

## **ORDINANCE NO. 2192**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GOLDEN, COLORADO, REPEALING AND REENACTING IN THEIR ENTIRETY CHAPTERS 15.08, 15.12; 15.16; 15.17; 15.26; 15.30; 15.40; AND 15.50 OF THE CITY OF GOLDEN MUNICIPAL CODE TO ADOPT BY REFERENCE, WITH CERTAIN AMENDMENTS, THE 2021 INTERNATIONAL BUILDING CODE; THE 2020 NATIONAL ELECTRIC CODE; THE 2021 INTERNATIONAL PLUMBING CODE; THE 2021 INTERNATIONAL MECHANICAL CODE; THE 2021 INTERNATIONAL ENERGY CONSERVATION CODE; THE 2021 INTERNATIONAL FUEL GAS CODE; THE 2021 RESIDENTIAL BUILDING CODE; THE 2021 INTERNATIONAL EXISTING BUILDING CODE; AND PROVIDING PENALTIES FOR VIOLATIONS THEREOF, AND TO AUTHORIZE CONSULTANT REIMBURSEMENT FEES.**

WHEREAS, the City of Golden (the "City") is a home rule municipal corporation organized in accordance with Article XX of the Colorado Constitution;

WHEREAS, Section 5.13 of the City's Home Rule Charter and Section 31-16-202 C.R.S., permit the adoption by reference of standard codes;

WHEREAS, the City has previously adopted by reference the following codes: the 2018 International Building Code; the 2017 National Electric; the 2018 International Plumbing Code; the 2018 International Mechanical Code; the 2018 International Energy Conservation Code; the 2018 International Fuel Gas Code; the 2018 International Residential Building Code; and the 2018 International Existing Building Code;

WHEREAS, periodically it is necessary for the City to update those building codes which are adopted by reference in order to remain technically current;

WHEREAS, the City desires to adopt by reference the following codes: the 2021 International Building Code; the 2020 National Electric Code; the 2021 International Plumbing Code; the 2021 International Mechanical Code; the 2021 International Energy Conservation Code; the 2021 International Fuel Gas Code; the 2021 International Residential Building Code; and the 2021 International Existing Building Code;

WHEREAS, the City held a public hearing on July 26, 2022, with proper notice provided, to consider adoption of such codes as required by law;

WHEREAS, copies of all codes adopted herein, will be available for inspection at the office of the City Clerk located at 911 10<sup>th</sup> Street, Golden, CO 80401;

WHEREAS, the City currently imposes fees and other charges as codified through various Municipal Code provisions, as well as duly adopted resolutions of City Council, which are designed to cover the direct and indirect costs associated with the City providing various services, programs, and administrative tasks; and

WHEREAS, the Golden Municipal Code currently allows City Council to adopt resolutions establishing and amending specific fees, costs, deposits, and other charges for building permit applications (the "Fees"); and

WHEREAS, the City processes numerous applications for building permits; and

WHEREAS, the City may, from time to time, need to engage professional consultants to assist with processing such applications, the cost of which is currently being borne by the City; and

WHEREAS, the City Council finds that requiring applicants to pay Fees that are reasonably related to the City's cost of providing services serves the public health, safety, and welfare, and further finds that shifting the costs of using consultants to review applications through the use of consultant reimbursement agreements is an appropriate means of defraying the costs of City services when a particular service benefits a specific property; and

WHEREAS, in addition to adopting the above-referenced codes by reference, the City Council desires to amend the Golden Municipal Code to: (i) confirm its prior imposition of Fees; and (ii) to specifically authorize Fees to include reimbursement for charges to the City by professional consultants that are used in the review of building permit applications; and

WHEREAS, the City Council finds this ordinance and adoption of these codes by reference to be necessary in furtherance of the health, safety, and welfare of its citizens.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF GOLDEN, COLORADO, ORDAINS THAT:

Section 1. Title 15 of the Golden Municipal Code is hereby amended with the addition of a new Chapter 15.02 entitled, "General Provisions" to read as follows:

## **CHAPTER 15.02 – GENERAL PROVISIONS**

### **15.02.010. – Consultant Reimbursement.**

(a) For applications required pursuant to Title 15 of this Code, the City will charge applicants reasonable fees sufficient to cover the costs of administration, inspection, publication of notice, and similar matters, and the cost of professional consultants, including legal review, required to assist the City with review and processing of such applications. All fees imposed by this Section shall include application fees.

(b) If the City determines that an application will require review by professional consultants, the applicant shall execute an escrow agreement in a form approved by the City Attorney and make an initial escrow payment in an amount sufficient to cover the estimated review costs, as set forth in the fee schedule adopted by the City Council. The City may draw upon the escrow, in the City's discretion, to pay the fees and expenses of professional consultants retained by the City to review the application. The City may require additional escrow funds to be paid for additional

services related to the application if they become necessary. If the applicant does not pay additional escrow funds as required within ten (10) days after written notice from the City, then, in addition to other remedies the City may have, the City shall be entitled to a lien on the subject property or the City may elect to certify the assessed costs and expenses to the office of the County Treasurer for collection in the same manner as general property taxes are collected. Such liens shall be perfected and may be foreclosed upon in accordance with applicable state laws.

(c) Failure of the applicant to provide additional escrow funds in a timely manner may result in delays in application processing. If a balance is due at the time an application is approved, it shall be paid by the applicant as a condition of approval. If a balance is due at the time an application is denied, it shall be paid by the applicant within thirty (30) days after delivery of an invoice to the applicant.

Section 2. Chapter 15.08 of the Golden Municipal Code is hereby repealed and reenacted in its entirety to adopt by reference the 2021 International Building Code, with amendments to read as follows:

## **CHAPTER 15.08 – BUILDING CODE**

### **15.08.010. – Adoption of the International Building Code.**

The International Building Code 2021 Edition published by the International Code Council, Inc., 500 New Jersey Ave NW, 6<sup>th</sup> Floor, Washington DC 20001-2070. Chapters 1 through 33 inclusive and Appendix Chapters G, I, and K, is hereby adopted by reference as the City of Golden Building Code (referenced in this chapter as the IBC and thereafter referred to as "the IBC" or "this Code.") as if fully set out in this codification, with, however, the amendments indicated in the following sections of this chapter.

### **15.08.020. – IBC Section 101.1.**

IBC Section 101.1 (Title) is amended to read as follows:

#### **Sec. 101.1. Title.**

These regulations shall be known as the Building Code of the City of Golden, hereinafter referred to as "the IBC" or "this Code."

### **15.08.030. – IBC Section 101.2.**

IBC Section 101.2 (Scope) is amended by the addition of a new subsection 101.2.2 entitled "Preemption" to read as follows:

#### **Sec. 101.2.2. Preemption.**

The provisions of Sections 103 through 116 inclusive of this IBC shall apply to and function as the administrative and enforcement provisions for all adopted codes and ordinances regulated by the Division of Building Safety and Inspection Services. The reference to "the IBC" or "this Code," or

similar language, within these sections shall be interpreted to include and apply to all the adopted codes and ordinances regulated by the Division of Building Safety and Inspection Services. Where specifically adopted administrative provisions of such codes and ordinances contain additional requirements, such additional requirements shall apply. Where individual specific administrative requirements, of such codes and ordinances, conflict with the requirements of this IBC, the requirements of this IBC shall govern.

**15.08.040. – IBC Section 101.4.**

IBC Section 101.4. (Referenced Codes) is amended with a new subsection 101.4.8 entitled "National Electrical Code" to read as follows:

**Sec. 101.4.8. National Electrical Code.**

The provisions of the National Electrical Code shall apply to the installation of electrical systems, including alterations, repairs, replacement, equipment, appliances, fixtures, fittings, and appurtenances thereto. All references to the ICC Electrical Code as contained in this IBC or other adopted codes enforced by the Division of Building Safety and Inspection Services shall hereby be interpreted as referencing the Appendix Chapter K of this IBC and the National Electrical Code.

**15.08.050. – IBC Section 101.4.1.**

IBC Section 101.4.1 (Gas) is hereby deleted.

**15.08.060. – IBC Section 101.4.2.**

IBC Section 101.4.2 (Mechanical) is hereby deleted.

**15.08.070. – IBC Section 101.4.3.**

IBC Section 101.4.3 (Plumbing) is hereby deleted.

**15.08.080 – IBC 101.4.4.**

IBC Section 101.4.4 (Property Maintenance) is amended as follows:

**Sec. 101.4.4. Property maintenance.**

All references to the International Property Maintenance Code as published by the International Code Council and as may appear in this IBC or other adopted codes enforced by the Division of Building Safety and Inspection Services for the City of Golden are hereby deleted.

**15.08.090. – IBC Section 103.1.**

IBC Section 103.1 (Creation of Enforcement Agency) is amended to read as follows:

**Sec. 103.1. Creation of Enforcement Agency.**

The Division of Building Safety and Inspection Services is hereby created and the official in charge thereof shall be known as the Building Official. The function of this agency shall be implementation, administration, and enforcement of the provisions of this IBC.

Whenever the term or title "Administrative Authority," "Responsible Official," "Chief Inspector," "Code Enforcement Officer," "Code Official," or similar designation is used in this Code or other adopted codes enforced by the Division of Building Safety and Inspection Services, such term or title shall be construed to mean the Building Official as identified by this section.

**15.08.100. – IBC Section 104.1.**

IBC Section 104.1 (General) is amended to read as follows:

**Sec. 104.1. General.**

The Building Official is hereby authorized and directed to enforce the provisions of this IBC and the City adopted contractor registration ordinance, City adopted sustainability ordinance, electrical code, energy conservation code, existing building code, fuel gas code, mechanical code, plumbing code, and residential code. The Building Official shall have the authority to render interpretations of these codes, and to adopt policies and procedures to clarify the application of their provisions. Such interpretations, policies and procedures shall be in compliance with the intent and purpose of these codes. Such policies and procedures shall not have the effect of waiving requirements specifically provided for in these codes.

**15.08.110. – IBC Section 105.2.**

IBC Section 105.2 (Work Exempt from Permit) is amended to read as follows:

**Sec. 105.2. Work Exempt from Permit.**

Exemptions from permit requirements of this IBC shall not be deemed to grant authorization for any work to be done in any manner in violation of the provisions of this IBC or any other laws or ordinances of this jurisdiction. The property owner and permit applicant shall be responsible for obtaining approvals and complying with all regulations and requirements of the City's Planning and Development Department, Public Works Departments, Fire Departments or special districts, and any other applicable departments' or agencies' rules and regulations. Permits shall not be required for the following:

\* \* \*

**Building:**

\* \* \*

6. Sidewalks, driveways, and parking lots not more than thirty (30) inches (762 mm) above adjacent grade, and not over any basement or story below and are not part of an accessible route.

