

# TOWN OF BLUE RIVER, COLORADO

## ORDINANCE NO. 2022-06

**AN ORDINANCE REPEALING AND REPLACING CHAPTER 18 OF THE BLUE RIVER MUNICIPAL CODE TO ADOPT BY REFERENCE THE INTERNATIONAL BUILDING CODE (2018 EDITION), THE INTERNATIONAL EXISTING BUILDING CODE (2018 EDITION), THE INTERNATIONAL RESIDENTIAL CODE (2018 EDITION), THE INTERNATIONAL MECHANICAL CODE (2018 EDITION), THE COLORADO FUEL GAS CODE, THE COLORADO PLUMBING CODE, THE INTERNATIONAL ENERGY CONSERVATION CODE (2018 EDITION), THE NATIONAL ELECTRICAL CODE AS ADOPTED BY THE STATE OF COLORADO, INTERNATIONAL FIRE CODE (2018 EDITION), WHICH CHAPTER 18 INCLUDES EXCEPTIONS, DELETIONS, AND MODIFICATIONS OF THE ADOPTED CODES, AND PROVIDING FOR PENALTIES FOR VIOLATIONS OF THE ADOPTED CODES AND DECLARING AN EMERGENCY**

WHEREAS, the Town of Blue River (“Town”) is a statutory municipality incorporated and organized pursuant to the provisions of Section 31-2-101, et seq., C.R.S.; and

WHEREAS, in furtherance of the public health, safety and welfare of the inhabitants of the Town, the Board of Trustees for the Town of Blue River desires to amend Chapter 18 of the Blue River Town Code to adopt by reference the International Building Code (2018 Edition), the International Existing Building Code (2018 Edition), the International Residential Code (2018 Edition), the International Mechanical Code (2018 Edition), the Colorado Fuel Gas Code, the Colorado Plumbing Code, the International Energy Conservation Code, (2018 Edition), the National Electrical Code as adopted by the State of Colorado, the International Fire Code (2018 Edition), (collectively referenced as the “Codes”); and

WHEREAS, the Town informally introduced this Ordinance at its November 15, 2022, regular meeting of the Board of Trustees, published required proper notice to the public, and held a public hearing on December 20, 2022, to consider adoption of Chapter 18 and the referenced Codes; and

WHEREAS, a copy of the Codes were made available, and is available, at the Blue River Town Hall, 0110 Whispering Pines Circle, Blue River, Colorado, for review and inspection by the public and for purchase for a moderate cost as required by *Ordinance Codes Adopted by Reference*, Sections 31-16-201 through 31-16-206, C.R.S.; and

WHEREAS, the Board of Trustees has determined that the adoption of a new Chapter 18 and the adoption by reference of the Codes will further the health, safety and welfare of the inhabitants of the Town.

**BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE TOWN OF BLUE RIVER, COLORADO**

**Section 1. Repeal and Replacement of Chapter 18.** Chapter 18 of the of the Blue River Municipal Code is hereby repealed and replaced with the following new Chapter 18:

**CHAPTER 18**

**Building Regulations**

**ARTICLE I General Provisions**

<b>Sec. 18-1-10.</b>	<b>Certificate of Occupancy</b>
<b>Sec. 18-1-20.</b>	<b>Open Soil Percolation and Profile Test Holes</b>
<b>Sec. 18-1-30.</b>	<b>Fire Extinguishers.</b>
<b>Sec. 18-1-40.</b>	<b>Detached Garages and Outbuildings.</b>
<b>Sec. 18-1-50.</b>	<b>Fire Mitigation.</b>
<b>Sec. 18-1-60.</b>	<b>Doubling of Permit Fees.</b>
<b>Sec. 18-1-70.</b>	<b>Contractor's License.</b>

**Sec. 18-1-10. Certificate of Occupancy.**

Prior to the issuance of a certificate of occupancy, any person who builds or erects any structure must contact the Town by calling or writing the Building Official to obtain approval for issuance of the certificate of occupancy. Approvals of the septic/sewer authority, the fire protection district, the Architectural Review Board and homeowners' association may be required. Approval may, at the Town's sole discretion, require completion of the following improvements:

- (1) Installation of culverts.
- (2) Grading or regrading any disturbed or damaged roads or driveways or other areas necessary for proper drainage.
- (3) Installation and placement of up to twelve (12) tons of approved road base.
- (4) Any dirt, boulders or other material stored or remaining on the property described above shall be moved or distributed and arranged in such a way that it serves as landscaping and not piles of stored material.
- (5) All construction debris shall be removed from the site and properly disposed of.
- (6) All runoff created by or redirected by the construction, erection and landscaping of the structure on the property shall be treated, contained and controlled so that there are no increases in runoff or other drainage consequences resulting from said construction, erection and landscaping.

If weather conditions are such that the foregoing requirements cannot be determined or performed prior to the issuance of the certificate of occupancy, the person building or

erecting the structure and requesting the certificate of occupancy shall pay to the Town, in cash or a letter of credit acceptable to the Town, an amount equal to one hundred fifty percent (150%) of the Town's estimated cost for performing such improvements. The Town shall hold these funds in a non-interest-bearing account. The funds may be commingled with other Town funds. If the improvements are not completed, the Town may use the funds to complete the improvements. Any unused funds shall be returned to the owner.

**Sec. 18-1-20. Open Soil Percolation and Profile Test Holes.**

- (a) Issuance of Permit. Prior to the conducting of a soil percolation or profile test, the person conducting said test shall obtain from the Building Official, upon payment of a fee of twenty-five dollars (\$25.00), a percolation test permit. Such permit shall be valid for a period of sixty (60) days unless extended for good cause shown. The person conducting such test further shall deposit with the Building Official a cash bond in the amount of one hundred fifty dollars (\$150.00) for each proposed test, including but not limited to test holes for septic tanks, leach fields and soil profile analysis. It is the responsibility of the person digging the hole, or the owner of the property in which the hole is dug, to fill the hole immediately upon completion of the test. Any such hole shall be covered whenever left unattended or, alternatively, access thereto shall be prevented by a fence or other suitable structure. At such time as the hole has been filled to the satisfaction of the Building Official, the cash bond shall be returned.
- (b) Nuisance Declared; Summary Abatement Authorized. The Board of Trustees hereby declares any open holes which are neither fenced nor covered and are more than three (3) feet deep, including percolation and profile test holes of any depth, to be nuisances subject to summary abatement by the Town.
- (c) Notice of Abatement; Failure to Abate. Whenever any such open hole is discovered, the Town shall cause a certified letter, return receipt requested, to be sent to the property owner at the address on file with the Summit County assessor. Seventy-two (72) hours after the mailing of the letter, if the hole has not been filled, the Town may fill the hole through any means at its disposal, including hiring a private party, without competitive bids, to fill such hole at the owner's cost as provided in Subsection (d) below.
- (d) Abatement Costs; Lien Authorized.
  - (1) If any owner fails to fill any hole after one (1) notice as provided in Subsection (c) above and the Town proceeds to fill such hole, the Town Clerk shall notify the owner, by regular mail, of the costs and expenses incurred in filling the hole. The Town shall apply the amount of any deposit to the cost of filling the hole. The owner shall have thirty (30) days from the date of mailing of the notice of costs to pay in full the costs and expenses in excess of those paid by the deposit, if any. The funds not expended by the Town shall be returned to the depositor.
  - (2) The owner of the property, according to the County Assessor's records, shall be held personally liable for any and all charges imposed under the provisions of this Section. These charges shall become and remain a lien upon such property or premises until paid. Such charges may be collected from the owner by an action

in the name of the Town and said action may be for the enforcement of said lien, or such charges may be certified to the County Treasurer pursuant to statute and collected as tax. If it is necessary for the Town to commence an action to collect such costs and expenses, the owner shall be liable for any court costs and attorney fees incurred by the Town.

**Sec. 18-1-30. Fire Extinguishers.**

- (a) Required. Each dwelling unit constructed within the limits of the Town shall from and after the effective date of this Code have installed therein at an accessible location a fire extinguisher of a ten-pound size, or its equivalent, and rated A.B.C., such extinguishers to have approval of the National Fire Protection Association. No certificate of occupancy will be given until after evidence has been furnished that the extinguisher has been purchased and is in place.
- (b) Time Limit for Installation; Town Clerk to be Notified. Each dwelling unit heretofore constructed in the Town shall, on or before November 1, 1973, have installed therein a fire extinguisher of the type described in Subsection (a) above. The owner or occupant of each such dwelling unit shall notify the Town Clerk that said fire extinguisher has been purchased and is installed.
- (c) Recharging used extinguishers. Any fire extinguisher which has been used shall be recharged or replaced promptly within thirty (30) days from the date of its use.
- (d) Penalties. Any violation of this Section will be punishable by a fine in the amount set out in Section 1-4-20 of this Code.

