

ORDINANCE NO. 152, 2018
OF THE COUNCIL OF THE CITY OF FORT COLLINS
AMENDING CHAPTER 5, ARTICLE II, DIVISION 2, OF THE CODE OF THE
CITY OF FORT COLLINS FOR THE PURPOSE OF ADOPTING THE 2018
INTERNATIONAL EXISTING BUILDING CODE, WITH AMENDMENTS

WHEREAS, since 1924, the City has reviewed, amended and adopted the latest nationally recognized building standards available for the times; and

WHEREAS, upon recommendation of City staff, the City Council has determined that it is in the best interests of the City to align seven interconnected basic construction codes under one publication year; and

WHEREAS, the seven interconnected basic construction codes are the *International Building Code*, *International Residential Code*, *International Mechanical Code*, *International Fuel Gas Code*, *International Energy Conservation Code*, and *International Property Maintenance Code*; and

WHEREAS, the City Council has determined that the 2018 publication year of the seven interconnected basic construction codes ought to be adopted and that any counterpart codes previously adopted should be repealed, both in order to align the publication years of the codes and also because the 2018 publications contain improvements in construction code regulation; and

WHEREAS, City staff has conducted a significant public outreach program, working with the regulated construction industry and building professionals; and

WHEREAS, the adoption of the seven interconnected basic construction codes has been presented to and recommended by the Board of Realtors, Water Board, Energy Board, Commission on Disability, Natural Resource Advisory Board, Poudre Fire Authority Board, Building Review Board, Affordable Housing Board, Air Quality Advisory Board, Northern Colorado Home Builder Association and the Chamber of Commerce; and

WHEREAS, the City Council has determined that it is in the best interest of the health, safety and welfare of the City and its citizens that the *2018 International Existing Building Code* be adopted, with local amendments as set forth in this Ordinance; and

WHEREAS, pursuant to the City Charter II, Section 7, City Council may enact any ordinance which adopts a code by reference in whole or in part provided that before adoption of such ordinance the Council hold a public hearing thereon and that notice of the hearing is published twice in a newspaper of general circulation published in the City, with one of such publications occurring at least eight (8) days preceding the hearing and the other publication occurring at least fifteen (15) days preceding the hearing; and

WHEREAS, in compliance with Article II, Section 7, the City Clerk published in the Fort Collins *Coloradoan* such notice of hearing concerning adoption of the 2018 International Building Code on November 18, 2018, and November 25, 2018; and

WHEREAS, attached as Exhibit “A” and incorporated herein by reference is the Notice of Public Hearing dated November 25, 2018, that was so published and which the Council hereby finds meets the requirements of Article II, Section 7 of the City Charter.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF FORT COLLINS as follows:

Section 1. That the City Council hereby makes and adopts the determinations and findings contained in the recitals set forth above.

Section 2. That a new Section 5-32 of the Code of the City of Fort Collins is hereby adopted to read as follows:

Sec. 5-32. – Adoption of standards.

Pursuant to the power and authority conferred on the City Council by Section 31-16-202, C.R.S., and Article II, Section 7 of the Charter, the City Council hereby adopts as the existing building code of the City the 2018 *International Existing Building Code* (2018 IEBC), published by the International Code Council, which shall have the same force and effect as though set forth in full herein except as amended pursuant to Section 5-33 of the City Code. The subject matter of the 2018 *International Existing Building Code* (2018 IEBC), adopted herein includes comprehensive provisions and standards regulating and controlling the repair, alteration, change of occupancy, addition to and relocation of existing buildings for the purposes of protecting public health, safety and general welfare.

Section 3. That a new Section 5-33 of the Code of the City of Fort Collins is hereby adopted, to read as follows:

Sec. 5-33. - Amendments and deletions to the 2018 International Existing Building Code.

**Fort Collins Amendments to the
2018 International Existing Building Code**

Municipal Code Sec. 5-33 Amendments and deletions to code.¹

The 2018 *INTERNATIONAL EXISTING BUILDING CODE* adopted herein is hereby amended in the following respects:

1. **Section 101.1 Title** is hereby retained in its entirety with the following amendments:

101.1 Title. These regulations shall be known as the *International Existing Building Code* of the City of Fort Collins, hereinafter referred to as “this code”.