\* \* \*

14. Decks not exceeding two hundred (200) square feet (18.58m<sup>2</sup>) in area, that are not more than thirty (30) inches (762mm) above grade at any point, that are not attached to a dwelling do not serve the exit door required by IRC Section R311.4.
15. One-story detached accessory structures, provided that the floor area does not exceed two hundred (200) square feet (18.58m<sup>2</sup>) This applies to residential only as regulated under the IRC.

**Electrical:**

1. Listed cord-and-plug connected temporary decorative lighting.
2. Reinstallation of attachment plugs receptacles, but not the outlets therefor.
3. Repair or replacement of branch circuit over current devices of the required capacity in the same location.
4. Temporary wiring for experimental purposes in suitable experimental laboratories.
5. Electrical wiring, devices, appliances, apparatus or equipment operating at less than twenty-five (25) volts and not capable of supplying more than fifty (50) watts of energy.

\* \* \*

**15.08.120. – IBC Section 105.3.1.**

IBC Section 105.3.1 (Action on Application) is amended to read as follows:

**Sec. 105.3.1. Action on Application.**

The Building Official shall examine or cause to be examined applications for permits and amendments thereto within a reasonable time after filing. If the application or the construction documents do not conform to the requirements of pertinent laws, the Building Official shall reject such application in writing, stating the reasons therefor. If the Building Official is satisfied that the proposed work conforms to the requirements of this IBC and laws and ordinances applicable thereto, the Building Official shall issue a permit therefor as soon as practicable.

Building Permits shall not be issued until approved by all applicable departments or divisions of the City of Golden, which have applicable regulations that are subject to review, approval, or permitting.

#### **15.08.130. – IBC Section 105.5.**

IBC Section 105.5 (Expiration) is amended to read as follows:

##### **Sec. 105.5. Expiration.**

Every permit shall become invalid unless the work on the site authorized by such permit is commenced within one hundred eighty (180) days after its issuance, or if the work authorized on the site by such permit is suspended or abandoned for a period of one hundred eighty (180) days after the time the work is commenced. The Building Official is authorized to grant, in writing, one or more extensions of time, for periods not more than one hundred eighty (180) days each. The extension shall be requested in writing and justifiable cause demonstrated.

For the purposes of this section, absent other evidence, suspension, or abandonment shall be considered to have occurred when a required building inspection has not been performed within one (1) year of permit issuance or a period of one (1) year has passed following a required building inspection without obtaining a subsequent required inspection.

Permits, not otherwise voided by suspension, abandonment, or failure to commence work, shall expire two (2) years after date of issuance unless the permit has been extended as permitted by this section.

#### **15.08.140. – IBC Section 107.2.6.**

IBC Section 107.2.6 (Site Plan) is amended to read as follows:

##### **Sec. 107.2.6. Site Plan.**

The construction documents submitted with the application for permit shall be accompanied by a site plan showing, to scale, the size and location of new construction and existing structures on the site, distances from lot lines, the established street grades and the proposed finished grades; and, as applicable in flood hazard areas, floodways, flood zones, design flood elevations, and the elevation of the proposed lowest floor including

basement; and it shall be drawn in accordance with an accurate boundary line survey. 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. The Building Official is authorized to waive or modify the requirement for a site plan when the permit application is for alteration or repair or when otherwise warranted.

**15.08.150. – IBC Section 107.2.**

IBC Section 107.2 (Construction Documents) is amended with a new subsection 107.2.9 entitled "Construction Documents; Demolitions" to read as follows:

**Sec. 107.2.9. Construction Documents; Demolitions.**

For permits for work associated with demolitions the Building Official shall be permitted to require the submittal of additional information and conditions to include, but not limited to:

- (1) Plans and specifications detailing extent of demolition.
- (2) Complete schedule of demolition.
- (3) Verification of discontinuance of affected utility services such as, but not limited to, water, sewer, electric, and natural gas in accordance with the serving utility.
- (4) Structural designs, calculations and/or engineering on any shoring and/or bracing required to ensure the structural integrity and safety of any remaining building elements.
- (5) Conceptual drawings of the future remodel, redevelopment, or change of use associated with demolition.
- (6) Planning and Development Department, Fire Department and Street Division approval for the location of all trash containers and/or enclosures for demolition material storage and removal.
- (7) Provide documentation for abatement of asbestos containing materials (ACM) and Air Clearance Report. (Colorado Department of Public Health and Environment).

**15.08.160. – IBC Section 109.1.**

IBC Section 109.1 (Payment of Fees) is amended to read as follows:

**Sec. 109.1. Payment of Fees.**

A permit shall not be valid until the fees prescribed by law have been paid, nor shall an amendment to a permit be released until the additional fee, if any, has been paid. Such fees may include consultant review fees and



require the permittee to submit a complete consultant reimbursement fee agreement. Unless otherwise specifically approved by the Building Official, plan review fees shall be paid at time of permit submittal.

**15.08.170. – IBC Section 109.2.**

IBC Section 109.2 (Schedule of Permit Fees) is amended to read as follows:

**Sec. 109.2. Schedule of Permit Fees.**

On buildings, structures, electrical, gas, mechanical and plumbing systems or alterations requiring a permit, a fee for each permit shall be paid as required, in accordance with the schedule as established by resolution of City Council.

**15.08.180. – IBC Section 109.3.**

IBC Section 109.3 (Permit Valuations) is amended to read as follows:

**Sec. 109.3. Permit Valuations.**

The applicant for a permit shall provide an estimated permit value at the time of the application. Permit valuations shall reflect the total value of the work, including materials and labor, for which the permit is being issued, such as electrical, gas, mechanical, plumbing equipment, and permanent systems. If, in the opinion of the Building Official, the valuation is underestimated on the application, the permit shall be denied, unless the applicant can show detailed estimates to meet the approval of the Building Official. Final building permit valuation shall be set by the Building Official.

At the completion of a project, an audit may be requested by the permit applicant or the City to establish the actual permit valuation. Where actual valuation differs from the estimated permit value, the required fees shall be reconciled, where indicated, excess fees collected shall be refunded or additional required fees shall be assessed.

**15.08.190. – IBC Section 109.4.**

IBC Section 109.4 (Work Commencing Before Permit Issuance) is amended to read as follows:

**Sec. 109.4. Work Commencing Before Permit Issuance.**

Any person who commences any work on a building, structure, electrical, gas, mechanical or plumbing system before obtaining the necessary permits shall be subject to an investigation fee equal to one hundred percent (100%) of the applicable permit fee that shall be in addition to the required permit fee.

**15.08.200. – IBC Section 109.7.**

IBC Section 109 (Fees) is amended with the addition of a new subsection 109.7 entitled, "Re-inspection Fee" to read as follows:

**Sec. 109.7. Re-Inspection Fee.**

The Building Official shall be authorized to assess a re-inspection fee for each inspection or re-inspection when such portion of work for which inspection is called is not complete; when previously sited corrections called for are not made; when the permit is not properly posted or otherwise available on the work site; for failure to provide access on the date for which inspection is requested; or for deviating from plans requiring the approval of the Building Official. Said re-inspection fee shall be as set forth by City Council resolution. In instances where re-inspection fees have been assessed, the Building Official is authorized to suspend or withhold additional inspection of the work until the required fees have been paid.

**15.08.210. – IBC Section 110.**

IBC Section 110 (Inspections) is re-titled to read "Inspections and Testing."

**15.08.220. – IBC Section 110.3.3.**

IBC Section 110.3.3 (Lowest Floor Elevation) is amended to read as follows:

**Sec. 110.3.3. Lowest Floor Elevation.**

In flood hazard areas, upon placement of the lowest floor, including the basement, and prior to further vertical construction, the elevation certificate required in IBC Section 1612.4 or The International Residential Code, as applicable shall include the lowest floor and basement. The document shall be prepared and sealed by a registered design professional and shall be submitted to the Building Official.

**15.08.230. – IBC Section 110.3.10.**

IBC Section 110.3.10 (Other Inspections) is repealed in its entirety and reenacted with a new title, "Electrical, Fuel Gas, Mechanical, and Plumbing Trade Inspections," with the addition of subsections, all to read as follows:

**Sec. 110.3.10. Electrical, Fuel Gas, Mechanical, and Plumbing Trade Inspections.**

Where electrical, fuel gas, mechanical, and plumbing work (including, but not limited to, appliances, equipment, fixtures, systems and/or components) requiring permits is performed or installed, the inspections identified in this section shall be required.

The requirements of this section shall not be considered to prohibit the emergency operation of any electrical, fuel gas, mechanical, and plumbing work installed to replace existing work serving an occupied portion of a structure provided that a request for inspection of such work has been submitted within the next working business day to the Building Official, and before any portion of such work, is concealed by any permanent portion of the structure.

#### **Sec. 110.3.10.1. Underground Inspections.**

Underground inspections of electrical, fuel gas, mechanical, and plumbing work shall be made after trenches or ditches are excavated and bedded and work is installed, and before backfilling. When excavated soil contains rocks, broken concrete, frozen chunks, and other rubble that could damage or cause corrosive action, to such work, approved granular or select backfill material, or other approved means of protection, shall be on the job site.

**Exception:** Ground-source heat pump loop systems tested in accordance with the applicable mechanical code provision shall be permitted to be backfilled prior to inspection.

#### **Sec. 110.3.10.2 Rough-In Inspections.**

Rough-in inspections of electrical, fuel gas, mechanical, and plumbing work shall be made after the roof, framing, fire-blocking, and bracing are in place and all such work to be concealed is complete, and prior to the installation of wall or ceiling membranes or concealment.

#### **Sec. 110.10.3 Final Inspections.**

Final inspections of electrical, fuel gas, mechanical, and plumbing work shall be made after such work is in place, properly connected, and operational.

### **15.08.240. – IBC Section 110.**

IBC Sections 110 is amended with a new subsection 110.7 entitled, "Testing," with additional subsections, all to read as follows:

#### **Sec. 110.7. Testing.**

Testing of electrical, fuel gas, mechanical, and plumbing work (including but not limited to appliances, equipment, systems and/or components) shall be tested as required by the controlling technical code and in accordance with IBC Sections 107.2.1 through 107.2.3. Tests shall be made by the permit holder and observed by the Building Official.

### **Sec. 110.7.1 New, Altered, Extended or Repaired Systems.**

New electrical, fuel gas, mechanical, and plumbing work and parts of existing systems, which have been altered, extended, renovated or repaired, shall be tested as prescribed herein to disclose leaks and defects.