**Sec. 18-1-40. Detached Garages and Outbuildings.**

- (a) Approval Required. It is unlawful to erect or maintain any accessory structure, including garage, storage shed, doghouse, tool shed or any other accessory structure, unless such structure is approved by the Town in accordance with applicable provisions of the Municipal Code.
- (b) Removal and Penalty. Any structure erected which is in violation of this Chapter shall be removed from the property thirty (30) days after notice requiring such removal has been sent by the Town. After the passage of thirty (30) days, failure to remove the structure shall subject the owner to penalty as set forth in Section 1-4-20 of this Code.

**Sec. 18-1-50. Fire Mitigation.**

Fire mitigation for all new structures or substantially altered structures shall be undertaken and completed in accordance with the requirements set forth in Article III of this Chapter.

**Sec. 18-1-60. Doubling of Permit Fees.**

Notwithstanding the provisions of Subsection 18-1-70(a) below, any person who builds or erects any structure or commences the building or erection of any structure without a

building permit or in violation of any part of this Chapter shall pay building and permit fees of twice the amount which would have been due upon timely application for a permit or license.

**Sec. 18-1-70. Contractor's License.**

- (a) License Required. All persons, general contracting firms, subcontracting firms and other entities engaged in construction work of any kind or nature, including but not limited to general contracting, electrical, plumbing, excavating and concrete finishing within the Town limits shall be licensed under the applicable terms and provisions adopted by the Board of Trustees prior to: (1) applying for any type of building permit for the performance of any construction work within the Town limits; or (2) entering into a contract to perform or performing any construction work within the Town limits.
- (b) Limited Exception. Any natural person may construct a single-family dwelling on real property owned by such person without having first obtained a contractor's license if: (1) the person has been issued a building permit; (2) the construction complies with all applicable building codes and land use regulations; (3) such person does not construct any more than one (1) single-family dwelling unit within any two (2) consecutive calendar year periods; and (4) such single-family dwelling is constructed as such natural person's principal residence.

**ARTICLE II Building Codes**

- Sec. 18-2-10. Administrative.**
- Sec. 18-2-20. Adoption of Codes.**
- Sec. 18-2-30. Building Code.**
- Sec. 18-2-40. Existing Building Code**
- Sec. 18-2-50. Residential Code.**
- Sec. 18-2-60. Mechanical Code.**
- Sec. 18-2-70. Fuel Gas Code.**
- Sec. 18-2-80. Plumbing Code.**
- Sec. 18-2-90. Energy Conservation Code.**
- Sec. 18-2-100. Electrical Code.**

**Sec. 18-2-10. Administrative.**

- (a) No building or work on any building shall be commenced within the Town without first obtaining a building permit as required by this Article and the codes adopted herein and paying the appropriate building permit fee.
- (b) For any work requiring a contractor licensed or registered pursuant to this Code, permits under this Article shall only be issued to the contractor or registrant or their authorized

representative. It shall be unlawful for any person to fraudulently use a license or registration issued to a contractor or registrant to obtain a permit for another person.

**Sec. 18-2-20. Adoption of Codes.**

Pursuant to Title 31, Article 16, Part 2, C.R.S., the codes and standards hereinafter described are hereby adopted by reference, subject to the amendments herein set forth. The subject matter of the codes and standards adopted herein includes the regulation of the new construction, alteration, and repair of all new and existing structures, along with all plumbing, mechanical, electrical and installations therein or in connection therewith. In case of any conflict between a code adopted herein and any other specific provision of the Blue River Municipal Code, the specific provision of the Blue River Municipal Code shall govern. In addition to any other requirement of the codes referenced in this Chapter 18, copies of the referenced codes and standards are available for public inspection and review by any interested party at ICCSAFE.org and NFPA.org.

**Sec. 18-2-30 Building Code.**

The International Building Code, 2018 Edition, Sixth Printing, November 2021, as amended, published by the International Code Council, Inc., 4051 West Flossmoor Road, Country Club Hills, IL 60478-5795, is hereby adopted by reference as the Town of Blue River Building Code as if fully set out in this Article with the additions deletions insertions and changes as follows:

- (1) Section 101.1 is amended by adding the name "Town of Blue River" where indicated.
- (2) Section 101.4.3 is amended by deleting the last sentence that references the International Private Sewage Disposal Code.
- (3) Section 103.2 is amended by adding the following additional first paragraph:

**103.2 Building Official.** The Building Official is hereby authorized and directed to enforce all of the provisions of this code, nevertheless, such authorization and direction shall be neither an express nor implicit guaranty that all buildings and structures have been constructed in accordance with all of the provisions of this code, nor be deemed as any representation as to the quality of such buildings or structures in any manner.
- (4) Section 103.3 is amended by adding the following additional first paragraph:

**"103.3 Deputies.** In accordance with the prescribed procedures of this jurisdiction, the building official shall have the authority to appoint a deputy building official, related technical officers, inspectors, plan examiners and other employees. Such employees shall have those powers and duties as have been expressly delegated by the building official, subject to modification from time to time."
- (5) Section 104.8 is amended by adding the following additional first paragraph:

The adoption and implementation of this code, as well as any previous Building Construction and Housing Standards adopted by the Town of Blue River, shall not be

deemed to give rise to a duty of care on the part of any public entity, public employee or agent. Neither this code nor any previous Building Construction and Housing Standards shall create any affirmative duty or be deemed to establish any affirmative representation on behalf of the Town Board of Trustees, the Building Official of the Town of Blue River, its employees, officials or agents.

- (6) Sections 105.1.1 and 105.1.2 are hereby repealed in their entirety.
- (7) Section 105.2 (Work Exempt from Permit) Number 1 and 2 is deleted in its entirety
- (8) Section 105.5 is amended to read as follows:

**105.5 Expiration.** (a) Every building permit issued by the building official under the provisions of this code shall expire 18 months after the date of issue. The building official is authorized to grant an extension to the validity of such permits, for a period of time not to exceed 18 months. Such extensions shall be based upon written request by an applicant demonstrating, to the discretion of the building official, justifiable cause for the extension, and shall be effective as of the day of written approval. (b) Every standalone technical (mechanical, electrical, plumbing, fireplace and photovoltaic) and hot tub permit issued by the building official under the provisions of this code shall expire 3 months after the date of issue. The building official is authorized to grant an extension to the validity of such permits, for a period of time not to exceed 3 months. Such extensions shall be based upon written request by an applicant demonstrating, to the discretion of the building official, justifiable cause for the extension, and shall be effective as of the day of written approval.

- (9) Section 107.1 is amended to read as follows:

**107.1 General.** Submittal documents consisting of construction documents, statement of special inspections, geotechnical report and other data shall be submitted in two or more sets with each permit application. The construction documents shall be prepared by a registered design professional. The building official may waive the requirement for a design professional when it is found that the nature of the work is such that a design professional is not necessary to obtain compliance with the code. Where special conditions exist, the building official is authorized to require additional construction documents to be prepared by a registered design professional.

- (10) Section 109.2 is amended to read as follows:

**109.2 Schedule of permit fees.** On buildings, structures, electrical, gas, mechanical and plumbing systems or alterations requiring a permit, a fee for each permit shall be paid as required, in accordance with the *Town of Blue River Building Permit Fee Schedule* attached hereto.

- (11) Section 109.4 is amended to read as follows:

**109.4 Work commencing before permit issuance.** Any person who commences any work on a building, structure, electrical, gas, mechanical or plumbing system before obtaining the necessary permits shall be subject to fees for an investigation in addition to any other required permit fees. The investigation fee shall be as set forth in the *Town of Blue River Building Permit Fee Schedule*.

(12) Section 110.3.5 is amended by deleting the exception.

(13) Section 110 is amended by adding a new subsection to read as follows:

**110.7 Reinspection.** A reinspection fee, as specified in the *Town of Blue River Building Permit Fee Schedule* attached hereto, may be assessed for each inspection or reinspection when such portion of work for which inspection is called is not complete or when corrections called for are not made.

