

**ORDINANCE OF THE  
CITY OF LONE TREE**

**Series of 2022**

**Ordinance No. 22-07**

**AN ORDINANCE AMENDING CHAPTER 18 OF THE LONE TREE  
MUNICIPAL CODE, TITLED BUILDING REGULATIONS, TO ADOPT  
BY REFERENCE, WITH AMENDMENTS, THE 2021 INTERNATIONAL  
BUILDING CODE; 2021 INTERNATIONAL RESIDENTIAL CODE; 2021  
INTERNATIONAL MECHANICAL CODE; 2021 INTERNATIONAL  
PLUMBING CODE; 2021 INTERNATIONAL FUEL GAS CODE; 2021  
INTERNATIONAL FIRE CODE; AND 2021 INTERNATIONAL ENERGY  
CONSERVATION CODE AND PROVIDING PENALTIES FOR  
VIOLATIONS THEREOF**

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LONE TREE,  
COLORADO:**

**ARTICLE 1 – AUTHORITY**

The City of Lone Tree (the "City") is a home rule municipality operating under the Lone Tree Home Rule Charter (the "Charter") adopted on May 5, 1998, and a Municipal Code (the "Code"), codified and adopted on December 7, 2004. Pursuant to its constitutional home rule authority, the City may adopt and amend ordinances. Pursuant to C.R.S. § 31-16-202 and Section 3 of Article V of the Lone Tree Home Rule Charter, the City may adopt by reference of standard codes.

**ARTICLE 2 – DECLARATIONS OF POLICY AND FINDINGS**

- A. The City previously adopted by reference, with amendments, the following Codes:
1. The 2018 International Building Code.
  2. The 2018 International Residential Code.
  3. The 2018 International Mechanical Code.
  4. The 2018 International Plumbing Code.
  5. The 2018 International Fuel Gas Code.
  6. The 2018 International Fire Code.
  7. The 2018 International Energy Conservation Code.

- B. The City finds it necessary to update the building codes it has adopted by reference in order to remain technically current.
- C. The City desires to adopt by reference, with amendments, the following Codes:
  - 1. The 2021 International Building Code.
  - 2. The 2021 International Residential Code.
  - 3. The 2021 International Mechanical Code.
  - 4. The 2021 International Plumbing Code.
  - 5. The 2021 International Fuel Gas Code.
  - 6. The 2021 International Fire Code.
  - 7. The 2021 International Energy Conservation Code.

### **ARTICLE 3 – SAFETY CLAUSE**

The City Council hereby finds, determines, and declares that this Ordinance is promulgated under the general police power of the City and C.R.S. § 31-15-501(1)(c), that it is promulgated for the health, safety, and welfare of the public, and that this Ordinance is necessary for the preservation of health and safety and for the protection of public convenience and welfare.

### **ARTICLE 4- AMENDMENT OF CHAPTER 18**

Chapter 18 of the Lone Tree Municipal Code is hereby amended with the repeal and replacement of Article I entitled, General Provisions, to read as follows:

#### **CHAPTER 18 – BUILDING REGULATIONS ARTICLE I – GENERAL PROVISIONS**

##### **Sec. 18-1-10. Purpose.**

The purpose of these codes is to establish minimum requirements to safeguard the public safety, health and general welfare through affordability, structural strength, means of egressing facilities, stability, sanitation, light and ventilation, energy conservation and safety to life and property from fire and other hazards attributed to the built environment, and to provide a reasonable level of life safety to fire fighters and emergency responders during emergency operations.

##### **Sec. 18-1-20. Valuation of Work.**

The determination of value or valuation shall be established by the Building Official utilizing the most recent building valuation data printed in the Building Safety Journal, published by the International Code Council. When an applicant provides an estimated project valuation, the valuation shall include the total value

of 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.

**Sec. 18-1-30. Fees.**

- (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 issued until the additional fee, if any, has been paid.
- (2) Fee schedule. Fees for each permit shall be calculated and applied in accordance with the City of Lone Tree Administrative Fee Schedule.
- (3) Related fees. The payment of the fee for the construction, alteration, removal or demolition for work done in connection to, or concurrently with the work authorized by a building permit, shall not relieve the applicant or holder of the permit from the payment of other fees that are prescribed by law.
- (4) Elevator/escalator inspection fee. A conveyance inspection fee in accordance with the City of Lone Tree Administrative Fee Schedule shall be paid for each separate elevator/escalator installed in the city. These fees shall cover annual safety inspections and witness inspections as required by the State. Notice of the fee shall be given to each conveyance owner by the building division for the specific inspection service provided.

**Sec. 18-1-40. Use Tax.**

The use tax for materials used in construction will be collected by the City at the time of the issuance of the permit, pursuant to Chapter 4 of the Lone Tree Municipal Code.

**Sec. 18-1-50. Refunds.**

- (1) The Building Official may authorize the refunding of fees for the following:
  - (a) The full amount of any fee erroneously paid or collected.
  - (b) Not more than 80% of the permit fee paid when no work has been done under a permit issued in accordance with this Chapter.
  - (c) Not more than 80% of the plan review fee paid when an application for a permit for which a plan review fee has been paid is withdrawn or canceled before any plan review effort has been expended.

- (2) The Building Official shall not authorize a refund of any fee paid later than 180 days after the date of fee payment, except upon written application filed by the original permittee, not later than 180 days after the date of fee payment.

**Sec. 18-1-60. Noise Mitigation.**

- (1) Interior Noise Level. All new residential structures, and the alteration or repair of existing structures, that are located in the Centennial Airport Overlay Area, requiring noise mitigation, shall comply with Table 18-1-60.

**Exception:**

An acoustical engineer, registered with the State of Colorado, may certify that construction practices and/or materials of the structure will achieve an interior noise level of DNL 45 dBA. The acoustical professional shall submit documentation of the proposed measures to the Building Official before permitting.

Field testing to show compliance with minimum STC ratings listed in Table 18-1-60, shall be performed and reported in accordance with ASTM E966 (current version at time of testing), 'Standard Guide for Field Measurements of Airborne Sound Insulation of Building Facades and Facade Elements'. Field measured outdoor to indoor transmission loss (OITL) ratings shall be no more than 5-points less than the minimum STC ratings listed in Table 18-1-60.

- (2) Penetrations. All membrane or through penetrations in the construction assemblies for piping, electrical devices, recessed cabinets, bathtubs, soffits, heating, combustion, ventilation or exhaust ducts shall be sealed, lined, insulated or otherwise treated to maintain the required ratings.

**Table 18-1-60**  
**Minimum Sound Transmission Class (STC)<sup>a</sup>**

A-weighted DNL	Wall, Floor, and Roof Accessories	Window and Door Assemblies
≥ 75	50	42
≥ 70 to 75	45	37
≥ 65 to 70	39	28

<sup>a</sup> the STC of construction assemblies shall be determined by a certified sound testing laboratory.

**Sec. 18-1-70. Site Sanitation.**

- (1) Sanitation facilities required. Every building site during construction, remodeling or demolition activities, shall be furnished with approved sanitation facilities for workers pursuant to the International Plumbing Code

and an appropriate enclosure or other means approved by the City to contain trash and debris.

- (2) Location. Sanitary facilities and approved trash enclosures shall be located within three hundred (300) feet of the building site. Sanitary facilities and trash enclosures shall not be located within the public right-of-way without the approval of the Public Works Department.

