

ORDINANCE NO. 4499

AN ORDINANCE ADOPTING AND AMENDING THE LATEST EDITION OF THE INTERNATIONAL BUILDING CODE, THE INTERNATIONAL PLUMBING CODE, THE INTERNATIONAL MECHANICAL CODE, THE INTERNATIONAL FUEL GAS CODE, THE INTERNATIONAL PROPERTY MAINTENANCE CODE, THE INTERNATIONAL RESIDENTIAL CODE, THE NATIONAL ELECTRIC CODE, AND THE 2009 INTERNATIONAL ENERGY CONSERVATION CODE TO BE APPLIED THROUGHOUT THE CITY OF GRAND JUNCTION WITH CERTAIN AMENDMENTS REGULATING THE ERECTION, CONSTRUCTION, ENLARGEMENT, ALTERATION, REPAIR, MOVING, REMOVAL, DEMOLITION, CONVERSION, OCCUPANCY, EQUIPMENT, USE, HEIGHT, AREA, AND MAINTENANCE OF ALL BUILDINGS OR STRUCTURES IN THE CITY OF GRAND JUNCTION; AND REPEALING ALL OTHER ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT HEREWITH

RECITALS:

Pursuant to the constitutional, statutory and Charter authority of the City Council of the City of Grand Junction to adopt ordinances for the protection of the health safety and general welfare of the population of the City the following ordinance is proposed.

After full hearing and consideration of the ordinance and upon recommendation by the City staff the Council finds that adoption of the ordinance is necessary to preserve the health, safety and general welfare of the people of the City of Grand Junction. The International Codes, which are hereby adopted, are the state of the art. The Codes are mutually adopted by the City and Mesa County, which provides for efficient building and enforcement practices. As well, the International Codes are increasingly common in many communities, which further increase the benefits of standardization. This ordinance and the codes which it adopts regulate the erection, construction, enlargement, alteration, repair, moving, removal, demolition, conversion, occupancy, equipment, use, height, area and maintenance of all buildings or structures in the City of Grand Junction.

NOW, THEREFORE, BE IT ORDAINED, BY THE CITY COUNCIL OF THE CITY OF GRAND JUNCTION, COLORADO:

Chapter 15 of the Municipal Code of Ordinances of the City of Grand Junction is hereby amended as follows:

15.12.010 Adoption of International Building Code and Standards.

(a) The International Building Code, 2012 Edition, promulgated by the International Code Council, Inc., together with amendments set forth below (hereafter "IBC" or "International Building Code") is hereby adopted to provide minimum standards to safeguard life and limb, health, property and the public welfare by regulating and controlling various matters including, but not limited to, the design, construction, quality

of materials, use and occupancy, location and maintenance of all buildings and structures within the jurisdiction.

(b) The following chapters of the Appendix of the International Building Code, 2012 Edition, are adopted:

- (1) Chapter C, Group U – Agricultural Buildings;
- (2) Chapter I, Patio Covers.

No other chapters of the Appendix are adopted.

15.12.020 Amendments to International Building Code.

The building code adopted in GJMC 15.12.010 is hereby amended as follows:

(a) Section 105.2: Section 105.2 is amended by the addition of the word “platforms” to Section 105.2, Item 6.

(b) Section 109: Section 109 is amended by the addition of Subsection 109.7 as follows:

No fees shall be required for a building permit obtained for Agricultural Buildings, as defined at Section 202. This agricultural building fee exemption does not include fees for electrical, mechanical and plumbing permits for said structures.

(c) Section 109.2: Section 109.2 is amended by adding the following language:

Fees shall be determined by City Council and set forth in a Resolution.

(d) Section 109.6: Section 109.6 is amended to establish a fee refund policy, by the addition of the following:

Building permit fees may be refunded at a rate of 85% of the building permit fee provided the project for which the permit was issued has not commenced and/or inspections have not been conducted. No refunds will be made after work has commenced.

(e) Section 110: Section 110 is amended by addition of Subsection 110.7 as follows:

No inspection shall be required for a building permit obtained for Agricultural Buildings as defined at Section 202. However, this exemption is not an exception to the minimum building standards set forth in the International

Building Code, nor to the other requirements for inspections for electrical, mechanical and plumbing.

(f) Section 113: Section 113 is amended by deletion thereof. The Board of Appeals established in GJMC 15.08.010 shall serve as the Board of Appeals.

(g) Section 310: Section 310.5.1 is amended by deleting “provided an automatic sprinkler system is installed in accordance with section 903.3.1.3 or with section 2904 of the International Residential Code.”

(h) Section 310: Section 310.6 amended by adding at last paragraph “or shall comply with the International Residential Code.”

