

ORDINANCE NO. 3318

AN ORDINANCE OF THE CITY OF GRAND JUNCTION, COLORADO, ADOPTING AND AMENDING THE LATEST EDITION OF THE INTERNATIONAL BUILDING CODE, THE UNIFORM 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 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; PROVIDING FOR THE ISSUANCE OF PERMITS AND COLLECTION OF FEES THEREFOR; AUTHORIZING FEES TO BE SET BY RESOLUTION AND PROVIDING FOR PENALTIES FOR THE VIOLATION THEREOF 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. The ordinance further provides for issuance of permits and collection of fees.

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

Adoption and Amendment of the International Building Code:

The International Building Code, 2000 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.

The following chapters of the Appendix of the International Building Code, 2000 Edition, are adopted:

Chapter C, Group U-Agricultural Buildings

Chapter I, Patio Covers

No other chapters of the Appendix are adopted.

Amendments to International Building Code.

The building code adopted in Section 1, of this Part 4, is hereby amended as follows:

Section 105.2: *Section 105.2* is amended by the addition of the word Platforms to Section 105.2, Item 6.

Section 108: *Section 108* is amended by the addition of following Subsection 108.7. 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.

Section 108.2: *Section 108.2* is amended by the addition of Table 108-A, Fee Schedule, for building permits and/or combinations of building, mechanical,

plumbing, electrical, fuel gas piping and pool, hot tub and spa permits. (Copy of Table 108-A, Fee Schedule, in on file in the Building Inspection office).

Section 108.6: *Section 108.6* 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.

Section 109: *Section 109* is amended by addition of Subsection 109.7 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.

Section 112: *Section 112* is amended by deletion thereof. The Board of Appeals established in Part 13 shall serve as the Board of Appeals.

Section 302: *Section 302*, Table 302.1.1 is amended to read: Storage rooms over 100 square feet in Group I and H occupancies.

Section 302: *Section 302*, Table 302.3.3 is amended by changing footnote b. to read: Occupancy separation need not be provided for incidental storage areas within all occupancies except Group I and H if the: Remainder of footnote b. remains unchanged.

Section 1003: *Section 1003.2.2.2* is amended to change maximum floor area allowance per occupant of Agricultural Building from 300 Gross to 500 Gross.

Section 1003.3.3.3: Section 1003.3.3.3 is amended to add Exception Item 7 to read: Within individual dwelling units of Group R-2 occupancies the maximum riser height shall be 8 inches and the minimum tread depth shall be 9 inches.

Section 1704.1: Section 1704.1 is amended to change the first paragraph to read: Where an application is made for construction as described in this section, the owner or the registered design professional in responsible charge acting as the owners agent shall employ one or more special inspectors to provide inspections during construction on the types of work listed under Sections 1704 and 109.3.4.

Table 602. Table 602 is amended by the addition of Footnote d to E Occupancies. Footnote d shall read: Group E Day Care Occupancies that accommodate 12 or fewer persons shall have a fire resistive rating as required for Group R-3 Occupancies.

All references in the International Building Code to the International Plumbing Code shall hereafter be changed to reference the Uniform Plumbing Code.

Adoption and Amendment of the Uniform Plumbing Code:

Adoption of Uniform Plumbing Code.

- (a) The Uniform Plumbing Code, 2000 Edition, promulgated by the International Association of Plumbing and Mechanical Officials, 20001 Walnut Drive South, Walnut, CA, 91789-2825, together with amendments set forth below (hereafter "UPC or Uniform 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 Uniform Plumbing Code, 2000 Edition, are adopted.

Appendix A- Recommended Rules for Sizing the Water Supply System

Appendix B- Explanatory Notes on Combination Waste and Vent Systems

Appendix C- Sizing of Category 1 Venting

Appendix D- Sizing of Storm water Drainage Systems

Appendix H- Recommended Procedures for Design, Construction and Installation of Commercial Kitchen Grease Interceptors

Appendix I Installation Standards

No other chapters of the Appendix are adopted.

