. 604.2.14 High-Rise Buildings. Section 604.2.14 is hereby amended to read as follows:

“604.2.14 High-Rise Buildings. Standby power, light and emergency systems in high-rise buildings shall comply with the requirements of Sections 604.2.14.1 through 604.2.14.3, and Sections 403.4.8 through Section 403.3.9.1 of the IBC.”

64. 606.8 Detection Devices. Section 606.8 is hereby amended to add three new subsections

as follows:

“606.8.1 Detection Devices. Detection devices shall be connected to an alarm system(s) utilizing listed fire alarm signaling devices capable of generating a sound level of at least 15db above the ambient sound pressure level of the space in which they are installed and providing a distinctive audible and visual alarm.

606.8.2 Power and Supervision. Detection and alarm system(s) shall be powered and supervised as required for fire alarm systems in accordance with Section 907 of this code and the TFPD Alarm Policy.

606.8.3 Monitoring and Annunciation. Detection and alarm system(s) shall be remotely annunciated at an approved constantly attended location as required for fire alarm systems in accordance with Section 907 of this code, NFPA 72 and the TFPD Fire Alarm Policy.”

65. Section 607.4 Elevator Key Location. Section 607.4 is hereby amended to read as follows:

“607.4 Elevator Key Location. Keys for the elevator car doors and fire-fighter service keys shall be kept in a Knox Box key box which shall be located as directed by the Fire Marshal or his designee.”

66. 608.1 Scope. Section 608.1 is hereby amended to read as follows:

“608.1 Scope. Stationary storage battery systems having an electrolyte capacity of more than 50 gallons (189L) for flooded lead-acid, nickel cadmium (Ni-Cd) and valve regulated lead-acid (VRLA), or more than 1,000 pounds (454kg) for lithium-ion and lithium metal polymer, used for facility standby power, emergency power or uninterruptable power supplies shall comply with this section, Table 608.1, and all pertinent state and federal regulations whichever is more stringent.”

67. 608.10 Hydrogen Sulfide Detection. Section 608.10 is hereby amended to add a new section as follows:

“608.10 Hydrogen Sulfide Detection. An approved hydrogen sulfide detection system shall be installed in rooms containing a stationary battery system(s). The detection system shall be annunciated through the automatic fire alarm system and shall also be supervised by an approved central station service.”

68. 806.1.1 Exceptions: Section 806.1.1, Exception 1 is hereby amended to read as follows:

Exception 1:

1. “Trees located in areas protected by an approved automatic sprinkler system installed in accordance with Section 903.1.1 or 903.3.1.2 and the appropriate NFPA standard, and having a smoke detection system installed in accordance with Section 907, the TFPD Fire Alarm Policy and the appropriate NFPA standard, shall not be prohibited in Groups A, E, M, R-1 and R-2 occupancies.”

69. 807.1.2 Exceptions: Section 807.1.2, Exception 1, is hereby amended to read as follows:

“Exception: 1.

1. “In auditoriums in Group A, the permissible amount of decorative material meeting the flame propagation criteria of NFPA 701 shall not exceed 75 percent of the aggregate wall area where the building is equipped throughout with an approved automatic sprinkler system meeting the requirements of Section 903.1.1, the appropriate NFPA standard, and has a smoke detection system installed in accordance with Section 907, the TFPD Fire Alarm Policy, and the appropriate NFPA standard and where the decorative material is installed in accordance with Section 803.11 of the IBC.”

- 70. 807.4.3.1 Exceptions:** Section 807.4.3.1, Exceptions section, is hereby amended to read as follows:

“Exceptions:

1. Corridors protected by an approved automatic sprinkler system installed in accordance with Section 903.3.1.1 and the appropriate NFPA standard, and the corridor is also protected by an approved smoke detection system installed in accordance with Section 907, the TFPD Alarm Policy and the appropriate NFPA standard.
2. Storage in metal lockers, provided the minimum egress width is maintained.”

- 71. 901.1 Scope.** Section 901.1 is hereby amended to read as follows:

“901.1 Scope. The provisions of this chapter shall specify where fire protections systems are required and shall, along with the latest editions of the appropriate NFPA standard, apply to the design, installation, inspection, operation, testing and maintenance of all fire protection systems. All design, installation testing and maintenance of said systems shall be performed by qualified and if required, by licensed personnel.”

- 72. 901.2 Construction Documents.** Section 901.2 is hereby amended to read as follows:

“901.2 Construction Documents. Construction documents and calculations, meeting the requirements of this chapter and the appropriate NFPA standard, shall be required for all fire protection systems. Permits shall be issued for the installation, rehabilitation and or modification of any fire protection system. Fees for said permits shall be per the fee resolution. Construction documents shall be submitted for review and approval prior to system installation.”

- 73. 901.6.2 Records.** Section 901.6.2 is hereby amended to read as follows:

“901.6.2 Records. Records of all system inspections, tests and maintenance required by the referenced standards shall be maintained on the premises for a minimum of 3 years and shall be copied to the Fire Marshal.”

- 74. 903.2.8 Group R.** Section 903.2.8 is hereby amended to read as follows:

“903.2.8 Group R. An automatic sprinkler system installed in accordance with Section 903.3 and the appropriate NFPA standard shall be provided throughout all buildings with Group R fire area to include all Group R 3 occupancies over 3600 gross square feet. This section shall be superseded by Section P2904 of the International Residential Code upon its adoption, however at no time shall a multipurpose fire sprinkler system be accepted.”