(i) Table 602: Table 602 is amended by the addition of footnote f. to E occupancies.

Footnote f. Group E Day Care occupancies that accommodate 12 or fewer persons shall have fire resistive ratings as required for International Residential Code occupancies.

(j) Section 1004: Section 1004, Table 1004.1.2 is amended to change the maximum floor area allowance per occupant of agricultural building from 300 gross to 500 gross.

(k) Chapter 30: Chapter 30 concerning elevators, moving walks, escalators, or dumbwaiters is amended by amending Section 3001.1 as follows and adding four new sections and subsections to read as follows:

3001.1 Scope. This chapter governs the design, construction, installations, alterations, maintenance and repair of new and existing installations of elevators, dumbwaiters, escalators and moving walks, requiring permits therefore and providing procedures for the inspection and maintenance of such conveyances.

SECTION 3009

PERMITS & CERTIFICATES OF INSPECTION

3009.1 Permits Required. It shall be unlawful to install any new elevator, moving walk, escalator or dumbwaiter or to make alterations to any existing elevator, dumbwaiter, escalator or moving walk, as defined in Part XII of ASME A17.1, without first having obtained a permit for such installations from the building official. Permits shall not be required for maintenance or minor alterations.

3009.2 Certificates of Inspection Required. It shall be unlawful to operate any elevator, dumbwaiter, escalator or moving walk without a current certificate of inspection issued by an approved inspection agency. Such certificates shall be issued upon payment of prescribed fees and a valid inspection report indicating that the conveyance is safe and that the inspection and tests have been performed in accordance with Part X of ASME A17.1. Certificates shall not be issued when the conveyance is posted as unsafe pursuant to Section 3010.

Exception: Certificates of Inspection shall not be required for conveyances within a dwelling unit.

3009.3 Applications for Permits. Applications for a permit to install shall be made on forms provided by the building official, and the permit shall be issued to an owner or the owner's representative, upon payment of the permit fees specified in this section.

3009.4 Applications for Certificates of Inspection. Applications for an inspection and certificates of inspection shall be made to an approved inspection agency by the owner of an elevator, dumbwaiter, escalator or moving walk. Fees for inspections and certificates of inspection shall be determined by the approved inspection agency.

3009.5 Fees. A fee for each permit shall be paid to the building official as prescribed in the jurisdiction Permit Fee Schedule which shall be determined by City Council and set forth in a Resolution.

SECTION 3010

DESIGN

3010.1 Detailed requirements. For detailed design, construction and installation requirements see Chapter 16 and the appropriate requirements for ASME A17.1.

SECTION 3011

REQUIREMENTS FOR OPERATION AND MAINTENANCE

3011.1 General. The owner shall be responsible for the safe operation and maintenance of each elevator, dumbwaiter, escalator and moving walk installations and shall cause periodic inspections to be made on such conveyances as required by this section.

3011.2 Periodic Inspection and Tests. Routine and periodic inspections and tests shall be made as required by ASME A17.1.

3011.3 Alterations, Repairs and Maintenance. Alterations, repairs and maintenance shall be made as required by Part XII of ASME A17.1.

3011.4 Inspection Costs. All costs of such inspections shall be paid by the owner.

SECTION 3012

UNSAFE CONDITIONS

3012.1 Unsafe Conditions. When an inspection reveals an unsafe condition of an elevator, escalator, moving walk or dumbwaiter, the inspector shall immediately file with the owner and the building official a full and true report of inspection and unsafe condition. If the building official finds that the unsafe condition endangers human life, the building official shall cause to be placed on such conveyance, in a conspicuous place, a notice stating that such conveyance is unsafe. The owner shall see to it that such notice of unsafe condition is legibly maintained where placed by the building official. The building official shall also issue an order in writing to the owner requiring the repairs or alterations to be made to such conveyance that are necessary to render it safe and may order the operation thereof discontinued until the repairs or alterations are made or the unsafe conditions are removed. A posted notice of unsafe conditions shall be removed by the building official when satisfied that the unsafe conditions have been corrected.

(l) Section 3109.4: Section 3109.4 is amended by deletion thereof.

15.16.010 Adoption of National Electrical Code.

The National Electrical Code as promulgated by the National Fire Protection Association Inc., One Batterymarch Park, Quincy, Massachusetts 02269 and as adopted by the State of Colorado and pursuant to Title 12, Article 23, C.R.S.

Applicants shall pay for each electrical permit at the time of issuance, a fee for electrical permits and inspections as determined by City Council and set forth in a resolution.

