

ORDINANCE NO. 2017-05

AN ORDINANCE AMENDING THE COMMUNITY DEVELOPMENT CODE (CDC) AT SECTION 17.7.15 ADOPTING THE 2017 NATIONAL ELECTRIC CODE, LOCAL AMENDMENTS THERETO AND MISCELLANEOUS AMENDMENTS TO THE CDC TO ACCOMPLISH THE FOREGOING

RECITALS

- A. The Town of Mountain Village (the “Town”) is a legally created, established, organized and existing Colorado municipal corporation under the provisions of Article XX of the Constitution of the State of Colorado (the “Constitution”) and the Home Rule Charter of the Town (the “Charter”).
- B. Pursuant to the Constitution, the Charter, the Colorado Revised Statutes and the common law, the Town has the authority to regulate the use and development of land and to adopt ordinances and regulations in furtherance thereof.
- C. The Town Council may amend the CDC, including the Building Codes from time-to-time to address new versions of the Building Codes including local amendments thereto.

NOW THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF MOUNTAIN VILLAGE, COLORADO AS FOLLOWS:

Section 1. Amendment of Community Development Code

- A. The Town of Mountain Village Community Development Code, section 17.7.15 is hereby amended and replaced as set forth in Exhibit A which is attached hereto and incorporated herein.
- B. The Planning Division is directed to codify the amendments in Exhibit A into the CDC.
- C. The Planning Division may correct typographical and formatting errors in the amendments or the adopted CDC.

Section 2. Ordinance Effect

- D. This Ordinance shall have no effect on pending litigation, if any, and shall not operate as an abatement of any action or proceeding now pending under or by virtue of the ordinances repealed or amended as herein provided and the same shall be construed and concluded under such prior ordinances.
- E. All ordinances, of the Town, or parts thereof, inconsistent or in conflict with this Ordinance, are hereby repealed, replaced and superseded to the extent only of such inconsistency or conflict.

Section 3. Severability

The provisions of this Ordinance are severable and the invalidity of any section, phrase, clause or portion of this Ordinance as determined by a court of competent jurisdiction shall not affect the validity or effectiveness of the remainder of this Ordinance.

Section 4. Effective Date

This Ordinance shall become effective on July 20th, 2017.

Section 5. Public Hearing

A public hearing on this Ordinance was held on the 20th day of June, 2017 in the Town Council

Chambers, Town Hall, 455 Mountain Village Blvd, Mountain Village, Colorado 81435.

INTRODUCED, READ AND REFERRED to public hearing before the Town Council of the Town of Mountain Village, Colorado on the 18th day of May, 2017.

TOWN OF MOUNTAIN VILLAGE:

**TOWN OF MOUNTAIN VILLAGE,
COLORADO, A HOME-RULE
MUNICIPALITY**

By: 
Dan Jansen, Mayor

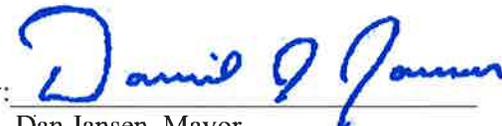
ATTEST:


Jackie Kennefick, Town Clerk

HEARD AND FINALLY ADOPTED by the Town Council of the Town of Mountain Village, Colorado this 20th day of June, 2017.

TOWN OF MOUNTAIN VILLAGE:

**TOWN OF MOUNTAIN VILLAGE,
COLORADO, A HOME-RULE
MUNICIPALITY**

By: 
Dan Jansen, Mayor

ATTEST:


Jackie Kennefick, Town Clerk

Approved As To Form:


Jim Mahoney, Assistant Town Attorney

I, Jackie Kennefick, the duly qualified and acting Town Clerk of the Town of Mountain Village, Colorado ("Town") do hereby certify that:

1. The attached copy of Ordinance No. 2017-05 ("Ordinance") is a true, correct and complete copy thereof.
2. The Ordinance was introduced, read by title, approved on first reading with minor amendments and referred to public hearing by the Town Council the Town ("Council") at a regular meeting held at Town Hall, 455 Mountain Village Blvd., Mountain Village, Colorado, on May 18, 2017, by the affirmative vote of a quorum of the Town Council as follows:

Council Member Name	"Yes"	"No"	Absent	Abstain
Dan Jansen, Mayor	X			
Cath Jett	X			
Laila Benitez	X			
Dan Caton	X			
Michelle Sherry			X	
Martin McKinley, Mayor Pro-Temp			X	
Bruce MacIntire	X			

3. After the Council's approval of the first reading of the Ordinance, notice of the public hearing, containing the date, time and location of the public hearing and a description of the subject matter of the proposed Ordinance was posted and published in the Telluride Daily Planet, a newspaper of general circulation in the Town, on May 24, 2017 in accordance with Section 5.2b of the Town of Mountain Village Home Rule.