#### **Sec. 18-1-80. Appeals.**

- (1) Board of Adjustment and Appeals. The Board of Adjustment and Appeals shall hear and decide appeals of orders, decisions or determinations made by the building official relative to the application and interpretation of this Chapter, pursuant to Chapter 2, Article V of the Municipal Code.
- (2) Application. An application for appeal shall be filed on a form obtained from the building official within 20 days after a notice of an order, decision or determination is served.
- (3) Notice of meeting. The Board of Adjustment and Appeals shall set a reasonable time for hearing the appeal, and the Director of Community Development shall provide notice to the parties.
- (4) Board Decision. The Board of Adjustment and Appeals shall modify or reverse the decision of the building official by a concurring vote of four of its members. The building official shall take immediate action in accordance with the decision of the board.

#### **Sec. 18-1-90. Penalties.**

Any person, firm or corporation violating any of the provisions of this Chapter or any code incorporated herein shall be deemed guilty of a misdemeanor, and any such person, firm or corporation shall be deemed guilty of a separate offense for each and every day or portion thereof during which any violation is committed, continued or permitted, and upon conviction of any such violations, such person, firm or corporation shall be punished as provided by Section 1-4-20 of this Code. The issuance or granting of a permit or approval of plans and specifications shall not be deemed or construed to be a permit for or an approval of any violation of any provisions of the codes adopted herein.

Chapter 18 of the Lone Tree Municipal Code is hereby amended with the repeal and replacement of Article II entitled, Building Code, to adopt by reference the 2021 International Building Code with amendments, to read as follows:

### **CHAPTER 18 – BUILDING REGULATIONS ARTICLE II – BUILDING CODE**

#### **Sec. 18-2-10. Title.**

This Article shall be known as the *Lone Tree Building Code*.

**Sec. 18-2-20. Adoption by Reference.**

- (1) The International Building Code, 2021 Edition, as published by the International Code Council, Inc., 4051 W. Flossmoor Road, Country Club Hills, IL 60478, is hereby adopted by reference and incorporated into this Article as though fully set forth herein as the building code of the City. Except as otherwise provided, this code is adopted in its entirety. Appendices to the code are adopted only to the extent specified.
- (2) One (1) copy of the International Building Code, 2021 Edition, as amended by this Article, certified to be a true copy by the Mayor and City Clerk, shall be on file in the office of the City Clerk and may be inspected by any interested person between the hours of 8:00 a.m. and 5:00 p.m., Monday through Friday, holidays excepted.

**Sec. 18-2-30. Definitions.**

*Jurisdiction*, as used in this code, means the City of Lone Tree and includes all areas within the corporate limits of the City and any area annexed to the City.

**Sec. 18-2-40. Amendments.**

The International Building Code, 2021 Edition (“IBC”), shall be amended as follows:

- (1) Section 101.1, Title, is hereby amended by the insertion of “the City of Lone Tree.”
- (2) A new Section 105.3, Permits, is hereby amended by the addition of a new Section 105.3.8, entitled “Soils Test” to read as follows:

**105.3.8 Soils Test.**

Include a soils test of the building site prepared by a professional engineer registered by the State of Colorado to be submitted with the application for a building permit. A professional engineer registered by the State of Colorado shall design the foundation in accordance with the Soils Report. When the building site is located in a hillside area, or in the opinion of the Building Official, is located in an area subject to geological hazards or steep slopes, the Building Official may require an engineering geologist, working within their field of expertise, to submit specific recommendations regarding the building site and the proposed location and design. Such recommendations shall include, but are not limited to, the relationships of site grading, structural integrity, site vegetation characteristics (or potential), location of septic drain fields, and protection of adjacent property.

- (3) Section 105.3.1, Action on Application, is hereby amended by the addition of a new Section 105.3.1.1, entitled “Election to Proceed Under Previous Code” to read as follows:

**105.3.1.1 Election to Proceed Under Previous Code.**

Within the first 180 days following the adoption of this 2021 code, an applicant under subsection 105.3 may elect to, and if approved by the Building Official, proceed under the set of codes previously adopted and in effect on January 1, 2019; provided, however, that said election must be made certain and in writing, and under no circumstances shall an applicant be permitted to proceed partially under one set of codes and partially under the other.

- (4) Section 110.3.1, Footing and Foundation Inspections, is hereby amended with the addition of the following underlined words:

**Section 110.3.1 Footing and Foundation Inspections.**

Footing and foundation inspections shall be made after excavations for footings are complete and any required reinforcing steel is in place. For concrete foundations, any requiring forms shall be in place prior to inspection. Materials for the foundation shall be on the job, except where contract is ready mixed in accordance with ASTM C94, the concrete need not be on the job. Inspections shall be performed by a Colorado licensed professional engineer. A stamped written report shall be provided to the Building Official of the results for these inspections by a Colorado licensed professional engineer.

- (5) Section 113, Means of appeals, and all subsections thereof, is hereby deleted in its entirety, and reenacted to read as follows:

**SECTION 113  
MEANS OF APPEALS**

**113.1 Means of Appeal.**

Appeals shall be heard by the Board of Adjustment and Appeals.

**113.2 Limitations on Authority.**

An application for appeal shall be based on a claim that the true intent of this code or the rules legally adopted hereunder have been incorrectly interpreted, the provision of this code do not fully apply or an equally good or better form of construction is proposed. The Board of Adjustment and Appeals shall have no authority to waive requirements of this code.

- (6) Section 114.4, Violation Penalties, is hereby deleted in its entirety.

- (7) Section 406.5.1, Open Parking Garages, is hereby amended by the addition of a new Section 406.5.1.1, entitled “Crime Prevention Through Environmental Design” to read as follows:

**406.5.1.1 Crime Prevention Through Environmental Design.**

To enhance safety and security, while reducing risk to people and assets in open parking structures it shall be permitted to design and construct in accordance with the American Public Transportation Association standard, APTA SS-SIS-RP-007-10, June 24, 2010.

- (8) Section 406.6, Enclosed Parking Garages, is hereby amended with the addition of the following underlined words:

**406.6 Enclosed Parking Garages.**

Enclosed parking garages shall comply with Sections 406.2, 406.4, and 406.6. To enhance safety and security, while reducing risk to people and assets in enclosed parking structures, it shall be permitted to design and construct in accordance with the American Public Transportation Association standard, APTA SS-SIS-RP-007-10, June 24, 2010.

- (9) Section 1608.2, Snow Loads, is hereby deleted in its entirety, and reenacted with a new title “Ground Snow Loads” to read as follows:

**1608.2 Ground Snow Loads.**

The ground snow load shall be a minimum 30 pounds per square foot.

- (10) Section 1609.3, Basic Wind Speed, is hereby deleted in its entirety, and reenacted to read as follows:

**1609.3 Basic Wind Speed.**

- (a) Category I buildings and structures the ultimate design wind speed (Vult) shall be 105 miles per hour.
  - (b) Category II buildings and structures the ultimate design wind speed (Vult) shall be 115 miles per hour.
  - (c) Category III and IV buildings and structures the ultimate design wind speed (Vult) shall be 120 miles per hour.
- (11) Section 1609.4.3, Exposure Categories, is hereby amended with the addition of the following underlined words:

**1609.4.3 Exposure Categories.**



An exposure category shall be determined in accordance with the following, but the design wind exposure for the City of Lone Tree shall not be less than Exposure C:

\* \* \*

- (12) Section 1612.3, Establishment of Flood Hazard Areas, is hereby deleted in its entirety, and reenacted to read as follows:

**1612.3 Establishment of Flood Hazard Areas.**

The establishment of the City's flood hazard areas are adopted and defined, pursuant to Chapter 15, Article III of the Municipal Code.

