

ORDINANCE NO. 2025-__

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF MOUNTAIN VILLAGE, COLORADO AMENDING CHAPTER 17.7 OF THE TOWN CODE TO INCORPORATE BY REFERENCE THE 2024 EDITIONS OF THE INTERNATIONAL BUILDING CODE, THE INTERNATIONAL RESIDENTIAL CODE, THE INTERNATIONAL MECHANICAL CODE, THE INTERNATIONAL FUEL GAS CODE, THE INTERNATIONAL PROPERTY MAINTENANCE CODE, THE INTERNATIONAL PLUMBING CODE, THE INTERNATIONAL EXISTING BUILDING CODE, THE INTERNATIONAL SWIMMING POOL AND SPA CODE, THE 2023 EDITION OF THE NATIONAL ELECTRIC CODE, NFPA70, AS ADOPTED BY THE STATE OF COLORADO, THE 2018 EDITION OF THE INTERNATIONAL FIRE CODE AS ADOPTED BY THE TELLURIDE FIRE PROTECTION DISTRICT, AMENDING THE 2021 EDITION OF THE INTERNATIONAL ENERGY CONSERVATION CODE, AND AMENDING VARIOUS PROVISIONS OF CHAPTER 17.7 OF TOWN CODE.

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, pursuant to C.R.S. § 31-16-202, the Town of Mountain Village (“Town”) is authorized to adopt codes by reference; and

WHEREAS, the Town has adopted by reference prior editions of certain National and International Standard Codes (collectively, “Standard Codes”); and

WHEREAS, the Standard Codes serve as the building regulation codes for the Town as set forth in Chapter 17.7 of the Mountain Village Municipal Code; and

WHEREAS, to comply with state law, and promote the health, safety, and welfare of Town residents, the Town building official has recommended that the Town adopt the versions of the Standard Codes as specified in **Exhibit A**; and

WHEREAS, Town staff has reviewed the Standard Codes 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 Standard Codes; and

WHEREAS, on _____, 2025 (FIRST READING), the Town Council conducted a duly noticed public hearing regarding the adoption of the updated editions of the Standard Codes pursuant to C.R.S. § 31-16-203; and

WHEREAS, on _____, 2025 (SECOND READING), the Town Council conducted a duly notice public hearing regarding the adoption of the updated editions of the Standard Codes pursuant to C.R.S. § 31-16-203; and

WHEREAS, the Town Council finds and determines that the interests of the citizens of the Town

will be best served by adopting by reference the Standard Code versions as specified in **Exhibit A**; and

WHEREAS, the Town Council desires to make other clarifying ad hoc amendments to Chapter 17.7 of the Town of Mountain Village Municipal Code.

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

Section 1. **Recitals.** The foregoing Recitals are incorporated as findings of the Town Council.

Section 2. **Adoption.** The Town Council hereby adopts by reference the following codes as specified in **Exhibit A** of this Ordinance: 2024 editions of the International Building Code, the International Residential Code, the International Mechanical Code, the International Fuel Gas Code, the International Property Maintenance Code, the International Plumbing Code, the International Existing Building Code, the International Swimming Pool and Spa Code, the 2023 edition of the National Electric Code, NFPA70, as adopted by the State of Colorado, the 2018 edition of the International Fire Code as adopted by The Telluride Fire Protection District, and amending the 2021 edition of the International Energy Conservation Code. In lieu of full publication of each of the foregoing, a true and correct copy of each Standard Code shall be available for inspection at the Office of the Town Clerk.

Section 3. **Modification.** The Town Council hereby amends various provisions of Chapter 17.7 as set forth in **Exhibit A** below. Insertions are noted by underlines and deletions are noted by ~~strike-throughs~~.

Section 4. **Repeal.** Any prior Standard Codes adopted by reference that conflict with the codes adopted by this Ordinance are hereby repealed and replaced with the Standard Codes adopted according to **Exhibit A**.

Section 5. **Severability.** Each section of this Ordinance is an independent section and a holding of any section or part thereof to be unconstitutional, void, or ineffective for any cause shall not be deemed to affect the validity or constitutionality of any other section or part thereof.

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 be effective fourteen days after final publication pursuant to section 5.9 of the Town Charter.

INTRODUCED, READ, AND REFERRED to public hearing before the Town Council of the Town of Mountain Village, Colorado on the ____ day of _____, 2025.

TOWN OF MOUNTAIN VILLAGE:

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

By: _____
Martinique Prohaska, Mayor

ATTEST:

Susan Johnston, Town Clerk

HEARD AND FINALLY ADOPTED by the Town Council of the Town of Mountain Village, Colorado this
__ day of ____, 2025.

TOWN OF MOUNTAIN VILLAGE:

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

By: _____
Martinique Prohaska, Mayor

ATTEST:

Susan Johnston, Town Clerk

Approved as to Form:

David McConaughy, Town Attorney

I, Susan Johnston, 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. 2025-__ ("Ordinance") is a true, correct, and complete copy thereof.
2. 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 Mountain Village Blvd., Mountain Village, Colorado, on _____, 2025, by the affirmative vote of a quorum of the Town Council as follows:

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

3. After the Council's introduction of the adopting Ordinance, two notices of the public hearing, containing the date, time and location of the public hearing, a statement that copies of the primary codes being considered for adoption are on file with the clerk and are open to public inspection, a description of the purpose and the subject matter of the proposed Ordinance and the code to be adopted, the name and address of the agency promulgating the primary code, and the date of publication of the code were published, with one at least 15 days before the hearing and the other at least 8 days before the hearing, in the Telluride Daily Planet, a newspaper of general circulation in the Town, on _____, and _____, 2025 in accordance with Section 5.2(d) of the Town of Mountain Village Home Rule Charter and C.R.S. § 31-16-203.
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 _____, 2025. 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
Martinique Prohaska, Mayor				
Scott Pearson, Mayor Pro-Tem				
Harvey Mogenson				
Peter Duprey				
Jack Gilbride				
Tucker Magid				
Huascar E. Gomez "Rick"				

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 ____ day of _____, 2025.

Susan Johnston, Town Clerk
(SEAL)

Exhibit A

[Copy Paste Code here]

Chapter 17.7

BUILDING REGULATIONS

Sections:

- 17.7.1 General.**
- 17.7.2 Administrative Provisions.**
- 17.7.3 Permits.**
- 17.7.4 Fees.**
- 17.7.5 Inspections.**
- 17.7.6 e-Plans Review and Required Construction Documents.**
- 17.7.7 Certificate of Occupancy.**
- 17.7.8 Building Board of Appeals.**
- 17.7.9 Contractor Licensing Regulations.**
- 17.7.10 International Building Code.**
- 17.7.11 International Residential Code.**
- 17.7.12 International Energy Conservation Code.**
- 17.7.13 International Mechanical Code.**
- 17.7.14 International Fuel Gas Code.**
- 17.7.15 International Property Maintenance Code.**
- 17.7.16 National Electric Code.**
- 17.7.17 International Plumbing Code.**
- 17.7.18 International Existing Building Code.**
- 17.7.19 International Swimming Pool and Spa Code.**
- 17.7.20 Construction Mitigation.**
- 17.7.21 Snow and Ice Removal 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 unless otherwise provided for, supersede the administration and enforcement section, as noted herein, in each of the following codes as adopted in the Building Regulations: The ~~2018~~ 2024 Editions of the International Building Code ("IBC"), International Residential Code ("IRC")), International Mechanical Code ("IMC"), International Fuel Gas Code ("IFGC"), International Property Maintenance Code ("IPMC"), the International Plumbing Code ("IPC"), the International Existing Building Code ("IEBC"), the International Swimming Pool and Spa Code ("ISPSC"), the 2021 edition of the International Energy Conservation Code, and the 2018 International Fire Code ("IFC") as adopted by the Telluride Fire Protection District (TFPD), and the 2020 2023 Edition of the National Electric Code, NFPA70, ("NEC"), as adopted by the State of Colorado, (collectively referred to as the "codes"). ~~International Plumbing Code ("IPC"), as adopted by the State of Colorado, the International Existing Building Code ("IEBC"), and the International Fire Code ("IFC") as adopted by the Telluride Fire Protection District, (collectively referred to as the "codes").~~ In instances where the State of Colorado or the Telluride Fire Protection District (TFPD) adopts subsequent code updates or amendments to the plumbing, electrical or Fire codes, the Town of Mountain Village also adopts the State Codes or TFPD Codes and exceptions and amendments found with the Building Regulations will survive. Further, the Town of Mountain Village reserves the right to amend and except as needed.