Reinspection fees may be assessed when any of the following conditions exist: (a) the approved plans are not readily available to the inspector, (b) the address of the project is not properly displayed, (c) the applicant failing to provide access on the date for which the inspection is requested, (d) the work requiring inspection is not completed or ready for inspection, or (e) deviation from plans requiring the approval of the building official.

(14) Section 202 is amended by adding the following definitions within the alphabetical order of the existing definitions:

**LOFT.** A habitable room or floor in a building that is open to the room or floor directly below, which may or may not qualify as a mezzanine.

**POTENTIAL SLEEPING ROOM.** A room or space within a dwelling unit having a floor area, with 5 feet or more of ceiling height, of at least 70 square feet will be considered a sleeping room in accordance with the following:

In a building defined as a *dwelling* or *lodging* house, any space or room having two of the following factors shall be considered a sleeping room. In a building defined as an *apartment house* or *hotel*, any room or space having one of the following factors shall be considered a sleeping room:

- (a) Has walls and doors to separate it from other habitable spaces.
- (b) Meets the definition of a loft as amended by Summit County.
- (c) Has a closet or similar provision for clothes storage.
- (d) Has a full or partial bathroom connected to the space or room, or has a path of travel to a full or partial bathroom which does not first pass through a habitable space.

Rooms or spaces determined by these criteria to be sleeping rooms, regardless of any names, labels, or intended uses proposed by the building designer or owner, shall



have emergency escape and rescue openings per the International Building Code, smoke detectors, and carbon monoxide detectors.

Any alteration to the room or space previously mentioned will be required to be made permanent in nature. The elimination of doors or closets will be made in such a manner that the construction cannot be readily reinstalled.

- (15) Section 501.1 is amended by changing 4" to 5" and by adding the following sentence:

The premise identification characters shall be reflective.

- (16) Section 718 is amended by adding two new subsections and an exception to read as follows:

**718.6 Factory-built fireplace enclosures.** Combustible construction enclosing factory-built fireplaces with class 'A' chimneys shall be protected on the interior (fireplace) side by one-hour fire resistive construction.

**718.7 Factory-built chimney enclosures.** Factory-built class 'A' chimneys shall be enclosed within a continuous enclosure protected on the interior (flue) side by not less than one-hour fire resistive construction.

*Exception:*

The portion of the chimney located in the same room as the appliance and the portion of the chimney above the finished roof are not required to be enclosed. However, if they are enclosed, the interior of the shaft shall be protected by one-hour fire resistive construction.

- (17) Section 901.5 is amended by adding a new subsection to read as follows:

**901.5.1 Special inspector required.** All fire protection systems required by this code shall be reviewed at plan submittal, inspected and approved by an authorized representative of the fire department.

- (18) Section 1503 is amended by adding a new subsection and an exception to read as follows:

**1503.6 Snow-shed barriers.** Roofs shall be designed to prevent accumulations of snow from shedding onto exterior balconies, decks, pedestrian and vehicular exits from buildings, stairways, sidewalks, streets, alleys, areas directly above or in front of gas utility or electric utility meters, or adjacent properties.

*Exception:*

Roof areas with a horizontal dimension of no more than 48 inches (1,219 mm) that will not receive snow shedding from a higher roof. The horizontal projection shall be measured perpendicular to the exterior wall line from the edge of the roof or eave to any intersecting vertical surface.

(19) Section 1505.1 is amended to read as follows:

**1505.1 General.** All roof coverings on new construction shall be Class A. Class A roof assemblies and roof coverings required to be listed by this section shall be tested in accordance with ASTM E 108 or UL 790. In addition, fire-retardant-treated wood roof coverings shall be tested in accordance with ASTM D 2898.

(20) Table 1505.1 and all footnotes to the table are hereby repealed in their entirety.

(21) Section 1507.1 is amended by adding a new subsection to read as follows:

**1507.1.1 Ice barriers.** An ice dam protection underlayment that consists of an approved self-adhering polymer modified bitumen sheet shall be used with all roof coverings. This ice dam protection underlayment shall extend up the slope of the roof from the lowest edges of all roof surfaces and cover the entire roof decking surface.

(22) Section 1608.2 is amended to read as follows:

**1608.2 Snow loads.** The loads to be used in determining the design snow loads for roofs shall be 100 pounds per square foot and for exterior balconies and decks shall be 125 pounds per square foot. There shall be no reduction for duration.

(23) Section 1809.5 is amended by the addition of the following sentence:

Frost line of the locality is established as 40 inches below grade.

(24) Section 2113 is amended by the addition of the following subsections to read as follows:

**2113.21 Limitation on the type and number of devices.** Solid fuel-burning devices that are not properly certified are prohibited in new construction. Outdoor wood fired hydronic heaters shall not be allowed. The number of certified solid fuel-burning devices that may be installed in newly constructed buildings shall not exceed the following limits:

- (a) Apartments, condominiums, hotel/motel rooms, commercial and industrial buildings: no solid fuel-burning devices shall be allowed. One solid fuel-burning device shall be allowed in lobbies of hotels or motels or restaurants.
- (b) In all buildings which are either occupied or have received a current and valid building permit prior to October 1, 1992, the installation of any solid fuel-burning device is prohibited if the resulting number of solid fuel-burning devices exceeds the limitations contained in this section. However, such limitations shall not apply to the replacement of a non-certified solid fuel-burning device with a certified solid fuel-burning device.

**CERTIFIED SOLID FUEL-BURNING DEVICE** is a solid fuel-burning device which is certified by the Air Pollution Control Division of the Colorado Department of Public

Health and Environment, or one that is approved by the building official as meeting the EPA Phase II 'certification' or 'qualification' standard. These standards shall be independently tested by an accredited laboratory to meet the particulate emissions of 7.5 grams per hour for noncatalytic solid fuel-burning devices, or 4.1 grams per hour for catalytic solid fuel-burning appliances. Masonry heaters shall be approved by the state or documentation shall be provided verifying that 'field test results' conducted by an EPA accredited laboratory show no violation of the existing 6.0 grams per kilogram emission standard in accordance with State Regulation No. 4.

**NEW CONSTRUCTION**, for the purpose of this section, is construction of a residential, commercial, industrial, agricultural or accessory building. This shall include any modifications, replacement or relocation of existing solid fuel-burning devices. However, modifications to solid fuel-burning devices shall not include repair, replacement or relocation of flue pipe.

**SOLID FUEL-BURNING DEVICES** are any fireplace, stove, firebox, or other device intended and/or used for the purpose of burning wood, coal, pulp, paper, pellets or other non-liquid or non-gaseous fuel.

2113.22 Factory built chimneys.

- (a) Factory built chimneys shall be supported at intervals not to exceed 10 feet by wall straps or equivalent.
- (b) Factory built chimneys shall have the outer wall of adjacent chimney sections fastened together by three sheet metal screws, installed approximately 120 degrees apart. Such fastenings shall be in addition to and not in lieu of those requirements mandated by the manufacturers' instructions, except when specifically prohibited by those instructions or the terms of their listing.

**Exception:** Where approved manufacturers' locking bands are used.

- (c) The points of termination of a factory-built chimney shall not be within 10 inches vertically of the point of termination of any adjacent chimney or appliance vent within 24 inches horizontally. No factory-built chimney shall terminate closer than 24 inches to combustible finish materials.

(25) Section 2303.1.1 is amended by adding the following paragraph:

All logs used in a structural capacity must be graded and marked by an approved grading agency, in conformance with DOC PS 20. In lieu of a grade mark, a certificate of an onsite inspection issued by a 3<sup>rd</sup> party lumber grading or inspection agency may be accepted.

(26) Section 2901.1 is amended by deleting the reference to the International Private Sewage Disposal Code.

(27) Section 2902.2 Exception 2 is amended to read as follows:

**2902.2 Exception 2.** Separate facilities shall not be required in structures or tenant spaces with a total occupant load, including both employees and customers, of 30 or less.