15.20.010 Adoption of International Plumbing Code.

(a) The International Plumbing Code, 2012 Edition, as published by the International Code Council, Inc. together with amendments as set forth below (hereafter "IPC" or "International Plumbing Code") is hereby adopted for regulating the design, construction, quality of materials, erection, installation, alteration, repair, location,

relocation, replacement, addition to, use, and maintenance of plumbing systems within the jurisdiction.

(b) The following chapters of the Appendix of the International Plumbing Code, 2012 Edition, are adopted:

- (1) Appendix B – Rates of Rain Fall for Various Cities;
- (2) Appendix E – Sizing of Water Piping Systems.

No other chapters of the Appendix are adopted.

15.20.020 Amendments to International Plumbing Code.

The plumbing code adopted in GJMC 15.20.010 is hereby amended as follows:

- (a) Section 106.5.6 is amended by deletion of the first paragraph.
- (b) Section 106.6: Section 106.6 is amended by deletion of the section and replacing with the following:

Section 106.6 Permit fees. A fee for each permit shall be as determined by City Council and set forth in a Resolution.

- (c) Section 108.4 is amended by deletion of the section and replaced with the following:

Section 108.4 Violation penalties. Any person who violates a provision of this code or fails to comply with any of the requirements thereof shall be subject to penalties as prescribed in GJMC 15.08.050.(b) Section 109: Section 109 is amended by deletion of the section and replacing with the following:

Section 109, Subsection 109.1. The Board of Appeals as established in GJMC 15.08.010 shall serve as the Board of Appeals.

15.24.010 Adoption of International Mechanical Code.

(a) The International Mechanical Code, 2012 Edition, promulgated by the International Code Council, Inc., together with amendments set forth below (hereafter “IMC” or “International Mechanical Code”) is hereby adopted to regulate the design, construction, quality of materials, erection, installation, alteration, repair, location, relocation, replacement, addition to, use and maintenance of mechanical systems within the jurisdiction.

(b) The following chapters of the Appendix of the International Mechanical Code, 2012 Edition, are adopted:

- (1) Appendix A, Combustion Air Openings and Chimney Pass-Throughs.

No other chapters of the Appendix are adopted.

15.28.010 Adoption of International Fuel Gas Code.

(a) The International Fuel Gas Code, 2012 Edition, promulgated by the International Code Council, Inc., together with amendments set forth below (hereafter "IFGC" or "International Fuel Gas Code") is hereby adopted for the control of buildings and structures within the jurisdiction.

(b) The following chapters of the Appendix of the International Fuel Gas Code, 2012 Edition, are adopted:

- (1) Chapter A, Sizing and Capacities of Gas Piping;
- (2) Chapter B, Sizing of Vent Systems;
- (3) Chapter C, Exit Terminals of Mechanical Draft and Direct-Vent Venting Systems.

No other chapters of the Appendix are adopted.

15.28.020 Amendments to International Fuel Gas Code.

The fuel gas code adopted in GJMC 15.28.010 is hereby amended as follows:

(a) Section 106.5.2: Section 106.5.2 is amended by deletion of the section and replacement with the following:

Section 106.5.2 Fee schedule. Fees shall be as determined by City Council and set forth in a Resolution.

(b) Section 108.4: Section 108.4 is amended by deletion of the section and replacing with the following:

Section 108.4 Violations penalties. Any person who violates a provision of this code or fails to comply with any of the requirements thereof shall be subject to penalties as prescribed in GJMC 15.08.050.

(c) Section 109: Section 109 is amended by deletion thereof. The Board of Appeals established in GJCM 15.08.010 shall serve as the Board of Appeals.

15.32.010 Adoption of International Property Maintenance Code.

The International Property Maintenance Code, 2012 Edition, promulgated by the International Code Council, Inc., together with amendments set forth below (hereafter

“IPMC” or “International Property Maintenance Code”) is hereby adopted for the control of buildings and structures within the jurisdiction.

15.32.020 Amendments to International Property Maintenance Code.

The property maintenance code, adopted in GJMC 15.32.010, is hereby amended as follows:

(a) Section 108.1.3: Section 108.1.3 is amended by the deletion of the words “vermin or rat infested.”

(b) Section 111: Section 111 is amended by the deletion of the words and replaced with:

The Board of Appeals established in GJMC 15.08.010 shall serve as the Board of Appeals.

(c) Section 302: Section 302 is amended by deletion thereof.

(d) Section 303: Section 303 is amended by deletion thereof.

(e) Section 308: Section 308 is amended by deletion thereof.

(f) Section 309: Section 309 is amended by deletion thereof.