75. 903.3.1.1.1 Exempt Locations. Section 903.3.1.1.1 is hereby amended to read as follows:

“**903.3.1.1.1 Exempt locations.** If approved by the Fire Marshal, automatic fire sprinklers shall not be required in the following rooms or areas where such rooms or areas are protected with an approved automatic fire detection system in accordance with Section 907.2 that will respond to visible or invisible particles of combustion. Sprinklers shall not be omitted from any room or area merely because it is damp, of fire-resistance rated construction or contains electrical equipment.”

76. 903.3.1.2.1 Balconies and Decks. Section 903.3.1.2.1 is hereby amended to read as follows:

“**903.3.1.2.1 Balconies and decks.** Sprinkler protection shall be provided for exterior balconies, decks and ground floor patios of dwelling units where the building is of Type V construction, provided there is a combustibile roof or deck above. Sidewall sprinklers that are used to protect such areas shall be permitted to be located such that their deflectors are within 1 inch (25mm) to 6 inches (152mm) below the structural members and a maximum distance of 14 inches (356mm) below the deck of the exterior balconies and decks that are constructed of open wood joist construction.”

77. 903.4 Sprinkler System Supervision and Alarms. Section 903.4, Exceptions section, is hereby amended to read as follows:

“**Exceptions:**

1. Automatic sprinkler systems protection one and two family dwellings may have control valves sealed or locked in the open position.
2. Limited area systems serving fewer than 20 sprinklers may have control valves seals or locked in the open position.”

78. 903.4.1 Monitoring. Section 903.4.1 is hereby amended to read as follows:

“**903.4.1 Monitoring.** Alarm, supervisory and trouble signals shall be distinctly different and shall be automatically transmitted to an approved central station, as defined by NFPA 72, or when approved by the Fire Marshal, shall sound an audible signal at a constantly attended location.”

79. 906.1 Where Required. Delete Exception under Section 906.1, first criterion (No. 1) in its entirety.

Exception: In Group R-2 occupancies, portable fire extinguishers shall be required only in locations specified in Items 2 through 6 where each dwelling unit is provided with a portable fire extinguisher having a minimum rating of 1-A:10-B:C. **DELETE EXCEPTION ENTIRELY**

80. 907.2 Where Required- New Buildings and structures. Section 907.2 is hereby amended to read as follows, with the Exceptions deleted in their entirety:

“**907.2 Where Required-New Buildings and Structures.** An approved fire alarm system installed in accordance with the provisions of this code, NFPA 72, and the TFPD Fire Alarm Policy shall be provided in new buildings and structures in accordance with Sections 907.2.1 through 907.2.23 and provide occupant notification in accordance with Section 907.5, unless other requirements are provided by another section of this code.”

- 81. **907.2.1 Group A.** Section 907.2.1 Exception is hereby deleted in its entirety.
- 82. **907.2.2 Group B:** Section 907.2.2 Exception is hereby deleted in its entirety.
- 83. **907.2.2.1 Group B Ambulatory Health Care Facilities:** Section 907.2.2.1 Exception is hereby deleted in its entirety.
- 84. **907.2.3 Group E Exception:** Section 907.2.3 Exceptions 1 through 3 are hereby deleted in their entirety.
- 85. **907.2.4 Group F.** Section 907.2.4 Exception is hereby deleted in its entirety.
- 86. **907.2.6.1 Group I-1:** Section 907.2.6.1 Exceptions 1 is hereby deleted in its entirety.
- 87. Section 903.3.1.1. DELETE EXCEPTION ENTIRELY
- 88. **907.2.6.3.3 Automatic Smoke Detection Units.** Section 907.2.6.3.3 Exception 3 is hereby deleted in its entirety.
- 89. **907.2.7 Group M. Exception:** Section 907.2.7 Exception 2 is hereby deleted in its entirety.
- 90. **907.2.8.1 Manual Fire Alarm System.** Section 907.2.8.2 Exception 2 is hereby deleted in its entirety.
- 91. **907.2.8.2 Automatic Smoke Detection System.** Section 907.2.8.1 Exception is hereby deleted in its entirety.
- 92. **907.2.8.3 Smoke alarms.** Section 907.2.8.3 is hereby amended to read as follows:

“**Smoke alarms.** Single- and multiple-station smoke alarms shall be installed in accordance with Section 907.2.11, NFPA 72, and the TFPD Fire Alarm Policy. Smoke alarms shall sound throughout the guest rooms only while heat detectors shall activate the occupant notification appliances.”

- 93. **907.2.9.1 Manual Fire Alarm System.** Section 907.2.9.1 Exception 2 and 3 are hereby deleted in their entirety.
- 94. **907.2.9.2 Smoke Alarms.** Section 907.2.9.2 is hereby amended to read as follows:

“**907.2.9.2 Smoke alarms.** Single- and multiple station smoke alarms shall be installed in accordance with Section 907.2.11, NFPA 72, and the TFPD Fire Alarm Policy. Smoke alarms shall sound throughout the dwelling unit only, while heat detectors shall automatically activate the occupant notification appliances.”

- 95. **907.2.9.3 Group R-2 College and University Buildings.** Section 907.2.9.3 is hereby amended to read as follows:

“**907.2.9.3 Group R-2 College and University Buildings.** An automatic smoke detection system that activates the occupant notification system in accordance with Section 907.5, The TFPD Fire Alarm Policy, and NFPA 72 shall be installed in Group R-2 college and university buildings in the following locations:

1. Common spaces outside of dwelling and sleeping units.
2. Laundry rooms, mechanical equipment rooms, and storage rooms.
3. All interior corridors serving sleeping units or dwelling units.

Required smoke alarms in dwelling units and sleeping units in Group R-2 college and university buildings shall be interconnected with the fire alarm system in accordance with NFPA 72 and the TFPD Fire Alarm Policy.”