**Sec. 18-2-80 Existing Building Code.**

The International Existing Building Code, 2018 Edition, Fifth Printing March 2021, published by the International Code Council, Inc., 4051 West Flossmoor Road, Country Club Hills, IL 60478-5795, is hereby adopted by reference as the Town of Blue River Existing Building Code as if fully set out in this ordinance with the additions, deletions, insertions and changes as follows:

- (1) International Existing Building Code is amended by replacing all references to "ICC Electrical Code" with "Current Code Adopted by the Colorado State Electrical Board."
- (2) IEBC Section 101.1. (Title) is amended by the addition of the term "Town of Blue River" where indicated.
- (3) Section 101.4.2 is amended by deleting the reference to the International Property Maintenance Code.
- (4) Section 111.3 is hereby repealed in its entirety

**Sec. 18-2-40 Residential Code.**

The International Residential Code, 2018 Edition, Fourth Printing, September 2020, published by the International Code Council, Inc., 4051 West Flossmoor Road, Country Club Hills, IL 60478-5795, including sections as amended or as is from time to time modified, by the State of Colorado; Department of Regulatory Agencies, as part of the Colorado Plumbing Code and Colorado Fuel Gas Code listed in Rule 3 CCR 720-1 pursuant to the authority granted to the Colorado Plumbing Board by 12-155-105(1)e and 12-155-106(1) and (5), C.R.S., is hereby adopted by reference as the Town of Blue River Residential Code as if fully set out in this ordinance with the additions deletions insertions and changes as follows:

- (1) Section R101.1 is amended by adding the name "Town of Blue River."
- (2) IRC Section 105.2 (Work Exempt from Permit) (Building Section) Number 1 and 2 are deleted in their entirety
- (3) Section R110.4 titled "Temporary occupancy" is deleted in its entirety.
- (4) Any reference with the International Residential Code to "temporary certificate of occupancy" shall be inapplicable and interpreted in a manner consistent with the Town's policy not to issue temporary certificates of occupancy.
- (5) Section R111.3 titled "Authority to disconnect service utilities" is deleted in its entirety.
- (6) Delete from Section R112.1 the following language:

“there shall be and is hereby created a board of appeals.”

And substitute the following in its place:

“there shall be a board of appeals created when deemed necessary by the Town Manager. The Town shall use its best efforts to create a board of appeals within 60 days from a request for appeal.”

- (7) IRC Table R301.2(1) is filled to provide the following:

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

Roof Snow Load <sup>o</sup>	Wind Design				Seismic Design Category <sup>f</sup>	Subject to Damage		
	Speed (mph) <sup>d</sup>	Topographic effects <sup>k</sup>	Special wind region <sup>l</sup>	Wind-borne debris zone <sup>m</sup>		Weathering <sup>a</sup>	Frost line depth <sup>b</sup>	Termite <sup>c</sup>
100 PSF	90	Yes	No	No	B	Severe	40 inches	Slight
Winter Design Temp <sup>e</sup>	Ice Barrier Underlayment Required <sup>h</sup>	Flood Hazards <sup>g</sup>	Air Freezing Index <sup>i</sup>	Mean Annual Temp <sup>j</sup>				
-13 F	Yes	See Town Code	2500	35.4				
Manual J Design Criteria <sup>n</sup>								
Elevation	Latitude	Winter heating	Summer cooling	Altitude correction factor	Indoor design temperature	Design temperature cooling	Heating temperature difference	
10,036Ft.	39.4088 N	-13	81	.69	70 F	75 F	84	
Cooling temperature difference	Wind velocity heating	Wind velocity cooling	Coincident wet bulb	Daily range	Winter humidity	Summer humidity		
6	15 mph	7.5 mph	51	High (H)	50%	50%		

For SI: 1 pound per square foot = 0.0479 kPa, 1 mile per hour = 0.447 m/s.

- <sup>a</sup>Where weathering requires a higher strength concrete or grade of masonry than necessary to satisfy the structural requirements of this code, the frost line depth strength required for weathering shall govern. The weathering column shall be filled in with the weathering index, “negligible,” “moderate” or “severe” for concrete as determined from [Figure R301.2\(4\)](#). The grade of masonry units shall be determined from ASTM C34, C55, C62, C73, C90, C129, C145, C216 or C652.
- <sup>b</sup>Where the frost line depth requires deeper footings than indicated in [Figure R403.1\(1\)](#), the frost line depth strength required for weathering shall govern. The jurisdiction shall fill in the frost line depth column with the minimum depth of footing below finish grade.
- <sup>c</sup>The jurisdiction shall fill in this part of the table to indicate the need for protection depending on whether there has been a history of local subterranean termite damage.
- <sup>d</sup>The jurisdiction shall fill in this part of the table with the wind speed from the basic wind speed map [\[Figure R301.2\(5\)A\]](#). Wind exposure category shall be determined on a site-specific basis in accordance with [Section R301.2.1.4](#).
- <sup>e</sup>The outdoor design dry-bulb temperature shall be selected from the columns of 97½-percent values for winter from Appendix D of the *International Plumbing Code*. Deviations from the Appendix D temperatures shall be permitted to reflect local climates or local weather experience as determined by the building official. [Also see [Figure R301.2\(1\)](#).]
- <sup>f</sup>The jurisdiction shall fill in this part of the table with the seismic design category determined from [Section R301.2.2.1](#).

7. <sup>9</sup>The jurisdiction shall fill in this part of the table with (a) the date of the jurisdiction's entry into the National Flood Insurance Program (date of adoption of the first code or ordinance for management of flood hazard areas), (b) the date(s) of the Flood Insurance Study and (c) the panel numbers and dates of the currently effective FIRMs and FBFMs or other flood hazard map adopted by the authority having jurisdiction, as amended.
8. <sup>h</sup>In accordance with [Sections R905.1.2, R905.4.3.1, R905.5.3.1, R905.6.3.1, R905.7.3.1](#) and [R905.8.3.1](#), where there has been a history of local damage from the effects of ice damming, the jurisdiction shall fill in this part of the table with "YES." Otherwise, the jurisdiction shall fill in this part of the table with "NO."
9. <sup>i</sup>The jurisdiction shall fill in this part of the table with the 100-year return period air freezing index (BF-days) from [Figure R403.3\(2\)](#) or from the 100-year (99 percent) value on the National Climatic Data Center data table "Air Freezing Index-USA Method (Base 32°F)."
10. <sup>j</sup>The jurisdiction shall fill in this part of the table with the mean annual temperature from the National Climatic Data Center data table "Air Freezing Index-USA Method (Base 32°F)."
11. <sup>k</sup>In accordance with [Section R301.2.1.5](#), where there is local historical data documenting structural damage to buildings due to topographic wind speed-up effects, the jurisdiction shall fill in this part of the table with "YES." Otherwise, the jurisdiction shall indicate "NO" in this part of the table.
12. <sup>l</sup>In accordance with [Figure R301.2\(5\)A](#), where there is local historical data documenting unusual wind conditions, the jurisdiction shall fill in this part of the table with "YES" and identify any specific requirements. Otherwise, the jurisdiction shall indicate "NO" in this part of the table.
13. <sup>m</sup>In accordance with [Section R301.2.1.2](#) the jurisdiction shall indicate the wind-borne debris wind zone(s). Otherwise, the jurisdiction shall indicate "NO" in this part of the table.
14. <sup>n</sup>The jurisdiction shall fill in these sections of the table to establish the design criteria using Table 1a or 1b from ACCA Manual J or established criteria determined by the jurisdiction.

(8) Table R301.5 is amended to read as follows:

**Table R301.5**

<i>Use</i>	<i>Live Load</i>
Balconies (exterior) and decks <sup>e</sup>	125
Fire escapes	125

(9) Section R313.2 is amended to read as follows:

**R313.2** One- and two-family dwellings automatic fire systems. An automatic residential fire sprinkler system shall be installed in one-and two- family dwellings with a total aggregate fire area that exceeds 6,000 square feet (577 M<sup>2</sup> ).

(10) Section R319.1 is amended to read as follows:

**R319.1** Premises identification. Approved numbers or addresses shall be provided for all new and altered buildings in such a position as to be plainly visible and legible from the street or road fronting the property. Address characters shall be reflective, at least five inches (127 mm) in height and shall be of a color that contrasts with the background on which they are mounted.

(11) Section R501.3 Exception 1 is amended to read as follows:

**R501.3** Exception 1 Floor assemblies located directly over a space protected by an automatic sprinkler system permitted, installed and inspected as required by the Fire District having jurisdiction.

