

ORDINANCE NO. 08-09

AN ORDINANCE OF THE TOWN OF RIDGWAY, COLORADO, AMENDING TOWN BUILDING AND FIRE REGULATIONS AND ADOPTING BY REFERENCE THE INTERNATIONAL BUILDING CODE, 2006 EDITION; THE INTERNATIONAL RESIDENTIAL CODE, 2006 EDITION; THE INTERNATIONAL EXISTING BUILDING CODE, 2006 EDITION; THE INTERNATIONAL ENERGY CONSERVATION CODE, 2006 EDITION; THE INTERNATIONAL MECHANICAL CODE, 2006 EDITION; THE INTERNATIONAL FUEL GAS CODE, 2006 EDITION; THE INTERNATIONAL FIRE CODE, 2006 EDITION, AND THE INTERNATIONAL PROPERTY MAINTENANCE CODE, 2006 EDITION; AND PROVIDING PENALTIES FOR VIOLATIONS

BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF RIDGWAY, COLORADO, AS FOLLOWS:

Section 1:

Subsections 6-1-1, 6-1-3, 6-1-4, 6-1-5 and 6-1-8 of the Ridgway Municipal Code are amended to read as follows:

6-1-1: ADOPTION AND APPLICATION OF CODES.

- (A) There is hereby adopted for the purpose of providing minimum standards to safeguard life or limb, health, property and public welfare, The International Building Code, 2006, Edition, including Appendices E, I and J, as published by the International Code Council, 4051 West Flossmoor Road, Country Club Hills, IL 60478-5795; the subject matter of which is regulations governing, the conditions and maintenance of all property, buildings and structures; by providing the standards for supplied utilities and facilities and other physical things and conditions essential to ensure than structures are safe, sanitary and fit for occupation and use; the condemnation of buildings and structures unfit for human occupancy and use, and the demolition of such structures; and providing for the issuance of permits and collection of fees therefore.
- (B) There is hereby adopted for the purpose of providing minimum standards to protect persons and property, public safety, health and general welfare, The International Residential Code, 2006 Edition, including Appendices E, G, H, and J, as published by the International Code Council, 4051 West Flossmoor Road, Country Club Hills, IL 60478-5795; the subject matter of which is regulations governing the construction, alteration, movement, enlargement, replacement, repair, equipment, location, removal and demolition of detached

and two family dwellings and multiple single family dwellings (townhouses) not more than three stories in height with separate means of egress and the issuance of permits and collection of fees therefore.

- (C) There is hereby adopted for the purpose of providing minimum standards to protect persons and property The International Mechanical Code, 2006 Edition, including Appendix A, as published by the International Code Council, 4051 West Flossmoor Road, Country Club Hills, IL 60478-5795; the subject matter of which is regulations governing the design, construction, quality of materials, erection, installation, alteration, repair, location, relocation, replacement, addition to, use or maintenance of mechanical systems and the issuance of permits and collection of fees therefore.
- (D) There is hereby adopted for the purpose of providing minimum standards to protect persons and property The International Fuel Gas Code, 2006 Edition, including Appendices A, B, C, and D, as published by the International Code Council, 4051 West Flossmoor Road, Country Club Hills, IL 60478-5795; the subject matter of which is regulations governing fuel gas systems and gas-fired appliances and the issuance of permits and collection of fees therefore.
- (E) There is hereby adopted for the purpose of providing minimum standards to protect persons and property The International Energy Conservation Code, 2006 Edition, as published by the International Code Council, 4051 West Flossmoor Road, Country Club Hills, IL 60478-5795; the subject matter of which is regulations governing energy efficient building envelopes and installation of energy efficient mechanical, lighting and power systems and for the issuance of permits and collection of fees therefore.
- (F) There is hereby adopted for the purpose of providing minimum standards to protect persons and property The International Fire Code, 2006 Edition, including Appendices B and C, as published by the International Code Council, 4051 West Flossmoor Road, Country Club Hills, IL 60478-5795; the subject matter of which is regulations safeguarding life and property from fire and explosion hazards arising from the occupancy of buildings and premises and the issuance of permits and collection of fees therefore.
- (G) There is hereby adopted for the purpose of providing minimum standards to protect persons and property The International Existing Building Code, 2006 Edition, including Appendices A and B, as published by the International Code Council, 4051 West Flossmoor Road, Country Club Hills, IL 60478-5795; the subject matter of which is regulations governing the repair, alteration, change of occupancy, addition and relocation of existing buildings

including historic buildings and the issuance of permits and collection of fees therefore.