Amendments to Uniform Plumbing Code.

The plumbing code adopted in Section 1 of this Part 5 is hereby amended as follows:

Section 102.3.2: *Section 102.3.2* is amended by deletion of the section and replacing with the following: Section 102.3.2 Penalties. Any person who violates a provision of this code or fails to comply with any of the requirements thereto shall be subject to penalties as prescribed in Part 16 of this ordinance.

Section 103.4.1: Section 103.4.1 is amended by deletion of the section and replacing with the following: Section 103.4.1 Permit Fees. A fee for each permit shall be as set forth in Part 4, Section 2, (c) of this ordinance.

Section 102.3.3: The UPC is amended to add Section 102.3.3 Board of Appeals. The Board of Appeals established in Part 13 shall serve as the Board of Appeals.

Section 103.4.2: Section 103.4.2 is amended by deletion of the section.

Chapter 12 and 13 are amended by deletion.

Adoption and Amendment of the International Mechanical Code:

Adoption of International Mechanical Code.

The International Mechanical Code, 2000 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.

The following chapters of the Appendix of the International Mechanical Code, 2000 Edition, are adopted:

Chapter A, Combustion Air Openings and Chimney Connector
Pass-Throughs.

No other chapters of the Appendix are adopted.

Amendments to International Mechanical Code.

The mechanical code adopted in Section 1 of this Part 6 is hereby amended as follows:

Section 108.4: Section 108.4 is amended by deletion of the section and replacing 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 by in Part 16 of this ordinance.

Section 109: Section 109 is amended by deletion thereof. The Board of Appeals established in Part 13 shall serve as the Board of Appeals.

International Mechanical Code, 2000 Edition, references to the 2000 International Energy Conservation Code shall hereafter be changed to reference the 1998 International Energy Conservation Code.

International Mechanical Code, 2000 Edition, references to the International Plumbing Code shall hereafter be changed to reference the Uniform Plumbing Code.

Adoption and Amendment of the International Fuel Gas Code:

Adoption of International Fuel Gas Code

The International Fuel Gas Code, 2000 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.

The following chapters of the Appendix of the International Fuel Gas Code, 2000 Edition, are adopted.

Chapter A, Sizing and Capacities of Gas Piping

Chapter B, Sizing of Vent Systems

Chapter C, Exit Terminals of Mechanical Draft and Direct-Vent
Venting Systems

No other chapters of the Appendix are adopted.

Amendments to International Fuel Gas Code.

The fuel gas code adopted in Section 1 of this Part 7, is hereby amended as follows:

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 Part 16 of this ordinance.

Section 109: *Section 109* is amended by deletion thereof. The Board of Appeals established in Part 13 shall serve as the Board of Appeals.

International Fuel Gas Code, 2000 Edition, references to the 2000 International Energy Conservation Code shall hereafter be changed to reference the 1998 International Energy Conservation Code.

Section 404.4: *Section 404.4* is amended by deletion and replacing with the following: Section 404.4. Underground piping outside of buildings shall terminate at exterior aboveground locations and shall enter buildings in exposed locations.

International Fuel Gas Code, 2000 Edition, references to the International Plumbing Code shall hereafter be changed to reference the Uniform Plumbing Code.

Adoption and Amendment of the International Property Maintenance Code:

Adoption of International Property Maintenance Code.

The International Property Maintenance Code, 2000 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.

Amendments to International Property Maintenance Code.

The property maintenance code adopted in Section 1 of this Part 8, is hereby amended as follows:

Section 111: Section 111 is amended by the deletion of Sections 111.2, 111.2.1, 111.2.2, 111.2.3 and 111.2.4. The Board of Appeals established in Part 13 shall serve as the Board of Appeals.

Section 302: Section 302 is amended by deletion thereof.

Section 305: Section 305 is amended by deletion thereof.

Section 306: Section 306 is amended by deletion thereof.

Adoption and Amendment of the International Residential Code:

Adoption of International Residential Code.

The International Residential Code, 2000 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.