#### **Exceptions - Plumbing Code:**

1. In any case that does not include addition to, replacement, alteration or relocation of any water supply, drainage or vent piping.
2. In any case where plumbing equipment is set up temporarily for exhibition purposes.

### **Sec. 110.7.2 Apparatus, Instruments, Equipment, Material and Labor For Tests.**

Apparatus, instruments, equipment, materials and labor required for testing of electrical, fuel gas, plumbing systems and mechanical systems, or part thereof shall be furnished by the permit holder.

Re-inspection and testing. Where any work or installation does not pass an initial test or inspection, the necessary corrections shall be made so as to achieve compliance with this IBC. The work or installation shall then be resubmitted to the Building Official for inspection and testing.

### **Sec. 110.7.3. Temporary Connections.**

The Building Official shall have the authority to authorize the temporary connection of a building's electrical, fuel gas, plumbing and/or mechanical systems to the appropriate utility and sources of energy for the purpose of testing electrical, fuel gas, plumbing and/or mechanical systems or for use under a temporary certificate of occupancy.

## **15.08.250. – IBC Section 111.1.**

IBC Section 111.1 (Change of Occupancy) is amended to read as follows:

### **Sec. 111.1. Change of Occupancy.**

A building or structure shall not be used or occupied in whole or in part, and a change of occupancy of a building or structure or portion thereof shall not be made, until the Building Official has issued a Certificate of Occupancy therefor as provided herein. Issuance of a Certificate of Occupancy shall not be construed as an approval of a violation of the provisions of this IBC or of other ordinances of the jurisdiction. Certificates

presuming to give authority or cancel the provision of this IBC or other ordinances of the jurisdiction shall not be valid.

**Exception:**

1. Certificates of occupancy are not required for work exempt from permits in accordance with IBC Section 105.2.
2. Accessory Group U Occupancy Buildings or Structures associated with One- and Two-Family Dwellings.

**15.08.260. – IBC Section 111.2.**

IBC Section 111.2 (Certificate Issued) is amended with a new subsection 111.2.1 entitled "Additional Requirements" to read as follows:

**Sec. 111.2.1. Additional Requirements.**

A Certificate of Occupancy shall not be issued until authorization is granted by all departments or divisions of the City that have applicable regulations that are subject to inspection and/or approval.

A Certificate of Occupancy shall not be issued until all associated fees, taxes, or other monies owed to the City have been paid in full. This shall not be interpreted as prohibiting the City from collecting additional fees, taxes, or any other future monies. Failure to pay such additional fees, taxes, or monies shall be grounds to revoke a Certificate of Occupancy as permitted by IBC Section 111.4.

**15.08.270. – IBC Section 111.3.**

IBC Section 111.3 (Temporary Occupancy) is amended to read as follows:

**Sec. 111.3. Temporary Occupancy.**

The Building Official is authorized to issue a temporary certificate of occupancy before the completion of the entire work covered by the permit, provided that such portion or portions shall be occupied safely. The Building Official shall set a time period during which the Temporary Certificate of Occupancy is valid.

The Building Official may require surety in such form and amounts as may be deemed necessary to ensure that outstanding items or conditions under which the "Temporary Certificate of Occupancy" is issued will be corrected or resolved. In lieu of a surety bond, the applicant may file a cash bond or instrument of credit with the Building Official in an amount equal to that which would be required in the surety bond.

**15.08.280. – IBC Section 112.3.**

IBC Section 112.3 (Authority to Disconnect Service Utilities) is hereby amended with a new subsection 112.3.1 entitled, "Connection After Order to Disconnect" to read as follows:

**Sec. 112.3.1. Connection After Order to Disconnect.**

A person shall not make utility service or energy source connections to systems regulated by this IBC, which have been disconnected or ordered to be disconnected by the Building Official, or the use of which has been ordered to be discontinued by the Building Official until the Building Official authorizes the reconnections and use of such systems.

**15.08.290. – IBC Section 113.1.**

IBC Section 113.1 (General) is re-titled "General, Board of Appeals" and is amended to read as follows:

**Sec. 113.1. General, Board of Appeals.**

In order to hear and decide appeals of orders, decisions or determinations made by the Building Official relative to the application and interpretation of this IBC, there shall be and is hereby created a Board of Appeals consisting of three members. This Board shall be composed of a person appointed by the City Manager, a person appointed by the appellant, and a person appointed by the two appointees. The Building Official shall be an ex officio member of and shall act as the secretary to the Board but shall have no vote on any matter before the committee. The Board members shall serve for the duration of the appeal. The Board shall conform to the standards set forth in Chapter 2.35 of the Golden Municipal Code and shall render their decisions and findings in writing to the appellant, with a duplicate copy to the Building Official. A party may appeal the Board's decision to City Council in accordance with the procedure set forth in IBC Section 113.4.

**15.08.300. – IBC Section 113.3.**

IBC Section 113.3 (Qualifications) is amended to read as follows:

**Sec. 113.3. Qualifications.**

The Board of Appeals shall consist of members who are qualified by experience and training, as verified by the Building Official, to pass on matters pertaining to building construction. The Board members may not be employees of either the jurisdiction or the appellant. The Board members may not be personally, financially, contractually, professionally, or otherwise indebted, obligated, or bound to the appellant in any manner, nor may they be in any position where they might receive benefit, either personally or professionally, from any decision rendered.

**18.08.310. – IBC Section 113.4.**

IBC Section 113.4 (Administration) is hereby repealed and replaced with a new Section 113.4 entitled "Council Review of Decisions Rendered by the Board of Appeals" to read as follows:

**Sec. 113.4. Council review of Decisions Rendered by the Board of Appeals.**

To appeal a decision of the Board of Appeals a party must, within fifteen (15) calendar days of the Board's decision, submit a request for review to the City Clerk. After submittal of a request for review the Building Official shall, within fifteen (15) calendar days, prepare a certified record. Within thirty (30) calendar days of submittal of a request for review City Council shall, based only upon its review of the record, decide to uphold, overturn, or modify the decision of the Board of Appeals. City Council shall provide the parties a copy of its decision within seven (7) calendar days of making same.

**15.08.320. – IBC Section 115.2.**

IBC Section 115.2 (Issuance) is hereby amended to read as follows:

**Sec. 115.2. Issuance.**

The stop work order shall be in writing and shall be given to the owner of the property involved, or to the owner's agent, or to the person doing the work, or shall be prominently posted on the affected work, property, or structure. Upon issuance of a stop work order, the cited work shall immediately cease. The stop work order shall state the reason for the order, and the conditions under which the cited work will be permitted to resume.

**15.08.330. – IBC Section 116.1.**

IBC Section 116.1 (Unsafe Conditions) is hereby amended to read as follows:

**Sec. 116.1. Unsafe Conditions.**

Structures or existing equipment, appliances, systems, or devices, including but not limited to fuel-gas, electric, mechanical, or plumbing, that are or hereafter become unsafe, unsanitary, or deficient because of inadequate means of egress facilities, inadequate light and ventilation, or which constitute a fire hazard, or are otherwise dangerous to human life or the public welfare, or that involve illegal or improper occupancy or inadequate maintenance, shall be deemed an unsafe condition. Such unsafe conditions are hereby declared to be a public nuisance and shall be abated by repair, rehabilitation, demolition, or removal or made safe, as the Building Official deems necessary and as provided for in this section. A vacant structure that is not secured against entry shall be deemed unsafe.

#### **15.08.340. – IBC Section 202.**

IBC Section 202 (Definitions) is hereby amended with the addition of definition for the following terms: covered walkways; living rooms, family rooms, and other similar habitable areas; sleeping rooms (bedrooms); and wood roof covering materials to read as follows:

##### **Sec. 202. General Definitions.**

**COVERED WALKWAYS.** Covered walkways are those structures built within the Public Way attached or unattached to buildings adjoining the rights-of-way as regulated by Section 3306.7 of this IBC.

**LIVING ROOMS, FAMILY ROOMS AND OTHER SIMILAR HABITABLE AREAS.** Areas that are so situated and designed to clearly indicate these intended uses, shall not be interpreted as sleeping rooms.

**SLEEPING UNIT OR SLEEPING ROOM (BEDROOM).** Any enclosed habitable space within a dwelling unit which complies with the minimum room dimension requirements of IBC Section 1208 and contains either a closet, an area which is useable as a closet, or an area which is readily convertible for use as a closet.

**WOOD ROOF COVERING MATERIALS.** An exterior roofing surface material used as a top covering and made of wood. Wood, for the purpose of this definition, means any material or composite material containing at least fifty percent (50%) wood by volume.

IBC Section 202 (Definitions) is hereby amended with the repeal and replacement of the definition of "design flood elevation" to read as follows:

**DESIGN FLOOD ELEVATION.** One foot above the elevation of the "design flood," including wave height, relative to the datum specified on the community's legally designated flood hazard map. In areas designated as Zone AO, the design flood elevation shall be the elevation of the highest existing grade of the building's perimeter plus one foot above the depth number (in feet) specified on the flood hazard map. In areas designated as Zone AO where a depth number is not specified on the map, the depth number shall be taken as being equal to three (3) feet (915 mm).

#### **15.08.350. – IBC Section 303.1.4.**

IBC Section 303.1.4 (Accessory to Places of Religious Worship) is amended to read as follows:

##### **Sec. 303.1.4. Accessory to Places of Religious Worship.**

- (1) Accessory religious educational rooms and religious auditoriums with occupant loads of less than one hundred (100) per room or space are not considered separate occupancies.



- (2) Rooms or spaces within such places providing overnight temporary sheltering for less than fifty (50) occupants for less than sixteen (16) continuous hours and with sleeping rooms or spaces less than ten thousand (10,000) square feet in aggregate that are not considered separate occupancies provided all of the following are provided and approved by the Fire Code Official:
  - (a) Proper number and width of exits with approved signage and emergency lighting.
  - (b) Operational carbon monoxide and smoke alarms in all sleeping rooms and spaces.
  - (c) Proper and operational portable fire extinguishers.
  - (d) A minimum of one (1) awake fire watch attendant.
  - (e) Emergency evacuation plan.

**15.08.360. – IBC Section 308.5.**

IBC Section 308.5 (Group I-4 Day Care Facilities) is amended to read as follows.

