

SPONSORED BY TRUSTEE

TRUSTEE'S BILL

ORDINANCE NO.

NO. _____
Series of 2007

_____ Series of 2007

TITLE: A BILL FOR AN ORDINANCE ADOPTING BY REFERENCE THE INTERNATIONAL BUILDING CODE, 2006 EDITION; THE INTERNATIONAL RESIDENTIAL CODE, 2006 EDITION; THE INTERNATIONAL FUEL GAS CODE, 2006 EDITION; THE INTERNATIONAL PLUMBING CODE, 2006 EDITION; THE INTERNATIONAL MECHANICAL CODE, 2006 EDITION; THE INTERNATIONAL EXISTING BUILDING CODE, 2006 EDITION; THE INTERNATIONAL PROPERTY MAINTENANCE CODE, 2006 EDITION; AND THE INTERNATIONAL ENERGY CONSERVATION CODE, 2006 EDITION, PROMULGATED BY THE INTERNATIONAL CODE COUNCIL; REPEALING PRIOR CODES AND PENALTIES INCONSISTENT THEREWITH; AMENDING ARTICLE I OF CHAPTER 18 OF THE HUDSON MUNICIPAL CODE; AND REPEALING ARTICLE III OF CHAPTER 18 OF THE HUDSON MUNICIPAL CODE THEREFOR.

BE IT ORDAINED BY THE BOARD OF TRUSTEES FOR THE TOWN OF HUDSON, COLORADO, THAT:

Section 1. Sections 18-2(a) and (b) of the Hudson Municipal Code are hereby repealed and reenacted to read as follows:

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, is hereby adopted by reference as the Town of Hudson Building Code as if fully set out in this ordinance with the additions, deletions, insertions, and changes as set forth below in Section 18-4(a) below.

(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 ordinance with the additions, deletions, insertions and changes as set forth in Section 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 ordinance with the additions, deletions, insertions, and changes as set forth in Section 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 ordinance with the additions, deletions, insertions and changes as set forth in Section 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 ordinance with the additions, deletions, insertions, and changes as set forth in Section 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 ordinance with the additions, deletions, insertions, and changes as set forth in Section 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 ordinance with the additions, deletions, insertions and changes as set forth in Section 18-4(g) below, 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 ordinance with the additions, deletions, insertions and changes as set forth in Section 18-4(h) below.

(c) The Town adopts by reference the National Electrical Code, 2005 Edition, as may be amended from 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.

Section 2. Section 18-3 of the Hudson Municipal Code is hereby repealed.

Section 3. Section 18-4 of the Hudson Municipal Code is hereby repealed and reenacted to read as follows:

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. IBC Section 101.1 (Title) is amended by the addition of the term “Town of Hudson” where indicated.

(2) IBC Section 101.4.1. 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. IBC Section 101.4.4 (Plumbing) is amended by deletion of the last sentence.

(4) IBC Section 101.4.6. 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. IBC Section 105.1 (Required) is amended by replacing the words “building official” with “Town.”

(6) IBC Section 105.2. Subsection Building: Item # 1 IBC 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.”

(7) IBC Section 108.2. 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 calculated and such fee paid to the Town at the time of application submittal.”

(8) IBC Section 108.4. IBC Section 108.4 (Work commencing before permit issuance.) Amend by replacing the words “building official” with “Town” and adding “The fee shall be equal to 100% of the original building fee in addition to the required permit fees.”

(9) IBC Section 108.6. 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. IBC Section 109.3.5 (Lath and gypsum board inspection) is amended by deleting the exception.

(11) IBC Section 110.3. IBC Section 110.3 (Temporary occupancy) is amended by deleting the words “building official” in the first and second sentence and replacing it with “Town.”

(12) IBC Section 112.1. IBC Section 112.1 (General) is amended by deleting the last two 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. IBC Section 112.3 (Qualifications) is amended by deleting the section in its entirety.

(14) IBC Section 202. 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.

(15) IBC Section 1013.1. 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. 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 date of the latest flood insurance study for the Town November 19, 1997, where indicated in [Date of Issuance].

(17) IBC Section 3401.3. 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. IBC Section 3410.2 (Applicability) is amended by the insertion of “October 27, 2007,” the effective date of building codes for the Town of Hudson.

(19) IBC Section J103.2. 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. IRC Section R101.1 (Title) is amended by the addition of the term “Town of Hudson” where indicated.

(2) IRC Section R105.1. IRC Section R105.1 (Required) is amended by replacing the words “building official” with “Town.”

(3) IRC Section 105.2 Subsection Building: Item # 1 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. 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. IRC Section 108.4.1 is added (Work commencing before permit issuance.) Any person who commences any work on a building, structure, electrical, gas, mechanical or plumbing system before obtaining the necessary permits shall be subject to a fee established by the Town. The fee shall be equal to 100% of the original building fee in addition to the required permit fees.

(6) IRC Section R108.5. IRC Section R108.5 (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 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.

(7) IRC Section R109.1.5. 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. 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. IRC Section R110.4 (Temporary occupancy) is amended by deleting the words “building official” in the first and second sentences and replacing it with “Town.”

(10) IRC Section R112.1. IRC Section R112.1 (General) is amended by deleting the last three 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. 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. IRC Section R202 (Definitions) is amended by the deletion of the following definition: “Accessory Structure.”