The following chapters of the Appendix of the International Residential Code, 2000 Edition, are adopted.

Chapter H, Patio Covers

No other chapters of the Appendix are adopted.

Amendments to International Residential Code.

The residential code adopted in Section 1 of this Part 9, is hereby amended as follows:

Section R105.2: Section R105.2, Item 5, is amended to read Sidewalks, Driveways and Platforms.

Section R105.2: Section R105.2 is amended by addition of the following new sub sections;

Building Item 10. Re-siding of building regulated by this code.

Building Item 11. Re-roofing of buildings regulated by this code, that does not exceed the limits of Section R907.3.

Section R105.3.1.1: Section R105.1.1.1 is amended by deletion thereof.

Section R106.3.1: Section R106.3.1 is amended by deletion of the second sentence of first paragraph. The building official shall retain one set of construction documents so reviewed.

Section R106.5: Section R106.5 is amended by deletion thereof.

Section R112: Section R112 is amended by deletion thereof. The Board of Appeals established in Part 13 shall serve as the Board of Appeals.

Section R112.2.3: Section R112.2.3 is amended by deletion thereof.

Section R112.2.4: Section R112.2.4 is amended by deletion thereof.

Section R301.2.4: Section R301.2.4 is amended by deletion thereof.

Section R302.1: Section R302.1 is amended to change the first paragraph to read:

Exterior walls with a fire separation distance less than 3 feet shall have not less than one-hour fire-resistive rating with exposure from both sides or when two residential buildings adjoin at a property line, a concrete or masonry wall with a minimum 3 hour fire-resistive rating is permitted when constructed per Sections R321.2, R321.2.1, R321.2.2, R321.2.3 and R321.2.4 for townhouses.

Section R309.3: Section R309.3 is amended by deletion of the second paragraph.

Section R309.5: Section R309.5 is amended by deletion thereof.

Section R314.2: Section R314.2 is amended by deletion of the first sentence of first paragraph and replacing with the following: The maximum riser height shall be 8 inches and the minimum tread depth shall be 9 inches.

Section R315.1: Section R315.1 is amended by deletion of second sentence of first paragraph and replacing with the following: All required handrails shall be continuous the full length of the stairs with four or more risers from a point directly above the top riser of a flight to a point directly above the lowest riser of a flight.

Section R327: Section R327 is amended by deletion thereof.

Section R908: The IRC is amended to add Section 908. Roof Covering Requirements in Wildfire Hazard Areas.

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 AWWPA C1.

Section 908.3. 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.

- (q) The IRC is amended by deletion of Chapters 25, 26, 27, 28, 29, 30, 31 and 32 in their entirety.

Adoption of the International Energy Conservation Code:

Adoption of the International Energy Conservation Code

The International Energy Conservation Code, 1998 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.

Adoption of the National Electric Code:

Adoption of National Electric Code

The National Electric Code, 1999 edition, 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 the jurisdiction.

Repeal of Conflicting Provisions:

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

Board of Appeals, Appeals Procedures:

A common appellate procedure and Board of Appeals to hear all appeals arising under Codes adopted herein, EXCEPT with respect to the National Electric Code is contained within this Part.

In order to determine the suitability of alternate materials and methods of construction and to provide reasonable interpretations of this code, there shall be and is hereby created a Board of Appeals consisting of five members who are qualified by experience and training to pass upon matters pertaining to building construction and who are not employees of the jurisdiction. The Chief Building Official shall be an ex-officio member of and shall act as secretary to said board. The Board of Appeals shall be appointed by the Board of County Commissioners and shall hold office at its pleasure. The Board shall adopt rules and procedures for conducting business and shall render all decisions and findings in writing to the appellant with a duplicate copy to the Chief Building Official.

The Board of Appeals shall have jurisdiction to decide any appeals from the Chief Building Official if the decision of the Chief Building Official concerns suitability of alternate materials, methods of construction or a reasonable interpretation of the code. The Board of Appeals shall not hear appeals of life safety items, administrative provisions of the codes nor shall the Board of Appeals be empowered to waive requirements of the codes. The first order of business at any hearing of the Board of Appeals shall be to determine if it has jurisdiction to hear the appeal.