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 Building Regulations shall apply.

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 Building Official shall reasonably determine which applicable requirement shall govern.
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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 to clarify the application of the Codes' provisions in order to bring the codes into conformance with the Building Regulations. 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 Planning and Development Services 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 Planning and Development Services 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 Planning and Development Services 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.

4. In the absence of the Building Official, the Planning and Development Services Director will appoint a designee and/or will otherwise perform the duties of the Building Official.

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 interpretation of these codes.* Render major interpretations of these codes after consultation with the Planning and Development Services Director and the Town Attorney;

c. Adopt policies and procedures to clarify the application of the codes and Building Regulations and provisions;

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- 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 when applicable;
 - 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 to 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. *Noninterference.* 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
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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, in which the owner or occupant otherwise lacks a reasonable expectation of privacy; or when conducting inspections 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.
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- 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 town issued business license and/or contractor's license as set forth in these Building Regulations. Repeated uncured violations within a short period of time, as determined by the Building Official, may warrant the immediate revocation of all licensing from the Town of Mountain Village. Appeals for these determinations shall be heard by the Board of Appeals under the process described in section 17.7.8.

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. All licensed subcontractors must also be listed on the building permit.
- B. *Expiration.* Every permit issued shall become invalid unless the work on the site authorized by such permit is commenced within 180 days after issuance and may be voided at the Building Official's discretion. The Building Official is authorized to grant, in writing, extensions of time, for periods not more than 180 days each. The extension shall be requested in writing and justifiable cause demonstrated. The Town encourages only one extension; however, an additional extension may be granted at the discretion of the Building Official for good cause shown. For the purpose of this section, work shall be considered suspended or abandoned if the authorized work is not being diligently pursued and advanced to completion. A permit will expire if an inspection was not requested 180 days from the date of the last inspection date approved by the Building Division.
- 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.
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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 any license, permit or 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 all related licenses, including but not limited to required Town business licenses or contractor 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 to complete the permit process and 180 days has passed without activity, then the permit may either be revoked or voided 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.

1. *Reconciliation to Determine Final Valuation.* At the completion of a project, documentation shall be submitted for review and additional fees may be assessed per section 3.16.030 D 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, and/or the Planning and Development Services Department Fee Schedule ("Fee Schedule") as applicable.

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 Schedule.
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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 Schedule and or CDC Section 17.1.18, Violations and Penalties, as deemed appropriate by the Building Official.

F. *Telluride Fire Protection District ("TFPD") Fees.* The Telluride Fire Protection District administration and enforcement fees associate with the International Fire Code (IFC) are set forth by the TFPD.

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 in lieu of the required inspections at their discretion. Prior authorization is required to provide third party inspection reports in lieu of the Town inspections. 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 the engineer of record or an approved third-party 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 as to allow the Inspector/Building Official to conveniently make the required entries thereon regarding inspection of the work.

E. A site-specific soil and/or geologic investigation is required prior to the issuance of a building permit where any new foundations are to be placed. 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, drain designs and (2) geologic hazards or constraints, shall be considered in the report. Reports produced more than 10 years prior to the date of application will be reviewed by the Building Official and may be determined to be unusable for the project.

A geohazard analysis written report shall be prepared and stamped by a licensed engineer when geohazards are found on the property including and not limited to: slopes over 30%, landslide areas, avalanche areas, potential unstable slopes, rockfall hazard, expansive soils or

rock, or floodplain hazard. The Building Official may waive these requirements as warranted, consistent with Section 17.7.11.D.1.(k).

17.7.6 e-Plans Review and Required Construction Documents.

- A. The Building Division shall receive all building permit submittal documents electronically, preferably in pdf format or other electronic plans and submittal requirements in accordance with posted e-Plans process submittal requirement and submitted through the Town permitting website set forth by the Building Official.
- B. When the Building Official issues a permit, the reviewed red lined construction documents shall be issued electronically to the permit applicant.
- C. The ~~permittee~~ Permit holder 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. A CO may be withheld by the Building Official for projects 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 structure (or portion thereof as in the instance of a multifamily or mixed use building) shall be occupied safely, there will be no danger to the public, and the applicable provisions of the Building Regulations and CDC are met. As policy, TCOs are the exception to the rule and are only approved for unforeseen circumstances or acts of God. The Building Official, in conjunction with the Planning Division staff, shall set a time period during which the TCO is valid, but never longer than 180 days. 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 is not obtained by the applicable deadline, the right to occupy immediately ceases, and the premises shall be vacated. If the conditions of the TCO have not been met by the set expiration date, the CO may be issued if all life safety related inspections are addressed, and a bond is posted in the amount of one hundred twenty five percent (125%) of the cost of completion in order to ensure completion if approved by the Planning Director and the Building Official.

~~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 at project completion involving additions, remodels or repair from flood, fire or natural disasters.~~

17.7.8 Building Board of Appeals.

A. *Name.* The name of this board shall be the Town of Mountain Village Building Board of Appeals (the "Board of Appeals").

B. *Authority.* The authority of the Board of Appeals is strictly limited to hearing and deciding appeals of administrative orders, decisions or determinations made by the Town of Mountain Village ("Town") Building Official ("Building Official") relative to the application and interpretation of all duly adopted Building Codes and Regulations (collectively the "Building Regulations"). The Building Official shall be an ex officio member of and shall act as secretary but shall have no vote on any matter. The Board of Appeals bylaws for conducting its business are hereby created by Town of Mountain Village Town Council ("Town Council"). The Board of Appeals shall

render all decisions in writing with findings in accordance with the adopted bylaws and Building Regulations.

C. *Appeal Procedures.* All appeals of decisions of the Building Official shall be filed in accordance with the applicable Building Regulation and shall be made in writing within seven (7) calendar days of the decision of the Building Official. Failure to file a written appeal within seven calendar days shall preclude the Board of Appeals from hearing any appeal and the decision of the Building Official shall stand as the final administrative decision of the Town.

D. *Appointments and Terms of Office.* The Board of Appeals shall be appointed by the Town Council and shall hold office at its pleasure. Appointments shall serve until they either (a) resign; (b) are no longer qualified; (c) are removed by the Town Council or (d) the Town Council elects to make new appointments to the Board of Appeals. Any member may be removed with or without cause by a majority vote of the Town Council. Any vacancy shall be filled by the Town Council. The Board of Appeals shall consist of five regular members and two alternates. Advertising for appointments will be consistent with the Town Council adopted policy.

E. *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 current 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 member shall be deemed to have resigned, and the Town Council shall appoint a replacement.

F. *Qualifications.* The Board of Appeals shall strive to consist of a minimum of one Colorado licensed electrical contractor, one Colorado licensed plumbing contractor. Preference is given to applicants who have the following types of professional experience: an ICC certified general contractor; certified architect; construction project manager; design professional or engineer. Qualifications include a minimum of five (5) years professional experience in their respective fields.

G. *Officers.* The Board of Appeals shall annually elect a chair from its number who shall preside over all hearings and proceedings. ~~The elected chair shall not serve successive terms.~~ A vice-chair elected annually by the Board of Appeals shall assume the chair's duties in the chair's absence.

H. *Quorum and Voting.* Quorum shall consist of three members, and a decision of a majority of the members shall control. Any absent member may join in a decision 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 jurisdiction.

I. *Duties.*

1. *Chair.* The chair shall preside at all meetings and shall perform all duties usually incident to the office of Chair and such other duties as may be assigned to him or her from time to time by the Task Force. The Chair shall see to the execution of resolutions, procedures and policies approved by the Task Force.

2. *Vice Chair.* In the absence or disability of the Chair, the Vice Chair shall have all powers of and shall be subject to all restrictions upon the Chair. The Vice Chair shall perform such duties as shall from time to time be assigned by the Task Force.

3. *Secretary.* Secretarial duties will be maintained by the Town staff. Secretary responsibilities are as follows 1) to keep minutes of Board meetings and to keep records of the Board.

J. *Meetings.* The Board of Appeals shall hold an initial organization meeting as called by the chair. Further meetings shall be held as necessary in order to timely hear appeals as called by the Chair or the Building Official.