15.36.010 Adoption of International Residential Code.

(a) The International Residential Code, 2012 Edition, promulgated by the International Code Council, Inc., together with amendments set forth below (hereafter “IRC” or “International Residential Code”) is hereby adopted for regulating the design, construction, quality of materials, erection, installation, alteration, repair, location, relocation, replacement, addition to, use or maintenance of one- and two-family dwellings and townhouses not more than three stories in height within the jurisdiction.

(b) The following chapters of the Appendix of the International Residential Code, 2012 Edition, are adopted:

(1) Appendix A, Sizing and Capacities of Gas Piping;

(2) Appendix B, Sizing of Vent Systems Serving Appliances Equipped With Draft Hoods, Category 1 Appliances, and Appliances Listed For Use With Type B Vents;

(3) Appendix C, Exit Terminals of Mechanical Draft and Direct-Vent Venting Systems;

- (4) Appendix D, Recommended Procedures for Safety Inspections of Existing Appliance Installations;
- (5) Chapter H, Patio Covers;
- (6) Appendix Q, ICC International Residential Code Electrical Provisions/National Electrical Code Cross-Reference.

No other chapters of the Appendix are adopted.

15.36.020 Amendments to International Residential Code.

The residential code adopted in GJMC 15.36.010 is hereby amended as follows:

- (a) Section R105.2: Section R105.2, Item 5, is amended to read:

Sidewalks, Driveways and Platforms not more than 30 inches above adjacent grade and not over any basement or story below.

- (b) Section R105.2: Section R105.2 is amended by addition of the following new subsections:

Building Item 11. Re-siding of building regulated by this code.

Building Item 12. Re-roofing of buildings regulated by this code that do not exceed the limits of Section R907.3.

- (c) Section R105.3.1.1: Section R105.3.1.1 is amended by deletion thereof.
- (d) Section R106.3.1: Section R106.3.1 is amended by deletion of the first sentence of first paragraph. The Building Official shall retain one set of construction documents so reviewed.
- (e) Section R106.5: Section R106.5 is amended by deletion thereof.
- (f) Section R108.2: Section R108.2 is amended by deletion of the section and replacing with the following:

Section R108.2 Fee schedule. Fees shall be as determined by City Council and set forth in a Resolution.
- (g) Section R112: Section R112 is amended by deletion thereof. The Board of Appeals established in GJMC 15.08.010 shall serve as the Board of Appeals.
- (h) Table R302.1: Table R302.1(1) Exterior Walls is amended by changing the following:

Walls (not fire resistance rated) Minimum Fire Separation Distance = 3 feet

Projections (fire resistance rated) Minimum Fire Separation Distance = 2 feet

Projections (not fire resistance rated) Minimum Fire Separation = 3 feet

Openings (unlimited) Minimum Fire Separation = 3 feet

Openings (deleted 25%) Maximum Wall Area/0 Hours/3 feet

Penetrations (all) Minimum Fire Separation Distance < 3 feet, compliance with Section R302.4 and at 3 feet or greater, no requirements.

- (i) Section R302.2: Amend Section R302.2 by adding and amending the following:

For the purpose of this section, "townhouse" shall include two (2) or more attached units as defined in Section R202.

In the Exception amend 1-hour to read 2-hour.

- (j) Section R303.1: Section R303.1, Exception #3 is amended by deletion and replacing with the following:

Use of sunroom additions and patio covers, as defined in Section R202, shall be permitted for natural ventilation provided the space has adequate openings to the outside.

- (k) Section R309.1: Section R309.1 is amended by deletion of the second paragraph.

- (l) Section R309.5: Section R309.5 is amended by deletion thereof.

- (m) Section R313: Section R313 is amended by the deletion thereof.

- (n) Section R317: Section R317 is amended with the addition of:

For the purpose of this section, townhouse shall include two or more attached units as defined in Section R202.

- (o) Section R908: The IRC is amended to add Section R908. Roof Covering Requirements in Wildfire Hazard Areas with the following subsections:

Section R908.1: Section R908.1 Wildfire Hazards defined. Areas that have wildfire hazard rating of medium or above (as shown on the Mesa County Wildfire Hazard Map).

Section R908.2 Roof Covering. Roof coverings for new buildings or structures or additions thereto or roof coverings utilized for re-roofing, shall be Class A or B, tested in accordance with ASME E108 or UL 790 or Fire-retardant-treated shingles or shakes treated in accordance with AWPA C1.

Section R908.3. Moved Buildings. Any building or structure moved within or into any Wildfire Hazard Area shall be made to comply with all the requirements for new buildings in the Wildfire Hazard Area.