**Sec. 308.5. Group I-4 Day Care Facilities.**

Institutional Group I-4 occupancy shall include buildings and structures occupied by seven (7) or more persons of any age who receive custodial care for fewer than twenty-four (24) hours per day by persons other than parents or guardians, relatives by blood, marriage, or adoption, and in a place other than the home of the person cared for. This group shall include, but not be limited to, the following:

Adult day care

Child day care

**15.08.370. – IBC Section 1504.2.**

IBC Section 1504.2 (Wind resistance of Asphalt Shingles) is amended to read as follows:

**Sec. 1504.2. Wind Resistance of Asphalt Shingles.**

Asphalt shingles shall be installed in accordance with IBC Section 1507.2.6 for roofs located where the basic wind speed in accordance with Figure 1609.3.(1) – 1609.3(4) is one hundred ten (110) mph or greater, asphalt shingles shall be tested and be provided with special fastening methods tested in accordance with ASTM D 3161, Class F. As an alternative, load and wind resistance of asphalt shingle roof coverings shall be determined in accordance with IBC Section 1609.5.2.

**Exceptions:**

1. Asphalt strip shingles shall be secured to the roof with not less than six fasteners per shingle, and
2. Asphalt shingles installed on buildings located on bluffs, hills, ridges, escarpments or which are otherwise elevated and unprotected by other structures or surface irregularities for more than one thousand five hundred (1,500) feet shall have a minimum weight of three hundred (300) lbs. per square.

**15.08.380. – IBC Section 1505.1.**

IBC Section 1505.1 (General) is amended to read as follows:

**Sec. 1505.1 General.**

Roof assemblies shall be divided into the classes into the classes defined in this section. Class A, B, and C roof assemblies and roof coverings required to the listed by this section shall be tested in accordance with ASTM E108 or UL 790. In addition, fire-retardant-treated wood coverings shall be tested in accordance with ASTM D2898. The minimum roof coverings installed on buildings shall comply with Table 1501.1 based on the type of construction on the building.

**Exceptions:**

1. Skylights and sloped glazing that comply with IBC Chapter 24 and IBC Section 2610.
2. Wood roof covering materials shall comply with the requirements of a Class A roofing assembly.

TABLE 1505.1 MINIMUM ROOF COVERING CLASSIFICATION  
FOR TYPES OF CONSTRUCTION

IA	IB	IIA	IIB	IIIA	IIIB	VA	VB
B	B	B	C	B	C	B	C

For SI: One foot = 304.8 mm, one square foot = 0.0929m<sup>2</sup>

**15.08.390. – IBC Section 1608.2.**

IBC Section 1608.2 (Ground Snow Load) is amended to read as follows:

**Sec. 1608.2. Ground Snow Loads.**

The ground snow loads to be used in determining the design snow loads for roofs shall be 42.9 pounds per square foot.

**15.08.400. – IBC Section 1609.3.**

IBC Section 1609.3 (Basic Design Wind Speed) is amended to read as follows:

**Sec. 1609.3. Basic Design Wind Speed.**

The ultimate design wind speed  $V_{ult}$  (3 second gust), in miles per hour, shall be one hundred forty (140) mph exposure "C" for Risk Category I, one hundred fifty (150) mph exposure "C" for Risk Category II, and one hundred sixty (160) mph exposure "C" for Risk Categories III/IV. Risk Categories as defined in IBC Section 1604.5. Refer to IBC Section 1609.3.1 for wind speed conversions to nominal design wind speeds,  $V_{asd}$ , as necessary.

**15.08.410. – IBC Section 1612.3.**

IBC Section 1612.3 (Establishment of Flood Hazard Areas) is amended to read as follows.

**Sec. 1612.3. Establishment of Flood Hazards Areas.**

To establish flood hazard areas, the applicable governing authority shall adopt a flood hazard map and supporting data. The flood hazard map shall include, at a minimum, areas of special flood hazard as identified by the Federal Emergency Management Agency in an engineering report entitled "The Flood Insurance Study for City of Golden," dated February 5, 2014 as amended or revised with the accompanying Flood Insurance Rate Map (FIRM) and Flood Boundary and Floodway Map (FBFM) and related supporting data along with any revisions thereto. The adopted flood hazard map and supporting data are hereby adopted by reference and declared to be part of this section.

**15.08.420. – IBC Section 1803.2.**

IBC Section 1803.2 (Investigations Required) is amended to read as follows:

**Sec. 1803.2. Investigations Required.**

Site-specific geotechnical investigations shall be conducted for each new structure to be constructed within the corporate boundaries of the City of Golden and in accordance with IBC Sections 1803.3 through 1803.5.

**15.08.430. – IBC Section 1809.5.**

IBC Section 1809.5 (Frost Protection) is amended to read as follows:

**Sec. 1809.5. Frost Protection.**

Except where otherwise protected from frost, foundations and other permanent supports of buildings are structures shall be protected from frost by one (1) or more of the following methods:

1. Extending below the frost line of thirty-six (36) inches below grade.
2. Constructing in accordance with ASCE 32.
3. Erecting on solid rock.

**Exception:** Free-standing buildings meeting all of the following conditions shall not be required to be protected:

1. Assigned to Risk Category I.
2. Area of six hundred (600) square feet (56m<sup>2</sup>) or less for light-frame construction or four hundred (400) square feet (37 m<sup>2</sup>) or less for other than light-frame construction.
3. Eave height of ten (10) feet (3048 mm) or less.

Shallow foundations shall not bear on frozen soil unless such frozen condition is of permanent character.

#### **15.08.440. – IBC Section 2111.1.**

IBC Section 2111.1 (General) is hereby amended with the addition of a new subsection 2111.1.1 entitled, "Emission Standards for Solid Fuel Burning Masonry Fireplaces or Masonry Heaters" to read as follows:

##### **Sec. 2111.1.1. Emission Standards for Solid Fuel Burning Masonry Fireplaces or Masonry Heaters.**

Every newly installed, new or used, solid fuel burning masonry fireplace or masonry heater shall be:

A.

1. EPA Certified Phase II, or
2. State of Colorado Certified Phase III, or
3. A state approved solid fuel burning device which is exempt from and not eligible for certification under the United States Environmental Protection Agency (EPA) regulations for wood stoves but which has been tested to demonstrate its emission performance and is in accordance with criteria and procedures not less stringent than those required by the EPA and/or State of Colorado Air Quality Control Commission

(AQCC) for wood stoves manufactured after July 1, 1990, and as approved by the alternate materials, alternate design and methods of construction provisions of the administrative provisions regulating this IBC,

B. Permanently installed:

1. Approved gas logs; or
2. Other approved gas or alcohol specific appliances:  
or
3. An approved fireplace insert complying with EPA Certified Phase II or State of Colorado Certified Phase III wood stoves.

**15.08.450. – IBC Section 2308.2.4.**

IBC Section 2308.2.4 (Basic Wind Speed) is amended to read as follows:

**Sec. 2308.2.4. Basic Wind Speed.**

*V ult* shall not exceed one hundred forty (140) mph (63.0 m/s) (3-second gust).

**Exceptions:**

1. *V ult* shall not exceed one hundred fifty (150) mph (67.0 m/s) (3-second gust) for buildings in Exposure Category "B").
2. Where *V ult* exceeds one hundred forty (140) mph (63.0 m/s) (3-second gust), the provisions of either AWC WFCM or ICC 600 are permitted to be used.

The following additional provisions shall apply to conventional light frame construction in the City. Roof rafters/trusses and exterior wall framing shall be connected at every rafter/truss along the perimeter by one of the following methods:

- a. Approved metal strapping (20 gauge minimum) properly installed and secured around rafters/trusses and to wall studs at every (4) feet on center maximum spacing and approved metal rafter to wall plate ties (20 gauge minimum) properly installed and secured at all intermediate rafters/trusses; or
- b. Approved metal rafter to wall plate ties (20 gauge minimum) properly installed and secured at all rafters/trusses when such plates are connected by approved structural sheathing to wall studs, and all rafters in the first four (4) feet from any outside corners is provided with double ties.

- c. The roof overhang at gable ends shall not exceed two (2) feet unless designed to prevent uplift as required for one hundred fifty (150) miles per hour Vult wind speed.
- d. The roof overhang at the eaves shall not exceed three (3) feet unless designed to prevent uplift as required for a one hundred fifty (150) miles per hour Vult wind speed.

**15.08.460. – IBC Chapter 30.**

IBC Chapter 30 (Elevators and Conveying Systems) is hereby amended with a new Section 3009 entitled, "Requirements for Operation and Maintenance" and its subsections to read as follows:

**Sec. 3009. Requirements for Operation and Maintenance.**

Requirements for Permits, Certificates of Inspections, and for Operation and Maintenance.

**3009.1. General.**

The owner shall be responsible for the safe operation and maintenance of each elevator and conveying system and shall cause periodic inspections, test, and maintenance to be made on such systems as required by the Elevator and Escalator Certification Act, as administered by the Colorado State Department of Oil and Public Safety.

**15.08.470. – IBC Section 3202.**

IBC Section 3202 (Encroachments) is hereby amended with the addition of an new subsection 3202.5, entitled "Encroachments; Covered Walkways" to read as follows:

**Sec. 3202.5. Encroachments; Covered Walkways.**

Covered walkways shall be permitted in C-2 zoned areas, when constructed in compliance with the terms as set forth herein.

1. Covered walkways shall be constructed by and remain the property of the owner of the building to which they are attached and maintained by said owner.
2. Covered walkways shall be constructed in compliance with the IBC.
3. Covered walkways shall comply with the construction type and the exiting requirements of the building to which it is attached.

4. The front face of vertical supports for all covered walkways shall be set back a minimum of thirty (30) inches from the face of the abutting curb but shall not extend more than ten (10) feet beyond the building face.
5. The minimum vertical clearance of any part of the covered walkway shall be not less than eight (8) feet, exclusive of vertical supporting columns.
6. No railings or obstructions of any kind shall be installed between the vertical supporting columns, unless approved in accordance with Chapter 4.90 of the Golden Municipal Code.
7. Adequate artificial lighting shall be installed under any covered walkway so as to illuminate passageways continuously between sunset and sunrise.
8. Horizontal clearance between the face of the abutting curb and the roof eave line shall be eighteen (18) inches, and the eave line shall not extend more than ten (10) feet from the building face.
9. Plans and specifications for the construction of covered walkways shall be submitted to the Building Official for a building permit in the same manner as those for other structures in compliance with the IBC, and in conjunction with the application, the owner of the building to which the covered walkway is to be attached shall agree to indemnify and hold harmless the City for any and all liability incurred in the construction, alteration, repair, maintenance and use of the covered walkway.
10. Provisions of IBC Chapter 32 in conflict herewith shall not be applicable to any covered walkway built in compliance with the requirements set forth within this section.