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

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

Ground Snow Load	Wind Speed (mph)	Seismic Design Category	Subject to Damage From			Winter Design Temp	Ice Shield Underlayment Required	Flood Hazard	Air Freezing Index	Mean Annual Temp
			Weathering	Frost Line Depth	Termite					
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. 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. 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. 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 State of Colorado registered design professional is required for setback verification on all new Group R Division 3 occupancies.

(17) IRC Section R405.1. 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."

(18) IRC Section M1502.6. IRC Section M1502.6 (Duct length) is amended by deleting exception 1 in its entirety.

(19) IRC Section G2415.9. 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. IRC Section G2415.9.1 (Individual outside appliances) is deleted in its entirety.

(21) IRC Section G2417.4.1. IRC Section G2417.4.1 (Test pressure) is amended by changing 3 psig to 10 psig.

(22) IRC Section P2603.6.1. 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. 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. IMC Section 101.1 (Title) is amended by the addition of the term “Town of Hudson” where indicated.

(2) IMC Section 504.6.1. 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. 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. IFGC Section 404.9.1 (Individual outside appliances) is deleted in its entirety.

(4) IFGC Section 406.4.1. IFGC Section 406.4.1 (Test pressure) is amended by changing 3 psig to 10 psig.

(5) IFGC Section 614.6.1. 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. IPC Section 101.1 (Title) is amended by the addition of the term “Town of Hudson” where indicated.

(2) IPC Section 305.6.1. 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. 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. IPMC Section 101.1 (Title) is amended by the addition of the term “Town of Hudson” where indicated.

(2) IPMC Section 103.5. IPMC Section 103.5 (Fees) is amended by deleting the section in its entirety.

(3) IPMC Section 111.2. IPMC Section 111.2 (Membership of board) is amended by deleting the section in its entirety and inserting the following: “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. IPMC Section 111.2.1 (Alternate members) is amended by deleting the section in its entirety.

(5) IPMC Section 111.2.2. IPMC Section 111.2.2 (Chairman) is amended by deleting the section in its entirety.

(6) IPMC Section 111.2.3. IPMC Section 111.2.3 (Disqualification of member) is amended by deleting the section in its entirety.

(7) IPMC Section 111.2.4. IPMC Section 111.2.4 (Secretary) is amended by deleting the section in its entirety.

(8) IPMC Section 111.2.5. IPMC Section 111.2.5 (Compensation of members) is amended by deleting the section in its entirety.

(9) IPMC Chapter 3. IPMC Chapter 3 (General Requirements) is amended by deleting the chapter in its entirety.

(10) IPMC Chapter 4. IPMC Chapter 4 (Light, Ventilation and Occupancy Limitations) is amended by deleting the chapter in its entirety.

(11) IPMC Chapter 5. IPMC Chapter 5 (Plumbing Facilities and Fixtures and Fixture Requirements) is amended by deleting the chapter in its entirety.

(12) IPMC Chapter 6. IPMC Chapter 6 (Mechanical and Electrical Requirements) is amended by deleting the chapter in its entirety.

(13) IPMC Chapter 7. 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) International Existing Building Code is amended by replacing all references to “International Fire Code” with “adopted fire code”.

(2) 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. IEBC Section 101.1 (Title) is amended by the addition of the term “Town of Hudson” where indicated.

(4) IEBC Section 1201.1. 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) International Energy Conservation Code is amended by replacing all references to “International Fire Code” with “adopted fire code.”

(2) 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. IECC Section 101.1 (Title) is amended by the addition of the term “Town of Hudson” where indicated.

Section 4. Section 18-13 and Section 18-14 of the Hudson Municipal Code, which adopt the Uniform Code for the Abatement of Dangerous Buildings and set penalties for the violation thereof, respectively, are hereby repealed as inconsistent with the foregoing adoption of the International Property Maintenance Code.

Section 5. Section 18-15 and Section 18-16 of the Hudson Municipal Code, which adopt the National Electrical Code, 1999 Edition, and set penalties for the violation thereof, respectively, are hereby repealed as inconsistent with the foregoing adoption of the National Electric Code, 2005 Edition, by the State of Colorado and the Town of Hudson.

Section 6. Article III of Chapter 18 of the Hudson Municipal Code, which provides standards for grading and earth movement, is hereby repealed in its entirety as inconsistent with the foregoing adoption of Appendix J of the International Building Code.

Section 7. Safety Clause. The Town Board of Trustees hereby finds, determines, and declares that this ordinance is promulgated under the general police power of the Town of Hudson, that it is promulgated for the health, safety, and welfare of the public, and that this ordinance is necessary for the preservation of health and safety and for the protection of public convenience and welfare. The Board of Trustees further determines that the ordinance bears a rational relation to the proper legislative object sought to be attained.

Section 8. Severability. If any clause, sentence, paragraph, or part of this ordinance or the application thereof to any person or circumstances shall for any reason be adjudged by a court of competent jurisdiction invalid, such judgment shall not affect application to other persons or circumstances.

Section 9. Effective Date. This Ordinance shall become effective thirty (30) days after final publication.

INTRODUCED, READ IN FULL, AND ADOPTED this ____ day of _____, 2007.

TOWN OF HUDSON, COLORADO

Neal Pontius, Mayor

ATTEST:

Judy Larson, Town Clerk

PASSED ON SECOND AND FINAL READING this ____ day of _____, 2007, AND ORDERED PUBLISHED ONCE IN FULL.

TOWN OF HUDSON, COLORADO

Neal Pontius, Mayor

ATTEST:

Judy Larson, Town Clerk

APPROVED AS TO FORM:

Corey Y. Hoffmann, Town Attorney