(12) Section R806.1 is amended to read as follows:

**R806.1 Ventilation required.** Enclosed attics and enclosed rafter spaces formed where ceilings are applied directly to the underside of roof rafters shall have cross ventilation for each separate space by ventilating openings protected against the entrance of rain or snow. Ventilation openings shall be made of metal and shall have a least dimension of 1/16 inch (1.6 mm) minimum and 1/8 inch (3.2 mm) maximum. Ventilation openings having a least dimension larger than 1/8 inch (3.2 mm) shall be provided with a corrosion-resistant metal wire cloth screening, hardware cloth, or similar material with openings having a least dimension of 1/16 inch (1.6 mm) minimum and 1/8 inch (3.2 mm) maximum. Openings in roof framing members shall conform to the requirements of section R802.7. Required ventilation openings shall open directly to the outside air and shall be protected to prevent the entry of birds, rodents, snakes and other similar creatures.

(13) Section R902.1 is amended to read as follows:

**R902.1 Roofing covering materials.** Roofs shall be covered with materials as set forth in Sections R904 and R905. Class A roofing shall be installed on all new buildings. Class A roofing required to be listed by this section shall be tested in accordance with UL 790 or ASTM E 108. Roof assemblies with coverings of brick, masonry, slate, clay or concrete roof tile, exposed concrete roof deck, ferrous or copper shingles or sheets, and metal sheets and shingles, shall be considered Class A roof coverings. Where required for roof drainage, scuppers shall be placed level with the roof surface in a wall or parapet. The scupper shall be located as determined by the roof slope and contributing roof area.

(14) Section R905.1.2 is amended to read as follows:

**R905.1.1 Ice Barriers.** An ice dam protection underlayment that consists of an approved self-adhering polymer modified bitumen sheet shall be used with all roof coverings. This ice dam protection underlayment shall extend up the slope of the roof from the lowest edge of all roof surfaces and cover the entire roof decking surface.

(15) Section R1004.4 is amended to read as follows:

**R1004.4 Unvented gas log heaters.** Installation of unvented gas log heaters is prohibited.

(16) Section R1004 is amended by adding a new subsection R1004.5 to read as follows:

**R1004.5 Factory-built fireplace enclosures.** Combustible construction enclosing factory-built fireplaces with class 'A' chimneys shall be protected on the interior (fireplace) side by one-hour fire resistive construction.

*Exception:*

The portion of the chimney located in the same room as the appliance and the portion of the chimney above the finished roof are not required to be enclosed. However, if they are enclosed, the interior of the shaft shall be protected by one-hour fire resistive construction.

- (17) Section R1005 is amended by adding a new subsection 1005.6 to read as follows:

**R1005.8 Factory-built chimney enclosures.** Factory-built class 'A' chimneys shall be enclosed within a continuous enclosure protected on the interior (flue) side by not less than one-hour fire resistive construction.

*Exception:*

The portion of the chimney located in the same room as the appliance and the portion of the chimney above the finished roof are not required to be enclosed. However if they are enclosed, the interior of the shaft shall be protected by one-hour fire resistive construction.

- (18) Section R1005 is amended by adding a new subsection 1005.9 to read as follows:

**R1005.9 Limitation on the type and number of devices.** Solid fuel-burning devices that are not properly certified are prohibited in new construction. Outdoor wood fired hydronic heaters shall not be allowed. The number of certified solid fuel-burning devices that may be installed in newly constructed buildings shall not exceed the following limits:

- (a) Apartments, condominiums, hotel/motel rooms, commercial and industrial buildings: no solid fuel-burning devices shall be allowed. One solid fuel-burning device shall be allowed in lobbies of hotels or motels or restaurants.
- (b) In all buildings which are either occupied or have received a current and valid building permit prior to October 1, 1992, the installation of any solid fuel-burning device is prohibited if the resulting number of solid fuel-burning devices exceeds the limitations contained in this section. However, such limitations shall not apply to the replacement of a non-certified solid fuel-burning device with a certified solid fuel-burning device.

**CERTIFIED SOLID FUEL-BURNING DEVICE** is a solid fuel-burning device which is certified by the Air Pollution Control Division of the Colorado Department of Public Health and Environment, or one that is approved by the building official as meeting the EPA Phase II 'certification' or 'qualification' standard. These standards shall be independently tested by an accredited laboratory to meet the particulate emissions of 7.5 grams per hour for noncatalytic solid fuel-burning devices, or 4.1 grams per hour for catalytic solid fuel-burning appliances. Masonry heaters shall be approved by the state or documentation shall be provided verifying that 'field test results' conducted by an EPA accredited laboratory show no violation of the existing 6.0 grams per kilogram emission standard per State Regulation No. 4.



**NEW CONSTRUCTION**, for the purpose of this section, is construction of a residential, commercial, industrial, agricultural, or accessory building. This shall include any modifications, replacement, or relocation of existing solid fuel-burning devices. However, modifications to solid fuel-burning devices shall not include repair, replacement or relocation of flue pipe.

**SOLID FUEL-BURNING DEVICES** are any fireplace, stove, firebox, or other device intended and/or used for the purpose of burning wood, coal, pulp, paper, pellets or other non-liquid or non-gaseous fuel.

- (19) Section R1005 is amended by adding a new subsection 1005.10 to read as follows:

**R1005.10 Factory built chimneys.**

- (a) Factory built chimneys shall be supported at intervals not to exceed 10 feet by wall straps or equivalent.
- (b) Factory built chimneys shall have the outer wall of adjacent chimney sections fastened together by three sheet metal screws, installed approximately 120 degrees apart. Such fastenings shall be in addition to and not in lieu of those requirements mandated by the manufacturers' instructions, except when specifically prohibited by those instructions or the terms of their listing.

**Exception:** Where approved manufacturers' locking bands are used.

- (c) The points of termination of a factory built chimney shall not be within 10 inches vertically of the point of termination of any adjacent chimney or appliance vent within 24 inches horizontally. No factory-built chimney shall terminate closer than 24 inches to combustible finish materials."

- (20) Table N1102.1.2 (IECC R402.2.2) footnote d is amended to read as follows:

d. R-10 insulation shall be provided under the full slab area of a heated slab in addition to the required slab edge insulation *R*-value for slabs. as indicated in the table. The slab edge insulation for heated slabs shall not be required to extend below the slab.

- (21) Table N1102.1.2 (IECC R402.1.2) footnote h is amended to read:

h. The first value is cavity insulation, the second value is continuous insulation. Therefore, as an example, "13+5" means R-13 cavity insulation plus R-5 continuous insulation. R23 Blown in bips are permitted to be installed in walls in lieu of the R20+5. If utilizing the R23, the roof/ceiling insulation reductions detailed in N1102.2.1 and N1102.2.2 are not allowed.

- (22) N1102.2.10 is amended to read as follows:

**N1102.2.10** Slab-on-grade floors with a floor surface less than 40 inches below grade shall be insulated in accordance with Table N1102.1.2. The insulation shall extend downward from the top of the slab on the outside or inside of the foundation wall. Insulation located below grade shall be extended the distance provided in Table N1102.1.2 by any combination of vertical insulation, insulation extending under the slab or insulation extending out from the building. Insulation extending away from the building shall be protected by pavement or by a minimum of 10 inches of soil.

(23) Section M1701 is amended to add a new subsection to read as follows:

M1701.3 All combustion air terminations shall be a minimum of 36 inches above finished ground level.

(24) Section M1804.2.6 number 4 is amended to read as follows:

M1804.2.6 (4) The bottom of the vent terminal shall be located at least 36 inches above finished ground level.

(25) Section M2001 is amended to add new subsection to read as follows:

**M2001.5 Drains Required.** All mechanical rooms (boiler, water heater, and furnace rooms) are to be provided with a floor drain.

(26) M2105.28 Testing is amended by adding a sentence at the end of the paragraph:

Assembled loop systems may be tested with a 50 (psi) air test for 30 minutes.

(27) Section 2404 is amended to add a new subsection to read as follows:

**G2404.11 Testing.** This Section shall apply to all gas appliances that are vented with any type of plastic venting material.

**G2404.11.1 Test pressure.** All exhaust vents and sealed combustion air vents shall be tested to a minimum of 5 P.S.I. air test at the time of rough inspection. The test shall include all piping from the exterior terminations to the mechanical room. The last mechanical room connections can be visually inspected for code-required glue and primers (purple for PVC). All vent supports and draft stops shall be installed at the time of inspection. The manufacturer's installation and venting instructions shall be on site for rough inspection.

