

**ORDINANCE NO. 16-08**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CASTLE PINES, COLORADO ADOPTING BY REFERENCE THE FIRST PRINTING OF THE *INTERNATIONAL BUILDING CODE*, 2015 EDITION, THE *INTERNATIONAL RESIDENTIAL CODE*, 2015 EDITION, THE *INTERNATIONAL MECHANICAL CODE*, 2015 EDITION, THE *INTERNATIONAL PLUMBING CODE*, 2015 EDITION, THE *INTERNATIONAL FIRE CODE*, 2015 EDITION, THE *INTERNATIONAL FUEL GAS CODE*, 2015 EDITION, THE *INTERNATIONAL ENERGY CONSERVATION CODE*, 2015 EDITION, THE *INTERNATIONAL SWIMMING POOL AND SPA CODE*, 2015 EDITION, THE *INTERNATIONAL EXISTING BUILDING CODE*, 2015 EDITION, EACH AS PROMULGATED BY THE INTERNATIONAL CODE COUNCIL; REPEALING ARTICLES 1 AND 2 AND ARTICLES 4 THROUGH 10 OF CHAPTER 18 OF THE CASTLE PINES MUNICIPAL CODE; READOPTING ARTICLES 1, 2, 4 THROUGH 10 THEREOF; AND ADOPTING A NEW ARTICLE 8.5**

**WHEREAS**, the City of Castle Pines (the “City”) is a statutory municipality incorporated and organized pursuant to the provisions of Section 31-2-101, *et seq.*, C.R.S.; and

**WHEREAS**, in furtherance of the public health, safety and welfare of the inhabitants of the City, the City Council desires to update its ordinances to include the 2015 versions of the *International Building Code*, the *International Residential Code*, the *International Swimming Pool and Spa Code*, the *International Mechanical Code*, the *International Fuel Gas Code*, the *International Plumbing Code*, the *International Energy Conservation Code*, and the *International Fire Code* (collectively referred to as the “International Codes”), addressing issues of building safety and fire protection; and

**WHEREAS**, Section 31-16-202, C.R.S., as amended, permits the contemplated adoption by reference of the International Codes upon notice and hearing as provided in Section 31-16-203, C.R.S.; and

**WHEREAS**, the City Council held a public hearing, with proper notice provided, to consider adoption of such International Codes as required by law; and

**WHEREAS**, the City adopted the most recent version of the *National Electrical Code* as published by the National Fire Protection Association and as adopted by the State of Colorado by regulation (“Electrical Code”) pursuant to Ordinance No. 11-08; and

**WHEREAS**, the City’s adoption of the Electrical Code is codified at Article 3 of Chapter 18 of the City’s Municipal Code, which Article is not amended by this Ordinance; and

**WHEREAS**, one (1) copy of each of said International Codes are available at the City Offices located at 360 Village Square Lane, Suite B, Castle Pines, Colorado 80108, for review and inspection by the public; and

**WHEREAS**, a public hearing was conducted on the date, time and place noticed; and

**WHEREAS**, the City Council has determined, based on the evidence and testimony presented at the public hearing, that the adoption of the International Codes as amended herein, will further the health, safety and welfare of the inhabitants of the City.

**THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CASTLE PINES, COLORADO:**

**Section 1.** The City of Castle Pines hereby repeals Article 1, 2, 4, 5, 6, 7 and 8 of Chapter 18 of the Castle Pines Municipal Code and reenacts Articles 1, 2, 4, 5, 6, 7, and 8 of Chapter 18, to read as follows:

## **ARTICLE 1**

### **International Building Code**

#### **Section 18-1-10. International Building Code adopted.**

(a) The *International Building Code*, 2015 Edition, 1<sup>st</sup> printing, as published by the International Code Council, 500 New Jersey Avenue, NW, 6<sup>th</sup> Floor, Washington, DC 20001, Chapters 1 through 35 inclusive, exclusive of any Appendices (“IBC”), is hereby adopted by reference as the City of Castle Pines Building Code as if fully set out in this Ordinance with the additions, deletions, insertions and changes as set forth in this Article.

(b) No building shall be hereafter constructed, erected, enlarged, altered, or moved into the City unless the same shall, as to design, construction, quality of materials and workmanship, conform with the IBC, as adopted and as amended.

#### **Section 18-1-20. Purpose of the International Building Code.**

The purpose of the IBC is to provide minimum standards to safeguard life or limb, health, property and public welfare by regulating and controlling the design, construction, quality of materials, use and occupancy, location and maintenance of all commercial and multi-family buildings and structures within the City of Castle Pines and certain equipment specifically regulated in the IBC.

#### **Section 18-1-30. Amendments.**

Additions, deletions, amendments and changes to the IBC, as adopted by reference pursuant to Section 18-1-10, are hereby adopted as follows:

- (1) **IBC Section 101.1.** IBC Section 101.1 (Title) is amended by the addition of the term “City of Castle Pines” where indicated in [Name of Jurisdiction].
- (2) **IBC Section 101.4.3.** IBC Section 101.4.3 (Plumbing) is amended by deletion of the last sentence.