(p) Part IV-Energy Conservation, chapter 11: Chapter 11 is amended by the deletion thereof in its entirety and replacing with the following:

See 2009 International Energy Conservation Code as adopted for energy code requirements.

15.40.010 Adoption of International Energy Conservation Code.

The International Energy Conservation Code, 2009 Edition, promulgated by the International Code Council, Inc. (hereafter "IECC" or "International Energy Conservation Code") be and is hereby adopted as the code for the City of Grand Junction regulating the design, construction, quality of materials, erection, installation, alteration, repair, location, relocation, replacement, addition to, use and maintenance of the building envelope, mechanical, lifting and power systems in the City of Grand Junction.

15.40.020 Amendments to International Energy Conservation Code.

The energy conservation code adopted in GJMC 15.40.010 is hereby amended as follows:

- (a) Section 107: Section 107 is deleted.
- (b) Section 108: Section 108 is deleted.
- (c) Section 109: Section 109 is deleted.
- (d) Section 402.5: Section 402.5 is deleted.
- (e) Section 403.2.2: Section 403.2.2 is deleted.
- (f) Section 404: Section 404 is deleted in its entirety.

Miscellaneous Provisions:

- (a) *Adoption of Codes Unamended.* All Sections of the referenced Codes not specifically amended by this Ordinance are adopted as published.

(b) *Conflicts and Permits Previously Issued.* Any and all Resolutions and/or Ordinances or parts thereof in conflict herewith to the extent of such conflicts or inconsistencies are hereby amended; provided, however, this ordinance shall not affect the construction of buildings for which Permits were issued prior to the effective date of this Ordinance and all Buildings now under construction pursuant to existing Permits shall be constructed in conformance with the Building Codes applicable at the time of issuance of said permit; provided further however, that no construction authorized by an existing Permit shall be altered without complying with the newly adopted Building codes. Nor shall the adoption of this Code prevent the prosecution of violations of any prior Resolution or Ordinance adopting prior Building Codes, which occurred prior to the effective date of this Ordinance. Where this Ordinance and the Codes adopted herein by reference are in conflict with other resolutions or ordinances of the City of Grand Junction the more restrictive provision shall apply.

(c) *Copies of Code Available for Inspection.* At least one copy of each of the Codes adopted herein, all certified to be true copies, shall remain on file with the City Clerk. At least three (3) copies of each of the Codes hereby adopted; all certified to be true copies, are now and shall remain on file with the Mesa County Building Department.

(d) *Invalidity in Part.* If any part, section, subsection, sentence, clause or phrase of this Ordinance or of the Codes adopted herein is for any reason held to be invalid, such decisions shall not affect the validity of remaining sections of this Ordinance or of the Codes adopted herein, the City Council hereby declares that it would have passed the Ordinance and adopted said Codes in each part, section, subsection, sentence, clause, or phrase thereof, irrespective of the fact that any one or more parts, sections, subsections, sentences, clauses or phrases be declared invalid. Should any portion of this Ordinance or Codes adopted herein be declared invalid then to the extent of such invalidity the prior Code shall not be found, deemed or determined to be repealed so as to continue the provisions of the Code in effect for any portions of this Ordinance and Codes adopted thereby which may be declared invalid or unenforceable.

(e) The remaining sections in Chapter 15 not specifically set forth herein shall remain in full force and effect.

Repeal of Conflicting Provisions:

All other resolutions or ordinances in conflict herewith are hereby repealed except as otherwise provided herein.

PUBLIC HEARING:

A public hearing on the adoption by reference thereto of the International Building Code, the International Plumbing Code, the International Mechanical Code, the International

Fuel Gas Code, the International Property Maintenance Code, the International Residential Code, the National Electric Code and the International Energy Conservation Code, with certain amendments is scheduled in the City Council Chambers at 250 N. 5th Street, Grand Junction Colorado on February 13, 2012 at 7:00 P.M. and the City Clerk is hereby directed to publish Notice of said public hearing in the manner and style and pursuant to the schedule of such publication prescribed in 31-16-201 *et. seq.* C.R.S.

At least one copy of the Codes, as described herein together with certain amendments thereto all certified to be true copies, shall be on file in the office of the City Clerk of the City of Grand Junction, Colorado. At least one copy of each Code including the appendices thereto, together with certain amendments, all certified to be true and correct, shall be on file as aforesaid in the office of the City Clerk at least fifteen (15) days preceding said hearing and may be inspected by any interested person between the hours of 7:30 a.m. and 5:30 p.m., Monday through Friday, holidays excepted.


Introduced the 16th day of January, 2012.

Passed on second reading this 13th day of February, 2012.

Attest:



President of the Council



City Clerk