- (H) There is hereby adopted for the purpose of providing minimum standards to protect persons and property The International Property Maintenance Code, 2006 Edition, including Appendices A and B, as published by the International Code Council, 4051 West Flossmoor Road, Country Club Hills, IL 60478-5795; the subject matter of which is regulations governing the conditions and maintenance of all property, building and structures; by providing the standards for supplied utilities and facilities and other physical things and conditions essential to ensure that structures are safe, sanitary and fit for occupation and use; and the condemnation of buildings and structures unfit for human occupancy and use, and the demolition of such existing structures as herein provided; and the issuance of permits and collection of fees therefore.
- (I) Pursuant to C.R.S. 12-58-104(1)(e), The Colorado Plumbing Code, as adopted by the State Examining Board of Plumbers and amended from time to time shall apply to all plumbing work within the Town.
- (J) One copy of each of the above codes is on file in the office of the Town Clerk and may be inspected during regular business hours. Additional copies are available for purchase.

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6-1-3: CHANGES, DELETIONS AND EXCEPTIONS TO THE CODES ADOPTED BY REFERENCE.

(A) The INTERNATIONAL BUILDING CODE, 2006 Edition is amended as follows:

(1) References in Section 101.1 and elsewhere to “jurisdiction” shall mean the Town of Ridgway.

(2) Subsections 101.4.1 and 101.4.4 are hereby amended to read as follows:

101.4.1 **Electrical**. The provisions of the Electrical Codes, as adopted by the State of Colorado, shall apply to the installation of electrical systems, including alterations, repairs, replacement, equipment appliances, fixtures, fittings, and appurtenances thereto, and any reference to the International Electrical code shall mean such code.

101.4.4 **Plumbing**. The Colorado Plumbing Code, as adopted by the State of Colorado, shall apply to the installation, alterations, repairs, and replacement of plumbing systems, including equipment, appliances, fixtures, fittings, and appurtenances, where connected to a water or

sewage system and all aspects of a medical gas system, and references to the International Plumbing Code shall mean such code.

- (3) Sections 103 and 112 and Subsections 104.7, and 104.8 are deleted.
- (4) Subsection 104.1 is hereby amended to append the following sentence:

The Building Official is empowered to hire on a special basis, technical assistants for the provision of special expertise and the checking of plans and making of inspections, and the cost of employing such technical assistants shall be added to the cost of any permits required by this Code or the codes adopted by the Town.

- (5) Subsection 105.2 **Work Exempt From Permit**. is hereby amended as follows:

Item number 1: Replace 120 square feet (11 m²), with 150 square feet (13.9 m²), and append the sentence: Provided, however, a site permit must be obtained for such structures from the Town, which shall be subject to a permit fee of \$50 and shall be issued only for lawfully located structures.

Item number 4: Replace 4 feet (1219 mm), with 2 feet (610 mm).

Add the following Items 14 and 15:

- 14. Re-roofing without alteration of roof deck structure.
- 15. Re-siding without alteration of wall structure.

- (6) Subsection 105.5 **Expiration**. is hereby amended to read as follows:

105.5 **Expiration**. Every permit shall become invalid unless the work on the site authorized by such permit is commenced within 180 days after its issuance, or if the work authorized on the site by such permit is suspended or abandoned for a period of 180 days after the time the work is commenced. The Building Official is authorized to grant, in writing, an extension of time not to exceed 180 days. The extension shall be requested by the permittee, in writing, and justifiable cause demonstrated. No permit shall be extended more than once.

105.5.1 All permits shall include a stated expiration date, at which time the permit shall expire and become null and void. Said expiration date shall be twelve months from the date of issue, unless the Building Inspector determines that because of the size and complexity of the building that an additional period of time is reasonably required.