**15.08.480. – IBC Section 3303.**

IBC Section 3303 (Safeguards During Construction) is hereby amended with the addition of a new subsection 3303.8 entitled, "Damage to Street, Curb, Gutter or Sidewalk" to read as follows:

**Sec. 3303.8. Damage to Street, Curb, Gutter, or Sidewalk.**

Any damage to street, curb, gutter, or sidewalk caused by or the result of the demolition shall be repaired at the expense of the contractor to the City's specifications as inspected and approved by the city engineer or authorized designee.

**15.08.490. – IBC Section 3306.8.**

IBC Section 3306.8 (Repair, Maintenance and Removal) is amended to read as follows:

**Sec. 3306.8. Repair, Maintenance, and Removal.**

Any damage to street, curb, gutter, or sidewalk caused as a result of the installation and removal of a Pedestrian Protective Device shall be repaired at the expense of the contractor to the City specifications as inspected and approved by the city engineer or authorized designee.

**15.08.500. – IBC Section 3308.**

IBC Section 3308 (Temporary Use of Streets, Alleys, and Public Property) is hereby amended with the addition of a new subsection 3308.3 entitled, "Temporary Use of Streets, Alleys and Public Property; Obstructions of Vehicle or Pedestrians and Protection of City Improvements" to read as follows:

**Sec. 3308.3. Temporary Use of Streets, Alleys, and Public Property; Obstructions of Vehicle or Pedestrians and Protection of City Improvements.**

No person shall obstruct vehicle or pedestrian traffic without having first obtained a permit as required by Chapter 11 of the Golden Municipal Code. Any damage to the street, curb, gutter or sidewalk by any vehicle, apparatus or device used in conjunction with the construction shall be repaired by the contractor to the City of Golden's specifications as inspected and approved by the city engineer or authorized designee.

**15.08.510.—IBC Appendix Section K101.1.**

IBC Appendix Section K101.1 (Purpose) is hereby re-titled "Title" and is amended to read as follows:

**Sec. K101.1. Title.**

These regulations shall be known as the Electrical Code-Administrative Provisions of the City and shall be referred to herein as "this Code" or "the IBC."

**15.08.520. – IBC Appendix Section K102.**

IBC Appendix K102 is hereby amended with a new subsection K102.6 entitled "Administration" to read as follows:

**Sec. K102.6. Administration.**

Sections 103 through Section 116, inclusive, of the Building Code, as adopted and amended by the City, shall serve to provide the administrative, organizational and enforcement rules and regulations for this IBC.



**15.08.530. – IBC Appendix Chapter K103, K104, K105, K106, K107, K108, K109, K10, and K11.**

IBC Appendix Chapters K103 (Permits), K104 (Construction Documents), K105 (Alternative Engineered Design) K106 (Required Inspections), K107 (Prefabricated Construction), K108 (Testing), K109 (Reconnection), K110 (Condemning Electrical Systems), and K120 (Electrical Provisions) are deleted in their entirety.

Section 3. Chapter 15.12 of the Golden Municipal Code is hereby repealed and reenacted to adopt by reference the 2020 National Electric Code, with amendments, to read as follows:

**CHAPTER 15.12 – ELECTRICAL CODE**

**Sec. 15.12.010. – Adoption of National Electric Code.**

The National Electrical Code (also known as NFPA 70), 2020 Edition published by the National Fire Protection Association, One Batterymarch Park, Quincy, MA 02269, (referenced in this chapter as the NEC), is hereby adopted by reference as the City of Golden Electrical Code (hereinafter referred to as "the NEC" or "this Code.") as if fully set out in this codification, with, however, the amendments indicated in the following sections of this chapter.

**Sec. 15.12.020. – NEC Section 90.4.**

NEC Section 90.4 (Enforcement) is amended by addition of the following:

**Sec. 90.4. Enforcement.**

The NEC is intended be suitable for mandatory application by governmental bodies that exercise legal jurisdiction over electrical installations, including signaling and communication systems, and for use by insurance inspectors. The authority having jurisdiction over enforcement of this NEC has the responsibility for making interpretation of the rules, for deciding on the approval of equipment and materials and for granting the special permission contemplated in a number of the rules.

By special permission, the authority having jurisdiction may waive specific requirements in this NEC or permit alternative methods where it is assured that equivalent objectives can be achieved by establishing and maintaining effective safety.

This NEC may require new products, construction, or materials that may not be available at the time this NEC is adopted. In such event, the authority having jurisdiction may permit the use of the products, constructions, or materials that comply with the most recent previous edition of this NEC adopted by this jurisdiction.

Sections 103 through Section 116 inclusive, and Appendix Chapter K of the Building Code, as adopted and amended by the City, shall serve to provide the administrative, organizational and enforcement rules and regulations for this code.

**Sec. 15.12.030. – NEC Section 110**

NEC Section 110 (Requirements for Electrical Installations) is hereby amended with the addition of a new subsection 110.26 entitled, "Weather Protection" to read as follows:

**Sec. 110.26. Weather Protection.**

Electrical wiring shall not be installed inside of any building until the interiors of such building have been physically protected from the weather.

**Sec. 15.12.040. – NEC Section 230.43**

NEC Section 230.43 (Wiring Methods for 1000 Volts, Nominal, or Less) is amended to read as follows:

**Sec. 230.43. Wiring Methods for 100 Volts, Nominal, or Less.**

Service-entrance conductors shall be installed in accordance with the applicable requirements of this NEC covering the type of wiring method used and shall be limited to the following methods:

- (1) Open wiring on insulators.
- (2) Type IGS cable.
- (3) Rigid metal conduit (RMC).
- (4) Intermediate metal conduit (IMC).
- (5) Electrical metallic tubing (EMT).
- (6) Electrical nonmetallic tubing.
- (7) Service-entrance cables.
- (8) Wireways.
- (9) Busways.
- (10) Auxiliary gutters.
- (11) Rigid polyvinyl chloride conduit (PVC).
- (12) Cablebus.

- (13) Type MC Cable.
- (14) Mineral-insulated, metal-sheathed cable, Type MI.
- (15) Flexible metal conduit (FMC) not over 1.8 m (6ft) long or liquid tight flexible metal conduit (LFMC) not over 1.8 m (6ft) long between a raceway, or between a race-way and service equipment, with a supply-side bonding jumper routed with the flexible metal conduit (FMC) or the liquid tight flexible metal conduit (LMFC) according to 250.102(A), (B), (C), and (E).
- (16) Liquid tight flexible nonmetallic conduit (LMFC).
- (17) High density polyethylene conduit (HDPE).
- (18) Nonmetallic underground conduit with conductors (NUCC).
- (19) Reinforced thermosetting resin conduit (RTRC).
- (20) Type TC-ER Cable.

Service entrance conductors shall not be run inside of buildings unless enclosed in approved raceway. Service entrance conductors shall not be run inside of buildings at a distance greater than one hundred (100) feet without automatic over-current protection on the lead or supply ends. Service entrance conductors run inside of Group H occupancies shall have automatic over-current protection on conductor lead or supply ends.

**Sec. 15.12.050. – NEC Section 230.70(A)(1)**

NEC Section 230.70(A)(1) (Location) is amended to read as follows:

**Sec. 230.70. General.**

- (A) **Location.** The service disconnecting means shall be installed in accordance with 230.70(A)(1), (A)(2), and (A)(3).

- (1) The service disconnecting means shall be installed outside of a building or other structure at a readily accessible location nearest the point of entrance of the service conductors.

**Exception:** The service disconnecting means shall be permitted to be installed at a readily accessible location directly inside nearest the point of entrance of the service conductors in buildings provided with and approved automatic fire suppression system.

**Section 4.** Chapter 15.16 of the Golden Municipal Code is hereby repealed and reenacted to adopt by reference the 2021 International Plumbing Code, with amendments, to read as follows:

## **CHAPTER 15.16 – PLUMBING CODE**

### **Sec. 15.16.010. – Adoption of International Plumbing Code.**

The International Plumbing Code, 2021 Edition published by the International Code Council, Inc., 500 New Jersey Ave NW, 6th Floor, Washington DC 20001-2070. Chapters 1 through 13 inclusive and Appendix Chapters B, C, D, and E, is hereby adopted by reference as the City of Golden Plumbing Code (referenced in this chapter as the IPC and thereafter referred to as "the IPC" or "this Code.") as if fully set out in this codification, with, however, the amendments indicated in the following sections of this chapter.

### **Sec. 15.16.020. – IPC Section 101.1.**

IPC Section 101.1 (Title) is amended to read as follows:

#### **Sec. 101.1. Title.**

These regulations shall be known as the Plumbing Code of the City of Golden, hereinafter referred to as "the IPC" or "this Code."

### **Sec. 15.16.030. – IPC Section 102.8.**

IPC Section 102.8 (Referenced Codes and Standards) is amended to read as follows:

#### **Sec. 102.8. Referenced Codes and Standards.**

The codes and standards referenced in this IPC shall be those that are listed in IPC Chapter 15 and such codes and standards shall be considered as part of the requirements of this IPC to the prescribed extent of each such reference and as further regulated in IPC Sections 102.8.1 and 102.8.2.

To the extent applicable, the requirements of the City's "Water and Sanitary Sewer Specifications" shall apply. Where conflicts exist between the specific provisions of this IPC and the "Water and Sanitary Sewer Specifications", the most restrictive provisions shall govern.

To the extent applicable, the requirements of the City's "Cross-Connection Control Program" shall apply. Where conflicts exist between the specific provisions of this IPC and the "Cross Connection Control Program", the most restrictive provisions shall govern.

**Sec. 15.16.040. – IPC Section 103.**

IPC Section 103 (Code Compliance Agency) is repealed and replaced in its entirety with a new Section 103 entitled, "Administrative Provisions" to read as follows:

**Sec. 103. Administrative Provisions.**

Sections 103 through Section 116, inclusive, of the Building Code, as adopted and amended by the City, shall serve to provide the administrative, organizational and enforcement rules and regulations for this IPC.

**Sec. 15.16.050. – IPC Sections 104, 105, 106, 107, 108, 109, 110, 111, 112, 112, 114, and 115.**

IPC Sections 104 (Duties and powers of the code official), 105 (Approval), and 106 (Permits), 107 (Construction Documents), and 108 (Notice of Appeal), and 109 (Fees), 110 (Construction Documents), 111 (Notice of Approval), 112 (Service Utilities), 113 (Stop Work Order), 114 (Means of Appeals), 115 (Violations) are deleted in their entirety.

**Sec. 15.16.060. – IPC Section 305.4.1.**

IPC Section 305.4.1 (Sewer Depth) is amended to read as follows:

**Sec. 305.4.1. Sewer Depth.**

Building sewers that connect to private sewage disposal systems shall be a minimum of twelve (12) inches (304.8 mm) below finished grade at the point of septic tank connection. Building sewers shall be a minimum of twelve (12) inches (304.8 mm) below grade.