- (3) **IBC Section 101.4.4.** IBC Section 101.4.4 (Property maintenance) is amended by deletion of the Section in its entirety.
- (4) **IBC Section 102.6.** IBC Section 102.6 (Existing Structures) is amended by removal of (International Property Maintenance Code) from this section.
- (5) **IBC Section 102.6.2** IBC Section 102.6.2 (Buildings Previously Occupied) is amended by removal of (International Property Maintenance Code) from this section.
- (6) **IBC Section 103.3** IBC Section 103.3 (Deputies) is amended by the removal of (International Property Maintenance Code) from this section.
- (7) **IBC Section 105.1.** IBC Section 105.1 (Required) is amended by replacing the words “building official” with “City.”
- (8) **IBC Section 108.3.** IBC Section 108.3 (Temporary power) is amended by to read as follows:

The building official is authorized to give permission to temporarily supply and use power in part of an electrical installation before such installation has been fully completed and the final certificate of completion has been issued. The part covered by the temporary certificate of completion shall comply with the requirements specified for temporary lighting, heat and power in the National Electric Code.

- (9) Section 109.4 (Work commencing before permit issuance) is amended by replacing the words “building official” with “City of Castle Pines” and adding the words “the fee shall be equal to 100% of the original building fee in addition to the required permit fees.”
- (10) **IBC Section 109.6.** IBC Section 109.6 (Refunds) is amended by deleting the Section in its entirety and replacing the Section with the following:

**109.6 Refunds.** The City may authorize refunding of any fee paid hereunder which was erroneously paid or collected. The City may authorize refunding of not more than 75 percent (75%) of the permit fee paid when no work has been done under a permit issued in accordance with this Code. The City may authorize refunding of not more than 75 percent (75%) of the plan review fee paid when an application for a permit for which a plan review fee has been paid is withdrawn or cancelled before any plan review is commenced. The City shall not authorize refunding of any fee paid except on written application filed by the original permittee not later than 180 days after the date of fee payment.

- (11) **IBC Section 113.** IBC Section 113 (Board of Appeals) is amended by deleting the Section in its entirety.
- (12) **IBC Section 202.** IBC Section 202 (Definitions) is amended by addition of the following:
- “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 a closet, an area that is useable as a closet, or an area that is readily convertible for use as a closet. Living rooms, family rooms and other similar habitable areas that are so situated and designed so as to clearly indicate these intended uses, shall not be interpreted as sleeping rooms.
- (13) **IBC Section 1015.1.** IBC Section 1015.1 (Where required) is amended by the addition of a second paragraph inserted before the exceptions as follows:
- All area wells, stair wells, window wells and light wells attached to any building that are located less than 36 inches (914.4 mm) from the nearest intended walking surface and deeper than 30 inches (762 mm) below the surrounding ground level, creating an opening greater than 24 inches (610 mm) measured perpendicular from the building, shall be protected with guardrails conforming to this Section around the entire opening, or shall be provided with an equivalent barrier.
- (14) **IBC Section 1612.3.** IBC Section 1612.3 (Establishment of flood hazard areas) is amended by the insertion of “City of Castle Pines” where indicated in [Insert Name of Jurisdiction] and the date of September 30, 2005, where indicated in [Insert Date of Issuance].
- (15) **IBC Section 3109.4.** IBC Section 3109.4 (Residential swimming pools) is amended with the following:
- Exception: is deleted in its entirety.

## ARTICLE 2

### International Residential Code

#### Section 18-2-10. International Residential Code adopted.

(a) The *International Residential Code*, 2015 Edition, 1<sup>st</sup> printing, as published by the International Code Council, 500 New Jersey Avenue, NW, 6<sup>th</sup> Floor, Washington, DC 20001, Chapters 1 through 44 inclusive and Appendices A, C, G, H, and N, (“IRC”) is hereby adopted by

reference as the City of Castle Pines Residential Building Code as if fully set out in this Ordinance, with the additions, deletions, insertions and changes as set forth in this Article.

(b) No residential building shall be hereafter constructed, erected, enlarged, altered, or moved into the City unless the same shall, as to design, construction, quality of materials and workmanship, conform with the IRC, as adopted and as amended.

**Section 18-2-20. Purpose of the International Residential Code.**

The purpose of the IRC is to provide minimum standards to safeguard life or limb, health, property and public welfare by regulating and controlling the design, construction, quality of materials, use and occupancy, location and maintenance of all one and two-family dwellings and multiple single-family dwellings (town houses) not more than three stories in height with a separate means of egress within the City of Castle Pines and certain equipment specifically regulated in the IRC.