- 96. **907.2.10.1 Manual Fire Alarm System.** Section 907.2.10.1 Exception 2 is hereby deleted in its entirety.
- 97. **907.2.10.2 Automatic Smoke Detection System.** Section 907.2.10.2 Exceptions are

hereby deleted in their entirety.

98. 907.2.10.3 Smoke Alarms. Section 907.2.10.3 is hereby amended to read as follows:

“**907.2.10.3 Smoke alarms.** Single- and multiple-station smoke alarms shall be installed in accordance with Section 907.2.11, NFPA 72, and the TFPD Fire Alarm Policy.”

99. 907.2.11 Single- and Multiple-Station Smoke Alarms. Section 907.2.11 is hereby amended to read as follows:

“**907.2.11 Single- and Multiple-Station Smoke Alarms.** Listed single- and multiple-station smoke alarms complying with UL 217 shall be installed in accordance with Sections 907.2.11.1 through 907.2.11.4, NFPA 72, and the TFPD Fire Alarm Policy.”

100. 907.2.13 High-Rise buildings. Section 907.2.13 is hereby amended to read as follows:

“**907.2.13 High-Rise Buildings.** High rise buildings shall be provided with an automatic smoke detection system in accordance with Section 907.2.13.1, NFPA 72, and the TFPD Fire Alarm Policy, a fire department communications system in accordance with Section 907.2.13.2, NFPA 72, and the TFPD Fire Alarm Policy, an emergency voice/alarm communications system in accordance with Section 907.5.2.2, NFPA 72, and the TFPD Fire Alarm Policy.”

101. 907.2.13.1 Automatic Smoke Detection. Section 907.2.13 is hereby amended to read as follows:

“**907.2.13.1 Automatic smoke detection.** Automatic smoke detection in high rise buildings shall be in accordance with Sections 907.2.13.1.1, 907.2.13.1.1, NFPA 72, and the TFPD Fire Alarm Policy.”

102. 907.2.13.1.1 Area Smoke Detection. Section 907.2.13.1.1 is hereby amended to read as follows:

“**907.2.13.1.1 Area smoke detection.** Area smoke detectors shall be provided in accordance with this section, NFPA 72, and the TFPD Fire Alarm Policy. Smoke detectors shall be connected to an automatic fire alarm system. The activation of any detector required by this section shall activate the emergency voice/alarm communication system in accordance with Section 907.5.2.2. In addition to smoke detectors required by Sections 907.2.1 through 907.2.10, smoke detectors shall be located in each mechanical equipment, electrical, transformer, telephone equipment or similar room.”

103. 907.2.13.2 Fire Department Communication System. Section 907.2.13.2 is hereby amended to read as follows:

“**907.2.13.2 Fire Department Communication System.** Where a wired communication system is approved in lieu of an emergency responder radio coverage system in accordance with Section 510, the wired fire department communication system shall be designed and installed in accordance with NFPA 72 and the TFPD Fire Alarm Policy and shall operate between a fire command center complying with Section 508, elevators, elevator lobbies, emergency and standby power rooms, fire pump rooms, areas of refuge, and inside enclosed exit stairways. The fire department communications device shall be provided at each floor level within the enclosed exit stairway.”

104. 907.2.14 Atriums Connecting More than Two Stories. Section 907.2.14 is hereby amended to read as follows:

“**907.2.14 Atriums Connecting More Than Two Stories.** A fire alarm system shall be installed in occupancies with an atrium that connects more than two stories, with smoke detection installed throughout the atrium. The system shall be activated in accordance with Section 907.5, NFPA 72, and the TFPD Fire Alarm Policy. Such occupancies in Group A, E, or M shall be provided with an emergency voice/alarm communication system complying with the requirements of Section 907.5.5.5, NFPA 72, and the TFPD Fire Alarm Policy.”

105. 907.2.18 Underground Buildings with Smoke Control Systems. Section 907.2.18 is hereby amended to read as follows:

“**907.2.18 Underground Buildings with Smoke Control Systems.** Where a smoke control system is installed in an underground building in accordance with the International Building Code, automatic smoke detectors shall be provided in accordance with Section 907.2.12.1, NFPA 72, and the TFPD Fire Alarm Policy.”

106. 907.3 Fire Safety Functions. Section 907.3 is hereby amended to read as follows:

“**907.3 Fire Safety Functions.** Automatic fire detectors utilized for the purpose of performing fire safety functions shall be connected to the building’s fire alarm control unit where a fire alarm system is required by Section 907.2, NFPA 72 and the TFPD Fire Alarm Policy. Detectors shall, upon activation, perform the intended function and activate the alarm notification appliances and shall also notify the monitoring company’s signaling service. In buildings not equipped with a fire alarm system, the automatic fire detector shall be powered by normal electrical service and, upon activation, perform the intended functions. The detectors shall be located in accordance with NFPA 72 and the TFPD Fire Alarm Policy.”

107. 907.3.1 Duct Smoke Detectors. Section 907.3.1 is hereby amended to read as follows:

“**907.3.1 Duct Smoke Detectors.** Smoke detectors installed in ducts shall be listed for the air velocity, temperature and humidity present in the duct. Duct detectors shall be connected to the building’s fire alarm control unit when a fire alarm system is required by Section 907.2, NFPA 72, and the TFPD Fire Alarm Policy. Activation of a duct smoke detector shall initiate a signal to the monitoring company’s signaling service and shall perform the intended fire safety functions in accordance with this code and the IMC. Duct smoke detectors shall not be used as a substitute for required open air detection.”

108. 907.3.1 Duct Smoke Detectors. Section 907.4.1 is hereby amended to delete Exception 2 in its entirety.