Any appeal to the Board of Appeals shall be preceded by a written appeal to the Chief Building Official, who shall reply in writing. The decision of the Chief Building Official may be appealed to the Board of Appeals, within ten days from the date of the decision of the Chief Building Official, a Notice of Appeal together with a copy of the original written appeal to the Chief Building Official and a copy of the Chief Building Officials decision.

The Board of Appeals shall meet within 30 days of the written appeal, hear evidence and argument if it deems appropriate, and shall render all decisions and findings in writing to the Chief Building Official with a duplicate copy to the appellant.

Administration:

The Director of Public Works and Utilities as Chief Building Official of the City by and through a contractual arrangement with the Mesa County Building Department shall administer and enforce such codes as are adopted and provided for in this ordinance and as otherwise provided by law. Fees and costs other than for or resulting from a violation, penalty or enforcement action

shall be set by separate resolution adopted by the City Council, which fees and charges may be amended from time to time by resolution.

Violation and Penalty:

The penalties imposed for violation of the Codes and of the statutory sections authorizing their adoption are as follows:

Any person, firm or corporation violating this Ordinance or any provision of any adopted code herein is guilty of a misdemeanor and upon conviction thereof shall be punished by a fine of not more than one thousand dollars or by imprisonment in the county jail for not more than one year or by both such fine and imprisonment. Each day during which such illegal erection, construction, reconstruction, alteration, maintenance or use continues shall be deemed a separate offense. In case any building or structure is or is proposed to be erected, constructed, remodeled, used or maintained in violation of this part or of any provision of this ordinance the City Attorney may institute an appropriate action injunction, mandamus or abatement to prevent, enjoin, abate or remove such unlawful erection, construction, reconstruction, alteration, remodeling, maintenance or use. The City Attorney may use or enforce any remedies provided by law or in equity. Jurisdiction for any action brought under this ordinance shall be in the Municipal Court of the City of Grand Junction and such action shall be heard and decided in accordance with the rules of that court.

Miscellaneous Provisions:

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

- (2) *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.
- (3) *Copies of Code Available for Inspection.* 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.
- (4) *Nonassumption, nonwaiver.* The City of Grand Junction, its officials, employees and agents thereof shall not be deemed to have assumed a duty of care where none otherwise existed by the performance of a service or an act of assistance for the benefit of any person under service or an act of assistance for the benefit of any person under service or an act of assistance for the benefit of any person under this Ordinance. The adoption of these Codes shall not give rise to a duty of care. The enforcement or failure to

enforce this Ordinance or the mere fact that an inspection was conducted in the course of enforcing this Ordinance shall not give rise to a duty of care where none otherwise existed. Enactment of this Ordinance shall not constitute a waiver of sovereign immunity by the City of Grand Junction, its officials, employees and agents.

- (5) *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.

A public hearing on the adoption by reference thereto of the International Building Code, the Uniform 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 November 1, 2000 at 7:30 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. Such notice shall specifically include but not necessarily be limited to a description of the purpose of the Code, the subject matter of the Code by title, that the Codes are promulgated by the International Code Council, 5203 Leesburg Pike, Suite 708, Falls

Church Virginia 22041-3401, unless indicated otherwise, and that the 2000 version of the Code is being adopted, unless another version is specified.

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. The clerk shall publish notice at least fifteen (15) and eight (8) days preceding said public hearing. The proposed ordinance and copies of the Codes may be inspected by interested persons between the hours of 8:00 A.M. and 5:00 P.M. Monday through Friday.

This Ordinance shall become Section 8 of the Code of Ordinances of the City of Grand Junction.

INTRODUCED ON FIRST READING this 4th day of October 2000.

PASSED and ADOPTED this 6th day of December, 2000.

/s/ Gene Kinsey
President of the Council

Attest:

/s/ Stephanie Nye
City Clerk