¹ Changes to the 2018 *International Existing Building Code* are shown as follows: inserted language is highlighted in yellow and deleted language is shown as stricken.

Section 102.4 Referenced codes and standards, is hereby retained in its entirety with the following amendments:

2. 102.4 Referenced codes and standards. The codes and standards referenced in this code shall be considered part of the requirements of this code to the prescribed extent of each such reference and as further regulated in Section 101.4 of the adopted *International Building Code*, entitled 'Referenced Codes'.

Exception: Where enforcement of a code provision would violate the conditions of the listing of the equipment or appliance, the conditions of the listing shall govern.

3. **Section 103 Department of Building Safety** is hereby deleted in its entirety and the following is hereby added in lieu thereof:

SECTION 103 – CODE ADMINISTRATION

103.1 Entity charged with code administration shall be as determined in accordance with Section 103 of the adopted *International Building Code*, entitled 'Code Administration'.

4. **Section 104.10.1 Flood hazard areas** is hereby deleted in its entirety and the following is hereby added in lieu thereof:

104.10.1 Flood hazard areas. For buildings or structures regulated under the scope of this code that are in whole or in part located in flood hazard areas, construction documents shall be submitted as established in accordance with the Code of the City, Chapter 10, entitled 'Flood Prevention and Protection'.

5. **Section 105.3.2 Time limitation of application** is hereby retained in its entirety with the following revision:

[A] 105.3.2 Time limitation of application. An application for a permit for any proposed work shall be deemed to have been abandoned 180 days after the date of filing, unless such application has been pursued in good faith or a permit has been issued; except that the *code official* is authorized to grant one or more extensions of time for additional periods not exceeding 180 days each. The extension shall be requested in writing and justifiable cause demonstrated.

6. **Section 107 TEMPORARY STRUCTURES AND USES** is hereby deleted in its entirety.
7. **Section 108 Fees** is hereby deleted in its entirety and the following is hereby added in lieu thereof:

SECTION 108 FEES

108 Payment of fees. All items relating to fees shall be as specified in Section 109 of the adopted *International Building Code*, entitled 'Fees'.

108.1 Work commencing before permit issuance. Requirements shall be as determined in accordance with Section 114.5 of the adopted *International Building Code*, as amended.

8. **Section 112 BOARD OF APPEALS** is hereby retained in its entirety with the following revision:

112 BOARD OF APPEALS. Requirements shall be as determined in accordance with Section 113 of the adopted *International Building Code*, as amended.

9. **Section 113.4 Violation Penalties**, is hereby retained in its entirety with the following revision:

113.4 Violation penalties. Requirements shall be as determined in accordance with Section 114.4 of the adopted *International Building Code*, as amended.

10. **Section 703.1 Fire Protection- General.** hereby retained in its entirety with the following amendments:

703.1 General. *Alterations* shall be done in a manner that maintains the level of fire protection required.

11. **Section [BS] 1103.3 Flood hazard areas** is hereby deleted in its entirety and the following is hereby added in lieu thereof:

[BS] 1103.3 Flood hazard areas. For buildings or structures regulated under the scope of this code that are in whole or in part located in flood hazard areas, construction documents shall be submitted as established in accordance with the Code of the City, Chapter 10, entitled 'Flood Prevention and Protection'.

Section 4. The City Attorney and the City Clerk are authorized to modify the formatting and to make such other amendments to this Ordinance as necessary to facilitate publication in the Fort Collins Municipal Code; provided, however, that such modifications and amendments shall not change the substance of the Code provisions.

Introduced, considered favorably on first reading, and ordered published this 18th day of December, A.D. 2018, and to be presented for final passage on the 2nd day of January, A.D. 2019.

Mayor

ATTEST:

City Clerk

Passed and adopted on final reading on the 2nd day of January, A.D. 2019.

Mayor

ATTEST:

City Clerk