109. 907.3.3 Elevator Emergency Operation. Section 907.3.3 is hereby amended to read as follows:

“**907.3.3 Elevator Emergency Operation.** Automatic fire detectors installed for elevator emergency operation shall be installed in accordance with ASMA A 17.1, NFPA 72, and the TFPD Fire Alarm Policy.”

110. 907.3.4 Wiring. Section 907.3.4 is hereby amended to read as follows:

“907.3.4 Wiring. The wiring to the auxiliary devices and equipment used to accomplish the above fire safety functions shall be monitored for integrity in accordance with NFPA 72, and the TFPD Fire Alarm Policy.”

- 111. **907.4.3.1 Automatic Sprinkler System.** Section 907.4.3.1 is hereby deleted in its entirety.
- 112. **907.5 Occupant Notification Systems:** Section 907.5 Exception is hereby deleted in its entirety.
- 113. **907.5.2.1 Audible Alarms:** Section 907.5.2.1 Exception is hereby deleted in its entirety.
- 114. **907.5.2.2 Emergency Voice/Alarm Communication Systems.** Section 907.6.2.2 is hereby amended to read as follows:

“907.5.2.2 Emergency Voice/Alarm Communication Systems. Emergency voice/alarm communication systems required by this code shall be designed and installed in accordance with NFPA 72 and the TFPD Fire Alarm Policy. The operation of any automatic fire detector, sprinkler water flow device, or manual fire alarm box shall automatically sound an alert tone followed by voice instructions giving approved information for a general or staged evacuation in accordance with the building’s fire safety and evacuation plans required by Section 404. In high-rise buildings, the system shall operate on a minimum of the alarming floor, the floor above and the floor below. Speakers shall be provided throughout the building by paging zones. At a minimum, paging zones shall be provided as follows: 1. Elevator groups, 2. Exit stairways, 3. Each floor, 4. Areas of refuge as defined in Chapter 2.”

- 115. **907.6 Installation.** Section 907.6 is hereby amended to read as follows:

“907.6.1 Installation. The fire alarm system shall be installed in accordance with Sections 907.6.1 through 907.6.5.2, NFPA 72, and the TFPD Fire Alarm Policy.”

- 116. **907.6.1 Wiring.** Section 907.7.1 is hereby amended to read as follows:

“907.6.1 Wiring. Wiring shall comply with NFPA 70 and 72 as to wiring size and installation of the wire, and the TFPD Fire Alarm Policy with regard to class/style of wiring to all devices in the system. Wireless protection systems utilizing radio-frequency transmitting devices shall comply with the special requirements for supervision of low-power systems in NFPA 72.”

- 117. **907.6.3 Zones.** Section 907.7.3 is hereby amended to read as follows:

“907.6.3 Zones. Each floor shall be zoned separately and a zone shall not exceed 22,500 square feet (2092m²). The length of any zone shall not exceed 300 feet (91,440mm) in any direction. Additional requirements for zoning shall be as specified in the TFPD Fire Alarm Policy.”

- 118. **907.6.5 Monitoring.** Section 907.6.5 is hereby amended to read as follows:

“907.6.5 Monitoring. Fire alarm systems required by this chapter or by the IBC shall be monitored by an approved supervising station in accordance with NFPA 72, and the TFPD Fire Alarm Policy.”

- 119. **907.6.5, Monitoring.** Section 907.7.5 Exception 3 is hereby deleted in its entirety.
- 120. **907.7 Acceptance Tests and Completion.** Section 907.7 is hereby amended to read as follows:

“907.7 Acceptance Tests and Completion. Upon completion of the installation, the fire alarm system and all fire alarm components shall be tested in accordance with NFPA 72, and the TFPD Fire Alarm Policy.”

121. 907.7.2 Record of Completion. Section 907.7.2 is hereby amended to read as follows:

“907.7.2 Record of Completion. A record of completion in accordance with NFPA72 verifying that the system has been installed and tested in accordance with the approved plans and specifications shall be provided to the Fire Marshal and owner or owners representative at final inspection.”

122. 907.8.2 Testing. Section 907.8.2 is hereby amended to read as follows:

“907.8.2 Testing. Testing shall be performed annually unless required more frequently by NFPA 72. A copy of the test results shall be forwarded to the Fire Marshal’s office.”

123. 907.8.3 Smoke Detector Sensitivity. Section 907.8.3 is hereby amended to read as follows:

“907.8.3 Smoke Detector Sensitivity. Smoke detector sensitivity shall be checked within one year after installation and every alternate year thereafter unless required more frequently by the detector manufacturer or NFPA 72. Where the frequency is extended, records of detector-caused nuisance alarm and subsequent trends of these alarms shall be maintained. In zones or areas where nuisance alarms show an increase over the previous year, calibration tests shall be performed.”

124. 907.8.5 Maintenance, Inspection and Testing. Section 907.9.5 is hereby amended to read as follows:

“907.8.5 Maintenance, Inspection and Testing. The building owner shall be responsible to maintain the fire and life safety systems in an operable condition at all times. Service personnel shall meet the qualification requirements of NFPA 72 for maintaining, inspecting and testing such systems. A written record of such tests and inspections shall be maintained on the premises. A tag showing, at a minimum, the date of inspection, the company doing the inspection, and contact numbers for the company shall be affixed to the fire alarm control panel after each inspection.”

125. 909.20.1 Schedule. Section 909.20.1 is hereby amended to read as follows:

“909.20.1 Schedule. A routine maintenance and operational testing program shall be initiated immediately after the smoke control system has passed the acceptance tests. A written schedule for routine maintenance and testing shall be established. At a minimum routine testing and maintenance shall be performed annually.”

126. 913.4 Valve supervision. Section 913.4 is hereby amended to delete method number 2 in its entirety.

