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ARTICLE 1 Adoption of Codes

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Sec. 18-1. General interpretations and definitions.

The following general interpretations and definitions are made in this article:

Frost line shall be established as three (3) feet.

Jurisdiction shall be defined to mean that area included within the corporate limits of the town or any area hereafter annexed to the town.

Roof live load shall be established as thirty (30) pounds per square foot.

The town is within seismic zone 1.

Whenever there are any references in the codes referred to in this article to public officials by title of office held or to particular departments, boards, commissions, bureaus or other agencies of the town, such references shall apply to the appropriate public officials of the town, such as, by illustration only, the town engineer, fire chief, board of adjustment and appeals, although not necessarily designated by the same official title.

(Ord. 99-2 §1, 1999; Ord. 04-05 §1, 2004)

Sec. 18-2. Building codes adopted.

- (a) The town adopts by reference the following as a primary code: the International Building Code, 2006 Edition, as published by the International Code Council, 500 New Jersey Avenue, NW, 6th Floor, Washington, DC 20001. Chapters 1 through 35 inclusive, Appendix I and Appendix J, are hereby

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adopted by reference as the town of Hudson building code as if fully set out in this article with the additions, deletions, insertions and changes as set forth below in subsection 18-4(a).

- (b) The town adopts by reference the following as secondary codes: the International Residential Code, 2006 Edition, as published by the International Code Council, 500 New Jersey Avenue, NW, 6th Floor, Washington, DC 20001, Chapters 1 through 43 inclusive and Appendix Chapters G and H, as if fully set out in this article with the additions, deletions, insertions and changes as set forth in subsection 18-4(b) below; the International Mechanical Code, 2006 Edition, as published by the International Code Council, 500 New Jersey Avenue, NW, 6th Floor, Washington, DC 20001, Chapters 1 through 15 inclusive, as if fully set out in this article with the additions, deletions, insertions and changes as set forth in subsection 18-4(c) below; the International Fuel Gas Code, 2006 Edition, as published by the International Code Council, 500 New Jersey Avenue, NW, 6th Floor, Washington, DC 20001, Chapters 1 through 8 inclusive, as if fully set out in this article with the additions, deletions, insertions and changes as set forth in subsection 18-4(d) below; the International Plumbing Code, 2006 Edition, as published by the International Code Council, 500 New Jersey Avenue, NW, 6th Floor, Washington, DC 20001, Chapters 1 through 13 inclusive, as if fully set out in this article with the additions, deletions, insertions and changes as set forth in subsection 18-4(e) below; the International Property Maintenance Code, 2006 Edition, as published by the International Code Council, 500 New Jersey Avenue, NW, 6th Floor, Washington, DC 20001, Chapters 1 through 8 inclusive, as if fully set out in this article with the additions, deletions, insertions, and changes as set forth in subsection 18-4(f) below; the International Existing Building Code, 2006 Edition, as published by the International Code Council, 500 New Jersey Avenue, NW, 6th Floor, Washington, DC 20001, Chapters 1 through 15 inclusive, as if fully set out in this article with the additions, deletions, insertions and changes as set forth in subsection 18-4(g) below; and the International Energy Conservation Code, 2006 Edition, as published by the International Code Council, 500 New Jersey Avenue, NW, 6th Floor, Washington, DC 20001, Chapters 1 through 6 inclusive, as if fully set out in this article with the additions, deletions, insertions and changes as set forth in subsection 18-4(h) below.
- (c) The town adopts by reference the National Electrical Code, 2005 Edition, as may be amended by the Colorado Department of Regulatory Agencies, State Electrical Board, and as adopted by the same from time to time as the minimum standards governing the planning, laying out and installing or the making of additions, alterations and repairs in the installation of wiring apparatus and equipment for the electric light, heat and power for the State of Colorado at 3 Colorado Code of Regulations, Section 710-1, Standard 2.1.
- (d) The subject matter of the primary code and the secondary codes contained therein concerns regulations to provide minimum standards to safeguard life or limb, property and public welfare by regulating and controlling the design, construction, quality of materials, use and occupancy, location and maintenance of all buildings, structures, plumbing systems and mechanical systems in the town. Unless otherwise noted, the adoption includes all supplements to the code.

(Ord. 99-2 §1, 1999; Ord. 04-05 §2, 2004; Ord. 07-12 §1, 2007)

Sec. 18-3. Reserved.