**Sec. 15.16.070. – IPC Section 903.1.1.**

IPC Section 903.1.1 (Roof Extension Unprotected) is amended to read as follows:

**Sec. 903.1.1. Roof Extension Unprotected.**

All open vent pipes that extend through a roof shall be terminated at least six (6) inches (152.4 mm) above the roof, except that where a roof is to be used for any purpose other than weather protection, the vent extensions shall be run at least seven (7) feet (2134 mm) above the roof.

**Sec. 15.16.080. – IPC Section 1003.3**

IPC Section 1003.3 (Grease Interceptors) is amended with a new subsection 1003.3.9 entitled, "Outdoor Grease Interceptors" to read as follows:

**Sec. 1003.3.9. Outdoor Grease Interceptors.**

Outdoor grease interceptors shall be permitted to be sized by an accepted engineering practice but shall not be less than two (2) times the flow-through rate.

Unless otherwise accepted by the Building Official, outdoor grease interceptor shall also comply with the following minimum design and location requirements:

1. Be watertight.
2. Provide a minimum of four (4) inches of air space above the top of the outlet pipe and the underside of tank top.
3. The invert inlet shall not be less than two (2) inches nor more than six (6) inches above the invert elevation of the outlet.
4. The minimum inlet and outlet piping size for the tank shall not be less than four (4) inches.
5. The inlet piping shall be provided with a vertical quarter bend and drop piping installed on the interior of the tank and extending down to at least six (6) inches below the liquid level and at least twelve (12) inches above the bottom of the tank.
6. The outlet piping shall be provided with a vertical sanitary-tee fitting and drop piping installed on the interior of the tank and extending down to twelve (12) inches above the bottom of the tank. The vertical sanitary-tee fitting shall be extended up to within twelve (12) inches of the bottom of the access manhole cover to function as a sampling port.
7. The interceptor shall be divided into two (2) compartments by a baffle yielding two-thirds (2/3rds) of the tank volume on the inlet side and one-third (1/3rd) the tank volume on the discharge side.
  - a. The baffle shall be designed to extend at least six (6) inches above the liquid level.
  - b. The baffle shall be designed to maintain at least a two (2) inches separation below the underside of the tank top for venting.
  - c. The flow from the inlet compartment to the outlet compartment shall be through a vertical quarter bend installed on the inlet side of the baffle.
    - i. The quarter bend shall be equal in size to the inlet pipe.

- ii. The quarter bend shall extend down to twelve (12) inches from the bottom of the tank.
  - iii. The top of the opening in the baffle provided to receive the quarter bend shall be located below the invert of the outlet.
- 8. Separate cleanouts, extended to grade, shall be provided on the inlet and outlet piping exterior of the interceptor.
- 9. The interceptor and discharge piping shall be properly vented to an approved location.
- 10. The interceptor shall be provided with two (2) twenty-four (24) inch minimum diameter manhole access for maintenance and service. One (1) manhole shall be installed over the inlet chamber, and one (1) shall be installed over the outlet chamber.
- 11. The interceptor shall be designed to withstand any applied loads, such as, but not limited to, vehicular traffic.
- 12. The interceptor shall be installed in a readily accessible location for inspection and maintenance.

Section 5. Chapter 15.17 of the Golden Municipal Code is hereby repealed and reenacted to adopt by reference the 2021 International Mechanical Code, with amendments, to read as follows:

## **CHAPTER 15.17 – MECHANICAL CODE**

### **Sec. 15.17.010. – Adoption of International Mechanical Code.**

The International Mechanical Code, 2021 Edition, published by the International Code Council, Inc., 500 New Jersey Ave NW, 6th Floor, Washington DC 20001-2070. Chapters 1 through 15 inclusive and Appendix Chapter A is hereby adopted by reference as the City of Golden Mechanical Code (referenced in this chapter as the IMC and thereafter referred to as "the IMC" or "this Code "), as if fully set out in this codification with, however, the amendments indicated in the following sections of this chapter.

### **Sec. 15.17.020. – IMC Section 101.1**

IMC Section 101.1 (Title) is amended to read as follows:

#### **Sec. 101.1. Title.**

These regulations shall be known as the Mechanical Code of the City of Golden, hereinafter referred to as "the IMC" or "this Code."

**Sec. 15.17.030. – IMC Section 103**

IMC Section 103 (Code Compliance Agency) is hereby repealed and reenacted with a new title "Administrative Provisions" to read as follows:

**Sec. 103. Administrative Provisions.**

Sections 103 through Section 116, inclusive, of the Building Code, as adopted and amended by the City, shall serve to provide the administrative, organizational and enforcement rules and regulations for this IMC.

**Sec. 15.17.040. – IMC Sections 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, and 116.**

IMC Sections 104 (Duties and Powers of the Code Official), 105 (Approval), and 106 (Permits), 107 (Construction Documents), 108 (Notice of Approval), 109 (Fees), 110 (Service Utilities), 111 (Temporary Equipment, Systems and Uses), 112 (Inspections and Testing), 113 (Means of Appeals), 114 (Board of Appeals), 115 (Violations), and 116 (Stop Work Order) are deleted in their entirety.

**Sec. 15.17.050. – IMC Section 901**

IMC Section 901 (General) is hereby amended with the addition of a new subsection 901.5 entitled "Emissions Standards for Solid Fuel Burning Equipment" to read as follows:

**Sec. 901.5. Emissions Standards for Solid Fuel Burning Equipment.**

Every newly installed, new, or used, solid fuel burning factory-built fireplace, fireplace stove, masonry heater, room heater, stove, or pellet type appliance shall be:

A.

1. EPA Certified Phase II, or
2. State of Colorado Certified Phase III, or

A state approved solid fuel burning device which is exempt from and not eligible for certification under the United States Environmental Protection Agency (EPA) regulations for wood stoves but which has been tested to demonstrate its emission performance and is in accordance with criteria and procedures not less stringent than those required by the EPA and/or State of Colorado Air Quality Control Commission (AQCC) for wood stoves manufactured after July 1, 1990, and as approved by the alternate materials, alternate design and methods of construction provisions of the administrative provisions regulated by this Code or shall be provided with permanently installed:



B.

1. Approved gas logs; or
2. Other approved gas or alcohol specific appliances: or
3. An approved fireplace insert complying with EPA Certified Phase II or State of Colorado Certified Phase III wood stoves.

Section 6. Chapter 15.26 of the Golden Municipal Code is hereby repealed and reenacted to adopt by reference the 2021 International Energy Conservation Code, with amendments, to read as follows:

**CHAPTER 15.26 – ENERGY CONSERVATION CODE**

**Sec. 15.26.010. – Adoption of the International Energy Conservation Code.**

The International Energy Conservation Code, 2021 Edition, published by the International Code Council, Inc., 500 New Jersey Ave NW, 6th Floor, Washington DC 20001-2070 (referenced in this chapter as the IECC and thereafter referred to as "the IECC" or "this Code "). Chapters 1 through 6 inclusive is hereby adopted by reference as the City of Golden Energy Conservation Code, as if fully set out in this codification with, however, the amendments indicated in the following sections of this chapter.

**Sec. 15.26.020. – IECC Section 101.1**

IECC Section 101.1 (Title) is amended to read as follows:

**Sec. C101.1. Title.**

These regulations shall be known as the Energy Conservation Code of the City of Golden and shall be cited as such. It is referred to herein to as "the IECC" or "this Code."

**Sec. 15.26.030. – IECC Section 103.**

IECC Section 103 (Construction Documents) is repealed in its entirety and reenacted with a new title "Administrative Provisions," to read as follows:

**Sec. C103. Administrative Provisions.**

Sections 103 through Section 116, inclusive, of the Building Code, as adopted and amended by the City, shall serve to provide the administrative, organizational and enforcement rules and regulations for this IECC.

**Sec. 15.26.040. – IECC Sections 104, 105, 106, 107, 108, 109, and 110.**

IECC Sections 104 (Fees), 105 (Inspections), 106 (Notice of Approval), 107 (Validity), 108 (Referenced Standards), 109 (Stop Work Order), and 110 (Board of Appeals) are deleted in their entirety.

Section 7. Chapter 15.30 of the Golden Municipal Code is hereby repealed and reenacted to adopt by reference the 2021 International Fuel Gas Code, with amendments, to read as follows:

## **CHAPTER 15.30 – FUEL GAS CODE**

### **Sec. 15.30.010. – Adoption of the International Fuel Gas Code.**

The International Fuel Gas Code, 2021 Edition, published by the International Code Council, Inc., 500 New Jersey Ave NW, 6<sup>th</sup> Floor, Washington DC 20001-2070 (referenced in this chapter as the IFGC and thereafter referred to as "the IFGC" or "this Code"). Chapters 1 through 8 inclusive is hereby adopted by reference as the City of Golden Fuel Gas Code, as if fully set out in this codification with, however, the amendments indicated in the following sections of this chapter.

### **Sec. 15.30.020. – IFGS Section 101.1**

IFGC Section 101.1 (Title) is amended to read as follows:

#### **Sec. 101.1. Title.**

These regulations shall be known as the Fuel Gas Code of the City of Golden, hereinafter referred to as "the IFGC" or "this Code."

### **Sec. 15.30.030. – IFGS Section 103.**

IFGC Section 103 (Code Compliance Agency) is hereby repealed in its entirety and reenacted with a new title, "Administration and Enforcement" to read as follows:

#### **Sec. 103. Administrative Provisions.**

Sections 103 through Section 116, inclusive, of the Building Code, as adopted and amended by the City, shall serve to provide the administrative, organizational and enforcement rules and regulations for this IFGC.

### **Sec. 15.30.040. – IFGS Sections 104, 105, 106, 107, 108, 109, 110, 112, 113, 114, and 115.**

IFGC Section 104 (Duties and Powers of the Code Official), 105 (Approval), 106 (Permits), 107 (Construction Documents), 108 (Notice of Approval), 109 (Fees), 110 (Service Utilities), 111 (Temporary Equipment, Systems and Uses), 112 (Inspections and Testing), 113 (Means of Appeal), 114 (Board of Appeals), 115 (Violations), and 116 (Stop Work Order) are deleted in their entirety.