K. *Rules of Order.* Unless otherwise specified in these bylaws, the Board of Appeals will follow procedures outline in Robert's Rules of Order, Newly Revised.

L. *Meeting Notices.* The appointed staff member shall furnish advance notice of all meetings. Staff shall deliver, by the close of business the Friday before the next meeting, minutes of the previous meetings and copies of material to be studied or acted upon, including an agenda, and other items necessary for discussion. Meeting notices may be delivered via email. Meeting notices are also posted at town approved posting areas and on the Town's website consistent with town adopted public meeting posting location requirements.

M. *Agenda.* The appointed staff shall prepare the agenda with input from the Chair, and copies distributed in advance of the meeting. Other items of the agenda shall include but not be limited to disposition of minutes of the previous meeting, which may be distributed and approved via email by the board members due to the potential for long periods between

meetings. The minutes and agenda shall be delivered to Board members as needed no later than 7 days in advance of the meeting.

N. *Open to the Public.* All meetings shall be open to the public, except for executive session as authorized in the Colorado Open Meetings law, C.R.S. 24-6-402.

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 govern and regulate the contracting community in Mountain Village, with the following primary purposes:

1. Ensure that construction trades produce ~~high quality code compliant~~ 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. ~~To assist in protecting~~ Protect property owners and developers from fraudulent, corrupt and under qualified contractors; and
4. ~~Create~~ Manage a pool ~~a list of trained and qualified licensed~~ 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 of Colorado. 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 and maintain the required contractor certifications and Town building licenses as set forth in ~~the~~ these Contractor Licensing Regulations.

C. *Required Contractor Certifications and Building License.*

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

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

- a. General Contractor (A) Exam to issue 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 prior to applying for any permit. 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 trade. The license holder shall be an employee or owner of the contracting firm. In the case of an employee or owner (license holder) leaving employment, it is the contractor's responsibility to notify the Building Official within five working days. A one-month grace period to locate a new license holder will be provided. Licensing will be revoked if a contractor does not maintain the license holder. License sharing with other companies is strictly prohibited and will result in all Licensing with the Town of Mountain Village to be revoked. License sharing will be presumed if anyone other than a direct employee or owner of the licensed general contractor company requests inspections, supervises field personnel or is in any other way involved in the day-to day operations of the permitted construction site.
 - c. All trades are required to have the current corresponding building code book on site as adopted by the Town which regulates that trade.
-

d. The Town building license shall be renewed after the Town adopts the updated ICC codes by either re-taking the applicable ICC test on the current code(s); or achieving .8 hours (equivalent to an eight (8) hour class) of continuing education credit, ("CEU") for each code referenced in the Town building license. Previously licensed individuals who are current with their license at the time the new codes are adopted have three (3) months ~~one (1) year~~ from the new code adoption date to obtain the required CEU's to update their Contractors License.

e. Anyone that has been convicted of a felony for a crime of moral turpitude may not apply for or maintain a general contractors license with the Town of Mountain Village. Appeals for these determinations shall be heard by the Board of Appeals under the process described in section 17.7.8.

3. *Required Town Business Licenses.* All contractors and sub-contractors are required to have an active business license with the Town.

4. *Owner-Builder.* Homeowner-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 and understand the Town approved Homeowner Contractor Affidavit prior to obtaining a building permit and shall be present for all requested inspections.

b. An owner-builder is a person that will inhabit the Single-Family dwelling as their primary residence for two (2) or more years after issuance of a CO. 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. The owner-builder shall be on site on a regular and consistent basis (minimum of twice a week) in order to supervise the project and shall be present for all inspections, required under these Building Regulations. No inspections shall occur without the owner-builder on site.

c. Contractors and owner-builders shall not use this section to circumvent the contractor licensing regulations.

5. *Revoking of Building and or Business License.* Notwithstanding any other provision of the CDC, 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 two-year period, the Building Official may permanently or temporarily revoke the Town building and/or general business license. Egregious violations may warrant the immediate revocation of all licensing from the Town of Mountain Village. Appeals for these determinations shall be heard by the Board of Appeals under the process described in section 17.7.8.

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

\$~~12~~2,000,000 in Employers Liability

\$~~25~~2,000,000 General Liability

\$~~12~~2,000,000 Each Occurrence the Town must be listed as an additional insured on the certificate of issuance if Town property is to be used or impacted by the project as determined by the Building Official.

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"), ~~2018~~ 2024 Edition, published by the International Code Council, Inc., 4051 West Flossmoor Road, Country Club Hills, IL 60478.

B. *Amendments, Additions and Modifications.* The IBC 2018 Edition is hereby amended as follows:

1. *Section 101.* Section 101 of the 2018 IBC is hereby amended as follows:

a. Section 101.1, Title.

"These regulations shall be known as the "Town of Mountain Village Building Code" and may be cited as such and will be referred to herein as "this code" or "the IBC""

2. Section 103.1 Creation of Agency. The Planning and Development Services Department, Building Division is hereby created and the official in charge thereof shall be known as the *building official*. The function of the agency shall be the implementation, administration and enforcement of the provisions of this code.

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.

~~4. Section A 107.2.5 Exterior balconies and elevated walking surfaces. Delete in its entirety.~~

5. Section 110.3 Required Inspections: This section shall be supplemented by adding any required inspections not listed in the IBC with all required inspections posted and requested by the Town of Mountain Village Building Official.

6. Section 113 Board of Appeals: Delete and replace with section 17.1.8 of the Building Regulations.

7. Section 114 Violations: Delete in entirety and replace with the Town of Mountain Village adopted Building Regulations, CDC Section 17.1.18 Violations and Penalties, Section 17.7.9.D Revoking of Building and or Business License, and the Fee Schedule.

8. *Definitions*. 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 all work on each job site and oversees the subcontracting trades. The General Contractor acts as the agent of the owner, signs all required applications and forms with the Town and grants access for building inspections."

b. "High Rise Building. Amend by replacing with "A building with an occupied floor located more than 65 feet above the lowest level of fire department vehicle access."

c. 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.

- d. Plan Review Fee: The plan review fee is a document preparation fee applicable to all permits.
- e. Detached: A structure separated from another structure by separate foundation and exterior siding material by a minimum of six feet (6') or applicable code required exterior wall separations, whichever is most restrictive."

9. *Roofing.*

"Section 1507.4.3 Metal sheet roof coverings installed over structural decking shall comply with 1507.4.3. The materials used for metal sheet roof coverings shall be amended by deleting: "naturally corrosion resistant or provided with corrosion resistance in accordance with the standards and minimum thicknesses shown in Table 1507.4.3 (2)."

Table 1507.4.3(1) Metal Roof Coverings: Aged metal roofing and flashing shall be allowed with no corrosion protection."

Section 1507.5.7 Flashing: Roof valley flashing shall be amended by deleting "corrosion resistant metal".

10. *Section 1601 General.* ~~Insert~~ Section 1601.2 is hereby adopted by inserting the following local climatic design conditions:

- a. Ground snow load is ~~430 lbs. min standard plus elevation per SEAC Guide~~ variable. Use <https://ascehazardtool.org/> to determine ground snow load.
- b. Wind speed is ~~90 MPH 3 sec. wind gust exposure C-variable.~~ Use <https://ascehazardtool.org/> to determine wind speed.
- c. Climate zone 6B
- d. Seismic design class C, unless sufficient evidence is provided to support another category.
- e. Frost line depth is 48 inches
- f. Weathering is severe
- g. Termites are slight to moderate, decay is slight
- h. Winter design temp is -15 degrees F
- i. Mean annual temperature is 40 deg. F

~~11. Section 1603. Section 1603 is hereby deleted.~~

11. *Appendix A, Employee Qualifications.* Section A101 is hereby amended as follows:

12. *Section Appendix F, Rodent Proofing.* Appendix F is a reference standard hereby adopted into the 2018 IBC.

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, ~~2018~~ 2024 Edition, ("IRC") published by the International Code Council, Inc., 4051 West Flossmoor Road, Country Club Hills, IL 60478.

1. The ~~2018~~ 2024 IPC, IMC, IFGC, IFC, and the currently adopted NEC shall also apply to construction covered by the IRC.