- (13) Section 1809.5, Frost Protection, is amended by the addition of the following underlined sentence:

**1809.5 Frost Protection.**

The frost depth for all areas in the City of Lone Tree shall be a minimum of 36 inches below the finish grade. Except where otherwise protected from frost, foundations and other permanent supports of buildings and structures shall be protected from frost by one or more of the following methods:

\* \* \*

Chapter 18 of the Lone Tree Municipal Code is hereby amended with the repeal and replacement of Article III entitled, Residential Code, to adopt by reference the 2021 International Residential Code with amendments, to read as follows:

**CHAPTER 18 – BUILDING REGULATIONS  
ARTICLE III – RESIDENTIAL CODE**

**Sec. 18-3-10. – Title.**

This Article shall be known as the *Lone Tree Residential Code*.

**Sec. 18-3-20. – Adoption by Reference.**

- (1) The International Residential Code, 2021 Edition, as published by the International Code Council, Inc., 4051 W. Flossmoor Road, Country Club Hills, IL 60478, is hereby adopted by reference and incorporated into this Article as though fully set forth herein as the residential code of the City. Except as otherwise provided, this code is adopted in its entirety. Appendices to the code are adopted only to the extent specified.

- (2) One (1) copy of the International Residential Code, 2021 Edition, as amended by this Article, certified to be a true copy by the Mayor and City Clerk, shall be on file in the office of the City Clerk and may be inspected by any interested person between the hours of 8:00 a.m. and 5:00 p.m., Monday through Friday, holidays excepted.

**Sec. 18-3-30. – Definitions.**

*Jurisdiction*, as used in this code, means the City of Lone Tree and includes all areas within the corporate limits of the City and any area annexed to the City.

**Sec. 18-3-40. – Amendments.**

The International Residential Code, 2021 Edition (“IRC”), shall be amended as follows:

- (1) Section R101.1, Title, is hereby amended by the insertion of “the City of Lone Tree.”
- (2) Section R105.2, Work Exempt from Permit, subsection (10) of Buildings is deleted and replaced by the following:

**R105.2 Work Exempt from Permit.**

**Building:**

10. The replacement or repair of roofing less than one square (100 square feet).
- (3) Section R105.3, Application for Permit, is hereby amended with addition of new subsections (8) and (9) to read as follows:

**R105.3 Application for Permit.**

To obtain a permit, the applicant shall first file an application therefor in writing on a form furnished by the department of building safety for that purpose. Such application shall:

\* \* \*

- (8) Include a soils test of the building site prepared by a professional engineer registered by the State of Colorado to be submitted with the application for a building permit. A professional engineer registered by the State of Colorado shall design the foundation in accordance with the Soils Report. When the building site is located in a hillside area, or in the opinion of the Building Official, is located in an area subject to geological hazards or steep slopes, the Building Official may require an engineering geologist, working within their

field of expertise, to submit specific recommendations regarding the building site and the proposed location and design. Such recommendations shall include, but are not limited to, the relationships of site grading, structural integrity, site vegetation characteristics (or potential), location of septic drain fields, and protection of adjacent property.

- (9) Include a copy of the City of Lone Tree optional sprinkler form for all new dwelling units, signed by both the buyer and builder.
- (4) Section R105.3.1, Action on Application, is hereby amended by the addition of a new Section R105.3.1.2, entitled “Election to Proceed Under Previous Code” to read as follows:

**R105.3.1.2 Election to Proceed Under Previous Code.**

Within the first 180 days following the adoption of this code, an applicant under subsection 105.3 may elect to, and if approved by the Building Official, proceed under the set of codes previously adopted and in effect on January 1, 2019; provided, however, that said election must be made certain and in writing, and under no circumstances shall an applicant be permitted to proceed partially under one set of codes and partially under the other.

- (5) Section R109.1.1, Foundation Inspection, is hereby amended with the addition of the following underlined words:

**R109.1.1 Foundation Inspection.**

Inspection of the foundation shall be made after poles or piers are set or trenches or basement areas are excavated and any required forms erected and any required reinforcing steel is in place and supported prior to the placing of concrete. The foundation inspection shall include excavations for thickened slabs intended for the support of bearing walls, partitions, structural supports, or equipment and special requirements for wood foundations. Inspections shall be performed by a Colorado licensed professional engineer or architect that is registered in the State of Colorado. A stamped written report shall be provided to the Building Official of the results for these inspections by a Colorado licensed professional engineer or architect that is registered in the State of Colorado.

- (6) Section R112, Board of Appeals, and all subsections thereof, is hereby deleted in its entirety, and reenacted to read as follows:

**SECTION 112  
MEANS OF APPEAL**

**R112.1 Means of Appeal.**

Appeals shall be heard by the Board of Adjustment and Appeals.

**R112.2 Limitations on Authority.**

An application for appeal shall be based on a claim that the true intent of this code or the rules legally adopted hereunder have been incorrectly interpreted, the provision of this code do not fully apply or an equally good or better form of construction is proposed. The Board of Adjustment and Appeals shall have no authority to waive requirements of this code.

- (7) Section R113.4, Violation Penalties, is hereby deleted.
- (8) Table R301.2 in Section R301.2, Climatic and Geographic Design Criteria, is hereby amended to read as follows:

**TABLE R301.2(1)**  
**CLIMATIC AND GEOGRAPHIC DESIGN CRITERIA**

GROUND SNOW LOAD	30
WIND SPEED (mph – 3sec gust)	115 ( $V_{ult}$ ) mph Exposure C
SEISMIC DESIGN CATEGORY	B
SUBJECT TO DAMAGE FROM	
Weathering	Severe
Frost Line Depth	36"
Termite	Slight to Moderate
WINTER DESIGN TEMP:	-3°F
ICE BARRIER UNDERLAYMENT REQUIRED	Current FEMA FIRM Maps
AIR FREEZING INDEX	867
ANNUAL MEAN TEMP	48.1°F

- (9) Section R310.1, Emergency Escape and Rescue Opening Required, is hereby amended with the deletion of exception (2).
- (10) Section R313.1, Townhouse Automatic Fire Sprinkler Systems, is hereby amended with the addition for the following exception:

**R313.1 Townhouse Automatic Fire Sprinkler Systems.**

\* \* \*

**Exception 2:** Projects with 12 or less Dwelling Units, containing structures with a fire area of less than 6000 square feet and a maximum of 3 dwelling units per structure, are not required to have an automatic residential fire sprinkler system.

- (11) Section R313.2, One- and Two-Family Dwellings Automatic Fire Sprinkler Systems, is hereby deleted in its entirety, and reenacted to read as follows:

**R313.2 One- or Two- Family Dwelling Automatic Sprinkler System.**

An automatic residential fire sprinkler system shall be permitted to be installed in one- and two-family dwellings, in accordance with Section P2904 or NFPA 13D.

- (12) Section R905.7.4, Material Standards, is hereby deleted in its entirety, and reenacted to read as follows:

**R905.7.4 Material Standards.**

Wood shingles shall have a minimum class C rating, be of naturally durable wood and comply with the requirements of Table R905.7.4.

- (13) Section R905.8.5, Reroofing, is hereby deleted in its entirety, and reenacted with a new title “Material Standards” to read as follows:

**R905.8.5 Material Standards.**

Wood shakes shall have a minimum class C rating and comply with the requirements of Table R905.8.5.

- (14) Section G2406.2, Prohibited Locations, is amended with the deletion of subsections (3) and (4).