**Section 18-2-30. Amendments.**

Additions, deletions, amendments and changes to the IRC, as adopted by reference pursuant to Section 18-2-10, are hereby adopted as follows:

- (1) **IRC Section R101.1.** IRC Section R101.1 (Title) is amended by the addition of the term “City of Castle Pines” where indicated in [Name of Jurisdiction].
- (2) **IRC Section R102.7.** IRC Section R102.7 (Existing Structures) is amended by deleting the words “International Property Maintenance Code.”
- (3) **IRC Section R105.1.** IRC Section R105.1 (Required) is amended by replacing the words “building official” with “City.”
- (4) **IRC Section R108.5.** IRC Section R108.5 (Refunds) is amended by deleting the section in its entirety and replacing the section with the following:

**R108.5 Refunds.** The City may authorize refunding of any fee paid hereunder which was erroneously paid or collected. The City may authorize refunding of not more than 75 percent (75%) of the permit fee paid when no work has been done under a permit issued in accordance with this Code. The City may authorize refunding of not more than 75 percent (75%) of the plan review fee paid when an application for a permit for which a plan review fee has been paid is withdrawn or cancelled before any plan reviewing is done. The City shall not authorize refunding of any fee paid except on written application filed by the original permittee not later than 180 days after the date of fee payment.

- (5) Section 108.6 (Work commencing before permit issuance.) Any person who commences any work on a building, structure, electrical, gas, mechanical or

plumbing system before obtaining the necessary permits shall be subject to a fee established by the City of Castle Pines. The fee shall be equal to 100% of the original building fee in addition to the required permit fees.

- (6) **IRC Section R112.** IRC Section R112 (Board of Appeals) is amended by deleting the section in its entirety.
- (7) **IRC Section R202.** IRC Section R202 (Definitions) is amended by addition of the following:

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

- (8) **IRC Table R301.2 (1).** IRC Table R301.2 (1) is amended to provide the following:

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

Ground Snow Load	Wind Speed (mph)	Seismic Design Category	Subject to Damage From			Winter Design Temp	Ice Shield Underlayment Required	Flood Hazard	Air Freezing Index	Mean Annual Temp
			Weathering	Frost Line Depth	Termite					
37psf	105	B	Severe	36 in.	Slight to Moderate	1	Not Required	September 30, 2005	1000	45°F

- (9) **IRC Section R310.2.3.1** IRC Section R310.2.3.1 (Ladder and steps) is amended by the addition of the following exception to read as follows:

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

- (10) **IRC Section R312.1.** IRC Section R312.1 (Guards required) is amended by the addition of a third paragraph to read as follows:

IRC 312.3 All area wells, stair wells, window wells and light wells attached to any building that are located less than 36 inches (914 mm) from the nearest intended walking surface and deeper than 30 inches (762 mm) below the surrounding ground level, creating an opening greater than 24 inches (610 mm) measured perpendicular from the building, shall be protected with guardrails conforming to this Section around the entire opening, or shall be provided with an equivalent barrier.

Exceptions:

1. The access side of stairways need not be protected. Area and window wells provided for emergency escape and rescue windows may be protected with approved grates or covers that comply with Section R310 of this Code.
2. Covers and grates may be used over stairways and other openings used exclusively for the service access or for admitting light or ventilation.

- (11) **IRC Section R313.2.** IRC Section R313.2 (One- and two-family dwellings automatic fire systems) is amended to read as follows:

Effective March 1, 2013, a builder of one- or two-family dwellings shall offer to any purchaser on or before the time of entering into the purchase contract with the purchaser, the option, at the purchaser's cost, to install an automatic residential fire sprinkler system in such dwelling. No purchaser of such a one- or two-family dwelling shall be denied the right to choose or decline to install an automatic residential fire sprinkler system in such dwelling being purchased.

**Exception:** An automatic residential fire sprinkler system shall not be required for *additions* or *alterations* to existing buildings that are not already provided with an automatic residential sprinkler system.

- (12) **IRC Section R313.2.1** IRC Section R313.2.1 (Design and installation) is amended to read as follows:

If the installation of an automatic residential fire sprinkler system is selected as an option by the initial purchaser of a dwelling, the automatic residential fire sprinkler system shall be designed and installed in accordance with Section P2904 or NFPA 13D.

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

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

- (14) **IRC Section R405.1.** IRC Section R405.1 (Concrete or masonry foundations) is amended with the addition of the following after the first sentence: "All foundation drains shall be designed and inspected by a State of Colorado registered design professional."

- (15) **IRC Section G2407.6.1.** IRC Section G2407.6.1 (Outdoor combustion air; two permanent-openings methods) is amended by the addition of the following exception:

Exception: Where combustion air ducts serve equipment which is located within and serves an individual dwelling unit and communicates directly with the outdoors, 6-inch (152.4mm) round combustion air ducts ducted to within 12 inches (305 mm) of the perimeter of the major appliance shall be sufficient to serve a space where the total combined equipment input rating does not exceed 175,000, BTU. Where the total combined equipment input rating exceeds 175,000 BTU, the ducting shall be increased by adding an additional 1 square inch (645.2 sq. mm) for each 5,000 BTU/hour or fraction thereof, input rating above 175,000 BTU.