127. 914.2.3 Emergency Voice/Alarm Communication System. Section 914.2.3 is hereby amended to add the following subsection:

“914.2.3.1 Emergency Responder Radio Coverage. Emergency responder radio coverage shall be provided in accordance with Section 510.”

128. **1024.1 General.** Section 1024.1 is hereby amended to read as follows:

“**1024.1 General.** Approved luminous egress path markings delineating the exit path shall be provided in high-rise buildings of Group A, B, E, I, M, R-1, and R-2 occupancies in accordance with Sections 1024.1 through 1024.5.”

129. **Chapter 25 Fruit and Crop Ripening.** Chapter 25 is deleted in its entirety.

130. **Chapter 27 Semiconductor Fabrication Facilities.** Chapter 27 is deleted in its entirety.

131. **Chapter 29 Manufacture of Organic Coatings.** Chapter 29 is deleted in its entirety.

132. **Chapter 36 Marinas.** Chapter 36 is deleted in its entirety.

133. **Appendix A Board of Appeals.** Appendix A is deleted in its entirety since the TFPD establishes its own rules for the Board pursuant to Section 108.1

134. **Appendix D Fire Apparatus Access Roads.** Appendix D is hereby amended as follows:

a. **D103.1 Access Road Width with a Fire Hydrant.** Amend to read as follows:

“**D103.1 Access Road Width with a Fire Hydrant.** Where a fire hydrant is located on a fire apparatus access road, the minimum road width shall be 20 feet (6096 mm, exclusive of the shoulders.”

b. **Figure D-103.1, Dead End Fire Apparatus Access Road Turnaround.** Figure D103.1 is deleted in its entirety and is replaced by the TFPD designs as set forth in Attachment D.

c. **D 103.3 Turning Radius.** Amend to read as follows:

“**D103.3 Turning radius.** The minimum inside turning radius shall be 32 feet (9753.6 mm).

d. **D103.4 Dead Ends.** Amend to read as follows:

e. “**D103.4 Dead Ends.** Dead end fire apparatus access roads in excess of 150 feet (45,720 mm) shall be provided with an approved turnaround in accordance with Figure D103.1.”

f. **D103, Minimum Specifications.** Amend to add new subsection 103.7 Cul-du-Sacs as follows:

“**D104.7 Cul-du-Sacs.** Cul-du-sacs or dead end roads shall not exceed 600 feet (182,880 mm) and shall be provided with a turnaround as shown in Figure D103.1.”

Exception. Maximum length may be increased to 1200 feet (365.760 mm) providing all structures along the road have fire sprinkler and alarm systems meeting the requirements of Chapter 9 installed. A turnaround in accordance with Figure D103 shall be provided.”

C. Geographic Limits

1. That the geographic limits referred to in certain sections of the 2012 International Fire Code are hereby established as follows:

a. **Section 5704.2.9.6.1** Storage of Class I and Class II liquids in above ground tanks outside of buildings is prohibited in all areas of the TFPD with a population density of one living unit or greater per acre. In the event of a conflict with

Colorado State or Federal regulations, the more stringent regulations shall apply.

EXCEPTION. Tanks legally in existence at the time of the adoption of this resolution, providing they do not pose fire or safety hazards.

2. **Section 5706.2.4.4** Storage of Class I and Class II liquids in above ground tanks is prohibited in all areas of the TFPD with a population density of one living unit or greater per acre. In the event of a conflict with Colorado State or Federal regulations, the more stringent regulations shall apply.

EXCEPTION: Tanks legally in existence at the time of the adoption of this resolution, providing they do not pose fire or safety hazards.

3. **Section 5806.2** Storage of flammable cryogenic fluids in stationary containers is prohibited in all areas of the TFPD with a population density of one living unit or greater per acre. In the event of a conflict with Colorado State or Federal regulations, the more stringent regulations shall apply.

EXCEPTION: Tanks legally in existence at the time of the adoption of this resolution, providing they do not pose fire or safety hazards.

4. **Section 6104.2** The storage of liquefied petroleum gas is restricted for the protection of heavily populated areas of the TFPD with a population density of one living unit or greater per acre. In the event of a conflict with Colorado State or Federal regulations, the more stringent regulations shall apply.

EXCEPTION: Tanks legally in existence at the time of the adoption of this resolution, providing they do not pose fire or safety hazards.

17.7.20 CONSTRUCTION MITIGATION

All development within the town shall comply with the Construction Mitigation Regulations

A. CONSTRUCTION MITIGATION REGULATIONS

1. A construction mitigation plan shall be submitted for development that requires storage, scaffolding, parking, trailers, equipment or other exterior development staging.
2. When a construction mitigation plan is required, the following plans and information

shall be submitted to the Community Development Department as applicable:

- a. Site plan showing:
 - i. Perimeter fencing with attached screening;
 - ii. Tree protection for trees to be saved;
 - iii. Limits of disturbance and fencing at such line;
 - iv. Erosion control and water quality protection measures using best management practices consistent with the Grading and Drainage Design Regulations;
 - v. Laydown/storage areas;
 - vi. Parking areas;
 - vii. Crane location and swing radius;
 - viii. Portable toilet location(s);
 - ix. Construction trailer location(s);
 - x. Dumpster and recycling bin locations;
 - xi. Method to protect any surrounding plaza areas caused by heavy vehicles, construction or development;
 - xii. Bear-proof trash can location; and
 - b. Other information as required by the Community Development Department.
3. The construction mitigation plan shall be reviewed and approved by the Community Development Department in consultation with the Police, Public Works and other applicable Town departments.
 4. The general easement shall be protected as approved by the Review Authority, with the goal to avoid locating construction activities in the general easement and the need to respect the neighbors and neighboring properties, especially in regard to the placement of dumpsters, portable toilets and other more intensive construction infrastructure.
 5. Construction projects adjacent to rights-of-ways and pedestrian areas including, but not limited to, walkways, hiking and biking trails, plazas, restaurants, etc., shall provide screened, fencing or hoarding (with appropriate directional signage) and needed lighting to direct pedestrians away from potential hazards related to the construction site. Pedestrian protection adjacent to the construction site shall be the responsibility of the owner and owner's agent. The Building Official has the right to require additional fencing if deemed necessary to protect public safety or screen construction activity. All public pedestrian protection shall be provided per chapter 33 of the IBC.
 6. Construction staging in accordance with these regulations may occur on an off-premise site provided property owners immediately adjacent to the site are provided written notification prior to the Community Development Department reviewing or approving the plan. The Community Development Department may require large-scale, off-site construction staging areas to be reviewed and approved by the DRB with public notice as required by the public hearing noticing requirements. Such large scale staging areas should be evaluated concurrent with the required development review process for efficiencies and a holistic evaluation and mitigation of impacts.

B. CONSTRUCTION HOURS AND NOISE

Blasting, pile driving, jack hammering, heavy equipment operations, and loud noises and in general are permitted between the hours of seven (7) in the morning and six (6) in the evening Monday through Saturday, excluding the holidays listed below. No construction activity may take place on Sundays, Monday through Saturday before seven (7) in the morning or after six (6) in the evening or the following holidays: New year's Day, Memorial Day, The Fourth of July,

Labor Day, Thanksgiving Day, and Christmas Day, except in case of urgent necessity or an unique situation as determined by the Building Official or its designee Ensuring a secure site and changing out propane tanks for proper heating are permitted during prohibited construction times. All proposed blasting, jack hammering, pile driving and similar loud construction noises shall be pre-approved by the review authority and scheduled as necessary depending on the site proximity to existing development, anticipated occupancy, surrounding density, and holidays to limit any negative impact. If blasting is required, the owner/owner's agent is required to take all necessary precautions and notify adjacent property owners, TFPD, local traffic, pedestrians, etc. prior to blasting.

C. TEMPORARY STRUCTURES FOR CONSTRUCTION SITES

A small job office or trailer may be located on the site during construction. The location of any job office or trailer will be determined on the construction mitigation plan. The job office shall be removed from the site prior to receiving a CO.

D. ENVIRONMENTAL CONTROLS

Areas defined on the topographical survey that require preservation methods, i.e., natural landforms, vegetation, streams, ponds, wetlands, shall be identified and preserved by the general contractor or person primarily responsible for the construction. These areas and the methods of preservation will be defined during the Design Review Process or other applicable development application applicable to the project. Erosion control measures shall be taken during construction to ensure soil stabilization, sediment control and timely re-vegetation. The general contractor or person primarily responsible for the construction is responsible for the implementation of all preservation techniques.

E. CONSTRUCTION SITE MAINTENANCE

- 1. Construction Site Maintenance.** All construction sites in the Town shall be maintained in a good, clean and safe condition, including, but not limited to, the following minimum requirements:
 - a. Every lot for which a construction permit has been issued after the effective date of this section, or lesser part of the lot at the discretion of the Building Official, shall be enclosed by a 6-foot chain link fence faced with green mesh fabric or similar barrier.
 - b. The fence or barrier shall remain in place until such time as the Building Official has determined that the property is sufficiently secured so as to prevent a health or safety risk or danger.
 - c. The Building Official has the discretion and authority to modify these requirements, including but not limited to, requiring fencing of a different material, height or configuration if it is deemed necessary for the protection of public health and safety.
- 2. Material Storage.** Construction materials shall be stored, maintained and secured so as to prevent safety risk or danger.
- 3. Recycling.**
 - a. The following materials shall be recycled for every construction project that requires a building permit:

- i. Cardboard;
- ii. Glass;
- iii. Newspaper;
- iv. Metal; and
- v. Recyclable plastics.

b. The following permits do not need to provide recycling:

- i. Mechanical permits;
- ii. Electrical permits;
- iii. Plumbing permits;
- iv. Demolition permits; and
- v. Other similar minor permits that do not generate large amounts of waste.

c. The construction mitigation plan shall show a comingled recycle bin for plastics, glass, newspaper and cardboard, with pallettes or recycling dumpsters utilized for large quantities of cardboard.

d. Bins, dumpsters or pallets may be used to store recycle metal.

e. These recycling requirements shall not apply to demolition permits.

f. For demolition projects, the developer shall provide a two week opportunity for public salvage of building materials by placing a 1/8 page display ad in a newspaper of general circulation for two days in a seven day period. Such public salvage of building materials shall be a one week period commencing the day after the second ad is run in the newspaper. The developer may require the public salvaging materials to sign a hold harmless agreement to protect them from legal liability or damages.

4. Waste Disposal. Accumulated construction debris that is not recycled in accordance with these regulations shall be hauled away and disposed of in accordance with all applicable laws, on regular basis when full.

- a. Dumpsters shall be securely covered at the end of each construction day or when high winds will blow material.
- b. Debris from construction sites shall not be disposed of in dumpsters located at any other construction site within the town without the prior approval of the Building Official.
- c. Except as approved as part of a construction mitigation plan, construction staging shall not occur in the public rights-of-way.
- d. At least one separate bear proof poly cart trash can must be provided for non-construction debris and emptied on a regular basis. Food related garbage shall not be disposed in dumpsters.
- e. All construction sites shall have a person designated to be regularly present at the subject property as having responsibility to assure that no litter or debris leaves the subject property and that all litter and debris is picked up before the end of every construction day.
- f. It shall be unlawful to intentionally place, deposit, or otherwise dispose of construction debris in any public sewer. Intentionally placing, depositing, or otherwise disposing of construction debris in any public sewer will result in enforcement as provided.