Exceptions:

1. For concentric vent/combustion air terminations, the combustion air can be capped for test just before the concentric vent connection. The exhaust vent must be tested to the exterior.
2. Single uncut/combustion air pipe that extends from the mechanical room to the exterior (without joints).

(28) Section G2406.2 is amended to eliminate exceptions 3 and 4.

(29) Section G2406.3 is amended to add the following sentence:

All exterior fire pits and fireplaces shall not be installed on or under combustible structures unless the entire appliance is listed and tested as one unit for that application.

(30) Section G2417.4.1 is amended to read as follows:

**G2417.4.1 (406.4.1) Test pressure.** The test pressure to be used shall be not less than one and one-half times the proposed maximum working pressure, but not less than 10 psig (69 kPa gauge) for threaded pipe, 60 psig for welded pipe, irrespective of design pressure. Where the test pressure exceeds 125 psig (862 kPa gauge), the test pressure shall not exceed a value that produces a hoop stress in the piping greater than 50 percent of the specified minimum yield strength of the pipe.

(31) Section G2425.8 (501.8) Equipment not required to be vented is amended to eliminate item #7: Room heaters listed for unvented use.

(32) Section G2432 is amended by adding a new subsection to read as follows:

**2432.4 Gas logs.** Gas logs may be installed in solid-fuel-burning fireplaces provided:

- a. The gas log is installed in accordance with the manufacturer's installation instructions.
- b. If the fireplace is equipped with a damper it shall either be removed or welded in an open position.
- c. The flue passageway shall be not less than 1 square inch per 2,000 Btu/h input and not more than 4 square inches per 2,000 Btu/h input.
- d. Gas logs shall be equipped with a pilot and shall have a listed safety shutoff valve.
- e. Gas logs shall be vented with a Class 'A' Chimney.
- f. Gas logs may be installed in factory-built fireplaces only when (a) the fireplace and gas logs are listed for use together as an individual unit (b) the fireplace is approved for use with any listed gas log or (c) the fireplace manufacturer provides prior written approval for the installation.
- g. Gas logs shall be provided with a motorized damper interlocked with the electronic ignition of the unit.

Exception: The installation of gas logs in factory built fireplace units for which the manufacturer cannot be identified or located may be approved by the building official in his or her discretion. Any approval shall be based at a minimum, on written evidence submitted by the gas log manufacturer that the installation of their product will not compromise the integrity of the existing fireplace.

(33) Section G2445 is amended to read as follows:

**G2433.1 Prohibited.** Log lighters are prohibited.

(34) Section G2445.2 is amended to read:

**G2445.2 (621.2) Prohibited Use.** Installation of unvented room heaters is prohibited.

(35) Section P2503.5.1 the first paragraph is amended to read as follows:

**P2503.5.1 Rough Plumbing.** DWV systems shall be tested upon completion of the rough piping installation by water or by air with no evidence of leakage. Either test shall be applied to the drainage system in its entirety or in sections after rough piping has been installed, as follows:

(36) Section P2503.7 Water-supply system testing: The portion of the sentence reading ..for piping systems other than plastic," shall be deleted.

(37) Section P2801.5.2 is amended to read as follows:

**2801.5.2 Pan drain termination.** The pan drain shall extend full-size and terminate over a suitably located indirect waste receptor or floor drain. All water heater rooms shall be equipped with a floor drain.

(38) Section P2803.6.1(5) Requirements of discharge pipe is amended to delete the reference allowing the discharge from the relief valve to terminate to the outdoors. All terminations must be discharged to an indirect waste receptor located within a heated space, or by other approved means within the building.

(39) IRC Section P3103.1 (roof extension) is amended to read in its entirety:

**P3103.1. Roof extension.** All open vent pipes which extend through a roof shall be terminated at least 12 inches above the roof or 12 inches above the anticipated snow accumulation, except that where a roof is to be used for any purpose other than weather protection, the vent extensions shall be run at least 7 feet (2134 mm) above the roof.

## **Sec. 18-2-50 Mechanical Code.**

The International Mechanical Code, 2018 Edition, Fourth Printing July 2021, published by the International Code Council, Inc., 4051 West Flossmoor Road, Country Club Hills, IL 60478-5795, is hereby adopted by reference as the Town of Blue River Mechanical Code as if fully set out in this ordinance with the additions, deletions, insertions and changes as follows:

(1) Section 101.1 is amended by adding the name "Town of Blue River."

- (2) Section 103.2 Appointment is amended to read exactly as set forth in IBC Amendment 103.2.
- (3) Section 103.3 Deputies is amended to read exactly as set forth in IBC Amendment 103.3.
- (4) Section 103.4 Liability is amended to read exactly as set forth in IBC Amendment 104.8.
- (5) Section 106.4.3 Expiration is amended to read exactly as set forth in IBC Amendment 105.5.
- (6) Section 106.4.4 Extensions is hereby repealed in its entirety.
- (7) Section 106.5.2 is amended to read as follows:

**106.5.2 Fee schedule.** The fees for mechanical work shall be in accordance with the *Town of Blue River Building Permit Fee Schedule* attached hereto.

- (8) Section 106.5.3 is amended to read as follows:

**106.5.3 Fee refunds.** The code official shall authorize the refunding of fees in accordance with the *Town of Blue River Building Permit Fee Schedule* attached hereto.

- (9) Section 106.5 is amended to add a new subsection to read as follows:

**106.5.4 Reinspection,** to read exactly as set forth in IBC Amendment 110.7.

- (10) Section 301 is amended by adding a new subsection to read as follows:

**301.19 Floor drains.** All mechanical rooms (furnace, boiler, water heater rooms) shall be provided with a floor drain."

- (11) Section 701 is amended by adding a new subsection to read as follows:

**701.3** Vent and combustion air ducts shall terminate a minimum of 36" above finished ground level."

- (12) Section 804.3.4 Horizontal terminations is amended by changing #6 to read as follows:

6. The bottom of the vent termination shall be located at least 36 inches above finished grade."

- (13) Section 805 Factory-built Chimneys is amended by adding a new section to read exactly as set forth in IBC Amendments 718.6, 718.7 and 2113.22.

- (14) Section 903.3 is amended to read as follows:

**903.3 Unvented gas log heaters.** Unvented gas log heaters are prohibited.

- (15) Section 905 is amended by adding a new subsection as follows:

**905.4 Limitation on the type and number of devices** is added to read exactly as set forth in IBC Amendment 2113.21.

- (16) Section **1208.1** Testing is amended by adding a sentence at the end of the paragraph as follows:

Hydronic tubing may be tested with a 50 (psi) air test for 30 minutes.

- (17) Section **12.8.1.1** Testing is amended by adding a sentence at the end of the paragraph as follows:

Assembled loop systems may be tested with a 50 (psi) air test for 30 minutes.

### **Sec. 18-2-60 Fuel Gas Code.**

The current Colorado Fuel Gas Code, as adopted by the State of Colorado; Department of Regulatory Agencies, or as is from time to time modified, re-enacted or re-adopted by the State of Colorado as listed in Rule 3 CCR 720-1 pursuant to the authority granted to the Colorado Plumbing Board by 12-155-105(1)e and 12-155-106(1) and (5), C.R.S., is hereby adopted by reference as the Town of Blue River Fuel Gas Code as if fully set out in this ordinance with the additions, deletions, insertions and changes as follows:

- (1) Section 101.1 is amended by adding the name "Town of Blue River."
- (2) Section 103.2 Appointment is amended to read exactly as set forth in IBC Amendment 103.2.
- (3) Section 103.3 Deputies is amended to read exactly as set forth in IBC Amendment 103.3.
- (4) Section 103.4 Liability is amended to read exactly as set forth in IBC Amendment 104.8.
- (5) Section ~~406.4.3~~ 106.5.3 Expiration is amended to read exactly as set forth in IBC Amendment 105.5.
- (6) Section 106.5.4 Extensions is hereby repealed in its entirety.
- (7) Section 106.6.2 Fee schedule is amended to read exactly as set forth in IMC amendment 106.5.2.
- (8) Section 106.6.3 Fee refunds is amended to read exactly as set forth in IMC amendment 106.5.3.
- (9) Section 106.6 is amended by adding a new subsection, 106.6.4 Reinspections, to read exactly as set forth in IBC amendment 109.7.
- (10) Section 303.2 Hazardous locations is amended by adding a sentence to read as follows:

All exterior fire pits and fireplaces shall not be installed on or under combustible structures unless the entire appliance is listed and tested as one unit for that application.