Sec. 18-4. Deletions from and amendments to the international codes.

- (a) The following sections and paragraphs or subparagraphs of the 2006 International Building Code (IBC) are hereby amended or deleted as follows:
 - (1) IBC Section 101.1 (Title) is amended by the addition of the term "Town of Hudson" where indicated.

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- (2) IBC Section 101.4.1 (Electrical) is amended by replacing "ICC Electrical Code" with "National Electrical Code as adopted by the State of Colorado."
- (3) IBC Section 101.4.4 (Plumbing) is amended by deletion of the last sentence.
- (4) IBC Section 101.4.6 (Fire prevention) is amended by renumbering the section as 101.4.5 and replacing "International Fire Code" with "adopted fire code."
- (5) IBC Section 105.1 (Required) is amended by replacing the words "building official" with "Town."
- (6) Item #1 IBC Section 105.2 (Work exempt from a permit) is amended as follows:

"One-story detached accessory structures used as tool and storage sheds, play houses and similar uses, provided the floor area does not exceed two hundred (200) square feet."
- (7) IBC Section 108.2 (Schedule of permit fees) is amended by adding the sentence:

"On projects with an estimated valuation of \$1,000,000 or greater, the plan review fee shall be as adopted by the town by resolution of the board of trustees and such fee paid to the town at the time of application submittal."
- (8) IBC Section 108.4 (Work commencing before permit issuance) is amended by replacing the words "building official" with "town" and adding:

"The fee shall be as adopted by the town by resolution of the board of trustees in addition to the required permit fees."
- (9) IBC Section 108.6 (Refunds) is amended by deleting the section in its entirety and replacing the section with the following:

"The Town may authorize refunding of any fee paid hereunder which was erroneously paid or collected.

"The Town may authorize refunding of not more than 80 percent (80%) of the permit fee paid when no work has been done under a permit issued in accordance with this code.

"The Town may authorize refunding of not more than 80 percent (80%) of the plan review fee paid when an application for a permit for which a plan review fee has been paid is withdrawn or cancelled before any plan reviewing is done.

"The Town shall not authorize refunding of any fee paid except on written application filed by the original permittee not later than 180 days after the date of fee payment."
- (10) IBC Section 109.3.5 (Lath and gypsum board inspection) is amended by deleting the exception.
- (11) IBC Section 110.3 (Temporary occupancy) is amended by deleting the words "building official" in the first and second sentence and replacing them with "Town."
- (12) IBC Section 112.1 (General) is amended by deleting the last two (2) sentences and inserting the following:

"The members of the Board of Appeals shall be comprised of the members of the Town Board of Trustees."
- (13) IBC Section 112.3 (Qualifications) is amended by deleting the section in its entirety.
- (14) IBC Section 202 (Definitions) is amended by addition of the following:

" 'Sleeping Room' (Bedroom) is any enclosed habitable space within a dwelling unit, which complies with the minimum room dimension requirements of IBC Section 1208 and contains a closet, an area that is useable as a closet or an area that is readily convertible for use as a closet. Living rooms, family rooms and other similar habitable areas that are so situated and designed so as to clearly indicate these intended uses, shall not be interpreted as 'sleeping rooms.' "