4. A public hearing on the Ordinance was held by the Town Council at a regular meeting of the Town Council held at Town Hall, 455 Mountain Village Blvd., Mountain Village, Colorado, on June 20th, 2017. At the public hearing, the Ordinance was considered, read by title, and approved without amendment by the Town Council, by the affirmative vote of a quorum of the Town Council as follows:

Council Member Name	"Yes"	"No"	Absent	Abstain
Dan Jansen, Mayor	X			
Cath Jett	X			
Laila Benitez	X			
Dan Caton			X	
Michelle Sherry	X			
Martin McKinley, Mayor Pro-Temp	X			
Bruce MacIntire	X			

5. The Ordinance has been signed by the Mayor, sealed with the Town seal, attested by me as Town Clerk, and duly numbered and recorded in the official records of the Town.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the Town this 20th day of June, 2017.

(SEAL)



Jackie Kennefick
 Jackie Kennefick, Town Clerk

Exhibit A: CDC Amendments

17.7.15 NATIONAL ELECTRIC CODE

- A. The Town of Mountain Village hereby adopts and incorporates herein by reference as the Electrical Code of the Town, the National Electrical Code (“NEC”) “also known as NFPA 70 “as published by the National Fire Protection Association Inc, and adopted as the electrical code of the State of Colorado.
- B. The NEC shall be reviewed to be re-adopted as the electrical code for the Town of Mountain Village when the State of Colorado adopts such updated versions as the electrical code for the State of Colorado.
- C. Amendments, Additions and Modifications. “Previous editions and amendments of the National Electrical Code are replaced with the 2017 National Electrical Code which includes” amendments as follows:

- 1. The Building Division is charged with administering and enforcing the provisions of the NEC.

2. 200.6 Means of Identifying Grounded Conductors

Amend by inserting:

- (A) Sizes 6 AWG or Smaller. An insulated grounded conductor of 6 AWG or smaller shall be identified by one of the following means:

Amend by deleting items 1-3 and replacing with:

- (1) A continuous white outer finish “for 120 volt ground to ungrounded single phase and three phase systems.”
- (2) A continuous gray outer finish “for 277 volt ground to ungrounded 3 phase systems.”
- (3) Three continuous white “for 120 volt” or gray stripes “for 277 volt” along the conductor’s entire length on other than green insulation or 3 wraps of corresponding phase tape at each termination point.

- (B) Sizes 4 AWG or Larger. An insulated grounded conductor 4AWG or larger shall be identified by one of the following means:

Amend by deleting items 1-4 and replacing with:

- (1) A continuous white outer finish “for 120 volt ground to ungrounded single phase and three phase systems.”
- (2) A continuous gray outer finish “for 277 volt ground to ungrounded 3 phase systems.”
- (3) Three continuous white “for 120 volt” or gray stripes “for 277 volt” along the conductor’s entire length on other than green insulation or 3 wraps of corresponding phase tape at each termination point.

2. 210.5 (C) Identification of Ungrounded Conductors.

Amend by inserting the following:

- (A) Sizes 6 AWG or Smaller. An insulated grounded conductor of 6 AWG or smaller shall be identified by one of the following means:

Amend by deleting items 1-3 and replacing with:

- (1) A continuous white outer finish “for 120 volt ground to ungrounded single phase and three phase systems.”
- (2) A continuous gray outer finish “for 277 volt ground to ungrounded 3 phase systems.”
- (3) Three continuous white “for 120 volt” or gray stripes “for 277 volt” along the conductor’s entire length on other than green insulation or 3 wraps of corresponding phase tape at each termination point.

- (B) Sizes 4 AWG or Larger. An insulated grounded conductor 4AWG or larger shall be identified by one of the following means:

Amend by deleting items 1-4 and replacing with:

- (1) A continuous white outer finish “for 120 volt ground to ungrounded single phase and three phase systems.”
- (2) A continuous gray outer finish “for 277 volt ground to ungrounded 3 phase systems.”
- (3) Three continuous white “for 120 volt” or gray stripes “for 277 volt” along the conductor’s entire length on other than green insulation or 3 wraps of corresponding phase tape at each termination point.

3. Section 334.40 (B)

Shall be amended by inserting the following:

(B) Devices of Insulating Material. Self-contained switches, self-contained receptacles, and nonmetallic-sheathed cable interconnector devices of insulating material that are listed “specifically for use in the occupancy group and type of construction installed and installed per installation instructions” shall be permitted to be used without boxes in exposed cable wiring and for repair wiring in existing buildings where the cable is concealed.

4. Section 410.16 Luminaires in Clothes Closets amend by inserting “and or built in bed furniture units”

5. Section 426.4 Continuous Load.

Fixed outdoor electric deicing and snow-melting equipment shall be considered as a continuous load. “Overcurrent selection shall be based on zero degree start-up.”

6. Section 695.1 Scope (A) Covered.

Amended by inserting the following:

“(C) NFPA 13 D Residential water pump motors where amended.”

Section 695.6 (A) Supply Conductors Section (1)

Shall be amended by adding the following:

“Supply Conductors for residential on site NFPA 13d sprinkler system pumps shall be physically routed outside the building. The conductors’ pumps and associated equipment shall be protected from potential damage by fire and protected from physical damage. Raceways where entering the building into the water pump room shall be EMT, IMC, or GRC and installed no higher than 3’ above the finished floor. All Boxes shall have threaded hubs. Motor whips shall be flexible metal conduit, liquid tight flexible metal conduit or type MC Cable.”