- (11) Section 303.3 Prohibited locations is amended by deleting Exceptions 3 and 4.
- (12) Section 304.11 # 8 is amended to read as follows:

8. Combustion air duct. Combustion air intake openings located on the exterior of a building shall have the lowest side of such openings located not less than 36 inches vertically from the adjoining grade level.

(13) Section 406.4.1 is amended to read as follows:

**G2417.4.I (406.4.1) Test pressure.** The test pressure to be used shall be not less than one and one-half times the proposed maximum working pressure, but not less than 10 psig (69 kPa gauge) for threaded pipe, 60 psig for welded pipe, irrespective of design pressure. Where the test pressure exceeds 125 psig (862 kPa gauge), the test pressure shall not exceed a value that produces a hoop stress in the piping greater than 50 percent of the specified minimum yield strength of the pipe.

(14) Section 501.8 Equipment not required to be vented is amended by deleting Exceptions 8 and 10.

(15) Section 503.8 Venting system termination location is amended by adding a sentence that reads as follows (applicable to items 2 and 3):

"The bottom of all vent terminations and air intakes shall be located at least 36 inches above finished ground level."

(7) Section 501 is amended to add a new subsection to read as follows:

**501.16 Testing.** This Section shall apply to all gas appliances that are vented with any type of plastic venting material.

**501.16.1 Test pressure.** All exhaust vents and sealed combustion air vents shall be tested to a minimum of 5 P.S.I. air test at the time of rough inspection. The test shall include all piping from the exterior terminations to the mechanical room. The last mechanical room connections can be visually inspected for code-required glue and primers (purple for PVC). All vent supports and draft stops shall be installed at the time of inspection. The manufacturer's installation and venting instructions shall be on site for rough inspection.

Exceptions:

1. For concentric vent/combustion air terminations, the combustion air can be capped for test just before the concentric vent connection. The exhaust vent must be tested to the exterior.
2. Single uncut/combustion air pipe that extends from the mechanical room to the exterior (without joints).

(16) Section 506 Factory Built Chimneys is amended by adding new subsections to read exactly as set forth in IBC Amendments 718.6, 718.7, 2113.21 and 2113.22.

(17) Section 602.1 is amended to read as follows:

**602.1 General.** Decorative appliances for installation in approved solid fuel-burning fireplaces shall be tested in accordance with ANSI Z21.60 and shall be installed in accordance with the manufacturer's installation instructions.

(18) Section 602 is amended by adding a new subsection to read as follows”

**602.4 Gas logs.** Gas logs may be installed in solid-fuel-burning fireplaces provided:

- a. The gas log is installed in accordance with the manufacturer's installation instructions.
- b. If the fireplace is equipped with a damper, it shall either be removed or welded in an open position.
- c. The flue passageway shall be not less than 1 square inch per 2,000 Btu/h input and not more than 4 square inches per 2,000 Btu/h input.
- d. Gas logs shall be equipped with a pilot and shall have a listed safety shutoff valve.
- e. Gas logs shall be vented with a Class 'A' Chimney.
- f. Gas logs may be installed in factory-built fireplaces only when (a) the fireplace and gas logs are listed for use together as an individual unit (b) the fireplace is approved for use with any listed gas log or (c) the fireplace manufacturer provides prior written approval for the installation.
- g. Gas logs shall be provided with a motorized damper interlocked with the electronic ignition of the unit.

Exception: The installation of gas logs in factory-built fireplace units for which the manufacturer cannot be identified or located may be approved by the building official in his or her discretion. Any approval shall be based at a minimum, on written evidence submitted by the gas log manufacturer that the installation of their product will not compromise the integrity of the existing fireplace.

(19) Section 603.1 is amended to read as follows:

**603.1 General.** Log lighters are prohibited.

(20) Section 618.3 is amended to add a subsection as follows:

**618.3.1 Outside air sources.** Outside air shall not be obtained from an exterior opening within 36-inches of finished ground level.

(21) Section 621 Unvented room heaters is hereby repealed in its entirety.

(22) Section 634 is hereby repealed in its entirety.

### **Sec. 18-2-70 Plumbing Code.**

The current Colorado Plumbing Code, as currently adopted by the State of Colorado; Department of Regulatory Agencies, or as is from time to time modified, re-enacted or re-adopted by the State



of Colorado as listed in Rule 3 CCR 720-1 pursuant to the authority granted to the Colorado Plumbing Board by 12-155-105(1)e and 12-155-106(1) and (5), C.R.S., is hereby adopted by reference as the Town of Blue River Plumbing Code as if fully set out in this ordinance with the additions, deletions, insertions and changes as follows:

- (1) Section 101.1 is amended by adding the name "Town of Blue River."
- (2) Section 101.3 Intent is amended by adding the following:

The intent of this code is to meet or exceed the requirements of the State of Colorado Plumbing Code. When technical requirements, specifications, or standards in the Colorado Plumbing Code conflict with this code, the more restrictive shall apply.

- (3) Section 103.2 Appointment is amended to read exactly as set forth in IBC Amendment 103.2.
- (4) Section 103.3 Deputies is amended to read exactly as set forth in IBC Amendment 103.3.
- (5) Section 103.4 Liability is amended to read exactly as set forth in IBC Amendment 104.8.
- (6) Section 106.5.3 Expiration is amended to read exactly as set forth in IBC amendment 105.5.
- (7) Section 106.5.4 Extensions is hereby repealed in its entirety.
- (8) Section 106.6.2 Fee schedule is amended to read exactly as set forth in IMC amendment 106.5.2.
- (9) Section 106.6.3 Fee refunds is amended to read exactly as set forth in IMC amendment 106.5.3.
- (10) Section 106.6 is amended to add a new subsection as follows:

**106.6.4 Reinspections**, to read exactly as set forth in IBC amendment 110.7.

- (11) Section 301 is amended by adding a new subsection as follows:

**301.8 Floor drains.** All mechanical rooms (furnace, boiler, water heater rooms) shall be provided with a floor drain.

- (12) Section 305.4.1 is amended to read as follows:

**305.4.1 Sewer depth.** Building sewers shall be installed in accordance with the standards and subject to the approval of the governing Sanitation District.

- (13) Section 312.3 is amended by deleting the first sentence:

Plastic pipe shall not be tested using air.

- (14) Section 312.5 Water supply system testing. The portion of the sentence reading "for piping systems other than plastic," shall be deleted.
- (15) Section 312.6 is amended to read as follows:

**312.6 Gravity sewer test.** Testing of the building sewer shall be in accordance with the standards and subject to the approval of the governing Sanitation District.

(16) Section 312.7 is amended to read as follows:

**312.7 Forced sewer test.** Testing of the building sewer shall be in accordance with the standards and subject to the approval of the governing Sanitation District.

(17) Section 504.7.2 is amended to read as follows:

**504.7.2 Pan drain termination.** The pan drain shall extend full-size and terminate over a suitably located indirect waste receptor or floor drain.

(18) Section 608.17 is amended to read as follows:

**608.17 Protection of individual water supplies.** An individual water supply shall be located and constructed so as to be safeguarded against contamination in accordance with Summit County Environmental Health regulations.

(19) Section 608.17.1 through 608.17.10 are deleted.

(20) Section 610.1 is amended to read as follows:

**610.1 General.** New or repaired potable water systems shall be purged of deleterious matter and disinfected prior to utilization. The method to be followed in accordance with this requirement shall be that method or methods prescribed by the governing water authority.

(21) Section 701.2 is amended to read as follows:

**701.2 Sewer required.** Every building in which plumbing fixtures are installed and as well as all premises having drainage piping shall be connected to a public sewer, where available, or an approved private sewage disposal system in accordance with Summit County Environmental Health Department requirements.

### **Sec. 18-2-90 Energy Conservation Code.**

The International Energy Conservation Code, 2018 Edition, Fourth Printing March 2020, published by the International Code Council, Inc., 4051 West Flossmoor Road, Country Club Hills, IL 60478-5795, is hereby adopted by reference as the Town of Blue River Energy Conservation Code as if fully set out in this ordinance with the additions, deletions, insertions and changes as follows:

- (1) Section C101.1 is amended by adding the name "Town of Blue River."
- (2) Table R402.1.2 is amended to add a Footnote "h" as set forth in IRC Amendment Table N1102.1.2.
- (3) Table R402.1.2 Footnote d is amended to read as follows"

d. R-10 insulation shall be provided under the full slab area of a heated slab in addition to the required slab edge insulation *R*-value for slabs. as indicated in the table. The slab edge insulation for heated slabs shall not be required to extend below the slab.