- (15) Section G2417.4, Test Pressure Measurement, is hereby deleted in its entirety, and reenacted with a new title, “Test Pressure” to read as follows:

**G2417.4 Test Pressure.**

The test pressure to be used shall be 20 psi (137.8 kPa) gauge pressure. For pipe conveying gas at or exceeding a 14 inch (356 mm) water column, the test pressure shall be 60 psi (413.4 kPa) gauge pressure.

- (16) Section G2417.4.1, Test Pressure, is hereby deleted in its entirety.

- (17) Section G2425.8, Appliances not Required to be Vented, is hereby amended with the deletion of subsection (7).

- (18) Section G2445(621), Unvented Room Heaters, is deleted in its entirety.

- (19) Chapters 34 is hereby deleted in its entirety, and reenacted to read as follows:

**Chapter 34  
General Requirements**

### **E3401 Scope.**

This chapter governs all electrical components, equipment and systems used in buildings and structures regulated by this code.

### **E3401.2 Criteria.**

All electrical components, equipment and systems shall be designed and constructed in accordance with the provisions of NFPA 70 (National Electric Code, NEC), as adopted and amended by the City of Lone Tree.

- (20) Chapters 35 through 43 (Part VIII – Electrical) are deleted in their entirety.

Chapter 18 of the Lone Tree Municipal Code is hereby amended with the repeal and replacement of Article IV entitled, Mechanical Code, to adopt by reference the 2021 International Mechanical Code with amendments, to read as follows:

## **CHAPTER 18 – BUILDING REGULATIONS ARTICLE IV – MECHANICAL CODE**

### **Sec. 18-4-10. – Title.**

This Article shall be known as the *Lone Tree Mechanical Code*.

### **Sec. 18-4-20. – Adoption by Reference.**

- (1) The International Mechanical Code, 2021 Edition, as published by the International Code Council, Inc., 4051 W. Flossmoor Road, Country Club Hills, IL 60478, is hereby adopted by reference and incorporated into this Article as though fully set forth herein as the mechanical code of the City. Except as otherwise provided, this code is adopted in its entirety. Appendices to the code are adopted only to the extent specified.
- (2) One (1) copy of the International Mechanical Code, 2021 Edition, as amended by this Article, certified to be a true copy by the Mayor and City Clerk, shall be on file in the office of the City Clerk and may be inspected by any interested person between the hours of 8:00 a.m. and 5:00 p.m., Monday through Friday, holidays excepted.

### **Sec. 18-4-30. – Definitions.**

*Jurisdiction*, as used in this code, means the City of Lone Tree and includes all areas within the corporate limits of the City and any area annexed to the City.

### **Sec. 18-4-40. – Amendments.**

The International Mechanical Code, 2021 Edition (“IMC”), shall be amended as follows:

- (1) Section 101.1, Title, is hereby amended by the insertion of “the City of Lone Tree.”
- (2) Section 113, Means of Appeal, and all subsections thereof, is hereby deleted in its entirety, and reenacted to read as follows:

### **Section 113 Means of Appeal**

#### **113.1 Means of Appeal.**

Appeals shall be heard by the Board of Adjustment and Appeals.

#### **113.2 Limitations on Authority.**

Limitations on authority. An application for appeal shall be based on a claim that the true intent of this code or the rules legally adopted hereunder have been incorrectly interpreted, the provision of this code do not fully apply or an equally good or better form of construction is proposed. The Board of Adjustment and Appeals shall have no authority to waive requirements of this code.

- (3) Section 115.4, Violation Penalties, is hereby deleted.

Chapter 18 of the Lone Tree Municipal Code is hereby amended with the repeal and replacement of Article V entitled, Plumbing Code, to adopt by reference the 2021 International Plumbing Code with amendments, to read as follows:

### **CHAPTER 18 – BUILDING REGULATIONS ARTICLE V – PLUMBING CODE**

#### **Sec. 18-5-10. – Title.**

This Article shall be known as the *Lone Tree Plumbing Code*.

#### **Sec. 18-5-20. – Adoption by Reference.**

- (1) The International Plumbing Code, 2021 Edition, as published by the International Code Council, Inc., 4051 W. Flossmoor Road, Country Club Hills, IL 60478, is hereby adopted by reference and incorporated into this Article as though fully set forth herein as the plumbing code of the City. Except as otherwise provided, this code is adopted in its entirety. Appendices to the code are adopted only to the extent specified.
- (2) One (1) copy of the International Plumbing Code, 2021 Edition, as amended by this Article, certified to be a true copy by the Mayor and City Clerk, shall be on file in the office of the City Clerk and may be inspected by any

interested person between the hours of 8:00 a.m. and 5:00 p.m., Monday through Friday, holidays excepted.

**Sec. 18-5-30. – Definitions.**

*Jurisdiction*, as used in this code, means the City of Lone Tree and includes all areas within the corporate limits of the City and any area annexed to the City.

**Sec. 18-5-40. – Amendments.**

The International Plumbing Code, 2021 Edition (“IPC”), shall be amended as follows:

- (1) Section 101.1, Title, is hereby amended by the insertion of “the City of Lone Tree.”
- (2) Section 113, Means of Appeal, is hereby deleted in its entirety, and reenacted to read as follows:

**Section 113  
Means of Appeal**

**113.1 Means of Appeal.**

Appeals shall be heard by the Board of Adjustment and Appeals.

**113.2 Limitations on Authority.**

An application for appeal shall be based on a claim that the true intent of this code or the rules legally adopted hereunder have been incorrectly interpreted, the provision of this code do not fully apply or an equally good or better form of construction is proposed. The Board of Adjustment and Appeals shall have no authority to waive requirements of this code.

- (3) Section 115.4, Violation Penalties, is hereby deleted.
- (4) Section 305.4.1, Sewer Depth, is hereby deleted in its entirety.
- (5) Section 903.1.1, Roof Extension Unprotected, is hereby deleted in its entirety, and reenacted to read as follows:

**903.1.1 Roof Extension.**

All open vent pipes that extend through a roof shall be terminated at least twelve (12) inches above the roof, except that where a roof is to be used for any purpose other than weather protection, the vent extension shall terminate not less than 7 feet above the roof.



Chapter 18 of the Lone Tree Municipal Code is hereby amended with the repeal and replacement of Article VI entitled, Fuel Gas Code, to adopt by reference the 2021 International Fuel Gas Code with amendments, to read as follows:

**CHAPTER 18 – BUILDING REGULATIONS  
ARTICLE VI – FUEL GAS CODE**

**Sec. 18-6-10. – Title.**

This Article shall be known as the *Lone Tree Fuel Gas Code*.

**Sec. 18-6-20. – Adoption by Reference.**

- (1) The International Fuel Gas Code, 2021 Edition, as published by the International Code Council, Inc., 4051 W. Flossmoor Road, Country Club Hills, IL 60478, is hereby adopted by reference and incorporated into this Article as though fully set forth herein as the fuel gas code of the City. Except as otherwise provided, this code is adopted in its entirety. Appendices to the code are adopted only to the extent specified.
- (2) One (1) copy of the International Fuel Gas Code, 2021 Edition, as amended by this Article, certified to be a true copy by the Mayor and City Clerk, shall be on file in the office of the City Clerk and may be inspected by any interested person between the hours of 8:00 a.m. and 5:00 p.m., Monday through Friday, holidays excepted.

**Sec. 18-6-30. – Definitions.**

*Jurisdiction*, as used in this code, means the City of Lone Tree and includes all areas within the corporate limits of the City and any area annexed to the City.