5. Portable Toilets. Portable toilet facilities shall be provided for all new construction, major remodels and other projects when deemed necessary by the Building Official.

Portable toilets shall meet the applicable IPC requirements. Any portable toilet facilities shall be located, to the extent possible, at the rear of the construction site or out of plain view of any public right-of-way or neighbor. If the portable toilet facility cannot be located at the rear of the construction site and out of plain view of any public right-of-way or neighbor, the toilet facility must be fully screened from any public right-of-way or neighbor.

6. **Right-of-Way Closures.** A road closure permit shall be obtained prior to closing any sidewalk, street or other public right-of-way. Appropriate safety measures shall be used by the general contractor or owner's agent as applicable.
7. **Parking and Site Access.** The parking of construction vehicles or equipment shall not occur in any manner so as to block access to or through any public sidewalk, or street or rights-of-ways. The parking of construction vehicles on public streets shall be prohibited except as approved as part of a construction mitigation plan. Construction vehicles shall not use private driveways to turnaround. Construction materials shall not be stored on town streets or property unless approved by the Town as a part of the construction mitigation plan, and only after proving that no practicable alternative exists for storage on the development site.
8. **Construction Clean Up of Streets and Sidewalks.** All mud, dirt or debris deposited on any street, crosswalk, sidewalk or other public property as a result of excavation, construction or demolition shall be broom cleaned to the extent possible at the end of each working day and disposed of in accordance with all applicable laws. When determined by the Building Official to be appropriate and practicable, the applicant shall cause a gravel mat or other mud tracking device to be installed on the subject property, of a size and in a location sufficient to wash down all vehicles used on the subject property and to cause dirt and mud to be removed from the tires of such vehicles. The mud and dirt mitigation shall be located so as not to interfere with any use by the public of public rights-of-way and not to cause any nuisance or inconvenience to adjacent public or private property.
9. **Protection of Public Property.** Every construction site shall be maintained in a manner so as to avoid damage to the public right-of-way, infrastructure or other public property, including but not limited to the village curbs, alleys, streets, crosswalks, sidewalks, signs, street lights, sprinkler systems, sewers or other public infrastructure. Prior to the commencement of construction activities, the developer shall provide to the Town, video or photo documentation of the existing conditions prior to construction for the purpose of determining restoration obligations and compliance with this section. Any and all damage to the public right-of-way, infrastructure or other public property caused during the construction activities by the property owner, its contractors or agents shall be repaired, replaced or otherwise remedied by, and at the sole expense of, the property owner prior to the issuance of a CO. If Town infrastructure cannot be inspected during the winter months, a TCO may be issued until such inspection occurs.
10. **Air Quality Protection.** Airborne particles shall be controlled at the subject property at all times during work by means of a water truck and spraying equipment or other water source capable of spraying and thoroughly saturating all portions of the structure and surrounding property affected by the work. Such spraying shall be undertaken at all times as necessary to thoroughly control the creation and migration of airborne particles, including, without limitation, dust, from the subject property.
11. **Permission to Use Adjoining or Intervening Properties.** No permit issued pursuant to this chapter shall authorize or be construed to authorize any entry onto property adjoining or intervening the subject property or any work for which entry onto property adjoining the subject property is or may be necessary, unless a proper right of entry has been secured from the owner of such property and provided to the Building Official.

12. **Vehicle Storage.** Vehicles not being used on-site for construction purposes shall not be left overnight on-site.
13. **Required Utility Locates.** Utility locates must be requested and marked for any work involving earth disturbing activity regardless of depth. Failure to have utilities properly located or any action that disturbs existing utilities, if the utilities were properly located, will result in the action contained in Section 20-6-(h) being taken.

F. PENALTIES

In addition to any violations and penalties set forth in the CDC, , any violation of the Construction Mitigation Regulations shall result in the following actions being taken:

1. **1st Violation.** First violation – Documented warning.
2. **2nd Violation.** Second violation – All work must cease until the violation has been cured.
3. **2nd Violation of Same Rule.** Second violation of the same regulation within a 6 month period – a two (2) construction-days stop work order shall be issued. Work may resume at the permitted hour on the third construction-day if the violation has been cured.
4. **3rd Violation.** Third regulation violation within a 6 month period - A two (2) construction-days stop work order shall be issued. Work may resume at the permitted hour on the third construction-day if the violation has been cured.
5. **3rd Violation of the Same Rule.** Third violation of the same regulation within a 6 month period - A three (3) construction-days stop work order shall be issued. Work may resume at the permitted hour on the fourth construction-day if the violation has been cured.
6. **4th Violation.** Fourth regulation violation within a 6 month period - A three (3) construction-days stop work order shall be issued. Work may resume at the permitted hour on the fourth construction-day if the violation has been cured.
7. **4th Violation of the Same Rule.** Fourth or greater violation of the same regulation with a 6 month period – a five (5) construction-days stop work order shall be issued. Work may resume at the permitted hour on the sixth construction-day if the violation has been cured and after attending a meeting with the Building Official or its designee. At the meeting with the Building Official, a plan detailing how future violations of the Construction Mitigation Regulations will be prevented must be submitted and approved before work may resume.
8. **5th Violation.** Fifth or greater violation within a 6 month period – a five (5) construction-days stop work order shall be issued. Work may resume at the permitted hour on the sixth construction-day if the violation has been cured and after attending a meeting with the Building Official or its designee. At the meeting with the Building Official, a plan detailing how future violations of the Construction Mitigation Regulations will be prevented must be submitted and approved before work may resume.
9. **Stop Work Order Fees.** In addition, any stop work order shall result in a fee in the amount set by the fee resolution