B. *Amendments, Additions and Modifications.* The IRC ~~2018~~ 2024 edition is hereby amended as follows:

1. *Section R101.* Section R101 of the 2018 IRC is amended as follows:

"Section 101.1, Title. ~~These regulations shall be known as the "Town of Mountain Village Building Code"~~ These provisions shall be known as the Residential Code for One- and Two-Family Dwellings of the Town of Mountain Village and may be cited as such and will be referred to herein as "this code" or as the "IRC".

"Section 101.4.6.1, Energy. The provisions of the 2018 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 2018 IRC must be followed. If there are conflicts between the codes, the more stringent provision will prevail

"Section R IO1.4.1, Appendages and Projections. Unenclosed accessory structures attached to buildings with habitable spaces and projections, such as decks, shall be protected by one of the following methods: Constructed with either noncombustible materials, heavy timber as specified in the (2018 IBC section 2304.11) or exterior grade ignition resistant materials as specified in the (2018 IBC section 2303.2). Or constructed so that all exposed structural members are enclosed

with an approved one hour assembly by the Building Official, or constructed in coordination with the Planning Department upon approval of a wildfire mitigation plan addressing defensible space criteria provided in CDC Section 17.6.1(A) – Fire Mitigation and Forestry Management. All appendages and projections regardless of method of construction shall provide a cleanable ground surface, as applicable. The fire mitigation approach will require a planning department sign off on the inspection record, prior to the framing inspection.

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

~~"Section 103.1, Creation of Enforcement Agency. The Planning and Development Services Department, Building Division, is hereby charged with enforcing the IRC, with the Building Official acting as the code official." is hereby created and the official in charge thereof shall be known as the *building official*. The function of the agency shall be the implementation, administration and enforcement of the provisions of this code.~~

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. ~~Chapter 14, Part 8 Chapters 34-43, Electrical. Delete chapters 34-43 in their entirety.~~
5. ~~M1901.2, Cooking Appliances. Delete in entirety.~~
6. ~~1901.3, Prohibited Location. Delete in entirety.~~
5. Insert Section R109.1.6 Inspections and Testing.

"Section 107.2 Required inspections and testing: This section shall be supplemented by adding with all required inspections posted and requested by the Town of Mountain Village Building Official. Some of which are:

DWV pressure test may be by a 10' head of water or with 5 pounds of air pressure for 15 minutes.

Gas pipe shall be tested with 15 pounds of air pressure for 20 minutes.

Water service line shall be tested with working pressure or 60 lbs. of air for 20 minutes.

Hydronic heat tubing shall be tested with 60 lbs. of air.

6. Delete Section R112 Board of Appeals : See section 17.1.8 of the Building Regulations.

7. Chapter 2 Definitions: Replace or add the definitions below with the following:

a. "Fire separation distance: The distance measured from the exterior building face to one of the following:

1. The closest lot line.

2. To the centerline of a street, alley, or public way. Adjacent zoned Active or Passive Open Space parcels will be interpreted as a public way for the purposes of determining fire separation distance."

3. The required fire separation between two buildings as determined by the fire code as exercised by minimum distance between buildings on the same lot OR executing "no build" easements as necessary when on separate lots.

b. "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 all work on each job site and oversees the subcontracting trades. The General Contractor acts as the agent of the owner and signs all required applications and forms with the Town with authority to bind the owner to the terms and conditions of such applications and forms.

c. Heavy Timber". Wood Columns shall be sawn or glued laminated and shall not be less than 8" in any dimensions. Wood beams and girders shall be of sawn or glued-laminated timber and shall be not less than 6" nominal in width and not less than 10' nominal in depth."

d. "High Rise Building. Amend by replacing with "A building with an occupied floor located more than 65 feet above the lowest level of fire department vehicle access."

e. "Qualified Individual: An individual who has passed the International Code Council test which covers the applicable currently adopted code or has passed the International Code Council test which covers the applicable currently adopted code and achieved ongoing training updates to the currently adopted codes in the form of a minimum of 87 classroom hours or 87 CEU's to update their license in accordance with the Contractor Licensing Regulations.

f. Plan Review Fee: The plan review fee is a document preparation fee applicable to all permits."

g. Detached: A structure separated from another structure by separate foundation and exterior siding material by a minimum of six feet (6') or applicable code required exterior wall separations, whichever is most restrictive.

~~8. Amend by inserting:~~

~~R302.4.1.1.1 Waste and or linen. A shaft enclosure containing a recycling, or waste or linen chute shall not be used for any other purpose and shall be 1-hour fire rated with self-closing doors. Where passing through more than 1 floor an NFPA 13d sprinkler head shall be installed at the top of the shaft. Doors into chutes shall be self-closing. Discharge doors shall be self- or automatic-closing upon the actuation of a smoke detector, except that heat-activated closing devices shall be permitted between the shaft and the discharge room.~~

8. R302.7 Under-stair protection. Shall be amended to read,

Enclosed accessible space under stairs shall have walls, under-stair surface and any soffits protected on the enclosed side with 5/8" gypsum board. "Whenever plumbing or mechanical equipment located below a stairway the minimum headroom below the stair shall be 48" and" the walls and soffits within enclosed usable spaces under stairways shall be protected by 1-hour fire-resistance -rated construction or the current fire-resistance rating of the stairway enclosure.

~~12. R311.7 Stairways. Amend by inserting decorative or portable ladders such as for built in bunk beds are excluded from any requirements.~~

~~13.~~

~~R313.1 Townhouse automatic fire sprinkler systems. An automatic residential fire sprinkler system shall be installed in townhouses.~~

~~Exception: An automatic residential fire sprinkler system shall not be required when additions or alterations are made to existing townhouses that do not have an automatic residential fire sprinkler system installed.~~

9.

~~R313.1.1~~ R309.1.1 Design and installation. Automatic residential fire sprinkler systems for townhouses shall be designed and installed in accordance with, amend by deleting "Section P2904" ~~amend by inserting "NFPA 13D."~~

10.

~~R313.2~~ Amend section R309.2 to read: One- and two-family dwellings automatic fire systems. An automatic residential fire sprinkler system shall be installed in one- and two-family dwellings where the finished habitable space exceeds 3600 square feet and includes conditioned habitable basement area.

Exception: An automatic residential fire sprinkler system shall not be required for additions or alterations to existing buildings that are not already provided with an automatic residential sprinkler system.

11.

~~R313.2.1~~ Design and installation. Automatic residential fire sprinkler systems shall be designed and installed in accordance with, amend by deleting "P2904" ~~amend by inserting "NFPA 13 D."~~
~~R313.1.1~~ R309.2.1 Design and installation. Automatic residential fire sprinkler systems for townhouses shall be designed and installed in accordance with, amend by deleting "Section P2904" ~~amend by inserting "NFPA 13D."~~

12.

R904.3 Material specifications and physical characteristics. Roof covering material shall conform to the applicable standards listed in this chapter. Amend by inserting, "Metal roofing and all associated metal roofing products shall not be required to be corrosion resistant or listed by any agency in the Town of Mountain Village. Where installed, they shall be a minimum of 22 gauge."

~~18.~~

~~"Table N1102.1.2 shall be amended in Climate Zone 6B under wood framed wall R value.~~

~~19.~~

~~Insert: R 29 cavity insulation shall equal the prescriptive requirement of R5+20.~~

20.—

~~N1103.5.1 Circulation Systems. Heated water circulation systems shall be provided with a means of circulation. The system return pipe shall be a dedicated return pipe or a cold water supply pipe.~~

Delete "Gravity and thermosyphon circulation systems shall be prohibited." And insert "Gravity circulation systems shall be allowed and encouraged."

21.—

~~N1103.5.3 Hot Water Pipe Insulation.~~

~~Exception 3. Piping amend by inserting, "shall not be" located outside the conditioned space excluding properly mixed heating systems mixed with Glycol or approved anti-freeze compound installed in heated flooring.~~

22.—

~~M1502.4.6 Length Identification. Where the exhaust duct equivalent length exceeds 35 feet, the equivalent length of the exhaust duct shall be identified on a permanent label or tag.~~

14.—

~~M1503.3 Exhaust Discharge. Domestic cooking exhaust equipment shall discharge to outdoors through a duct. The duct shall have a smooth interior surface, shall be airtight, shall be equipped with a backdraft damper and shall be independent of all other exhaust systems. Ducts serving domestic cooking equipment shall not terminate in an attic or crawl space or areas inside the building.~~

~~Exception: This exception shall be deleted in entirety. Section M1503.3 Delete the exception in its entirety.~~

13. Chapter 22 Special piping and Storage Systems. Delete in entirety.

14. ~~Section 1805.4.2 Foundation Drain. Amend by inserting:~~ Insert section R401.3.1;

Foundation drains are part of the foundation system. The design professional shall state in a report whether the foundation drain shall be designed and / or inspected by a Colorado registered professional engineer of record.