**Sec. 18-6-40. – Amendments.**

The International Fuel Gas Code, 2021 Edition (“IFGC”), shall be amended as follows:

- (1) Section 101.1, Title, is hereby amended by the insertion of “the City of Lone Tree.”
- (2) Section 113, Means of Appeal, and all subsections thereof, is hereby deleted in its entirety, and reenacted to read as follows:

**Section 113  
Means of Appeal**

**113.1 Means of Appeal.**

Appeals shall be heard by the Board of Adjustment and Appeals.

### **113.2 Limitations on Appeal.**

An application for appeal shall be based on a claim that the true intent of this code or the rules legally adopted hereunder have been incorrectly interpreted, the provision of this code do not fully apply or an equally good or better form of construction is proposed. The Board of Adjustment and Appeals shall have no authority to waive requirements of this code.

- (3) Section 115.4, Violation Penalties, is hereby deleted.
- (4) Section 303.3, Prohibited Locations, is hereby amended by the deletion of subsections (3) and (4).
- (5) Sections 406.4, Test Pressure Measurement, is hereby deleted in its entirety, and reenacted to read as follows:

#### **406.4 Test Pressure.**

The test pressure to be used shall be 20 psi (137.8 kPa) gauge pressure. For pipe conveying gas at or exceeding a 14 inch (356 mm) water column, the test pressure shall be 60 psi (413.4 kPa) gauge pressure.

- (6) Section 406.4.1, Test Pressure, is hereby deleted in its entirety.
- (7) Section 501.8, Equipment Not Required to be Vented, is hereby amended with the deletion of subsection (8).
- (8) Section 621, Unvented Room Heaters, is hereby deleted in its entirety.

Chapter 18 of the Lone Tree Municipal Code is hereby amended with the repeal and replacement of Article VIII entitled, Fire Code, to adopt by reference the 2021 International Fire Code with amendments, to read as follows:

## **CHAPTER 18 – BUILDING REGULATIONS ARTICLE VIII – FIRE CODE**

### **Sec. 18-8-10. – Title.**

This Article shall be known as the *Lone Tree Fire Code*.

### **Sec. 18-8-20. – Adoption by Reference.**

- (1) The International Fire Code, 2021 Edition, as published by the International Code Council, Inc., 4051 W. Flossmoor Road, Country Club Hills, IL 60478, is hereby adopted by reference and incorporated into this Article as though fully set forth herein as the fire code of the City. Except as otherwise provided, this code is adopted in its entirety. Appendices to the code are adopted only to the extent specified.

- (2) One (1) copy of the International Fire Code, 2021 Edition, as amended by this Article, certified to be a true copy by the Mayor and City Clerk, shall be on file in the office of the City Clerk and may be inspected by any interested person between the hours of 8:00 a.m. and 5:00 p.m., Monday through Friday, holidays excepted.

**Sec. 18-8-30. – Definitions.**

*Jurisdiction*, as used in this code, means the City of Lone Tree and includes all areas within the corporate limits of the City and any area annexed to the City.

**Sec. 18-8-40. –Appendices Adopted.**

The following Appendices are hereby adopted as part of the Lone Tree Fire Code:

- (1) Appendix B, Fire-Flow Requirements for Buildings, as amended.
- (2) Appendix C, Fire Hydrant Locations and Distribution.
- (3) Appendix D, Fire Apparatus Access Roads, as amended.

**Sec. 18-8-40. – Amendments.**

The International Fire Code, 2021 Edition (“IFC”), shall be amended as follows:

- (1) Section 101.1, Title, is hereby amended by the insertion of “the City of Lone Tree.”
- (2) Section 103.1, General, is hereby deleted in its entirety, and reenacted to read as follows:

**103.1 General.**

The South Metro Fire Rescue Fire Protection District is hereby created as the Fire Marshal’s Office within the jurisdiction of the City of Lone Tree and the official in charge thereof shall be known as the fire code official. The function of the Fire Marshal’s Office shall be the implementation, administration and enforcement of the provisions of this code.

- (3) Section 103.2, Appointment, is hereby deleted in its entirety, and reenacted to read as follows:

**103.2 Appointment.**

The Fire Marshal of the South Metro Fire Rescue Fire Protection District, or designee, is hereby appointed as the fire code official.

- (4) Section 105.5.38, Outdoor Assembly Event, is hereby deleted in its entirety, and reenacted to read as follows:

### **105.5.38 Outdoor Assembly Event.**

An operational permit is required to conduct an outdoor assembly event where planned attendance exceeds 500 persons.

- (5) Section 105.5.49, Temporary Membrane Structures and Tents, is hereby deleted in its entirety, and reenacted to read as follows:

### **105.5.49 Temporary Membrane Structures and Tents.**

An operational permit is required to operate a membrane structure, air-inflated membrane structure, air-supported membrane structure, a temporary special event structure, or a tent having an area in excess of 400 square feet (37 m<sup>2</sup>).

#### **Exceptions:**

1. Tents used exclusively for recreational camping purposes.
  2. Tents open on all sides, which comply with all of the following:
    - 2.1 Individual tents having a maximum size of 700 square feet (65m<sup>2</sup>).
    - 2.2 The aggregate area of multiple tents placed side by side without a fire break clearance of not less than 12 feet (3658 mm) shall not exceed 700 square feet (65m<sup>2</sup>) total.
    - 2.3 A minimum clearance of 12 feet (3658 mm) to structures and other tents shall be provided.
- (6) Section 105.6, Required Construction Permits, is hereby deleted in its entirety, and reenacted to read as follows:

### **105.6 Required Construction Permits.**

The fire code official is authorized to issue construction permits for work as set forth in Section 105.6.1 through 105.6.25

- (7) Section 105.6.24, Temporary Membrane Structures and Tents, is hereby deleted in its entirety, and reenacted to read as follows:

### **105.6.24 Temporary Membrane Structures and Tents.**

A construction permit is required to erect a membrane structure, air-inflated membrane structure, air-supported membrane structure, a temporary special event structure, or a tent having an area in excess of 400 square feet (37 m<sup>2</sup>).

**Exceptions:**

1. Tents used exclusively for recreational camping purposes.
  2. Funeral tents and curtains; or extensions attached thereto, when used for funeral services.
  3. Tents and awnings open on all sides, which comply with all of the following:
    - 3.1 Individual tents shall have a maximum size of 700 square feet 700 square feet (65m2).
    - 3.2 The aggregate area of multiple tents placed side by side without a fire break clearance of not less than 12 feet (3658 mm) shall not exceed 700 square feet 700 square feet (65m2) total.
    - 3.3 A minimum clearance of 12 feet (3658 mm) to structures and other tents shall be maintained.
- (8) Section 105.6, Required Construction Permits, is hereby amended with a new Section 105.6.25 entitled, "Buildings and Facilities" to read as follows:

**105.6.25 Buildings and Facilities.**

Any owner or owner's authorized agent who intends to construct, enlarge, alter, repair, move, demolish or change occupancy of a building, or structure, or facility, or to cause any such work to be performed, shall first make application to the fire code official and obtain the required permit.

- (9) Section 107.3, Permit Valuation, is hereby deleted in its entirety.
- (10) Section 111.1, Board of Appeals Established, is hereby deleted and replaced by the following:

**111.1 Boards of Appeals Established.**

In order to hear and decide appeals of orders, decisions or determinations made by the fire code official relative to the application and interpretation of this code, there shall be created a Regional Fire Code Board of Appeals by the entry of various fire districts into an intergovernmental agreement ("IGA"). The board of appeals shall be appointed through the operation of the IGA. The fire code official shall be an ex officio member of said board but shall have no vote on any matter before the board. The board shall adopt rules of procedure for conducting its business, and shall render all decisions and findings in writing to the appellant with a duplicate copy to the fire code official.