- (16) **IRC Section G2415.12.** IRC Section G2415.12 (Minimum burial depth) is amended by the addition of the following: All plastic fuel gas piping shall be installed a minimum of 18 inches (457 mm) below grade.
- (17) **IRC Section G2417.4.1.** IRC Section G2417.4.1 (Test pressure) is amended by changing “3 psig” to “10 psig.”
- (18) **IRC Section P2603.5.1.** IRC Section P2603.5.1 (Sewer depth) is amended by filling in both areas where indicated to read “12 inches (305 mm).”

### **ARTICLE 3**

#### **National Electrical Code**

[note to codifier: not amended by this Ordinance; reference Ordinance No. 11-08]

### **ARTICLE 4**

#### **International Mechanical Code**

#### **Section 18-4-10. International Mechanical Code adopted.**

(a) The *International Mechanical Code*, 2015 Edition, 1<sup>st</sup> printing, as published by the International Code Council, 500 New Jersey Avenue, NW, 6<sup>th</sup> Floor, Washington, DC 20001, Chapters 1 through 15 inclusive, (“IMC”) is hereby adopted by reference as the City of Castle Pines Mechanical Code as if fully set out in this Ordinance with the additions, deletions, insertions and changes as set forth in this Article.

(b) No building shall be hereafter constructed, erected, enlarged, altered, or moved into the City unless the same shall, as to design, construction, quality of materials and workmanship, conform with the IMC, as adopted and as amended.

**Section 18-4-20. Purpose of International Mechanical Code.**

The purpose of the IMC is to provide minimum standards to safeguard life or limb, health, property and public welfare by regulating and controlling the design, construction, quality of materials, use and occupancy, location and maintenance of mechanical systems and structures within the City of Castle Pines and certain equipment specifically regulated in the IMC.

**Section 18-4-30. Amendments.**

The following deletions, additions, insertions, and changes are hereby made to the IMC as adopted by reference by Section 18-4-10:

- (1) **IMC Section 101.1.** IMC Section 101.1 (Title) is amended by the addition of the term “City of Castle Pines” where indicated by [Name of Jurisdiction].
- (2) **IMC Section 106.1.** IMC Section 106.1 is hereby amended to add the following exception:  
  
Exception 2: Separate mechanical permits shall not be required where mechanical work is included within a general permit for a building or structure.
- (3) **IMC Section 106.5.2.** IMC Section 106.5.2 (Fee schedule) is deleted in its entirety.
- (4) **IMC Section 106.5.3.** IMC Section 106.5.3 (Fee refunds) is deleted in its entirety.
- (5) **IMC Section 108.4.** IMC Section 108.4 (Violations penalties) is deleted in its entirety.
- (6) **IMC Section 109.** IMC Section 109 (Means of appeal) and all subsections thereunder are deleted in their entirety.

**ARTICLE 5**

**International Plumbing Code**

**Section 18-5-10. International Plumbing Code adopted.**

(a) The *International Plumbing Code*, 2015 Edition, 1st printing, as published by the International Code Council, 500 New Jersey Avenue, NW, 6<sup>th</sup> Floor, Washington, DC 20001, Chapters 1 through 13 inclusive, (“IPC”) is hereby adopted by reference as the City of Castle Pines

Plumbing Code as if fully set out in this Ordinance with the additions, deletions, insertions and changes as set forth in this Article.

(b) No building shall be hereafter constructed, erected, enlarged, altered, or moved into the City unless the same shall, as to design, construction, quality of materials and workmanship, conform with the IPC, as adopted and as amended.

**Section 18-5-20. Purpose of the International Plumbing Code.**

The purpose of the IPC is to provide minimum standards to safeguard life or limb, health, property and public welfare by regulating and controlling the design, construction, installation, alteration, repairs, relocation, replacement, quality of materials, use and occupancy, location and maintenance of plumbing systems and structures within the City of Castle Pines and certain equipment specifically regulated in the IPC.

**Section 18-5-30. Amendments.**

The following deletions, additions, insertions, and changes are hereby made to the IPC as adopted by reference by Section 18-5-10:

- (1) **IPC Section 101.1.** IPC Section 101.1 (Title) is amended by the addition of the term “City of Castle Pines” where indicated by [Name of Jurisdiction].
- (2) **IPC Section 106.1.** IPC Section 106.1 is hereby amended by adding an exception:  
  
Exception: Separate plumbing permits shall not be required where plumbing work is included within the general permit for a building or structure.
- (3) **IPC Section 106.6.2.** IPC Section 106.6.2 (Fee schedule) is deleted in its entirety.
- (4) **IPC Section 106.6.3.** IPC Section 106.6.3 (Fee refunds) is deleted in its entirety.
- (5) **IPC Section 108.4.** IPC Section 108.4 (Violations penalties) is deleted in its entirety.
- (6) **IPC Section 109.** IPC Section 109 (Means of appeal) and all subsections thereunder are deleted in their entirety.
- (7) **IPC Section 305.6.1.** IPC Section 305.6.1 (Sewer depth) is amended by filling in both areas where indicated where indicated [Number] to read “12 inches (305 mm).”