- (4) Section C101.1 is amended by adding the name "Town of Blue River."
- (5) Section C103.2 Appointment is amended to read exactly as set forth in IBC Amendment 103.2.
- (6) Section C103.3 Deputies is amended to read exactly as set forth in IBC Amendment 103.3.
- (7) Section C103.4 Liability is amended to read exactly as set forth in IBC Amendment 104.8.
- (8) Section C106.4.3 Expiration is amended to read exactly as set forth in IBC Amendment 105.5.
- (9) Section C106.5.4 Extensions is hereby repealed in its entirety.
- (10) Section C106.6.2 Fee schedule is amended to read exactly as set forth in IBC amendment 109.2.

#### **Sec. 18-2-100 Electrical Code.**

The current National Electrical Code, as currently adopted by the State of Colorado; Department of Regulatory Agencies, or as is from time to time modified, re-enacted or re-adopted by the State of Colorado as listed in Rule 3 CCR 710-1 is hereby adopted by reference as the Town of Blue River Electrical Code as if fully set out in this ordinance.

No building shall be hereafter constructed, erected, enlarged, altered, or moved into the Town unless the same shall, as to design, construction, quality of materials and workmanship, conform with the National Electrical Code, as adopted and as may be amended.

### **ARTICLE III Fire Code**

- Sec. 18-3-10. Adoption.**
- Sec. 18-3-20. Copies Available.**
- Sec. 18-3-30. Definitions.**
- Sec. 18-3-40. Amendments.**

#### **Sec. 18-3-10. Adoption.**

Pursuant to Colorado Revised Statutes, Title 31, Article 16, Parts 1 and 2, there is hereby adopted by reference the International Fire Code, 2018 Edition, originally published by the International Code Council, 500 New Jersey Avenue, NW, 6th floor, Washington, DC, 20001-2070, in the form amended, published, and promulgated by the Red, White and Blue Fire Protection District ("fire district"), 316 N. Main Street, Breckenridge, Colorado, 80424. The fire district amended the International Fire Code by the district's Resolution No. 2019-06 and, as amended by the district and as adopted by the ordinance from which this section derived, the Fire Code is hereinafter referred to for purposes of this Municipal Code as the "Blue River Fire Code" or the "Fire Code."

**Sec. 18-3-20. Copies Available.**

In addition to copies of any code as may be required to be retained by the Town Clerk, copies of the referenced codes and standards are available for public inspection and review by any interested party at ICCSAFE.org and at Red, White and Blue Fire Protection District 316 N. Main Street, Breckenridge, Colorado, 80424.

**Sec. 18-3-30. Definitions.**

- (a) Whenever the words "fire department," "district," or "fire district" are used in the Fire Code, such words shall mean the Red, White and Blue Fire Protection District.
- (b) Whenever the word "jurisdiction" is used in the Fire Code, it shall be held to mean the Town of Blue River or the Red, White and Blue Fire Protection District as the case implies.

**Sec. 18-3-40. Amendments.**

- (a) The term and definition of "Permanent Fire Ring" as used in the 2018 International Fire Code is amended and replaced with the following term and definition:

**Permanent Outdoor Fireplace or Fire Ring.** A permanently constructed feature, with a screen that prevents ember emissions, and without air gaps in its surrounding sides and a solid bottom, or earthen bottom free of roots and other organic material, used to contain campfires and prevent them from spreading and turning into a wildfire.

- (b) The term and definition of "Portable Outdoor Fireplace" as used in the 2018 International Fire Code is amended and replaced with the following term and definition:

**Portable Outdoor Fireplace or Chiminea.** A commercially designed and manufactured device with a screen that prevents ember emissions that is placed on a surface barren of combustible materials.

- (c) The term and definition of "Recreational Fire" as used in the 2018 International Fire Code is amended and replaced with the following term and definition:

**Recreational Fire.** An outdoor fire on private land contained to a commercially designed and manufactured fireplace, a permanent outdoor fireplace or fire ring, of a portable outdoor fireplace or chiminea that is assembled, located and operated in accordance with the manufacturer's or designer's instructions. The fire shall not exceed a total fuel area of 3 feet (914 mm) or less in diameter and 2 feet (610 mm) or less in height. A solid fuel source such as wood or charcoal must be used and the fire is intended for pleasure, religious, ceremonial, cooking, warmth, or similar purposes. Recreational fire shall not be used for the purpose of waste removal or trash incineration.

- (d) A new Section 307.4.3 is added to read as follows:

Portable outdoor fireplaces. Portable outdoor fireplaces shall be used in accordance with the manufacturer's instructions and shall not be operated within 15 feet (3048 mm) of a structure or combustible material.

- (e) Appendix O of the 2018 International Fire Code is hereby deleted.

## **Article IV General Penalty for Violations**

### **Sec. 18-4-10. Penalty**

### **Sec. 18-4-10. Penalty**

It is unlawful and shall be a violation of the Municipal Code for any person to erect, install, repair, alter, relocate, add to, replace, demolish, use, occupy, or maintain any building or structure, or cause or permit the same to be done, in violation of any code adopted by this Chapter 18, as may be amendment or supplemented. In addition to other penalties or sanctions set forth in the adopted code or in this ordinance, a person who violations a provision of Chapter 18 may have his or her license and/or permit revoked or suspended and/or may receive a penalty in an amount not to exceed the maximum amount authorized by this Chapter and in Section 1-4-20 of the Municipal Code.

**Section 2. Notice and Hearing.** Pursuant to *Ordinance Codes Adopted by Reference*, Sections 31-16-201 through 31-16-206, C.R.S.; the Town caused this Ordinance to be introduced to the Board of Trustees on November 15, 2022, notice was made in the official newspaper of general circulation for the Town at least fifteen (15) days and again at least eight (8) days prior to public hearing, and a public hearing was conducted on December 20, 2022, prior to the Board of Trustee's consideration of this Ordinance.

**Section 3. Severability.** Should any one or more sections or provisions of this Ordinance be judicially determined invalid or unenforceable, such judgment shall not affect, impair or invalidate the remaining provisions of this Ordinance, the intention being that the various sections and provisions are severable.

**Section 4. Minor Revision or Correction Authorized.** The Town Manager, in consultation with the Town Attorney, is authorized to make minor revisions or corrections to the codified version of the provisions of this Ordinance provided that such revisions or corrections are grammatical, typographical, numerical, or non-substantive and do not alter or change the meaning and intent of this Ordinance.

**Section 5. Repeal.** Any and all ordinances or codes or parts thereof in conflict or inconsistent herewith are, to the extent of such conflict or inconsistency, hereby repealed;

provided, however, that the repeal of any such ordinance or code or part thereof shall not revive any other section or part of any ordinance or code heretofore repealed or superseded and this repeal shall not affect or prevent the prosecution or punishment of any person for any act done or committed in violation of any ordinance hereby repealed prior to the effective date of this Ordinance.

**Section 6. Emergency Declaration and Effective Date.** The Board of Trustees hereby legislatively declares that the passage of this Ordinance is necessary for the immediate preservation of the public peace, health, or safety. Specifically, the passage of this Ordinance as an Emergency Ordinance is necessary to guarantee or ensure proper and timely processing of building permit applications submitted to the Town and to best ensure that owners may commence any intended construction in the upcoming building year. Absent the emergency nature of this Ordinance, owners may be delayed in their ability to prepare construction documentation meeting the best practices offered by the more-current building and safety codes and may be delayed in exercising any rights to the reasonable use of property. Upon passage by a supermajority of the members of the Board of Trustees in office, as required by state law, this Ordinance shall become effective immediately upon adoption.

**INTRODUCED** pursuant to Section 31-16-203, C.R.S. on November 15, 2022; and

**READ, AMENDED, PASSED, ADOPTED AND ORDERED PUBLISHED** following a public hearing at a regular or special meeting of the Board of Trustees of the Town of Blue River, Colorado, held on the 20th day of December, 2022.

\_\_\_\_\_  
Toby Babich, Mayor

ATTEST:

APPROVED AS TO FORM:

\_\_\_\_\_  
Town Clerk

\_\_\_\_\_  
Town Attorney

Published in the Summit County Journal \_\_\_\_\_, 2022.