- (11) Section 112.4, Violation Penalties, is hereby deleted.
- (12) Section 113.4, Failure to Comply, is hereby deleted in its entirety, and reenacted to read as follows:

**113.4 Failure to Comply.**

It shall be a violation of this code for any person to continue any work after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition shall be subjected to section 18-1-90 Penalties.

- (13) Section 503.1, Where Required, is hereby deleted in its entirety, and reenacted to read as follows:

**503.1 Where Required.**

Fire apparatus access roads shall be provided and maintained in accordance with Sections 503.1.1 through 503.1.3 and Appendix D.

- (14) Section 503.1.1, Buildings and Facilities, is hereby deleted in its entirety, and reenacted to read as follows:

**503.1.1 Buildings and Facilities.**

Approved fire apparatus access roads shall be provided for every facility, building or portion of a building hereafter constructed or moved into or within the jurisdiction. The fire apparatus access road shall comply with the requirements of this section and shall extend to within 150 feet (45 720 mm) of all portions of the facility and all portions of the exterior walls of the first story of the building as measured by an approved route around the exterior of the building or facility.

**Exceptions:**

- 1. The fire code official is authorized to increase the dimension of 150 feet (45 720mm) where any of the following conditions occur:
  - 1.1 The building is equipped throughout with an approved automatic sprinkler system installed in accordance with Section 903.3.1.1 (NFPA 13), the dimension shall be unlimited, as approved, provided access roads are extended to within 150 feet (45 720mm) of at least one, approved side of the building or structure. Fire hydrant requirements of Section 507 may necessitate additional roads to serve hydrants near large buildings.

1.2 The building is equipped throughout with an approved automatic sprinkler system installed in accordance with Section 903.3.1.2 (NFPA 13R) or 903.3.1.3 (NFPA 13D), the dimension shall be increased to 200 feet (60 960mm).

1.3 The fire apparatus access roads cannot be installed because of location on property, topography, waterways, nonnegotiable grades or other similar conditions, and an approved alternative means of fire protection is provided.

1.4 There are not more than two Group R-3 or Group U occupancies.

2. Where approved by the fire code official, fire apparatus access roads shall be permitted to be exempted or modified for solar photovoltaic power generation facilities.

(15) Section 503.2, Specifications, is hereby amended to read as follows:

**503.2 Specifications.**

Fire apparatus access roads shall be installed and arranged in accordance with Sections 503.2.1 through 503.2.8 and Appendix D as amended.

(16) Section 503.2.1, Dimensions, is hereby deleted in its entirety, and reenacted to read as follows:

**503.2.1 Dimensions.**

Fire apparatus access roads shall have an unobstructed width of not less than 20 feet (6096 mm), exclusive of shoulders, except for approved security gates in accordance with Section 503.6, and an unobstructed vertical clearance of not less than 13 feet 6 inches (4115 mm) and in accordance with Appendix D, as amended. The greater dimension of required unobstructed width shall prevail.

(17) Section 503.2.2, Surface, is hereby deleted in its entirety, and reenacted to read as follows:

**503.2.3 Surface.**

Fire apparatus access roads shall be designed and maintained to support the imposed loads of fire apparatus weighing up to 80,000 pounds and shall be surfaced so as to provide all-weather driving capabilities with an approved driving surface material.

(18) Section 503.2.7, Grade, is hereby deleted in its entirety, and reenacted to read as follows:

### **503.2.7 Grade.**

The grade of the fire apparatus access road shall be a maximum of 6% or as otherwise determined by the fire code official based on fire district apparatus specifications.

- (19) Section 503.3, Marking, is hereby deleted in its entirety, and reenacted to read as follows:

### **503.3 Marking.**

Where required by the fire code official, approved signs or other approved notices or markings that include the words NO PARKING – FIRE LANE shall be provided for fire apparatus access roads to identify such roads or prohibit the obstruction thereof. The means by which the fire lanes are designated shall be maintained in a clean and legible condition at all times and be replaced or repaired when necessary to provide adequate visibility. Marking of the fire apparatus access roads shall be in accordance with the fire code official's specifications and D103.6.

- (20) Section 503.4, Obstruction of Fire Apparatus Access Roads, is hereby deleted in its entirety, and reenacted to read as follows:

### **503.4 Obstruction of Fire Apparatus Access Roads.**

Fire apparatus access roads shall not be obstructed in any manner, including the parking of vehicles. The minimum widths and clearances in Sections 503.2.1, 503.2.2, and Appendix D shall be maintained at all times.

- (21) Section 503.6, Security Gates, is hereby deleted in its entirety, and reenacted to read as follows:

### **503.6 Security Gates.**

The installation of security gates across a fire apparatus access road shall be approved by the fire code official and shall be in accordance with Section D103.5.

- (22) Section 507.3, Fire Flow, is hereby deleted in its entirety, and reenacted to read as follows:

### **507.3 Fire Flow.**

Fire flow requirements for buildings or portions of buildings and facilities shall be determined in accordance with Appendix B or by a method approved by the fire code official.



- (23) Section 507.5, Fire Hydrant Systems, is hereby deleted in its entirety, and reenacted to read as follows

**507.5 Fire Hydrant Systems.**

Fire hydrant systems shall comply with Sections 507.5.1 through 507.5.6 and Appendix C.

- (24) Section 510.1, Emergency Responder Radio Coverage in New Buildings, is hereby deleted in its entirety, and reenacted to read as follows:

**510.1 Emergency Responder Radio Coverage in New Buildings.**

Approved in-building, two-way emergency responder communication coverage for emergency responders shall be provided within all new buildings. In-building, two-way emergency responder communication coverage within the building shall be based on the existing coverage levels of the public safety communication systems utilized by the jurisdiction, measured at the exterior of the building. This section shall not require improvement of the existing public safety communication systems.

**Exceptions:**

1. Where approved by the fire code official, a wired communication system in accordance with Section 907.2.13.2 shall be permitted to be installed or maintained instead of an approved radio coverage system.
  2. Where it is determined by the fire code official that radio coverage system is not needed.
  3. In facilities where emergency responder radio coverage is required and such systems, components or equipment required could have a negative impact on the normal operations of that facility, the fire code official shall have the authority to accept an automatically activated emergency responder radio coverage.
- (25) Section 903.3, Installation Requirements, is hereby amended to read as follows:

**903.3 Installation Requirements.**

Automatic sprinkler systems shall be designed and installed in accordance with Section 903.3.1 through 903.3.9.

- (26) Section 903.3, Automatic Sprinkler Systems, is hereby amended with the addition of a new Section 903.3.9, entitled “Spare Sprinklers” to read as follows:

### **903.3.9 Spare Sprinklers.**

Spare sprinklers shall be provided per NFPA 13, NFPA 13R, NFPA 13D and in accordance with the fire code official's supplemental documents outlining specific provisions for multiple buildings under the same ownership.

- (27) Section 905.4, Location of Class I Standpipe Hose Connections, subsection (1) is hereby amended to read as follows:

### **905.4 Location of Class I Standpipe Hose Connections.**

Class I standpipe hose connections shall be provided in all of the following locations:

1. In every required interior exit stairway, a hose connection shall be provided for each story above and below grade plane. Hose connections shall be located at the main floor landing unless otherwise approved by the fire code official.
- (28) Sec 1103.7.6, Group R-2, Exception (3) is hereby amended to read as follows:

### **1103.7.6 Group R-2.**

A manual fire alarm system that activates the occupant notification system in accordance with Section 907.5 shall be installed in existing Group R-2 occupancies more than 3 stories in height or more than 16 dwelling or sleeping units.