**ARTICLE 6**

## International Fire Code

### Section 18-6-10. International Fire Code adopted.

(a) The *International Fire Code*, 2015 Edition, 1st printing, as published by the International Code Council, 500 New Jersey Avenue, NW, 6<sup>th</sup> Floor, Washington, DC 20001, Chapters 1 through 67 inclusive and Appendices B, C and D only (“IFC”), is hereby adopted by reference as the City of Castle Pines Fire Code as if fully set out in this Ordinance with the additions, deletions, insertions and changes as set forth in this Article.

(b) No building shall be hereafter constructed, erected, enlarged, altered, or moved into the City unless the same shall, as to design, construction, quality of materials and workmanship, conform with the IFC, as adopted and as amended.

### Section 18-6-20. Purpose of the International Fire Code.

The purpose of the IFC is to provide minimum standards to safeguard life or limb, health, property and public welfare from the hazards of fire explosion, and dangerous conditions arising from the storage, handling and use of hazardous materials and devices, and from conditions hazardous to life or property in the use or occupancy of buildings or premises and provisions to assist emergency response personnel.

### Section 18-6-30. Amendments.

The following deletions, additions, insertions, and changes are hereby made to the IFC as adopted by reference by Section 18-6-10:

- (1) **IFC Section 101.1.** IFC Section 101.1 (Title) is amended by the addition of the term “City of Castle Pines” where indicated by [Name of Jurisdiction].
- (2) **IFC Section 108.1.** IFC Section 108.1 (Board of Appeals) is amended to read as follows:

**108.1 Regional Fire Code Board 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”). Said Regional Fire Code 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.

- (3) **IFC Section 109.4.** IFC Section 109.4 (Violation penalties) is amended to read as follows:

**109.4 Violation Penalties.** Persons who shall violate a provision of this code or shall fail to comply with any of the requirements thereof or who shall erect, install, alter, repair or do work in violation of the approved construction documents or directive of the fire code official, or of a permit or certificate used under provisions of this code, shall be subject to penalties as specified in Article 4 of Chapter 1 of the Castle Pines Municipal Code.

- (4) **IFC Section 111.4.** IFC Section 111.4 (Failure to comply) is amended to read as follows:

**111.4 Failure to comply.** Any person who shall 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 subject to penalties as specified in Article 4 of Chapter 1 of the Castle Pines Municipal Code.

- (5) **IFC Section 503.1.** IFC Section 503.1 (Where required) is amended 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 the City of Castle Pines Roadway Design and Construction Standards (“the Standards”). Should any provision of the fire code conflict with the Standards, the fire code official and the City of Castle Pines Public Works Director shall make the final determination as to whether Sections 503.1.1 through 503.1.3 of the fire code shall apply.

- (6) **IFC Section 503.2.** IFC Section 503.2 (Specifications) is 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, Appendix D, and the City of Castle Pines Roadway Design and Construction Standards (“the Standards”). Should any provision of the fire code conflict with the Standards, the fire code official and the City of Castle Pines Public Works Director shall make the final determination as to whether Sections 503.2.1 through 503.2.8 and Appendix D of the fire code shall apply.

- (7) **IFC Section 503.4.1.** IFC Section 503.4.1 (Traffic calming devices) is amended to read as follows:

**503.4.1 Traffic calming devices.** Fire code official approval is required before a traffic-calming device can be constructed.

- (8) **IFC Section 507.3.** IFC Section 507.3 (Fire Flow) is amended 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 an approved method.

- (9) **IFC Section 507.5.** IFC Section 507.5 (Fire hydrant systems) is amended 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.

- (10) **IFC Section 903.2.9.** IFC Section 903.2.9 (Group S-1) is amended to read as follows:

1. [no change]
2. [no change]
3. [no change]
4. [no change]
5. A Group S-1 fire area used for the storage of upholstered furniture or mattresses exceeds 2,500 square feet (232 m<sup>2</sup>)

- (11) **IFC Section 1103.7.6.** IFC Section 1103.7.6 (Group R-2) is amended to read as follows:

**1103.7.6 Group R-2.** A manual and automatic 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 with more than 16 dwelling or sleeping units.

Exceptions:

1. [no change]
2. [no change]
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, items 3.2 to 3.5.
4. [no change]

- (12) **IFC Section 5601.1.3.** IFC Section 5601.1.3 (Fireworks) is deleted in its entirety and shall read as follows:

**5601.1.3 Fireworks.** The possession, manufacture, storage, sale, handling, and use of fireworks are prohibited.

Exceptions:

- a. Fireworks displays in accordance with Section 5608.
- b. The possession, storage, handling, and use of permissible fireworks as defined by C.R.S. 12-28-101 (8)(a), as amended.