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- (15) IBC Section 1013.1 (Where required) is amended by the addition of a second paragraph inserted before the exceptions as follows:
- "All area wells, stair wells, window wells and light wells attached to any building that are located less than 36 inches (914.4 mm) from the nearest intended walking surface and deeper than 30 inches (762 mm) below the surrounding ground level, creating an opening greater than 24 inches (610 mm) measured perpendicular from the building, shall be protected with guardrails conforming to this section around the entire opening, or be provided with an equivalent barrier."
- (16) IBC Section 1612.3 (Establishment of flood hazard areas) is amended by the insertion of "Town of Hudson" where indicated in [Name of Jurisdiction] and the latest flood insurance study for the town, November 19, 1997, where indicated in [Date of Issuance].
- (17) IBC Section 3401.3 (Compliance with other codes) is amended by deleting "International Fire Code" and inserting in its place "adopted fire code," deleting "International Private Sewage Disposal Code," and deleting "ICC Electrical Code" and inserting in its place "National Electrical Code."
- (18) IBC Section 3410.2 (Applicability) is amended by the insertion of "October 27, 2007," the effective date of building codes for the town.
- (19) IBC Section J103.2 (Exemptions) is amended by deleting item 1 and inserting as item 1, "excavations of less than 50 cubic yards."
- (b) The following sections and paragraphs or subparagraphs of the 2006 International Residential Code (IRC) are hereby amended or deleted as follows:
- (1) IRC Section R101.1 (Title) is amended by the addition of the term "Town of Hudson" where indicated.
- (2) IRC Section R105.1 (Required) is amended by replacing the words "building official" with "town."
- (3) IRC Section 105.2 (Work Exempt from a permit). Item #1 is amended as follows:
- "One-story detached accessory structures used as tool and storage sheds, play houses and similar uses, provided the floor area does not exceed 200 square feet."
- (4) IRC Section R106.2 (Site Plan) is amended by deleting the section in its entirety and replacing the section with the following:
- "The construction documents submitted with the application for the permit shall be accompanied by a site plan showing the size and location of new construction and existing structures on the site, distances from lot lines and drainage of the lot based on the master drainage plan for the development. In the case of demolition, the site plan shall show construction to be demolished and the location and size of existing structures and construction that are to remain on the site or plot."
- (5) IRC Section 108.4.1 (Work commencing before permit issuance) is added:
- "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 a fee as adopted by the town by resolution of the board of trustees. The fee shall be in addition to the required permit fees."
- (6) IRC Section 108.5 (Refunds) is amended by deleting the section in its entirety and replacing the section with the following:
- "The Town may authorize refunding of any fee paid hereunder which was erroneously paid or collected. The Town may authorize refunding of not more than eighty percent (80%) of the

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permit fee paid when no work has been done under a permit issued in accordance with this code.

"The Town may authorize refunding of not more than eighty percent (80%) of the plan review fee paid when an application for a permit for which a plan review fee has been paid is withdrawn or cancelled before any plan reviewing is done. The Town shall not authorize refunding of any fee paid except on written application filed by the original permittee not later than 180 days after the date of fee payment."

- (7) IRC Section R109.1.5 (Other inspections) is amended by the addition of new subsections as follows:

"R109.1.5.3 Insulation inspection. Inspection of the structure shall be made following installation of the wall, ceiling and floor insulation and exterior windows and before wall coverings are installed.

"R109.1.5.4 Lath and gypsum inspection. Inspection of all interior or exterior lathing and gypsum board shall be made after installation but before any plaster is applied or before gypsum board joints and fasteners are taped and finished."

- (8) IRC Section R110.3 (Certificate issued) is amended by the addition of the sentence:

"A final drainage certificate prepared by a professional land surveyor licensed in the State of Colorado shall be submitted to the town for review and approved prior to the certificate of occupancy being issued."

- (9) IRC Section R110.4 (Temporary occupancy) is amended by deleting the words "building official" in the first and second sentences and replacing them with "Town."

- (10) IRC Section R112.1 (General) is amended by deleting the last three (3) sentences and inserting the following:

"The members of the Board of Appeals shall be comprised of the members of the Town Board of Trustees."

- (11) IRC Section R202 (Definitions) is amended by addition of the following:

" 'Sleeping Room' (Bedroom) is any enclosed habitable space within a dwelling unit, which complies with the minimum room dimension requirements of IRC Sections R304 and R305 and contains a closet, an area that is useable as a closet, or an area that is readily convertible for use as a closet. Living rooms, family rooms and other similar habitable areas that are so situated and designed so as to clearly indicate these intended uses shall not be interpreted as 'sleeping rooms.' "

- (12) IRC Section R202 (Definitions) is amended by the deletion of the following definition: "Accessory Structure."

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

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

Groun	Wind	Seismic	Subject to Damage From	Winte	Ice Shield	Flood	Air	Mean
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Design Snow Load	Wind Speed (mph)	Design Category	Weathering	Frost Line Depth	Termite	Minimum Design Temp	Underlayment Required	Hazard	Freezing Index	Annual Temp
20 psf	90	B	Severe	30 in.	Slight to Moderate	1	No	No flood plains - zoned C per FEMA	1000	45°F

(14) IRC Section R310.2.1 (Ladder and steps) is amended by the addition of the following exception to read as follows:

"Exception: Only one window well egress ladder shall be required in an unfinished basement."