~~26. Section G2447 Cooking Appliances. Delete section G2447.2 Prohibited Location and Section G2447.3 Domestic Appliances in entirety.~~

15. *Plumbing.*

~~a. Section P2503.5.1, Rough Plumbing. Insert the words "Building Sewer and" Delete the words "for piping other than plastic."~~

~~b. Section P2603.5 Freezing. Delete the words "by insulation or heat or both." Delete the words "12 inches" and insert "48 inches".~~

a. *P2603.5.1 Sewer Depth.* Insert the number "48" regarding burial depth.

~~d. Section P2706.1, Waste Receptors. Add: "Waste Receptors used for condensate disposal are permitted in any readily accessible location."~~

~~e. Section P2903.9.3, Fixture Valves and Access. Add: Wall mounted sinks.~~

b. *Section P2904.1 Dwelling Unit Fire Automatic Sprinkler Systems.* The design and installation of residential fire sprinkler systems shall be in accordance with NFPA 13D only. Amend by Inserting, "no P2904 systems shall be allowed in the Town of Mountain Village."

c. *Section P2911 On Site Nonpotable Water Reuse Systems.* Delete in its entirety.

d. *Section P2912 Nonpotable Rainwater Collection and Distribution Systems.* Delete in its entirety.

e. *Section P2913 Reclaimed Water Systems.* Delete in its entirety.

~~j. Section P3001.2 Protection from freezing. Delete the words "by insulation or heat or both."~~

f. *Section P3009 Subsurface Landscape Irrigation Systems.* Delete this section in entirety.

~~I. *Section P3303.1.3 Electrical.* Delete the words "Chapters 34 through 43 and insert the currently adopted NEC". Delete chapters 34-43 in entirety.~~

g. *Chapter 44 Referenced Standards.* Insert Current edition of the "NRCA" National Roofing Contractors Association.

16. *Appendix A. Sizing Capacities of Gas Piping* Appendix A is a reference standard hereby adopted into the ~~2018~~ 2024 IRC.

17. *Appendix C. Exit Terminals of Mechanical Draft and Direct-Vent Venting Systems:* Appendix C is a reference standard hereby adopted into the ~~2018~~ 2024 IRC.

18. *Appendix G. Swimming Pools, Spas and Hot Tubs:* Appendix G is a reference standard hereby adopted into the ~~2018~~ 2024 IRC.

~~31. 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 hereby adopts and incorporates herein by reference as the energy conservation code of the Town the International Energy Conservation Code, 2021 Edition ("IECC") as published by the International Code Council, Inc., 4051 West Flossmoor Road, Country Club Hills, IL 60478 and the model electric ready and solar ready code on file at the Town of Mountain Village, 455 Mountain Village Blvd., Suite A, Mountain Village, CO 81435;

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

1. *Section C101.* Section C101 of the IECC is hereby amended as follows:

a. *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" and the Colorado Model Electric Ready and Solar Ready Code.

b. *Section C101.5.2 , Insert: Scope and General Requirements.* Add Section C101.5.2 to read:

Section C101.5.2 Creation of Agency. The Town of Mountain Village Building Department is hereby charged with enforcing the IECC, and the official in charge thereof shall be known as the code official.

- c. *Section C104.2, Fee Schedule.* Delete and replace with: "All fees shall be per the Planning and Development Services Fee Schedule."

~~2. *Section R101.* Section R101 of the IECC is hereby amended as follows:~~

- ~~a. *Section R101.1, 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" and the Colorado Model Electric Ready and Solar Ready Code.~~

- ~~b. *Section R101.5.2, Scope and General Requirements.* Add Section R101.5.2 to read:~~

~~Section R101.5.2 Creation of Agency. The Town of Mountain Village Building Department is hereby charged with enforcing the IECC, and the official in charge thereof shall be known as the code official.~~

- ~~c. *Section R104.2, Fee Schedule.* Delete and replace with: "All fees shall be per the Planning and Development Services Fee Schedule."~~

2. *Section R401.* Section R401 of the IECC is hereby amended as follows:

- a. *Section R401.2, Applications.* Delete and replace with: "Residential Buildings shall comply with Section 401.2.1."

- b. *Section R401.2.1, Prescriptive Compliance Option.* Delete and replace with:

R401.2.1 Local Energy Saving Measures.

a. Scope. The following requirements apply to all new residential construction, remodels, or additions, including without limitation single-family dwellings, multifamily dwellings, and mixed-use developments.

b. Mandatory Requirements. All projects shall comply with the local energy savings measures as set forth herein.

c. HERS Ratings.

i. All new detached single-family or detached condominium dwellings shall achieve one of 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 prescriptive method may be used for homes 3,600 square feet or less with no HERS verification prior to a Certificate of Occupancy. The prescriptive or performance (HERS) method shall be confirmed prior to issuing a building permit. Performance methods must meet the follow HERS ratings outlined below.

(a) 3,601 sq. ft. to 7,000 sq. ft.: HERS rating of 60 or lower.

(b) 7,001 to 13,000 sq. ft.: HERS rating of 55 or lower

(c) 13,001 sq. feet and larger: HERS rating of 50 or below.

A confirmed HERS rating is required at or before CO. Where no exterior snowmelt is included on the project either electrical or gas, the lowest required HERS rating shall be 60.

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.

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

(a) 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.

(b) Roof Design. Roofs are designed to function in this climate without the need for snowmelt systems and with snow and ice fall safety measures (protected entries). Roofs free of snowmelt systems are eligible for a 20% building permit fee discount. This would apply to new buildings and additions only (the rebate only applies to the portion of the permit that includes new square footage), and designs that meet this requirement must be approved by the Building Official.

(c) Exterior Energy Use: Buildings designed with no exterior energy use elements other than lighting are eligible for an additional 15% building permit fee discount. When this rebate is awarded, a covenant shall be recorded for the property with the Town, acknowledging the acceptance of the owner's forfeit of right to install any exterior energy use items after obtaining the CO for a period of fifty years. If during this period after CO it is found that exterior energy use items are desired by the owner and installed, the awarded rebate pertaining to exterior energy use shall be returned to Mountain Village per the terms of the agreement.

(d) Interior Energy Use HERS Rating: Buildings designed with a HERS rating below 50 are eligible for a building permit fee discount. 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 53 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 four (4) 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 100% of the building permit fee.

ii. 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 (see below).

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

iv. Snowmelt.

(a) All snowmelt systems on the property shall be offset via the Renewable Energy Mitigation Program (REMP) 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) Multifamily, 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 and other public use areas.

(v) Pool deck areas for multifamily or mixed-use hotbed development sites as envisioned in the Comprehensive Plan.

v. Spas. Factory built spas (hot tubs) that ~~are in compliance~~ comply with the current California Energy Commission requirements in section 1604 of title 20 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.

vi. 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 projects that are envisioned in the Comprehensive Plan or may use a portion of the project revenues to pay for part of or all the energy offset.

~~vii. 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.~~

vii. 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") - TMV Renewable Energy Mitigation Program - Outdoor Energy Use Worksheet (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.

viii. 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.

ix. 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.

x. 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.

(a) 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.

(b) 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 off-site 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.

xi. Shut-off Timers. Exterior energy use such as outdoor firepits and exterior gas illumination fixtures shall be required to have timers with a maximum of 60 minutes and shall not have continuously burning pilots.

xii. Appropriation of funds. All REMP payments in lieu received by the Town shall be deposited into a separate account with the Town to be used for energy reducing town projects and programs that benefit the community. Carbon reducing town projects and programs may be considered an appropriate use of REMP funds with Town Manager approval.

xiii. Engineered Heating Systems. All detached single-family dwellings with equipment that meets the requirements for commissioning 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.

xiv. 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.

xv. 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. Fireplaces. Fireplaces located in sleeping areas must have shut off timer with 90 minute maximum or thermostat setting maximum of 80 degrees. Wood burning fireplaces shall meet the Solid Fuel Burning Device Regulations.