- (13) **IFC Section 5704.2.9.6.1.** IFC Section 5704.2.9.6.1 (Locations where aboveground tanks are prohibited) is amended to read as follows:

**5704.2.9.6.1** Locations of above-ground tanks. Above-ground tanks shall be located in accordance with this section.

- (14) **IFC Section 5706.2.4.4.** IFC Section 5706.2.4.4 (Locations where above-ground tanks are prohibited) is deleted in its entirety.

- (15) **IFC Section 5806.2.** IFC Section 5806.2 (Limitations) is deleted in its entirety.

- (16) **IFC Section 6104.2.** IFC Section 6104.2 (Maximum capacity within established limits) is deleted in its entirety.

- (17) Only those appendix chapters of the International Fire Code listed herein are adopted as follows:

APPENDIX B, Fire-Flow Requirements for Buildings.

APPENDIX C, Fire Hydrant Locations and Distribution.

APPENDIX D, Fire Apparatus Access Roads, with the following amendments:

- (1) **IFC Section D103.1.** IFC Section D103.1 (Access road width with a hydrant) is deleted in its entirety.

- (2) **IFC Section D103.4.** IFC Section D103.4 (Dead ends) is amended 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 Castle Pines Roadway Design and Construction Standards ("the Standards")

**IFC Section D105.3.** IFC Section D105.3 (Proximity to building) is amended to read as follows:

**D105.3 Proximity to building.** At least one of the required access routes meeting this condition shall be located within a minimum of 15 feet (4572 mm) and a maximum of 30 feet (9144 mm) from the building, and shall be positioned parallel to one entire side of the building. The side of the building on which the aerial fire apparatus access road is positioned shall be approved by the fire code official.

**Exception:** The proximity of an aerial fire apparatus access road may be altered by the fire code official based on the specifications and capabilities of the fire protection district's apparatus.

## ARTICLE 7

### International Fuel Gas Code

#### **Section 18-7-10. International Fuel Gas Code adopted.**

(a) The *International Fuel Gas Code*, 2015 Edition, 1st printing, as published by the International Code Council, 500 New Jersey Avenue, NW, 6<sup>th</sup> Floor, Washington, DC 20001, Chapters 1 through 8 inclusive, (“IFGC”) is hereby adopted by reference as the City of Castle Pines Fuel Gas Code as if fully set out in this Ordinance with the additions, deletions, insertions and changes as set forth in this Article.

(b) No building shall be hereafter constructed, erected, enlarged, altered, or moved into the City unless the same shall, as to design, construction, quality of materials and workmanship, conform with the IFGC, as adopted and as amended.

#### **Section 18-7-20. Purpose of the International Fuel Gas Code.**

The purpose of the IFGC is to provide minimum standards to safeguard life or limb, health, property and public welfare by regulating and controlling the design, construction, quality of materials, use and occupancy, location and maintenance of fuel gas piping systems and fuel gas utilization equipment within the City of Castle Pines and related accessories specifically regulated in the IFGC.

#### **Section 18-7-30. Amendments.**

The following deletions, additions, insertions, and changes are hereby made to the IFGC as adopted by reference by Section 18-7-10:

- (1) **IFGC Section 101.1.** IFGC Section 101.1 (Title) is amended by the addition of the term “City of Castle Pines” where indicated by [Name of Jurisdiction].
- (2) **IFGC Section 106.6.2.** IFGC Section 106.6.2 (Fee schedule) is deleted in its entirety.

- (3) **IFGC Section 106.6.3.** IFGC Section 106.6.3 (Fee refunds) is deleted in its entirety.
- (4) **IFGC Section 108.4.** IFGC Section 108.4 (Violations penalties) is deleted in its entirety.
- (5) **IFGC Section 109.** IFGC Section 109 (Means of appeal) and all subsections thereunder are deleted in their entirety.
- (6) **IFGC Section 404.12.** IFGC Section 404.12 (Minimum burial depth) is amended by the addition of the following: All plastic fuel gas piping shall be installed a minimum of 18 inches (457 mm) below grade.
- (7) **IFGC Section 404.12.1.** IFGC Section 404.12.1 (Individual outside appliances) is deleted in its entirety.
- (8) **IFGC Section 406.4.1.** IFGC Section 406.4.1 (Test pressure) is amended by changing 3 psig to 10 psig.
- (9) **IFGC Section 614.6.1.** IFGC Section 614.6.1 (Maximum length) is amended by deleting the exception in its entirety.

## **ARTICLE 8**

### **International Energy Conservation Code**

#### **Section 18-8-10. International Energy Conservation Code adopted.**

(a) The *International Energy Conservation Code*, 2015 Edition, 1st printing as published by the International Code Council, 500 New Jersey Avenue, NW, 6<sup>th</sup> Floor, Washington, DC 20001, Chapters 1 through 6 inclusive, (“IECC”) is hereby adopted by reference as the City of Castle Pines Energy Code as if fully set out in this Ordinance with the additions, deletions, insertions and changes as set forth in this Article.