(15) IRC Section R312.1 (Guards) is amended by the addition of a third paragraph as follows:

"All area wells, stair wells, window wells and light wells attached to any building that are located less than 36 inches (914 mm) from the nearest intended walking surface and deeper than 30 inches (762 mm) below the surrounding ground level, creating an opening greater than 24 inches (610 mm) measured perpendicular from the building, shall be protected with guardrails conforming to this section around the entire opening, or be provided with an equivalent barrier.

"Exceptions:

"1. The access side of stairways need not be protected.

"2. Area and window wells provided for emergency escape and rescue windows may be protected with approved grates or covers that comply with Section R310 of this code.

"3. Covers and grates may be used over stairways and other openings used exclusively for the service access or for admitting light or ventilation."

(16) IRC Section R401.2 (Requirements) is amended by the addition of the following:

"Foundations shall be designed and the construction drawings stamped by a Colorado registered design professional. The foundation design must be based on an engineer's soils report. The drawings must be noted with the engineering firm name, specific location for design and soils report number. A site certification prepared by a State of Colorado registered design professional is required for setback verification on all new Group R Division 3 occupancies."

(17) IRC Section R405.1 (Concrete or masonry foundations) is amended with the addition of the following after the first sentence:

"All foundation drains shall be designed and inspected by a State of Colorado registered design professional."

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- (18) IRC Section M1502.6 (Duct length) is amended by deleting exception 1 in its entirety.
- (19) IRC Section G2415.9 (Minimum burial depth) is amended by the addition of the following:
 - "All plastic fuel gas piping shall be installed a minimum of 18 inches (457 mm) below grade."
- (20) IRC Section G2415.9.1 (Individual outside appliances) is deleted in its entirety.
- (21) IRC Section G2417.4.1 (Test pressure) is amended by changing "3 psig" to "10 psig."
- (22) IRC Section P2603.6.1 (Sewer depth) is amended by filling in both areas where indicated to read "12 inches (305 mm)."
- (23) IRC Section P3103.1 (Roof extension) is amended by filling in both areas where indicated to read "6 inches (152.4 mm)."
- (c) The following sections and paragraphs or subparagraphs of the 2006 International Mechanical Code (IMC) are hereby amended or deleted as follows:
 - (1) IMC Section 101.1 (Title) is amended by the addition of the term "Town of Hudson" where indicated.
 - (2) IMC Section 504.6.1 (Maximum length) is amended by deleting the exception in its entirety.
- (d) The following sections and paragraphs or subparagraphs of the 2006 International Fuel Gas Code (IFGC) are hereby amended or deleted as follows:
 - (1) IFGC Section 101.1 IFGC Section 101.1 (Title) is amended by the addition of the term "Town of Hudson" where indicated.
 - (2) IFGC Section 404.9 (Minimum burial depth) is amended by the addition of the following:
 - "All plastic fuel gas piping shall be installed a minimum of 18 inches (457 mm) below grade."
 - (3) IFGC Section 404.9.1 (Individual outside appliances) is deleted in its entirety.
 - (4) IFGC Section 406.4.1 (Test pressure) is amended by changing "3 psig" to "10 psig."
 - (5) IFGC Section 614.6.1 (Maximum length) is amended by deleting the exception in its entirety.
- (e) The following sections and paragraphs or subparagraphs of the 2006 International Plumbing Code (IPC) are hereby amended or deleted as follows:
 - (1) IPC Section 101.1 (Title) is amended by the addition of the term "Town of Hudson" where indicated.
 - (2) IPC Section 305.6.1 (Sewer depth) is amended by filling in both areas where indicated to read "12 inches (305 mm)."
 - (3) IPC Section 904.1 (Roof extension) is amended by inserting the number "6" (152.4 mm)" where indicated in the second sentence.
- (f) The following sections and paragraphs or subparagraphs of the 2006 International Property Maintenance Code (IPMC) are hereby amended or deleted as follows:
 - (1) IPMC Section 101.1 (Title) is amended by the addition of the term "Town of Hudson" where indicated.
 - (2) IPMC Section 103.5 (Fees) is amended by deleting the section in its entirety.
 - (3) IPMC Section 111.2 (Membership of board) is amended by deleting the section in its entirety and inserting the following:

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"The members of the Board of Appeals shall be comprised of the members of the Town Board of Trustees."