### **Exceptions:**

3. A fire alarm system is not required in buildings that do not have interior corridors serving dwelling units, provided that dwelling units either have a means of egress door opening directly to an exterior exit access that leads directly to the exits or are served by open-ended corridors designed in accordance with Section 1027.6, Exception 3.2 to 3.5.
- (29) Section 1103.7.6, Group R-2, Exception (3) is hereby amended to read as follows:

### **1103.7.6 Group R-2.**

A manual fire alarm system that activates the occupant notification system in accordance with Section 907.5 shall be installed in existing Group R-2 occupancies more than three stories in height or more than 16 dwelling or sleeping units.

**Exceptions:**

3. A fire alarm system is not required in buildings that do not have interior corridors serving dwelling units, provided that dwelling units either have a means of egress door opening directly to an exterior exit access that leads directly to the exits or are served by open-ended corridors designed in accordance with Section 1027.6, Exception 3.2 to 3.5.
- (30) Section 5601.1.3, Fireworks, is hereby deleted in its entirety, and reenacted to read as follows:

**5601.1.3 Fireworks.**

The possession, manufacture, storage, sale, handling and use of fireworks are prohibited.

**Exceptions:**

1. The use of fireworks for display as allowed in Section 5608.
  2. The possession, storage, sale, handling and use of permissible fireworks, as defined by Section 24-33.5-2001, C.R.S.
- (31) Section 5704.2.9.6.1, Locations Where Above-Ground Tanks are Prohibited, is hereby deleted in its entirety.
- (32) Section 5706.2.4.4, Locations Where Above-Ground Tanks are Prohibited, is hereby deleted in its entirety.
- (33) Section 5806.2, Limitations, is hereby deleted in its entirety.
- (34) Section 6104.2, Maximum Capacity Within Established Limits, is hereby deleted in its entirety.
- (35) Section B105.1, One- and two-family dwellings, Group R-3 and R-4 buildings and townhouses, in Appendix B is hereby deleted in its entirety, and reenacted to read as follows:

**B105.1 One- and Two-Family Dwellings, Group R-3 and R-4 Buildings and Townhouses.**

The minimum fire-flow and flow duration requirements for one- and two-family dwellings, Group R-3 and R-4 buildings having a fire flow calculation area that does not exceed 3,600 square feet (344.5 m<sup>2</sup>) shall be 1,000 gallons per minute (3785 L/min) for 1 hour. Fire-flow and flow duration for one- and two-family dwellings, Group R-3 and R-4 buildings

having a fire-flow calculation area in excess of 3,600 square feet (344.5 m<sup>2</sup>) shall not be less than that specified in Table B105.1.

**Exception:** A reduction in required fire-flow of 25 percent, as approved, is allowed when the building is equipped with an approved automatic fire sprinkler system.

- (36) Section 105.2, Buildings Other Than One- and Two-Family Dwellings, Group R-3 and R-4 Buildings and Townhouses, in Appendix B is hereby deleted in its entirety, and reenacted to read as follows:

**B105.2 Buildings Other Than One- and Two-Family Dwellings, Group R-3 and R-4 Buildings.**

The minimum fire-flow and flow duration for buildings other than one- and two-family dwelling, Group R-3 and R-4 buildings shall be as specified in Table B105.1.

**Exception:** A reduction in required fire-flow of 50 percent, as approved, is allowed when the building is equipped with an approved automatic fire sprinkler system installed in accordance with Section 903.3.1.1. A reduction in required fire-flow of 25 percent, as approved, is allowed when the building is equipped with an approved automatic fire sprinkler system installed in accordance with Section 903.3.1.2. The resulting fire-flow shall not be less than 1,500 gallons per minute (5678 L/min) for the prescribed duration in Table B105.1.

- (37) Section B105.3, Water Supply for Buildings Equipped with an Automatic Sprinkler System, in Appendix B is hereby deleted in its entirety.
- (38) Table B105.1(1), Required Fire Flow For One- and Two-Family Dwellings, Group R-3 and R-4 Buildings and Townhouses, in Appendix B is hereby deleted in its entirety.
- (39) Table B105.2, Required Fire Flow For Buildings Other Than One- and Two-Family Dwellings, is hereby deleted in its entirety.
- (40) Table B105.1(2) is amended with a change of title to read as follows:
- “Table B105.1: MINIMUM REQUIRED FIRE-FLOW AND FLOW DURATION FOR BUILDINGS”.
- (41) Section D102.1, Access and Loading, in Appendix D is hereby deleted in its entirety, and reenacted to read as follows:

**D102.1 Access and Loading.**

Facilities, buildings or portions of buildings hereafter constructed shall be accessible to fire department apparatus by way of an approved fire apparatus access road with an asphalt, concrete or other approved driving surface capable of supporting the imposed load of fire apparatus weighing up to 80,000 pounds (34 050 kg).

- (42) Section D103.1, Access Road Width With a Hydrant, in Appendix D, is hereby deleted in its entirety, and reenacted to read as follows.
- (43) Section D103.2, Grade, is hereby deleted in its entirety, and reenacted to read as follows:

#### **D103.2 Grade.**

The grade of the fire apparatus access road shall be a maximum of 6% or as otherwise determined by the fire code official based on fire district apparatus specifications.

- (44) Section D103.4, Dead Ends, in Appendix D, is hereby deleted in its entirety, and reenacted to read as follows:

#### **D103.4 Dead Ends.**

Dead-end fire apparatus access roads in excess of 150 feet (45 720 mm) shall be provided with width and turnaround provisions in accordance with Table D103.4 and the city of Lone Tree roadway design standards. Whereas the provisions are in conflict, the provisions of the City of Lone Tree roadway design standards shall prevail.

- (45) Section D103.6, Signs, in Appendix D, is hereby deleted in its entirety, and reenacted with a new title, “Signs and Widths,” to read as follows:

#### **D103.6 Signs and Widths.**

Where required by the fire code official, fire apparatus access road shall be marked with permanent “NO PARKING – FIRE LANE” signs in accordance with the width specified within the fire code official’s specifications.

- (46) Section D104.1, Buildings Exceeding Three Stories or 30 Feet In Height, in Appendix D, is hereby deleted in its entirety, and reenacted to read as follows:

#### **D104.1 Buildings Exceeding Three Stories or 30 Feet In Height.**

Buildings or facilities where the vertical distance between the grade plane and the highest roof surface exceeds 30 feet (9144 mm) or three stories in height shall have not fewer than two means of fire apparatus access for each

structure. For purposes of this section, the highest roof surface shall be determined by measurement to the eave of a pitched roof, the intersection of the roof to the exterior wall, or the top of parapet walls, whichever is greater.

- (47) Section D105.1, Where Required, of Appendix D, is hereby deleted in its entirety, and reenacted to read as follows:

**D105.1 Where Required.**

Where the vertical distance between the grade plane and the highest roof surface exceeds 30 feet (9144 mm), approved aerial fire apparatus access roads shall be provided. For purposes of this section, the highest roof surface shall be determined by measurement to the eave of a pitched roof, the intersection of the roof to the exterior wall, or the top of parapet walls, whichever is greater.

**Exception:** Where approved by the fire code official, buildings of Type IA, Type IB construction equipped throughout with an automatic sprinkler system in accordance with Section 903.3.1.1, meets the definition of a high-rise building as defined by the International Building Code, and having firefighter access through an enclosed stairway with a Class I standpipe system from the lowest level of fire department vehicle access to all roof surfaces.