~~i. Programmable Thermostats. Programmable thermostats are required for forced air central heating and cooling systems.~~

~~j. Automatic Exhaust Fan Switches. Timers, humidistats or motion sensors are required for bath exhaust fans.~~

~~k. 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.~~

i. Range Hood Ducting. Range hoods are required and must be ducted to the exterior.

j. 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:

k. The equipment input rating exceeds 200,000 btu.

l. The heated water exceeds 210 deg. F

m. 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.

n. 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.

o. 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.

p. Hydronic Systems. Balancing. Individual hydronic heating and cooling coils /zones 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.

q. Functional Performance Testing. Functional performance testing shall be in accordance with the requirements of this section.

r. 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.
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- s. 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.
- t. Economizers. Air economizers shall undergo a functional test to determine that they operate in accordance with the manufacturer's specifications.
- u. 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.
- v. System Balancing Report. A written report describing the activities and measurements completed shall be provided.
- w. 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.
- x. 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.
- c. *Section R401.2.2, Total Building Performance Option.* Delete in its entirety.
- d. *Section R401.2.3, Energy Rating Index Option.* Delete in its entirety.
- e. *Section R401.2.4, Tropical Climate Region Option.* Delete in its entirety. (Ord. No. 2024-07 §3 (Exh. A)).

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, ~~2018~~ 2024 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 2018 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 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, General. "Section 103.1 is hereby amended to read: The Building Division is hereby charged with enforcing the IMC, with the Building Official acting 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 106.* Section 106 of the IMC is hereby amended as follows:

Section 106.3.1, Construction documents. "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."

Section ~~106.6.2~~ 108.2.1, Fee Schedule. Insert, "All fees shall be per the Planning and Development Services Fee Schedule."

7. ~~Insert Section 107.2~~ 111.2.6, Required inspections and testing. Amend by adding to item a. "Hydronic piping shall be tested at 60 lbs. air pressure. Amend by adding item 3. Sealed combustion. Amend by adding item 4. PVC vent piping both intake and exhaust installations must be pressure tested with air at 5 PSI for 15 minutes."

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8. ~~Section 109112, Means of Appeal.~~ Board of Appeals: Delete and replace with section 17.7.8 of the Building Regulations.
 9. Section 306.2 Appliances in rooms. Delete "30" from the exception and insert "not less than 48" high."
 10. Delete section 307.2.1.1 condensate discharge in its entirety.
 11. Delete section 504.6 Booster fans prohibited in its entirety.
 - ~~10. Section 505.3 Exhaust ducts. Delete exception 1. "Exception 1. In other than groups I-1 and I-2 where installed in accordance with the manufacturer's instructions and where mechanical and or natural ventilation is otherwise provided in accordance with chapter 4, listed and labeled ductless range hoods shall not be required to discharge to the outdoors."~~
 - ~~11. Section 805.6 Decorative Shrouds. Amend by inserting, "decorative shrouds shall be 3rd party special inspection approved by the appliance installer that the shroud is used on. The installer shall verify the shroud works properly with the appliance."~~
 - ~~12. Section 917.2 Domestic appliances. Delete this section in entirety. "Cooking appliances installed within dwelling units and within areas where domestic cooking operations occur shall be listed and labeled as household appliances for domestic use."~~
 12. Section 1203.3.4 Solvent-cemented joints. Amend by inserting, An approved "visible" primer.
 13. Section 1208 Test.1208.1 General. Shall be amended to read "Hydronic piping shall be tested at 60 PSI. The duration of each test shall be not less than 15 minutes."
 14. Section 1209.5 Thermal barrier required. Amend by inserting "Where used as snow melt a minimum of R-15 insulation is required beneath and alongside."
 15. *Appendix A Chimney Connector Pass-Through.* Appendix A is a reference standard hereby adopted into the 2018 IMC.
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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, ~~2021~~2024 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:

a. *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."

b. *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."

c. *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 IFGC, and the official in charge thereof shall be known as the code official.

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

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

f. *Section 109.2, Fee Schedule.* Delete and replace with: "All fees shall be per the Planning and Development Services Fee Schedule."

g. *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."

h. *Section 113, Means of Appeal.* Board of Appeals: Delete and replace with Section 17.7.8 of the Building Regulations.

i. *Section 406.4.1, Test Pressure.* Amend by inserting:

The test pressure for gas piping shall be 15 PSI air for 20 minutes minimum. Where the design gas pressure inside the building is greater than 5PSI the pipe shall be welded and tested at 60 PSI for 20 minutes. Category 3 and 4 appliance exhaust pipes shall be tested at 5 pounds for 15 minutes.

j. ~~Insert new section:~~

~~Section 409.5.4, Gas Fireplace in Sleeping Room Areas. A timer, or permanent thermostat shall be provided to control the main burner operation, shall have a maximum operating time of 1 hour and a maximum temperature setting of 85 degrees Fahrenheit. The control for the timer or thermostat shall be in the same room as the gas fireplace.~~

k. ~~Insert new section:~~

~~Section 623.3.1, Exhaust Discharge. Domestic cooking exhaust equipment shall discharge to outdoors through a duct. The duct shall have a smooth interior surface, shall be airtight, shall be equipped with a backdraft damper, and shall be independent of all other exhaust systems. Ducts serving domestic cooking equipment shall not terminate in an attic or crawl space or areas inside the building.~~

j. *Appendix A, Sizing and Capacities of Gas Piping.* Appendix A is a reference standard hereby adopted into the 2021 IFGC.

k. *Appendix C, Exit Terminals of Mechanical Draft and Direct-Vent Venting Systems.* Appendix C is a reference standard hereby adopted into the 2021 IFGC. (Ord. No. 2024-06 §3 (Exh. A)).

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 ~~2018~~ 2024 Edition, ("IPMC") as published by the International Code Council, Inc. 4051 West Flossmoor Road, Country Club Hills, IL 60478.

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 505.4. Water Heating Facilities. Delete the words "unless adequate combustion air is provided."

6. Section 505.5 Non-potable water reuse systems. Delete 505.1 and 5.5.5.1 in entirety.

7. *Section 604.1 ~~Electrical~~ Facilities Required.* Amend by inserting, "and the latest adopted edition of the NFPA 70 the National Electrical Code."

8. *Section 111 Means of Appeal.* Board of Appeals: Delete and replace with section 17.7.8 of the Building Regulations.

17.7.16 National Electric Code.

A. *Adoption.* The Town of Mountain Village hereby adopts and incorporates herein by reference as the Electrical Code of the Town, the ~~2020~~ 2023 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 2020 National Electrical Code which includes” amendments as follows:

1. The Building Division is charged with administering and enforcing the provisions of the NEC.
2. *New Section Fees.* Permit fees shall be based on the Planning and Development Services adopted Fee Schedule and shall supersede and replace any fee schedule adopted by the International Electrical Code or the State of Colorado.

~~3. 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:~~

~~I. A continuous white outer finish “for 120-volt ground to ungrounded single phase and three phase systems.”~~

~~II. A continuous gray outer finish “for 277-volt ground to ungrounded 3 phase systems.”~~

~~III. Three continuous white “for 120 volts” or gray stripes “for 277 volts” 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 4 AWG or larger shall be identified by one of the following means:~~

Amend by deleting items 1-3 and replacing with:

- i. A continuous white outer finish "for 120-volt ground to ungrounded single phase and three phase systems."
- ii. A continuous gray outer finish "for 277-volt ground to ungrounded 3 phase systems."
- iii. 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.

~~4. 210.5 Identification for Branch Circuits. Amend by deleting section (a) and replace with the following text.~~

- ~~a. Means of Identification. The means of identification shall be by separate color coding, marking tape, tagging, or other approved means. 120 volts to ground shall be color coded Black and Red for single phase and Black, Red, and Blue for 3 phase. 277 volts to ground shall be color coded Brown, Orange, Yellow. The coding shall be top to bottom or left to right.~~

~~5. 215.12 Identification for Feeders. Amend by deleting section (a) and replace with the following text.~~

- ~~a. Means of Identification. The means of identification shall be by separate color coding, marking tape, tagging, or other approved means. 120 volts to ground shall be color coded Black and Red for single phase and Black, Red, and Blue for 3 phase. 277 volts to ground shall be color coded Brown, Orange, Yellow. The coding shall be top to bottom or left to right.~~

3. Section 300.5 C. Underground Cables and Conductors Under Buildings. Insert, "or manmade structures of concrete, wood etc.