- (4) IPMC Section 111.2.1 (Alternate members) is amended by deleting the section in its entirety.
 - (5) IPMC Section 111.2.2 (Chairman) is amended by deleting the section in its entirety.
 - (6) IPMC Section 111.2.3 (Disqualification of member) is amended by deleting the section in its entirety.
 - (7) IPMC Section 111.2.4 (Secretary) is amended by deleting the section in its entirety.
 - (8) IPMC Section 111.2.5 (Compensation of members) is amended by deleting the section in its entirety.
 - (9) IPMC Chapter 3 (General Requirements) is amended by deleting the chapter in its entirety.
 - (10) IPMC Chapter 4 (Light, Ventilation and Occupancy Limitations) is amended by deleting the chapter in its entirety.
 - (11) IPMC Chapter 5 (Plumbing Facilities and Fixtures and Fixture Requirements) is amended by deleting the chapter in its entirety.
 - (12) IPMC Chapter 6 (Mechanical and Electrical Requirements) is amended by deleting the chapter in its entirety.
 - (13) IPMC Chapter 7 (Fire Safety Requirements) is amended by deleting the chapter in its entirety.
- (g) The following sections and paragraphs or subparagraphs of the 2006 International Existing Building Code (IEBC) are hereby amended or deleted as follows:
- (1) The International Existing Building Code is amended by replacing all references to "International Fire Code" with "adopted fire code."
 - (2) The International Existing Building Code is amended by replacing all references to "ICC Electrical Code" with "National Electrical Code as adopted by the State of Colorado."
 - (3) IEBC Section 101.1 (Title) is amended by the addition of the term "Town of Hudson" where indicated.
 - (4) IEBC Section 1201.1 (Conformance) is amended by deleting the section in its entirety and replacing it with the following:

"Structures moved into or within the jurisdiction shall comply with the provision of this code for new structures."
- (h) The following sections and paragraphs or subparagraphs of the 2006 International Energy Conservation Code (IECC) are hereby amended or deleted as follows:
- (1) The International Energy Conservation Code is amended by replacing all references to "International Fire Code" with "adopted fire code."
 - (2) The International Energy Conservation Code is amended by replacing all references to "ICC Electrical Code" with "National Electrical Code as adopted by the State of Colorado."
 - (3) IECC Section 101.1 (Title) is amended by the addition of the term "Town of Hudson" where indicated.

(Ord. 07-12 §3, 2007; Ord. 13-13 §§45, 46, 2013)

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Sec. 18-5. Penalty for violations of international codes.

Failure to comply with the terms of the international codes as adopted hereinabove or with this chapter, including previously adopted and still valid uniform codes, shall constitute a civil infraction. Any person who is found guilty of, or pleads guilty or nolo contendere to, the commission of the civil infraction shall be subject to a civil penalty as set forth in this code. For each day or portion thereof during which any violation continues, a person may be cited for a separate civil infraction.

(Ord. 99-2 §1, 1999; Ord. 04-05 §3, 2004)

Secs. 18-6—18-16. Reserved.

Sec. 18-17. 2006 International Fire Code adopted.

The town adopts by reference the following as a primary code: the International Fire Code, 2006 Edition, as published by the International Code Council, 500 New Jersey Avenue, NW, 6th Floor, Washington, DC 20001, including Appendix chapters A, B, C, D, E, F and G, with the amendments set forth in section 18-17.5 below. The subject matter of the code concerns fire prevention standards and requirements, and fire-related standards for testing and materials. One (1) copy of the International Fire Code, 2006 Edition, is now filed in the office of the town clerk and may be inspected during regular business hours.

(Ord. 99-2 §1, 1999; Ord. 08-07 §1, 2008)

Sec. 18-17.5. 2006 International Fire Code amendments.

The 2006 International Fire Code, as adopted in section 18-17 above, is modified and amended as follows:

- (1) Section 101.1 of the International Fire Code is amended to read:

"102.6 Title. This code shall be known as the fire code of the town of Hudson, may be cited as such, and will be referred to herein as 'this code.' "

- (2) Section 102.6 of the International Fire Code is amended to read:

"102.6 Referenced codes and standards. The codes and standards referenced in this code shall be those that are listed in chapter 45, except that references to National Fire Protection Association standards shall refer to the most current edition of such standard and all references to the ICC Electrical code shall mean the currently adopted electrical code by the town. Such codes and standards shall be considered part of the requirements of this code to the prescribed extent of each such reference. Where the differences occur between the provisions of this code and the referenced standards, the provisions of this code shall apply."

