

**ORDINANCE NO. 2024-05**

**AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF MOUNTAIN VILLAGE,  
COLORADO ADOPTING BY REFERENCE THE 2021 EDITION OF THE INTERNATIONAL  
PLUMBING CODE WITH CERTAIN AMENDMENTS THERETO AND REPEALING AND  
REENACTING SECTION 17.7.17 OF THE MOUNTAIN VILLAGE MUNICIPAL CODE  
ACCORDINGLY**

WHEREAS, the Town of Mountain Village (“Town”) is a home rule municipality duly organized and existing under Article XX of the Colorado Constitution and the Town of Mountain Village Home Rule Charter of 1995, as amended (“Charter”); and

WHEREAS, the Town has previously adopted by reference the 2018 edition of the International Plumbing Code (“IPC”), which serves as one of the building codes for the Town as set forth in Chapter 17.7 of the Mountain Village Municipal Code (“Code”); and

WHEREAS, pursuant to C.R.S. § 12-155-106, the Colorado State Plumbing Board has adopted the 2021 edition of the IPC (“2021 IPC”), with amendments, as set forth in 3 CCR 720-1; and

WHEREAS, pursuant to 3 CCR 720-1 § 1.1(C), the Town is required to adopt and adhere to the minimum standards for plumbing work adopted by the Colorado State Plumbing Board; and

WHEREAS, to comply with state law and promote the health, safety, and welfare of Town residents, the Town’s Building Department has recommended that the Town adopt the 2021 IPC; and

WHEREAS, Town staff have reviewed the 2021 IPC in light of the Town’s unique physical setting and development needs and determined that the amendments set forth herein will ensure efficient administration and enforcement of the IPC; and

WHEREAS, on May 16, 2024, the Town Council held a duly noticed public hearing concerning the adoption of the 2021 IPC in accordance with C.R.S. § 31-16-206; and

WHEREAS, the Town Council finds and determines that it is in the best interests of the Town and its residents to adopt by reference the 2021 IPC, as amended and set forth herein, and amend the Code accordingly.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF MOUNTAIN VILLAGE, COLORADO, as follows:

Section 1. Recitals. The above recitals are hereby incorporated as findings of the Town Council in support of the enactment of this Ordinance.

Section 2. Adoption by Reference. Except as provided in the following sections, the Town Council hereby adopts by reference the 2021 IPC, and any appendices thereto, promulgated and published as such by the International Code Council, Inc., 4051 West Flossmoor Road, Country Club Hills, IL 60478. In lieu of full publication of the

foregoing, a true and correct copy of the 2021 IPC shall be available for inspection at the office of the Town Clerk.

Section 3. Repeal and Reenactment. The Town Council hereby repeals Section 17.7.17 of the Code in its entirety and replaces it to read as set forth in Exhibit A, attached hereto and incorporated by reference herein.

Section 4. Severability. If any portion of this Ordinance is found to be void or ineffective, it shall be deemed severed from this Ordinance and the remaining provisions shall remain valid and in full force and effect.

Section 5. Repeal. Any ordinance of the Town or part thereof whose provisions are in conflict with this Ordinance is hereby repealed; provided, however, this Ordinance shall not affect the prosecution of any violation of the 2018 edition of the IPC that occurred prior to the effective date of this Ordinance.

Section 6. Safety Clause. The Town Council hereby finds, determines, and declares that this Ordinance is promulgated under the general police power of the Town, that it is promulgated for the health, safety, and welfare of the public, and that this Ordinance is necessary for the preservation of health and safety and for the protection of public convenience and welfare. The Town Council further determines that the Ordinance bears a rational relation to the proper legislative object sought to be obtained.

Section 7. Effective Date. This Ordinance shall become effective thirty (30) days following publication or upon approval on second reading, whichever is later ("Effective Date") and shall be recorded in the official records of the Town kept for that purpose and shall be authenticated by the signatures of the Mayor and the Town Clerk.

Section 8. Public Hearing. A public hearing on this Ordinance was held on the 16<sup>th</sup> day of May 2024, in the Town Council Chambers, Town Hall, 455 Mountain Village Blvd., Mountain Village, Colorado 81435.

Section 9. Publication. The Town Clerk or Deputy Town Clerk shall post and publish notice of this Ordinance as required by Article V, Section 5.9 of the Charter.

**INTRODUCED, READ, AND REFERRED to public hearing before the Town Council of the Town of Mountain Village, Colorado on the 25th day of April 2024.**


**TOWN OF MOUNTAIN VILLAGE:**

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

By: 

Martinique Prohaska, Mayor

ATTEST:

  
\_\_\_\_\_  
Kim Schooley, Deputy Town Clerk

**HEARD AND FINALLY ADOPTED by the Town Council of the Town of Mountain Village, Colorado this 16<sup>th</sup> day of May 2024.**

**TOWN OF MOUNTAIN VILLAGE:**

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

By:   
Martinique Prohaska, Mayor

ATTEST:

Kim Schooley  
Kim Schooley, Deputy Town Clerk

Approved as to Form:

David McConaughy  
David McConaughy, Town Attorney

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

1.e The attached copy of Ordinance No. 2024-05 (the "Ordinance") is a true, correct, and complete copy thereof.