- (48) Section D106.1, Projects Having More than 100 Dwelling Units, in Appendix D, is hereby deleted in its entirety, and reenacted to read as follows:

**D106.1 Projects Having More than 100 Dwelling Units.**

Multiple-family residential projects having more than 100 dwelling units shall be equipped throughout with two separate and approved fire apparatus access roads.

Chapter 18 of the Lone Tree Municipal Code is hereby amended with the repeal and replacement of Article IX entitled, Energy Conservation Code, to adopt by reference the 2021 International Energy Conservation Code with amendments, to read as follows:

**CHAPTER 18 – BUILDING REGULATIONS**

**ARTICLE IX – ENERGY CONSERVATION CODE**

**Sec. 18-9-10. – Title.**

This Article shall be known as the *Lone Tree Energy Conservation Code*.

**Sec. 18-9-20. – Adoption by Reference.**

- (1) The International Energy Conservation Code, 2021 Edition, as published by the International Code Council, Inc., 4051 W. Flossmoor Road, Country Club Hills, IL 60478, is hereby adopted by reference and incorporated into this Article as though fully set forth herein as the energy code of the City. Except as otherwise provided, this code is adopted in its entirety. Appendices to the code are adopted only to the extent specified.
- (2) One (1) copy of the International Energy Conservation Code, 2021 Edition, as amended by this Article, certified to be a true copy by the Mayor and City Clerk, shall be on file in the office of the City Clerk and may be inspected by any interested person between the hours of 8:00 a.m. and 5:00 p.m., Monday through Friday, holidays excepted.

**Sec. 18-9-30. – Definitions.**

*Jurisdiction*, as used in this code, means the City of Lone Tree and includes all areas within the corporate limits of the City and any area annexed to the City.

**Sec. 18-9-40. – Amendments.**

The International Energy Conservation Code, 2021 Edition (“IECC”), shall be amended as follows:

- (1) Section C101.1, Title, is hereby amended by the insertion of “the City of Lone Tree.”
- (2) Section C110, Board of Appeals, and all subsections thereof, is hereby deleted in its entirety, and reenacted to read as follows:

**Section C110  
Board of Appeals**

**C110.1 Means of Appeal.**

Appeals shall be heard by the Board of Adjustment and Appeals.

**C110.2 Limitations on Authority.**

An application for appeal shall be based on a claim that the true intent of this code or the rules legally adopted hereunder have been incorrectly interpreted, the provision of this code do not fully apply or an equally good or better form of construction is proposed. The Board of Adjustment and Appeals shall have no authority to waive requirements of this code.

- (3) Section R101.1, Title, is hereby amended by the insertion of “the City of Lone Tree.”

- (4) Section R110, Board of Appeals, is hereby deleted in its entirety, and reenacted to read as follows:

## **Section R110**

### **Board of Appeals**

#### **R110.1 Means of Appeals.**

Appeals shall be heard by the Board of Adjustment and Appeals.

#### **R110.2 Limitations on Authority.**

An application for appeal shall be based on a claim that the true intent of this code or the rules legally adopted hereunder have been incorrectly interpreted, the provision of this code do not fully apply or an equally good or better form of construction is proposed. The Board of Adjustment and Appeals shall have no authority to waive requirements of this code.

## **ARTICLE 5 – PENALTIES FOR VIOLATIONS.**

Violations of this ordinance shall be punishable as provided in Section 18-1-90 of the Lone Tree Municipal Code, which reads as follows:

### **Sec. 18-1-90 – Penalties.**

Any person, firm or corporation violating any of the provisions of this Chapter or any code incorporated herein shall be deemed guilty of a misdemeanor, and any such person, firm or corporation shall be deemed guilty of a separate offense for each and every day or portion thereof during which any violation is committed, continued or permitted, and upon conviction of any such violations, such person, firm or corporation shall be punished as provided by Section 1-4-20 of this Code. The issuance or granting of a permit or approval of plans and specifications shall not be deemed or construed to be a permit for or an approval of, any violation of any provisions of the codes adopted herein.

Section 1-4-20 of the Lone Tree Municipal Code reads in full as follows:

### **Sec. 1-4-20. – General Penalty for Violation.**

- (a) Any person who violates any provision of this Code for which a different penalty is not specifically provided shall, upon conviction thereof, be punished by a fine not exceeding two thousand six hundred fifty dollars (\$2,650.00) or by imprisonment not exceeding one (1) year or by both such fine and imprisonment per violation or count, except as provided in Section 1-4-30. Each day such violation continues shall be considered a separate offense.



- (b) Nothing in this Section shall prevent the court from imposing all costs, fines, surcharges and fees in any case. In addition to maximum penalties, the court may impose any other sentence conditions which the court deems appropriate.
- (c) The following Code violations shall be deemed petty offenses and shall be punished by a fine not to exceed four hundred and ninety-nine dollars (\$499.00): Section 10-3-20, Littering; Section 10-4-10, Disturbing the Peace; Section 10-4-30, Urinating/Defecating in Public; Section 10-4-70, Obstruction of Roadways or Public Places; Section 10-4-80, Noise; Section 10-4-90, Construction Hours; Section 10-4-100, Fireworks; Section 10-6-20, Park Hours; Section 10-6-30, Unlawful Conduct in Parks or on Public Property; Section 10-6-40, Camping; Section 10-6-50, Median Safety; Section 10-8-40(b), Sale, Purchase and Possession of Cigarettes and Tobacco Products; Section 10-9-10, Open Containers; Section 10-9-20, Possession of Marijuana; Section 10-9-30, Possession of Drug Paraphernalia.

#### **ARTICLE 6 – SEVERABILITY**

If any part or provision of this Ordinance, or its application to any person or circumstance, is adjudged to be invalid or unenforceable, the invalidity or unenforceability of such part, provision, or application shall not affect any of the remaining parts, provisions or applications of this Ordinance which can be given effect without the invalid provision, part or application, and to this end the provisions and parts of this Ordinance are declared to be severable.

#### **ARTICLE 7 – CAUSES OF ACTION RETAINED**

Nothing in this Ordinance hereby adopted shall be construed to affect any suit or proceeding pending in any court, or any rights acquired, or liability incurred, or any cause or causes of action acquired or existing, under any act or ordinance hereby repealed; nor shall any just or legal right or remedy of any character be lost, impaired or affected by this Ordinance.

#### **ARTICLE 8 - EFFECTIVE DATE**

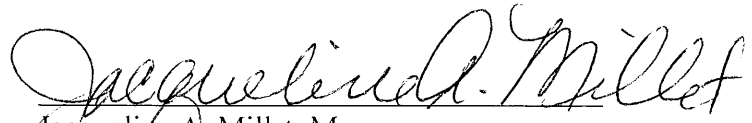
This Ordinance shall take effect thirty (30) days following publication after the first reading if no changes are made on second reading, or twenty (20) days after publication following second reading if changes are made upon second reading.

**INTRODUCED, READ AND ORDERED PUBLISHED ON NOVEMBER 1, 2022.**


**PUBLISHED IN THE DOUGLAS COUNTY NEWS PRESS ON NOVEMBER 10, 2022;  
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15<sup>TH</sup> DAY OF NOVEMBER, 2022 TO BECOME EFFECTIVE ON JANUARY 1<sup>ST</sup>, 2023.**

**CITY OF LONE TREE:**

  
Jacqueline A. Millet, Mayor

**ATTEST:**

  
Rick Parsons, City Clerk