- (3) Section 102 of the International Fire Code is amended by the addition of a new section to read:

"102.10 Application of residential code. Where structures are designed and constructed in accordance with the International Residential Code, the provisions of this code shall apply as follows:

"1. Construction and design provisions: Provisions of this code pertaining to the exterior of the structure shall apply, including but not limited to premises identification, fire apparatus access and water supplies. Construction permits for systems and equipment utilized in the interior or exterior of the structure shall also apply.

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"2. Administrative, operational and maintenance provisions: All such provisions of this code shall apply.

"References in this code to one- and two-family dwellings and townhouses shall apply to structures under the scope of the International Residential Code except as limited by this section."

- (4) Section 104.11 of the International Fire Code is amended by the addition of new sections to read:

"104.11.4 Controlling scene. During any emergency described in 104.11, including the investigation of the cause of such emergency, the Incident Commander or authorized representative shall be permitted to control or prohibit the approach to the scene of such emergency by any vehicle, vessel or person.

"104.11.5 Utilities. The Chief or any member of the Fire Department shall have the authority, in time of emergency, to order the disconnection of gas or electrical utilities to a building when deemed necessary for the public safety, without liability therefor.

"104.11.6 Private water supply. The Chief or any member of the Fire Department shall have the authority, in time of emergency, to commandeer privately owned water supplies when deemed necessary for the public safety.

"104.11.7 Evacuation. The Chief or any member of the Fire Department shall have the authority, in time of emergency, to order the evacuation of a building or structure when deemed necessary for the safety of occupants thereof, and it shall be unlawful for any person to refuse to evacuate upon such order or to resist or obstruct the evacuation of other persons.

"104.11.8 Disaster authority. The Chief or any member of the Fire Department shall have the authority during the period of a federal, state or city emergency or disaster declaration to evacuate areas, control traffic or take other action or take no action as necessary to deal with a situation when such action or inaction may save lives, prevent human suffering or mitigate property damage. An action or inaction is 'effective' if it in any way contributes or can reasonably be thought to contribute to preserving lives or property or prevent human suffering."

- (5) Section 105.6.30 of the International Fire Code is amended to read:

"105.6.30 Open burning. An operational permit is required for the kindling or maintaining of an open fire or a fire on any public street, alley, road or other public or private ground. Instructions and stipulations of the permit shall be adhered to. No such permit shall be required for recreational fires and agricultural burns or where burning is regulated pursuant to regulations promulgated under Section 25-7-123, C.R.S., and regulated by the Weld County Department of Public Health and Environment."

- (6) Section 105.6.30 of the International Fire Code is amended by the addition of a new section to read:

"105.6.30.1 Burn bans. All open fires may be prohibited when the Fire Chief deems necessary to reduce the danger of wildfires where the danger of forest or grass fires has been found to be high, based on competent evidence. For purposes of this paragraph, competent evidence may include, but is not limited to, the use of the National Fire Danger Rating System and any other similar indices or information."

- (7) Section 105 of the International Fire Code is amended by the addition of a new section to read:

"105.8 Permit fees. The fees for the permits, inspections and services authorized by this code shall be assessed in accordance with the fee schedule adopted by resolution of the board of trustees.

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"105.8.1 Permits requiring plan reviews or inspections. Where the issuance of a permit requires a plan review or inspection or both, the applicable plan review or inspection fees pursuant to section 105.9 will be assessed.

"105.9 Plan review and inspection fees. The fees for plan review and inspections shall be as follows:

"1. For plan reviews and inspections conducted by the town or its designee: a fee per hour as adopted by the town by resolution of the board of trustees with a minimum charge of one (1) hour.

"2. For the use of outside consultants for plan reviews or inspections: as adopted by the town by resolution of the board of trustees.

"105.9.1 Payment of plan review or inspection fees. Plan review fees shall be paid prior to permit issuance. Inspection fees shall be paid upon receipt of billing from the town. No Certificate of Occupancy shall be issued until all outstanding fees have been paid."

(8) Section 108, Board of Appeals, is replaced in its entirety as follows:

"108.1 The Board of Adjustment is hereby designated as the Board of Appeals and is authorized to hear and decide appeals of orders, decisions or determinations made by the Fire Code Official relative to the application and interpretation of this code.

"108.2 An application for appeal shall be based on a claim that the intent of the code or the rules legally adopted hereunder have been incorrectly interpreted, the provisions of this code do not fully apply, or an equivalent method of protection or safety is proposed. The board shall have no authority to waive requirements of this code.