2.e The Ordinance was introduced, read by title, approved on first reading and referred to public hearing by the Town Council the Town ("Council") at a regular meeting held at Town Hall, 455 Mountaine Village Blvd., Mountain Village, Colorado, on April 25, 2024, by the affirmative vote of a quorum of the Town Council as follows:

Council Member Name	"Yes"	"No"	Absent	Abstain
Martinique Prohaska, Mayor	X			
Scott Pearson, Mayor Pro-Tem	X			
Harvey Mogenson	X			
Peter Duprey	X			
Jack Gilbride			X	
Tucker Magid	X			
Huascar Gomez	X			

3.e 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 1, 2024 in accordance with Section 5.2(d) of the Town of Mountain Village Home Rule Charter.

4.e 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 May 16, 2024. At the public hearing, the Ordinance was considered, read by title, and approved with 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
Martinique Prohaska, Mayor	X			
Scott Pearson, Mayor Pro-Tem	X			
Harvey Mogenson	X			
Peter Duprey	X			
Jack Gilbride			X	
Tucker Magid	X			
Huascar Gomez	X			

5.e The Ordinance has been signed by the Mayor, sealed with the Town seal, attested by me as Deputy 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 16<sup>th</sup> day of May 2024.

By: Kim Schooley  
 Kim Schooley, Deputy Town Clerk (SEAL)



## Exhibit A

A. *Adoption.* The Town of Mountain Village hereby adopts and incorporates herein by reference as the Plumbing Code of the Town, the International Plumbing Code, 2021 Edition ("IPC") as published by the International Code Council, Inc. 4051 West Flossmoor Road, Country Club Hills, IL 60478.

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

Section 101. Section 101 of the IPC is hereby amended as follows:

1. Section 101.1, Title. "These regulations shall be known as the Town of Mountain Village Plumbing Code, hereinafter referred to as "this code" or the "IPC."
2. Section 101.2 Scope. Delete the following exception in entirety: "Exception: Detached one and two-family dwellings and multiple single-family dwellings (townhouses) not more than three stories high with separate means of egress and their accessory structures shall comply with the International Residential Code."
3. Section 103.1, General. Section 103.1 is hereby amended to read: "Section 103.1 Creation of Agency. The Town of Mountain Village Building Department is hereby charged with enforcing the IPC, and the official in charge thereof shall be known as the code official."
4. Section 103.2, Appointment. Section 103.2 is hereby deleted in its entirety due to the administrative provisions set forth herein.
5. Section A103.3, Deputies. Section 103.3 is hereby deleted in its entirety due to the administrative provisions set forth herein.
6. Section 109.2 Fee schedule. Delete and replace with: "All fees shall be per the Planning and Development Services Fee Schedule."
7. Section 107.2 Inspections and Testing. Amend by inserting under item 2, "gas pipe shall be tested with 15 PSI for 20 minutes. A category 3 or 4 appliance exhaust vent shall be tested at 5 PSI for 15 minutes."
8. Section 113 Means of Appeal. Board of Appeals: Delete and replace with section 17.7.8 of the Building Regulations.
9. Section 305.4.1 Sewer Depth. Delete and replace with: "Private sewage disposal systems are prohibited in the Town. Building sewers shall be a minimum of 6 feet below grade."
10. Section 312.5 Water Supply system test. Amend by deleting the sentence "for piping systems other than plastic," delete "50 PSI" and insert "60 PSI."

11. Section 502.5 Clearances for maintenance and replacement. Shall be amended to read, "Appliances shall be provided with access for inspection, service, repair and replacement without disabling the function of a fire-resistance-rated assembly or removing permanent construction, other appliances or any other piping or ducts not connected to the appliance being inspected, serviced, repaired or replaced. A level working space not less than 36" in length, 30 inches in width and 48" in height shall be provided in front of the control side to service an appliance."

12. Section 606.2 Location of shutoff valves. Amend by inserting, 1. On the fixture supply to each plumbing fixture other than "wall hung sinks", bathtubs and showers.

13. Section 607.2 Hot or tempered water supply to fixtures. Shall be amended to read, "The developed length of hot or tempered water piping, from the source of hot water to the fixtures that require hot or tempered water, shall not exceed 200 feet where minimum of R-3 insulation is installed to insulate the piping. Recirculating system piping and heat-traced piping shall be sources of hot or tempered water." Appendix E, Sizing of Water Piping. Adopt entire Appendix E.

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