(b) No building shall be hereafter constructed, erected, enlarged, altered, or moved into the City unless the same shall, as to design, construction, quality of materials and workmanship, conform with the IECC, as adopted and as amended.

#### **Section 18-8-20. Purpose of International Energy Conservation Code.**

The purpose of the IECC is to regulate the design and construction of buildings for the effective use of energy. The IECC is not intended to abridge safety, health or environmental requirements contained in other applicable codes or ordinances.

**Section 18-8-30. Amendments.**

The following deletions, additions, insertions, and changes are hereby made to the IECC as adopted by reference by Section 18-8-10:

- (1) **IECC Section 101.1.** IECC Section 101.1 (Title) is amended by the addition of the term “City of Castle Pines” where indicated by [Name of Jurisdiction].
- (2) **IECC Section 109.** IECC Section 109 (Board of appeals) and all subsections thereunder are deleted in their entirety.

**Section 2.** The City of Castle Pines hereby enacts a new Article 8.5 of Chapter 18 of the Castle Pines Municipal Code titled *International Swimming Pool and Spa Code*, to read as follows:

**ARTICLE 8.5**

**International Swimming Pool and Spa Code**

**Section 18-8.5-10. International Swimming Pool and Spa Code adopted.**

(a) The International Swimming Pool and Spa Code,, 2015 Edition as published by the International Code Council, 500 New Jersey Avenue, NW, 6<sup>th</sup> Floor, Washington, DC 20001. Chapters 1 through 67 inclusive, ("ISPSC"), is hereby adopted by reference as the City of Castle Pine Swimming Pool and Spa Code as if fully set out in this Article with the additions, deletions, insertions and changes as set forth in this Article.

(b) No pool or spa shall be designed, constructed, installed, quality of materials, located and maintained or used in the City unless the same shall, as to design, construction, quality of materials and workmanship, conform with the ISPSC, as adopted and as amended.

**Section 18-8.5-20. Purpose of the International Swimming Pool and Spa Code.**

The purpose of the ISPSC is to establish minimum standards to provide a reasonable level of safety and protection of health, property and public welfare by regulating and controlling the design, construction, installation, quality of materials, location and maintenance or use of pool and spas.

**Section 18-8.5-30. Amendments.**

The following deletions, additions, insertions, and changes are hereby made to the ISPSC as adopted by reference by Section 18-9-10:

- (1) **ISPSC Section 101.1.** **ISPSC Section 101.1** (Title) is amended by the addition of the term “City of Castle Pines” where indicated.

**Section 3.** The City of Castle Pines hereby repeals and reenacts Article 9, *International Existing Building Code*, and Article 10, *Enforcement and Penalties*, to read as follows:

## ARTICLE 9

### International Existing Building Code

#### **Section 18-9-10. International Existing Building Code Adopted.**

(a) The International Existing Building Code, 2015 Edition as published by the International Code Council, 500 New Jersey Avenue, NW, 6 th Floor, Washington, DC 20001, Chapters 1 through 67 inclusive, ("IEBC"), is hereby adopted by reference as the City of Castle Pines Existing Building Code as if fully set out in this Article with the additions, deletions, insertions and changes as set forth in this Article.

(b) No building shall be hereafter altered, repaired, change of occupancy, addition and relocation of existing buildings, regardless of occupancy, in the City unless the same shall, as to design, construction, quality of materials and workmanship, conform with the IEBC, as adopted and as amended.

#### **Section 18-9-20. Purpose of the International Existing Building Code.**

The purpose of the IEBC is to provide flexibility to permit the use of alternative approaches to achieve compliance with the minimum requirements to safeguard the public health, safety and welfare insofar as they are affected by the repair, alteration, change of occupancy, addition and relocation of existing buildings.

#### **Section 18-9-30. Amendments.**

The following deletions, additions, insertions, and changes are hereby made to the IEBC as adopted by reference by Section 18-8-10:

- (1) **IEBC Section 101.1.** IEBC Section 101.1 (Title) is amended by the addition of the term "City of Castle Pines" where indicated.
- (2) **IEBC Section 101.4.2** IEBC Section 101.4.2 (Buildings previously occupied) is amended by the deletion of International Property Maintenance Code.

#### **Section 18-9-40. Penalties for Violation of International Existing Building Code.**

It shall be unlawful for any person, firm or corporation to erect, construct, enlarge, alter, repair, move, improve, remove, convert or demolish, equip, use, occupy or maintain any building or structure or cause or permit the same to be done in violation of this Code. In addition to other sanctions set forth in the IEBC, a person or entity that violates the IEBC may be fined in an amount not to exceed \$1,000 or imprisoned for a term not to exceed one year, or both such fine and imprisonment, as more fully set forth in Article 4 of Chapter 1 of the Municipal Code.