"108.3 The Board of Adjustment acting as the Board of Appeals shall be assisted by a hired impartial consultant who is qualified by experience and training to pass on matters pertaining to hazards of fire, explosions, hazardous conditions or fire protection systems and shall not be an employee of the town."

(9) Section 109.3 of the International Fire Code is amended to read:

"109.3 Violation penalties. Violations shall be punishable as set forth in Section 18-18 of the Town of Hudson Municipal Code."

(10) Section 111.4 of the International Fire Code is amended to read:

"111.4 Failure to comply. Any person who continues any work after having been served with a stop work order, except such work that a person is directed to perform to remove a violation or unsafe condition, shall be punished as set forth in Section 18-18 of the Town of Hudson Municipal Code."

(11) Section 202, General Definitions, of the International Fire Code is amended by the addition of the following terms and their definitions:

"AGRICULTURAL BURN. Open burning in the course of agricultural operations.

"FIRE DEPARTMENT. The duly authorized fire protection organization with jurisdiction in the Town of Hudson.

"INCIDENT COMMANDER. The individual designated with overall incident management responsibility on the scene of an emergency."

(12) Section 508.3 of the International Fire code is amended to read:

"508.3 Fire flow. Fire flow requirements for buildings or portions of buildings and facilities shall be determined in accordance with Appendix B."

(13) Section 508.5 of the International Fire Code is amended to read:

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"508.5 Fire hydrant systems. Fire hydrant systems shall comply with Sections 508.5.1 through 508.5.6 and Appendix C."

- (14) The International Fire Code is amended by the addition of a new Section 511, Public Safety Radio Amplification Systems, to read:

"511.1 General. Public safety radio amplification systems for the enhancement of emergency services communications within buildings shall be designed, installed and maintained in accordance with this section.

"511.2. Where required. Where adequate radio coverage cannot be established within a building, as defined by the Fire Code Official, public safety radio amplification systems shall be installed in the following locations:

"1. New buildings with a total building area greater than 50,000 square feet or building additions that cause the building to be greater than 50,000 square feet. For the purposes of this section, fire walls shall not be used to define separate buildings.

"2. All new basements over 10,000 square feet where the design occupant load is greater than 50, regardless of the occupancy classification.

"3. Existing buildings meeting the criteria of Item 1. or 2. above undergoing alterations exceeding fifty percent (50%) of the aggregate area of the building.

"Exception: One- and two-family dwellings and townhouses.

"511.3 Design and installation standard. Public safety radio amplification systems shall be designed and installed in accordance with the criteria established by the Fire Code Official based on the capabilities and communication features of emergency services.

"511.4 Maintenance. Public safety radio amplification systems shall be maintained in an operative condition at all times and shall be replaced or repaired where defective."

- (15) Section 903.2.7 of the International Fire code is amended to read:

"903.2.7 Group R. An automatic sprinkler system installed in accordance with Section 903.3 shall be provided throughout all buildings with a Group R fire area.

"Exception: One- and two-family dwellings unless otherwise required based upon fire flow, fire apparatus access or other life safety hazard as deemed by the Fire Code Official."

- (16) Section 3204.3.1.1 is hereby amended to read:

"3204.3.1.1 Location. Stationary containers shall be located in accordance with Section 3203.6. Containers of cryogenic fluids shall not be located within diked areas containing other hazardous materials."

- (17) Section 3301.1.3 is hereby amended to read:

"3301.1.3 Fireworks. The possession, manufacture, storage, sale, handling and use of fireworks are prohibited unless permitted by state law or local ordinance."

- (18) Section 3404.2.9.5 is hereby amended to read:

"3404.2.9.5.1 Locations of above-ground tanks. Above-ground tanks shall be located in accordance with this section."

- (19) Section 3406.2.4.4 is hereby repealed in its entirety.

- (20) Section 3804.2 of the International Fire Code is amended by the addition of a new section to read:

CHAPTER 18 Building Regulations

"3804.2. Storage and use of liquefied petroleum gas in residential areas for recreational uses. The storage and use of liquefied petroleum gas in residential areas for barbeques, recreational vehicles or other recreational uses shall be limited to portable containers of ten-gallon water capacity or less per dwelling unit. The amount to be allowed in storage or use shall be limited to twenty (20) gallons water capacity per dwelling unit."