~~7. 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.~~

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4. Section 408.4B Source of Supply. Amend by deleting. "In other than one-or-two – family dwellings." All switchboards, switchgear, and panelboards supplied by feeder(s) in other than one-or-two family- dwellings shall be permanently marked to indicate each device or equipment where the power originates and voltage. The label shall be permanently affixed, of sufficient durability to withstand the environment involved, and not be handwritten.
 5. Section 410.16 Luminaires in Clothes Closets Amend by inserting: Bunk bed, furniture sleeping area locations are required to have completely enclosed light source, with noninterchangeable bulbs."
 6. Section 426.4 Continuous Load. Fixed outdoor electric deicing and snow-melting equipment shall be considered as a continuous load. Amend by inserting: "Overcurrent selection – shall be based on manufacturer installation instructions for minimum overcurrent device required to start-up at 0 degrees F and on developed length of heat tape per zone.
 7. Section 426.13 Amend by inserting the following: The ~~presents~~ presence of outdoor electric deicing and snow-melting equipment shall be evident by the posting of appropriate caution signs or markings where clearly visible, labeling must include manufacturer of deicing equipment, wattage per foot, location on structure, length per zone. Labeling must be in location of over-current devices.
 8. 426.21 Amend by inserting the following: Heating element assemblies shall be secured to the surface being heated by identified manufacturer straps. Exposed deicing cables must be secured within 12 inches of power junction box and every 4' linear feet thereafter.
 - ~~13. 426.50 Amend by inserting the following: Where accessible to the user of the equipment, no more than 8 'AFF and within site of the equipment.~~
 - ~~14. Section 695.1 Scope (A) Covered. Amended by inserting the following:

"(C) NFPA 13 D Residential water pump motors where amended."~~
 9. Section 210.52.C.2 Remove and replace section with "At least one receptacle is required at kitchen islands and peninsulas and installed in accordance with section 210.52.C.3.
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~~15. 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."~~

17.7.17 International Plumbing Code.

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~~2024~~ 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:

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

a. *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."

b. *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.

c. *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.

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

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

f. *Section 1098.2, Fee Schedule.* Delete and replace with: "All fees shall be per the Planning and Development Services Fee Schedule."

g. *Section 10711.2, 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.

h. *Section 1132, Means of Appeal.* Board of Appeals: Delete and replace with Section 17.7.8 of the Building Regulations.

i. ~~*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."~~

i. ~~*Section 312.56, Water Supply System Test.*~~ Amend by deleting the sentence "for piping systems other than plastic"; delete "50 PSI" and insert "60 PSI."

j. *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.

~~l. 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.~~

k. *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.

l. *Appendix E, Sizing of Water Piping.* Adopt entire Appendix E.

m. *Appendix F, Structural Safety.* Adopt entire Appendix F. (Ord. No. 2024-05 §3 (Exh. A)).

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"), ~~2018~~ 2024 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, ~~2018~~ 2024 Edition is hereby modified as follows:

1. 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. The Planning and Development Services Department, 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. ~~106.2.5 Exterior balconies and elevated walking surfaces. Delete this section in its entirety.~~
6. Section 108, Fees. Section 103.5 is hereby deleted in its entirety due to the administrative provisions set forth herein.
7. ~~Section 109.3.6 Weather-exposed balcony and walking surfaces waterproofing. Delete this section in entirety.~~
8. Section 112 Board of Appeals. Board of Appeals: Delete and replace with section 17.7.8 of the Building Regulations.
9. Section 116. Section 116 of the IEBC is hereby amended to read as follows:

"Section 116.1, ~~Emergency Measures~~ Imminent Danger 116.1. Shall be amended to read, "When the Building Official has reason to believe and upon inspection found 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 due to 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, No Occupancy Allowed." 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." In the case of the Building Official having reason to believe and upon inspection found there is imminent danger of snow or ice falling from a building in a public area endangering the public, the Building Official will require the building owner remedy the danger within 24 hours of the danger being identified and ask that the public area be coned off in the interim for public safety purposes.

17.7.19 International Swimming Pool and Spa Code.

A. *Adoption.* The Town of Mountain Village hereby adopts and incorporates herein by reference as the Swimming pool and spa Code of the Town, the International Swimming Pool and Spa Code 2024 Edition, ("ISPSC") as published by the International Code Council, Inc. 4051 West Flossmoor Road, Country Club Hills, IL 60478.

Amendments, Additions and Modifications. The ISPSC is hereby amended as follows:

1. "Section 101.1, Title. These regulations shall be known as the Town of Mountain Village International Swimming Pool and Spa Code, hereinafter referred to as "this code" or the "ISPSC"."
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 ISPSC, 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.

~~A. *Adoption.* The Town hereby adopts and incorporates herein by reference the International Fire Code ("IFC") 2018 Edition, published by the International Code Council, Inc., 4051 West Flossmoor Road, Country Club Hills, IL 60478 as adopted by Resolution from time to time by the San Miguel County Fire Protection District.~~

~~C. *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:~~

~~ADD 103.1.1 The term fire code official shall be changed to read Fire Marshal throughout this code.~~

~~"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. *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:~~
-

~~"107.2.1 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. Open Burn Regulations are found at CDC Section 16.6.9 and permitted in limited situation.~~

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:~~

~~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."~~

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

~~45.—~~

~~"503.1.1 Buildings and Facilities. Exception: The Fire Marshal is authorized to increase the dimension of 150 feet (45720mm) to 225 feet (68580 mm) 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 road 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 always be maintained. 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, nonnegotiable 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 always be maintained operational. Security gates shall not encroach into the required driveway width or height."~~

~~503.7.2.12 Clearance of brush or vegetative growth from fire apparatus access roads. Fire apparatus access roads built in locations with wildland fire hazard rating of high to extreme, as defined in the San Miguel County Community Wildfire Protection Plan, should have nonfire-resistive vegetation within 10 feet (3048 mm) of both sides of the cleared road.~~

~~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 and be approved consistent with the Design Regulations found in the CDC. 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 English~~

alphabetical letters. Numbers shall be a minimum of 6 inches 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 nonportable 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-Ground Tanks. Section 603.3.1 is hereby amended to read as follows:~~

~~"603.3.1 Fuel Oil Storage in Outside, Above-Ground 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.—~~

~~605.8.2 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.~~

~~65.—~~

~~605.8.3 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, NFPA 72, and the Telluride Fire Protection District Alarm Policy.~~

~~66.—~~

~~605.8.4 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 Telluride Fire Protection District Fire Alarm Policy.~~

~~67.—~~

~~607 COMMERCIAL KITCHEN HOODS~~

~~68.—~~

~~607.3.3.2 Grease Accumulation. ADD or NFPA 96, whichever is more stringent~~

~~69.—~~

~~607.3.4 Extinguishing system service. ADD or NFPA 96, whichever is more stringent~~

~~70. 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."~~

~~71. 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."~~

~~72. 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."~~

~~70. 806.1.1 Exceptions: Section 806.1.1, Exception 1 is hereby amended to read as follows:~~

~~EXCEPTION: 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.~~

~~71. 807.1.2 Exceptions: Section 807.1.2, Exception 1, is hereby amended to read as follows:~~

~~EXCEPTION: 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.~~

~~72. 807.4.3.1 Exceptions: Section 807.4.3.1, Exceptions section, is hereby amended to read as follows:~~

~~EXCEPTION: 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.~~

~~EXCEPTION: Storage in metal lockers, provided the minimum egress width is maintained."~~

~~73. 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."~~

~~74. 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."~~

~~75. 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."~~

76. ~~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."~~

77. ~~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."~~

78. ~~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."~~

79. ~~903.4 Sprinkler System Supervision and Alarms. Section 903.4, Exceptions section, is hereby amended to read as follows:~~

~~EXCEPTION: Automatic sprinkler systems protection one – and two-family dwellings may have control valves sealed or locked in the open position.~~

~~EXCEPTION: Limited area systems serving fewer than 20 sprinklers may have control valves seals or locked in the open position."~~