**Section 8.** Chapter 15.40 of the Golden Municipal Code is hereby repealed and reenacted to adopt by reference the 2021 International Residential Code, with amendments, to read as follows:

## **CHAPTER 15.40 – RESIDENTIAL CODE**

### **Sec. 15.40.010. – Adoption of the International Residential Code.**

The International Residential Code for One and Two-Family Dwellings, 2021 Edition published by the International Code Council, Inc., 500 New Jersey Ave NW, 6<sup>th</sup> Floor, Washington DC 20001-2070. Chapters 1 through 43 and Appendix Chapters F, G, H, J, K and M inclusive is hereby adopted by reference as the City of Golden Residential Code (referenced in this chapter as the IRC and thereafter referred to as "the IRC" or "this Code") as if fully set out in this codification, with, however, the amendments indicated in the following sections of this chapter.

### **Sec. 15.40.020. – IRC Section R101.1**

IRC Section R101.1 (Title) is hereby amended to read as follows:

#### **Sec. R101.1. Title.**

These provisions shall be known as the Residential Code for One- and Two-Family Dwellings of the City of Golden and shall be cited as such and will be referred to herein as "the IRC" or "this Code."

### **Sec. 15.40.030. – IRC Section R102.4**

IRC Section R102.4 (Referenced Codes and Standards) is amended to read as follows:

#### **Sec. R102.4. Referenced Codes and Standards.**

References to Chapter or Section numbers, or to provisions not specifically identified by number, shall be construed to refer to such chapter, section, or provision of this IRC.

To the extent applicable, the requirements of the City's "Water and Sanitary Sewer Specifications" shall apply. Where conflicts exist between the specific provisions of this IRC and the "Water and Sanitary Sewer Specifications", the most restrictive provisions shall govern.

To the extent applicable, the requirements of the City's "Cross-Connection Control Program" shall apply. Where conflicts exist between the specific provisions of this IRC and the "Cross Connection Control Program", the most restrictive provisions shall govern.

### **Sec. 15.40.040. – IRC Section R102.7**

IRC Section R102.7 (Existing Structures) is amended to read as follows:

**Sec. R102.7. Existing Structures.**

The legal occupancy of any structure existing on the date of adoption of this IRC shall be permitted to continue without change, except as is specifically covered in this IRC, the International Fire Code, as adopted by the City, or the International Existing Building Code as adopted by the City, or as is deemed necessary by the Building Official for the general safety and welfare of the occupants and the public.

**Sec. 15.40.050. – IRC Section R103.**

IRC R103 (Department of Building Safety) is hereby repealed and re-enacted with a new title, "Administrative Provisions" to read as follows:

**Sec. R103. Administrative Provisions.**

Sections 103 through Section 116, inclusive, of the Building Code, as adopted by the City, shall serve to provide the administrative, organizational and enforcement rules and regulations for this IRC.

**Sec. 15.40.060. – IRC Sections R104, R105, R106, R107, R108, R109, R110, R111, R112, R113, and R114**

IRC Sections R104 (Duties and Powers of the Building Official), R105 (Permits), R106 (Construction Documents), R107 (Temporary Structures and Uses), R108 (Fees), R109 (Inspections), R110 (Certificate of Occupancy), R111 (Service Utilities), R112 (Board of Appeals), R113 (Violations), and R114 (Stop Work Order) are deleted in their entirety.

**Sec. 15.40.070. – IRC Section R202.**

IRC Section 202 (Definitions) is hereby amended by addition of a definition for "wood roof covering materials" to read as follows:

**Sec. R202. Definitions.**

**WOOD ROOF COVERING MATERIALS.** An exterior roofing surface material used as a top covering and made of wood. Wood, for the purpose of this definition, means any material or composite material containing at least fifty percent (50%) wood by volume.

**Sec. 15.40.080. – IRC Section R301.2**

Table R301.2 (Climate and Geographic Design Criteria) is hereby amended to read as follows:

Table R301.2

CLIMATE AND GEOGRAPHIC DESIGN CRITERIA

Ground Snow Load (o)	Wind Design [Special Wind Region] YES		Seismic Design Category (F)	Subject to Damage From			Winter Design Temp (e)	Ice Barrier Underlayment Required	Flood Hazards (g)	Air Freezing Index (i)	Mean Annual Temp (j)
	Speed (d)	Topo Effects (k)		Weathering (a)	Frost Line Depth (b)	Termite (c)					
42.9	116 Vasd	NO	B	Severe	36	No	1°F	Yes	2014	1,000	45°F

#### **Sec. 15.40.090. – IRC Section R305.1.1**

IRC Section R305.1.1 (Basements) is hereby amended to read as follows:

##### **Sec. R305.1.1. Basements.**

Ceilings in basements without habitable spaces, and not designed or intended to be converted to future habitable space, may project to within six feet, 8 inches (6' 8") (2032 mm) of the finished floor; and beams, girders, ducts, or other obstructions may project to within 6 feet, 4 inches (6' 4") (1931 mm) of the finished floor.

#### **Sec. 15.40.100. – IRC Section R322.1.4**

IRC Section R322.1.4. (Establishing the Design Flood Elevation) is hereby amended to read as follows:

##### **Sec. R322.1.4. Establishing the Design Flood Elevation.**

The design flood elevation shall be used to define areas prone to flooding, and shall describe, at a minimum, as one foot above the base flood elevation at the depth of peak elevation of flooding (including wave height) which has a one percent (1%) (100-year flood) or greater chance of being equaled or exceeded in any given year.

#### **Sec. 15.40.110. – IRC Chapter 30.**

IRC Chapter 30 (Building Planning) is hereby amended with a new Section R331 entitled, "Excavations and Fills: Protection of Adjoining Property" to read as follows:

##### **Sec. R331. Excavations and Fills: Protection of Adjoining Property.**

Any person making or causing an excavation to be made, shall protect the excavation so that the soil or structures of adjoining property will not cave in, settle or be otherwise adversely affected.

#### **Sec. 15.40.120. – IRC Section R401.4**

IRC Section R401.4 (Soils Test) is amended to read as follows:

##### **Sec. R401.1 Soils Test.**

In areas likely to have expansive, compressible, shifting or other unknown soil characteristics, the Building Official shall determine whether to require a soil test to determine the soil's characteristics at a particular location. When a soils investigation report is required, it shall be performed in conformance with the requirements of Section 1803 of the International Building Code as adopted by the City. Test shall be made by an approved agency using an approved method.

**Sec. 15.40.130. – IRC Section R401.4.1.1**

IRC Section R401.4.1 (Geotechnical Evaluation) is hereby amended with the addition of a new subsection R401.1.1 entitled, "Designated Dipping Bedrock Area" to read as follows:

**R401.1.1. Designated Dipping Bedrock Area.**

Design of foundations required to be designed by a registered State of Colorado design professional and to be installed in the designated dipping bedrock areas, as identified by the Jefferson County Colorado "Designated Dipping Bedrock Area Guide" map dated December 12, 2008 shall consider and incorporate accepted engineering practices and procedures so as to mitigate the potential adverse effects of such dipping bedrock on structures, as determined necessary by a registered design professional.

**Sec. 15.40.140. – IRC Section R802.11**

IRC Section R802.11 (Roof Tie Uplift Resistance) is amended to read as follows:

**R802.11. Roof Tie Uplift Resistance.**

Roof assemblies shall have uplift resistance in accordance with IRC Sections R802.11 and R802.11.2.

The following additional provisions shall apply to conventional light frame construction in the City:

- (1) Roof rafters/trusses and exterior wall framing shall be connected at every rafter/truss along the perimeter by one of the following methods:
  - a. Approved metal strapping (20 gauge minimum) properly installed and secured around rafters/trusses and to wall studs at every 4 feet on center maximum spacing and approved metal rafter to wall plate ties (20 gauge minimum) properly installed and secured at all intermediate rafters/trusses; or
  - b. Approved metal rafter to wall plate ties (20 gauge minimum) properly installed and secured at all rafters/trusses when such plates are connected by approved structural sheathing

to wall studs, and all rafters in the first four feet from any outside corners is provided with double ties.

- (2) The roof overhang at the eaves shall not exceed three (3) feet unless designed to prevent uplift as required for a one hundred sixteen (116) mile per hour wind speed, Vasd Exposure “C.”
- (3) The roof overhang at gable ends shall not exceed two (2) feet unless designed to prevent uplift as required for a one hundred sixteen (116) mile per hour wind speed, Vasd Exposure “C.”

**Exceptions:** Rafters or trusses shall be permitted to be attached to their supporting wall assemblies in accordance with the Table R602.3(1) where either of the following occur:

- (1) Where the uplift force per rafter or truss does not exceed two hundred (200) pounds (90.8kg) as determined by Table 802.11.
- (2) Where the basic wind speed does not exceed one hundred fifteen (115) miles per hour (51.4 m/s), the wind exposure category is B, the roof pitch is five (5) units vertical in twelve (12) units horizontal (42- percent slope) or greater, the roof span is thirty-two (32) feet (9754 mm) or less, and rafter and trusses are spaced not more than twenty-four (24) inches (610 mm) on center.

#### **Sec. 15.40.150. – IRC Section R902.1**

IRC Section R902.1 (Roofing Covering Materials) is hereby amended to read as follows:

##### **Sec. R902.1. Roofing Covering Materials.**

Roofs shall be covered with materials as set forth in IRC Sections R904 and R905. Ordinary roof covering (non-classified) materials shall not be permitted, and Class A, B or C roofing shall be installed in areas designated by law as requiring their use or when the edge of the roof is less than three (3) feet (914 mm) from a property line. Classes A, B and C roofing required to be listed by this section shall be tested in accordance with UL 790 or ASTM E 108. Roof assemblies with coverings of brick, masonry, slate, clay or concrete roof tile, exposed concrete roof deck, ferrous or copper shingles or sheets, and metal sheets and shingles, shall be considered Class A roof coverings.

#### **Sec. 15.40.160. – IRC Section R905.2.6**

IRC Section 905.2.6 (Attachment) is hereby amended to read as follows:

##### **Sec. R905.2.6. Attachment.**

For normal application, asphalt shingles shall be secured to the roof with not less than six (6) fasteners per strip shingle or two (2) fasteners per individual shingle. Asphalt strip shingles shall be self-sealing. Where the roof slope exceeds twenty (20) units vertical in twelve (12) units horizontal (167 percent slope), special methods of fastening are required special fastening methods tested in accordance with ASTM D 3161, Class F. Asphalt shingle wrappers shall bear a label indicating compliance with ASTM D 3161, Class F.