- (21) Section C105.1 of the International Fire Code is amended by the addition of a new section to read:

"C105.1 Low density residential. An individual analysis will be conducted for each subdivision where lots within the subdivision are equal or greater than two (2) acres. Low density residential shall comply with the requirements for residential areas unless the town approves an alternative. Alternatives shall be based upon individual analysis of the proposal submitted by the developer. Cisterns, dry hydrants and open water sources are not acceptable alternatives."

(Ord. 08-07 §2, 2008; Ord. 13-13 §47, 2013)

Sec. 18-18. Fire code violation; penalty.

In addition to the penalty provisions contained in the International Fire Code, 2006 Edition, any person who violates any of the provisions of the International Fire Code, 2006 Edition, as adopted by reference by the town, shall be guilty of a misdemeanor and, upon conviction thereof, shall be fined the sum of not more than the amount set forth in section 1-51 of this code for each such violation. Each day in which such a violation occurs or continues shall constitute a separate violation.

(Ord. 99-2 §1, 1999; Ord. 08-07 §3, 2008; Ord. 13-07 §15, 2013)

Sec. 18-19. Fees.

- (a) The fees for permits as required under any provision of this article shall be as adopted by the town by resolution of the board of trustees.
- (b) When a plan or other data is required to be submitted by any provision of this article, a plan review fee shall be charged and paid at the time permit fees are paid. Said plan review fee shall be as adopted by the town by resolution of the board of trustees. If plans are incomplete or changed so as to require additional plan review, an additional plan review fee shall be charged at the same rate.

(Ord. 99-2 §1, 1999; Ord. 13-13 §48, 2013)

Secs. 18-20—18-30. Reserved.

ARTICLE 2 Moving of Buildings

[Sec. 18-31. Permit.](#)

[Sec. 18-32. Procedure.](#)

[Secs. 18-33—18-50. Reserved.](#)

CHAPTER 18 Building Regulations

Sec. 18-31. Permit.

- (a) No building, structure or improvement shall be moved from or set upon land located in any zoned areas of the town or transported upon any public street in the town until a permit to move and set has been obtained therefor and said building, structure or improvement complies with the provisions of this section.
- (b) All buildings, structures and improvements to be moved and set shall comply with the Uniform Building Code, as adopted by the town.

(Ord. 89-3 §24, 1989; Ord. 99-2 §1, 1999)

Sec. 18-32. Procedure.

- (a) The applicant shall submit with the application for said permit a footing and foundation plan and construction plans for any new construction, which plans shall comply with the building ordinance.
- (b) The applicant shall submit with the application a statement from the county treasurer showing that all past and current taxes have been paid before any permit shall be issued.
- (c) Upon receipt of the above items, the building inspector shall inspect said building, structure or improvements and the proposed location where the same will be set within the town. Upon determining that the proposed development complies with the building ordinance and zoning ordinance by the planning commission, the commission shall approve the issuance of a permit to move and set.
- (d) The building inspector shall charge a fee as adopted by the town by resolution of the board of trustees, in addition to the fee set forth in the International Building Code, as adopted by the town, to cover costs of investigation and inspection for determining the structural soundness of buildings, structures or improvements to be moved, which fee is payable in advance and must accompany the application provided for herein. The inspection shall determine what will be necessary to bring buildings, structures or improvements into compliance with the building ordinance should the building not comply. This fee is not returnable. If buildings, structures or improvements are found to be capable of complying with the International Building Code, as adopted by the town, a building permit will be issued at the regular fee as determined by the valuation of said building, structure or improvements as published in the International Building Code, as adopted by the town.
- (e) No permit to move and set shall be issued until the applicant has first obtained any necessary permits from the public utility company, railroad companies, the state highway department and the county road supervisor, unless it can be shown by the applicant that these agencies are not involved in the move.
- (f) No person, corporation or company shall transport, move or set any building, structure or improvement in the town until and unless such person, corporation or company shall post with the town a good and sufficient indemnity bond in favor of the town. Such bond shall be made by a surety corporation authorized to do business in this state; said bond may be issued on an annual basis but shall not be in excess of such period of time.
- (g) A certificate of liability insurance in an amount determined by the building inspector shall be given to and kept on file by the town. Appeals may be made to the board for the amount of insurance required only.

(Ord. 89-3 §24, 1989; Ord. 99-2 §1, 1999; Ord. 13-13 §49, 2013)

Secs. 18-33—18-50. Reserved.