## ARTICLE 10

### Enforcement and Penalties

#### **Section 18-10-10. Violation.**

It shall be unlawful for any person, firm or corporation to erect, construct, enlarge, alter, repair, move, improve, remove, convert or demolish, equip, use, occupy or maintain any building or structure or cause or permit the same to be done in violation of any of the codes adopted in this Chapter.

#### **Section 18-10-20. Penalty.**

Any person who violates any provision of this Chapter, or any landowner who allows the use of his or her land by another in violation of this Chapter, may be fined in an amount not to exceed the maximum fine amount authorized in Section 1-4-20 of this Code or imprisoned for a term not to exceed one (1) year, or both such fine and imprisonment, as more fully set forth in Section 1-4-20 of this Code. Each such person shall be guilty of a separate offense for each and every day during any portion of which any violation of any of the provisions of this Chapter is committed, continued or permitted by such person, and such person shall be punished accordingly.

#### **Section 18-10-30 Notice of violation; Stop Work Order.**

The Building Official or other official designated by the applicable code adopted in this Chapter is authorized to serve a notice of violation, stop work order, or other demand or order on the person responsible for the erection, construction, alteration, extension, repair, moving, removal, demolition or occupancy of a building or structure in violation of the provisions of this Chapter, or in violation of a permit or certificate issued under the provisions of this Chapter. Such order shall direct the discontinuance of the illegal action or condition and the abatement of the violation.

#### **Section 18-10-40 Injunctive relief.**

In addition to other remedies available to the City, the City may commence an action in the District Court for Douglas County, to enjoin the alleged violation of any provision of this Chapter, or to authorize and compel the removal, termination or abatement of such violation at the expense of the violator. The violator shall be granted a reasonable period of time in which to correct such violation before the City may abate the violation. The cost of abatement shall be supported by competent evidence and reduced to judgment in the same action in a hearing before the Court.

#### **Section 18-10-50 Additional remedies.**

Any remedies provided for in this Chapter shall be cumulative and not exclusive and shall be in addition to any other remedies provided by law.

**Section 4.** **Other Codes.** Nothing contained in this Ordinance shall be construed to adopt by reference any other code related to building or fire safety not specifically adopted hereby, including, without limitation, the *International Property Maintenance Code*, the, the *International Private Sewage Disposal Code*, the *International Zoning Code*, the *International Wildland-Urban Interface Code*, the *International Green Construction Code* and the *International Code Council Performance Code*.

**Section 5.** **Fees.** Any fees provided for or by any International Code adopted in this Ordinance shall be set forth in the City of Castle Pines fee schedule. Any and all such fees may be amended, modified, increased, or deleted at any time, and from time to time, by resolution of the City Council.

**Section 6.** **Severability.** Should any one or more sections or provisions of this Ordinance or of any of the primary or secondary codes adopted by reference be judicially determined invalid or unenforceable, such judgment shall not affect, impair or invalidate the remaining provisions of this Ordinance or the codes adopted by reference hereby, the intention being that the various sections and provisions are severable.

**Section 7.** **Repeal.** Any and all ordinances or codes or parts thereof in conflict or inconsistent herewith are, to the extent of such conflict or inconsistency, hereby repealed; provided, however, that the repeal of any such ordinance or code or part thereof shall not revive any other section or part of any ordinance or code heretofore repealed or superseded and this repeal shall not affect or prevent the prosecution or punishment of any person for any act done or committed in violation of any ordinance hereby repealed prior to the effective date of this Ordinance. In particular, that portion of Ordinance No. 12-03 adopting the 2009 editions of the International Codes is herein expressly repealed.

**Section 8.** **Effective Date.** This Ordinance shall take effect and be in force thirty (30) days after publication following final adoption.

**INTRODUCED, READ, AND PASSED ON FIRST READING, AT A REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF CASTLE PINES, COLORADO THE 11<sup>TH</sup> DAY OF OCTOBER, 2016.**

**READ, PASSED, AND ADOPTED ON SECOND READING, AT A REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF CASTLE PINES, COLORADO THE 13<sup>TH</sup> DAY OF DECEMBER, 2016.**

**CITY OF CASTLE PINES:**

---

Jeffrey T. Huff, Mayor

ATTEST:

Approved as to form:

---

Sharon Washington, CMC, City Clerk

---

Linda C. Michow, City Attorney

### **CERTIFICATION OF PUBLICATION**

I hereby attest and certify that the within and foregoing Ordinance was introduced and read on first reading at a regular meeting of the Castle Pines City Council on October 11, 2016; published by reference by title only in the *Douglas County News-Press*, together with the statement that “[t]he complete text of all ordinances is available through the City Offices and on the City’s official website”; and finally passed and adopted by the City Council on December 13, 2016 following a duly noticed public meeting and ordered published by title only, with amendments if any, one time in the *Douglas County News-Press* on December 22, 2016.

ATTEST:

---

Sharon Washington, CMC, City Clerk