~~80. 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."~~

~~81.—~~

~~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~~

~~82. 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."~~

~~83. 907.2.1 Group A. Section 907.2.1 Exception is hereby deleted in its entirety.~~

~~84. 907.2.2 Group B: Section 907.2.2 Exception is hereby deleted in its entirety.~~

~~85. 907.2.2.1 Group B Ambulatory Health Care Facilities: Section 907.2.2.1 Exception is hereby deleted in its entirety.~~

~~86. 907.2.3 Group E Exception: Section 907.2.3 Exceptions 1 through 3 are hereby deleted in their entirety.~~

~~87. 907.2.4 Group F. Section 907.2.4 Exception is hereby deleted in its entirety.~~

~~88. 907.2.6.1 Group I-1: Section 907.2.6.1 Exceptions 1 is hereby deleted in its entirety.~~

~~89. 907.2.6.3.3 Automatic Smoke Detection Units. Section 907.2.6.3.3 Exception 3 is hereby deleted in its entirety.~~

~~90. 907.2.7 Group M. Exception: Section 907.2.7 Exception 2 is hereby deleted in its entirety.~~

~~91. 907.2.8.1 Manual Fire Alarm System. Section 907.2.8.2 Exception 2 is hereby deleted in its entirety.~~

~~92. 907.2.8.2 Automatic Smoke Detection System. Section 907.2.8.1 Exception is hereby deleted in its entirety.~~

~~93. 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."~~

~~94. 907.2.9.1 Manual Fire Alarm System. Section 907.2.9.1 Exception 2 and 3 are hereby deleted in their entirety.~~

~~95. 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."~~

~~96. 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."

97. ~~907.2.10.1 Manual Fire Alarm System. Section 907.2.10.1 Exception 2 is hereby deleted in its entirety.~~

98. ~~907.2.10.2 Automatic Smoke Detection System. Section 907.2.10.2 Exceptions are hereby deleted in their entirety.~~

99. ~~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."~~

100. ~~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."~~

101. ~~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."~~

~~102. 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."~~

~~103. 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."~~

~~104. 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."~~

~~105. 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."~~

~~106. 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."~~

~~107. 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."~~

~~108. 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."~~

~~109. 907.3.1 Duct Smoke Detectors. Section 907.4.1 is hereby amended to delete Exception 2 in its entirety.~~

~~110. 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."~~

~~111. 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."~~

~~112. 907.4.3.1 Automatic Sprinkler System. Section 907.4.3.1 is hereby deleted in its entirety.~~

~~113. 907.5 Occupant Notification Systems: Section 907.5 Exception is hereby deleted in its entirety.~~

~~114. 907.5.2.1 Audible Alarms: Section 907.5.2.1 Exception is hereby deleted in its entirety.~~

~~115. 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."~~

~~116. 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."~~

~~117. 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."~~

~~118. 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."~~

~~119. 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."~~

~~120. 907.6.5, Monitoring. Section 907.7.5 Exception 3 is hereby deleted in its entirety.~~

~~121. 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."~~

~~122. 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."~~

~~123. 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."~~

~~124. 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."~~

~~125. 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."~~

~~126. 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."~~

~~127.~~

~~912.5 Backflow protection. The potable water supply to automatic sprinkler and standpipe systems shall be protected against backflow as required by the International Plumbing Code, the appropriate NFPA standard, local water department requirements and or state health department requirements, whichever is more stringent.~~

~~128. 913.4 Valve supervision. Section 913.4 is hereby amended to delete method number 2 in its entirety.~~

~~129. 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."~~

~~130. 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."~~

~~131. Chapter 25 Fruit and Crop Ripening. Chapter 25 is deleted in its entirety.~~

~~132. Chapter 27 Semiconductor Fabrication Facilities. Chapter 27 is deleted in its entirety.~~

~~133. Chapter 29 Manufacture of Organic Coatings. Chapter 29 is deleted in its entirety.~~

~~134. Chapter 36 Marinas. Chapter 36 is deleted in its entirety.~~

~~135. 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~~

~~136. Appendix D Fire Apparatus Access Roads. Appendix D is hereby amended as follows:~~

~~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."~~

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.

~~D 103.2 Grade. Fire apparatus roads shall not exceed 8 percent in grade.~~

~~EXCEPTION: Transitional sections not exceeding 500 feet (152400mm) 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.~~

~~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 required.~~

~~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).~~

~~D103.4 Dead Ends. Amend to read as follows:~~

~~D103.4 Dead ends. Dead end fire apparatus access roads in excess of 150 feet (45720 mm) shall be provided with an approved turnaround in accordance with Figure D103.1~~

~~D103.4.1 Cul-de-sacs. Cul-de-sacs or dead-end roads shall not exceed 600 feet (182,880 mm) in length and shall be provided with a turnaround as shown in Figure 103.1~~

~~EXCEPTION Maximum length may be increased to 1200 feet (365,760 mm) in length provided the width is increased to 26 feet (7925 mm) and that all structures except Group U have fire sprinkler and alarm systems meeting the requirements of Chapter 9 installed. A turnaround in accordance with Figure 103.1 shall be provided.~~

~~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."~~

~~D. 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 undo fire or safety hazards.~~

~~137. 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 undo fire or safety hazards.~~

~~138. 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 undo fire or safety hazards.~~

~~139. 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 undo 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 Planning and Development Services Department as applicable:
 - a. Site plan showing:
 - i. Perimeter fencing with attached green screening or approved equal;
 - 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. A temporary right-of-way encroachment permit for parking, ~~material staging and/or use as applicable with a restoration agreement and timeline.~~
 - vi. Laydown/storage areas;
 - vii. Parking areas;
 - viii. Crane location and swing radius;
 - ix. Portable toilet location(s);
 - x. Construction trailer location(s);
 - xi. Dumpster and recycling bin locations;
 - xii. Method to protect any surrounding plaza areas caused by heavy vehicles, construction or development;
-

xiii. Bear-proof trash can location; and

b. Other information as required by the Planning and Development Services Department.

3. The construction mitigation plan shall be reviewed and approved by the Planning and Development Services 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 regarding 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 Building Division reviewing or approving the plan. The Planning and Development Services 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 the Building Official has determined that the property is sufficiently secured to prevent a health or safety risk or danger.
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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 to prevent safety risk or danger.

3. *Recycling.*

a. To the extent practicable, 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 palettes 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 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~~ Lane Closures. A road lane closure permit shall be obtained prior to closing any portion of 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 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 because 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, streetlights, sprinkler systems, sewers or other public infrastructure. At the discretion of the Planning and Development Services 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 always 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 always 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 additional 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. 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.
 4. *Stop Work Order Fees and Penalties.* In addition, any stop work order shall result in a fee in the amount set by the Planning and Development Department Fee Schedule. After the
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third violation in a 12-month period, the Building Official may assess penalties and fees as set for in the CDC at Section 17.1.18 in addition to the those set for in the fee schedule.

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 icefall hazard as regulated by Section 116 of the IBC;~~
- ~~4. Ensure a building does not become unsafe to due roof snow and ice buildup; and,~~
4. Set forth rules for the enforcement of such requirements.

B. *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; and
- ~~4. Ensure that a building's roof is not unsafe due to snow or icefall hazard as regulated by Section 116 of the IBC;~~

~~4. Ensure a building does not become unsafe to due roof snow and ice buildup; and,~~

4. Set forth rules for the enforcement of such requirements.

C. *Applicability.* These Snow and Ice Removal Regulations shall apply to all multifamily or mixed-use buildings.

D. *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 and ice retention, snowmelt system and roof drain system designed and stamped by a qualified structural engineer or qualified roofing specialist/professional and approved by the review authority which prevents the roof plane from shedding snow and/or ice to areas below the roof plane; or
2. In the event that a snow and ice retention, snowmelt and roof drain system is not a viable option for preventing snow and ice from shedding into areas below the roof plane, the owner or HOA must demonstrate a feasible snow and ice melt mitigation plan that may include heat tape or other heating system that is designed by a qualified engineer or roofing professional, 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 and ice mitigation measures.

E. *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 because 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 Planning and Development Services Department of the issue.

i. The cordoned off area materials shall use only appropriate fencing and/or Town approved barriers.

ii. If 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 always 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.

F. *Snow and Ice Removal from Town and Private Property.* A building owner, HOA 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 can 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.

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.