**Sec. 15.40.170. – IRC Chapter 10.**

IRC Chapter 10 (Chimneys and Fireplaces) is hereby amended with the addition of a new section R1007 entitled, "Emissions Standards for Solid Fuel Burning Fireplaces or Masonry Heaters" to read as follows:

**Sec. R1007. Emissions Standards for Solid Fuel Burning Fireplaces or Masonry Heaters.**

Every newly installed, new or used, solid fuel burning masonry fireplace, factory-built fireplace, or masonry heater shall be either:

1. EPA Certified Phase II, or
2. State of Colorado Certified Phase III, or
3. A state approved solid fuel burning device which is exempt from and not eligible for certification under the United States Environmental Protection Agency (EPA) regulations for wood stoves but which has been tested to demonstrate its emission performance and is in accordance with criteria and procedures not less stringent than those required by the EPA and/or State of Colorado Air Quality Control Commission (AQCC) for wood stoves manufactured after July 1, 1990, and as approved by the alternate materials, alternate design and methods of construction provisions of the administrative provisions regulating this Code, or shall be provided with permanently installed:
4. Approved gas logs; or
5. Other approved gas or alcohol specific appliances; or
6. An approved fireplace insert complying with EPA Certified Phase II or State of Colorado Certified Phase III wood stoves.

**Sec. 15.40.180. – IRC Section M1401**

IRC Section M1401 (General) is hereby amended with the addition of a new subsection M1401.6 entitled, "Emissions Standards for Solid Fuel Burning Equipment" to read as follows:



**Sec. M1401.6. Emissions Standards for Solid Fuel Burning Equipment .**

Every newly installed, new, or used, solid fuel burning fireplace stove, stove, room heater, or pellet type appliance shall be either:

A.

1. EPA Certified Phase II, or
2. State of Colorado Certified Phase III, or
3. A state approved solid fuel burning device which is exempt from and not eligible for certification under the United States Environmental Protection Agency (EPA) regulations for wood stoves but which has been tested to demonstrate its emission performance and is in accordance with criteria and procedures not less stringent than those required by the EPA and/or State of Colorado Air Quality Control Commission (AQCC) for wood stoves manufactured after July 1, 1990, and as approved by the alternate materials, alternate design and methods of construction provisions of the administrative provisions regulating this Code, or

B. Shall be provided with permanently installed:

1. Approved gas logs; or
2. Other approved gas or alcohol specific appliances; or
3. An approved fireplace insert complying with EPA Certified Phase II or State of Colorado Certified Phase III wood stoves.

**Sec. 15.40.190. – IRC Section P2603.5.1**

IRC Section P2603.5.1 (Sewer Depth) is amended to read as follows:

**Sec. P2603.5.1. Sewer Depth.**

Building sewers that connect to private sewage disposal systems shall be a minimum of twelve (12) inches (304.8 mm) below finished grade at the point of septic tank connection. Building sewers shall be a minimum of twelve (12) inches (304.8 mm) below grade.

**Sec. 15.40.200. – IRC Section E3404.5**

IRC Section E3404.5 (General Equipment Requirements) is hereby amended with the addition of a new subsection E3404.5.1. entitled, "Weather Protection" to read as follows:

#### **E3404.5. Weather Protection.**

Electrical wiring shall not be installed inside of any building until the interiors of such building have been physically protected from the weather.

#### **Sec. 15.40.210. – IRC Section E3601.6.2**

IRC Section E3601.6.2 (Service Disconnect Location) is hereby amended to read as follows:

##### **Sec. E3601.6.2. Service Disconnect Location.**

The service disconnecting means shall be installed at a readily accessible location outside of a building nearest the point of entrance of the service conductors. Service disconnecting means shall not be installed in bathrooms. Each occupant shall have access to the disconnect serving the dwelling unit in which they reside.

#### **Sec. 15.40.220. – IRC Section E3605.2**

IRC Section E3605.2 (Wiring Methods for Services) is hereby amended to read as follows:

##### **Sec. E3605.2. Wiring Methods for Services.**

Service-entrance wiring methods shall be installed in accordance with the applicable requirements in NEC Chapter 38. (230.43).

**Exception:** Service entrance conductors shall not be run inside of buildings unless enclosed in approved raceway and service entrance conductors shall not be run inside of buildings at a distance greater than one hundred (100) feet without automatic over-current protection on the lead or supply ends.

Section 9. Chapter 15.50 of the Golden Municipal Code is hereby repealed and reenacted to adopt by reference the 2021 International Existing Building Code, with amendments, to read as follows:

### **CHAPTER 15.50 – EXISTING BUILDING CODE**

#### **Sec. 15.50.010. – Adoption of the International Existing Building Code.**

The International Existing Building Code, 2021 Edition published by the International Code Council, Inc., 500 New Jersey Ave NW, 6th Floor, Washington DC 20001-2070. Chapters 1 through 16, Appendix Chapters A, and B, and Resource A is hereby adopted by reference as the City of Golden Existing Building Code (referenced in this chapter as the IEBC and thereafter referred to as "the IEBC" or "this code") as if fully set out in this codification, with, however, the amendments indicated in the following sections of this chapter.

#### **Sec. 15.50.020. – IEBC Section 101.1.**

IEBC Section 101.1 (Title) is amended to read as follows:

**Sec. 101.1. Title.**

These regulations shall be known as the Existing Building Code of the City of Golden, hereinafter referred to as "the IEBC" or "this Code."

**Sec. 15.50.030 – IEBC Section 103.**

IEBC Section 103 (Code Compliance Agency) is hereby repealed in its entirety and reenacted with a new title, "Administrative Provisions" to read as follows:

**Sec. 103. Administrative Provisions.**

Sections 103 through Section 116, inclusive, of the Building Code, as adopted and amended by the City, shall serve to provide the administrative, organizational and enforcement rules and regulations for this IEBC.

**Sec. 15.50.040. – IEBC Section 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, and 117.**

IEBC Sections 104 (Duties and Powers of the Code Official), 105 (Permits), 106 (Construction Documents), 107 (Temporary Structures and Uses), 108 (Fees), 109 (Inspections), 110 (Certificate of Occupancy), 111 (Service Utilities), 112 (Board of Appeals), 113 (Violations), 114 (Stop Work Order), 115 (Unsafe Buildings and Equipment), 116 (Emergency Measures), and 117 (Demolition) are deleted in their entirety.

Section 10. Violations of this ordinance shall be punishable as set forth in Section 1.01.110 of the Golden Municipal Code, which read as follows:

- (a) Whenever any section of this Code or any section of a rule or regulations promulgated hereunder for which the doing of any act is required, prohibited, or declared to be unlawful and no definite fine or penalty is provided for a violation thereof, any person convicted of violating such section shall, for each offense, except as otherwise specified, be punished by a fine not exceeding the current maximum amount established by the state for municipal ordinance violations or imprisoned for a period of not more than six months, or by both such fine or imprisonment. Each day that a violation continues shall be deemed a separate offense.
- (b) Every person convicted of a violation of any of the provisions of chapter 10.04 (Traffic Code) whereupon conviction of such person is subject to the assessment of not more than four points (except for compulsory insurance) or a six-point offense of speeding (not more than 24 miles over the posted speed limit) against one's driving privilege, shall be punished by a fine only in an amount not to exceed the current maximum amount established by the state for municipal ordinance violations.

- (c) Trial by jury shall only be permitted in cases when, upon conviction, an individual is subject to imprisonment.
- (d) If an individual is charged with both a violation that upon conviction is subject to imprisonment and a violation with no possibility of imprisonment, and such violations arise out of the same act or transaction, such individual may have a trial by jury on all charges.
- (e) Any child (any person under 18 years of age) convicted of a violation of any provision of the code shall be, for each offense, fined in a sum not more than the current maximum amount established by the state for municipal ordinance violations. The municipal judge has the authority to order a child confined in a juvenile detention facility operated or contracted by the Colorado Division of Youth Services for failure to comply with a lawful order of the court including an order to pay a fine. Any confinement of a child for contempt shall not exceed 48 hours.
- (f) The city shall be entitled to recover all costs and expenses including reasonable attorney fees incurred in the prosecution and/or litigation of any person found to have violated any section of the municipal code or any rule or regulation promulgated under this Code.
- (g) To collect past due fines, penalties, costs, fees, surcharges and restitution, the city may assign such accounts to a private collection agency, which shall be entitled to recover costs of collection, in an amount not to exceed 25 percent of the amount of the assigned account. The court shall adopt a standing order outlining the process to be followed before collection of a fee is referred to collection.

Section 11. If any article, section, paragraph, sentence, clause or phrase of this ordinance is held to be unconstitutional or invalid for any reason, such decision shall not affect the validity or constitutionality of the remaining portions of this ordinance. The City Council hereby declares that it would have passed this ordinance and each part or parts hereof irrespective of the fact that any one part or parts be declared unconstitutional or invalid.

Section 12. All other ordinances or portions thereof inconsistent or conflicting with this ordinance or any portion hereof is hereby repealed to the extent of such inconsistency or conflict.

Section 13. The repeal or modification of any provision of the Municipal Code of the City of Golden by this ordinance shall not release, extinguish, alter, modify or change in whole or in part any penalty, forfeiture or liability, either civil or criminal, which shall have been incurred under such provision. Each provision shall be treated and held as still remaining in force for the purpose of sustaining any and all proper actions, suits, proceedings and prosecutions for enforcement of the penalty, forfeiture or liability, as well as for the purpose of sustaining any judgment, decree or order which can or may be rendered, entered or made in such actions, suits, proceedings or prosecutions.

Section 14. This ordinance is deemed necessary for the protection of health, welfare and safety of the community.

INTRODUCED, READ AND PASSED AS AN ORDINANCE, ON FIRST READING,  
AT A REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF GOLDEN,  
COLORADO, THE 14<sup>th</sup> DAY OF JUNE, 2022.

READ, PASSED AND ADOPTED AS AN ORDINANCE ON SECOND READING,  
AT A REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF GOLDEN,  
COLORADO, THE 26<sup>th</sup> DAY OF JULY, 2022.

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Laura M. Weinberg,

Mayor

ATTEST:

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Monica S. Mendoza, CMC

City Clerk

APPROVED AS TO FORM:

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Kathie B. Guckenberger  
City Attorney

I, Monica S. Mendoza, City Clerk of the City of Golden, Colorado, do hereby certify that the foregoing ordinance was introduced on first reading and read at a regular business meeting of the City Council of said city, held on the 12<sup>th</sup> day of July, 2022 and was published as a proposed ordinance on the city website as the law directs seven days or more prior to its passage. A public hearing was held on the 26<sup>th</sup> day of July, 2022, and the said proposed ordinance was read on second reading. The ordinance was passed by the City Council and ordered published on the City of Golden website, as the law directs on the 26<sup>th</sup> day of July, 2022.

Witness my hand and official seal of the City of Golden, Colorado, on the 26<sup>th</sup> day of July, 2022.



ATTEST:

MONICA S. MENDOZA

Monica S. Mendoza, City Clerk of the City of Golden,  
Colorado