17.7.21 SNOW AND ICE REMOVAL REGULATIONS

- A. **Purposes.** The purposes of the Snow and Ice Removal Regulations are to:
 1. Protect the public health, safety and welfare by preventing falling snow and/or ice from the roofs of buildings within, adjacent to, or near plaza areas, public areas around buildings by requiring that the owners of such buildings engage in the installation or supplementation of roof-top snow-shed protection systems and regular snow and/or ice build-up inspection activities, and, if necessary, snow and ice removal activities;
 2. Safeguard the Town-owned plazas and overall plaza areas;

3. Establish procedures under which snow and ice removal activities will occur;
4. Ensure that a building's roof is not unsafe due to snow or icfall hazard as regulated by Section 116 of the IBC;
5. Ensure a building does not become unsafe to due roof snow and ice buildup; and,
6. Set forth rules for the enforcement of such requirements.

B. Applicability. These Snow and Ice Removal Regulations shall apply to all multi-family or mixed use buildings.

C. Roof Snow and Ice Management. The owner of each building shall ensure that each roof plane of a building does not shed snow or ice onto public area, plaza area sidewalk, or right-of-way. Each roof shall be constructed and maintained as follows:

1. Each roof-plane shall contain a snow guard system that is supplemented by a wire mesh retention system, all of which is designed and stamped by a qualified structural engineer which prevents the roof plane from shedding snow and/or ice to areas below the roof plane; or
2. In the event that it is demonstrated by a qualified structural engineer that a snow guard system is not a viable option for preventing snow and ice from shedding into areas below the roof plane, each roof plane shall contain heat tape or other heating system that is designed by a qualified engineer which prevents the roof plane from shedding snow and/or ice to areas below the roof plane.
3. If the Town determines that additional snow fences or other snow maintenance controls are required to protect a public area or a public plaza, the Town will require a building owner to arrange for the installation of the additional snow maintenance controls.

D. Requirements for Snow Inspection and Removal. During months that snow accumulates, the owner and any building manager of each building shall ensure that there are regular (not less than weekly) inspections of all eaves and other roof areas of the building that could result in the discharge of snow, and/or ice, and/or roof tiles, to public area, plaza area sidewalk, or right-of-way.

1. Upon identification of an overhead snow/ice safety removal issue as a result of such inspections, or upon being informed by a representative of the Town that an overhead snow/ice safety removal issue exists on a building, the owner or building manager shall proceed in accordance with the requirements set forth herein.
2. Upon identification of an overhead snow/ice safety removal issue, or upon being informed by a representative of the Town that an overhead snow/ice safety removal issue exists on a building, the owner or building manager of the building shall:
 - a. Immediately cordon off the hazard area and notify the Community Development Department of the issue and cordoned off area...
 - i. The hazard area shall be cordoned off using only appropriate fencing and/or Town approved barriers.
 - ii. In the event that the cordoned off area is an entrance or egress, the building manager shall provide appropriate signage to direct users to alternative entrances or egress areas.
 - b. Immediately schedule appropriate work crews to remove the identified hazard and ensure that diligent and reasonable efforts are being made to complete the snow removal activity within 24 hours of the identification of the hazard, or

within such longer period of time as is necessary for the snow removal in the reasonable judgment of the Building Official or other appropriate Town department, but in no event more than 72 hours.

- c. Ensure that all such removal activities are safely completed, including but not limited to ensuring that at all times during the removal activities there is at least one worker posted at ground level to monitor pedestrian safety.
 - d. Snow and ice removal workers shall use appropriate safety devices as required by OSHA.
 - e. Snow and ice removal techniques should not damage the roof of buildings or infrastructure surrounding buildings, such as the use of a heavy hammer directly onto the roofing surface or dropping ice blocks onto electric transformers.
 - f. To the extent practical, snow removal should be planned for times when there is the least activity in public areas and public plazas. This could include early mornings (7am-9 am) and weekdays when the presence of pedestrians is at a minimum.
3. Landscaped areas below a roof plane that can slide shall be blocked off by fencing installed pursuant to the Design Regulations, with appropriate permanent signage warning of the hazard. All signage shall comply with the Sign Regulations.

E. Snow and Ice Removal From Town and Private Property. A building owners or its property manager shall make arrangements to haul snow and ice removed from a roof or deck onto a plaza area, sidewalk or right-of-way immediately upon the conclusion of removal.

1. Absolutely no snow is allowed to be stored for any length of time on public plazas and public areas.
2. A building owner is liable for any damages caused to Town property, private property or pedestrians from snow and ice falling off your roof.
3. A plaza vehicle access permit is required from the Town Plazas and Environmental Service Department for any equipment needed to access the public plazas for snow removal.
4. Snow and ice may not be stored in a planter located on a public plaza or in planters where the required landscaping may be damaged or destroyed.
5. No vehicles over 10,000 pounds will be allowed in a plaza area. The Town shall require that haul trucks are staged at the perimeter of a plaza area to prevent paver damage. The plaza vehicle access permit will identify exact locations where your vehicles are approved for operation.
6. If your snow is not removed from plaza area in a timely manner, the Town Plazas and Environmental Service Department will remove it for you at a cost of \$200 per hour or the then-in-effect rate as adopted in the fee resolution, to be billed directly to the business or property as applicable.
7. Any damage to Town property (including Plazas, planters, trees, landscaping) or private property resulting from roof snow and ice removal operation is the building owner's responsibility to repair at such owner's sole cost and expense. Care shall be taken to not disturb town property with a snow and ice removal program.