105.5.2 The Building Inspector upon payment of the applicable fees and submission of a new application may issue a new permit for work for which a previous permit expired because the work was never commenced, or for a site at which any work under a previous permit has been

totally removed.

105.5.3 A new permit shall not be issued for any work for which a previous permit expired by virtue of the lapse of the initial stated expiration date or because such work was suspended or abandoned for a period of 180 days once any work has begun, unless the permit is approved by the Ridgway Town Council. The permit shall not be issued unless the Town Council finds following a hearing with reasonable notice to the applicant that the following criteria are met, with the burden on the applicant to establish that such criteria will be met:

1. The applicant has the financial capability to proceed with the project and complete it with due diligence within six (6) months.
2. The applicant has the legal right to proceed with the construction on the site.
3. The applicant has provided written guarantees that the work will be completed with due diligence within six (6) months and agreed that in the event of his failure to bring the work to a point of substantial completion at the end of such time, the Town shall have the right to enter onto the property and remove whatever portion of the work exists at the cost of the applicant. Such agreement shall be on a form provided by the Town.
4. The site will be maintained in a safe and secure condition and no safety hazard or health hazard will be created by continuing with the work.
5. The applicant has submitted the proper application documents and paid the fee for the new permit.

105.5.4 All permits issued pursuant to Subsection 105.5.3 shall expire 180 days from the date of issuance.

(7) Subsection 106.1 **Submittal documents**. is hereby amended to read as follows:

106.1 **Submittal documents**. The Building Inspector is hereby directed to require plans and specifications to accompany all applications for building permits and to waive this requirement only in the clearest cases of non-necessity. Architectural designs and documents shall be prepared by an architect licensed to practice in the State of Colorado. Structural designs and documents shall be prepared by a professional engineer licensed to practice in the State of Colorado. The construction documents, statement of special inspections and other data shall be submitted in one or more sets with each permit application.

(8) Subsection 108.2 **Schedule of permit fees**. is hereby amended to read as follows:

108.2 **Schedule of permit fees**. On buildings, structures, electrical, gas, mechanical,

and plumbing systems or alterations requiring a permit, a fee for each permit shall be paid as required, in accordance with Table 1-A-Building Permit Fees, as established by the Uniform Building Code, 1997 Edition.

Plan review fees shall be sixty-five percent (65%) of the building permit fee as shown in Table 1-A. When submittal documents are incomplete or changed so as to require additional plan review or when the project involves deferred submittal items as defined in Subsection 106.3.4.2, an additional plan review fee shall be charged at the rate shown in Table 1-A. In all cases involving new construction, if the Building Official finds that any of the permits required by any of the codes adopted by the Town are duplicative or redundant, the Building Official is empowered to waive the permit requirement or the fee for the permit or both.

(9) Subsection 108.3 **Building permit valuations**. is hereby amended to read as follows:

108.3 **Building permit valuations**. The applicant for a permit shall provide an estimated project value at time of application. Project valuations shall include 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, in the form of valid construction contracts, to meet the approval of the building official. Final project valuation for permit purposes shall be set by the building official.

(10) Subsection 108.4 **Work commencing before permit issuance**. is hereby amended to read as follows:

108.4 **Work commencing before permit issuance**. Any person who commences any work on a building, structure, electrical, gas, mechanical or plumbing system before obtaining the necessary permits shall be subject to a fee established by the building official that shall be in addition to the required permit fees. The amount of the fee shall be equal to the permit fee or \$100, whichever is greater.

(11) Subsection 108.6 **Refunds**. is hereby amended to read as follows:

108.6 **Refunds**. The Building Official shall authorize the refunding of fees as follows:

1. The full amount of any fee paid hereunder which was erroneously paid or collected.
2. Not more than 80 percent (80%) of the permit fee paid when no work has been done under a permit issued in accordance with this code.
3. Not more than 80 percent (80%) of the plan review fee paid when an application for a permit for which a plan review fee has been paid is withdrawn or canceled before any plan review effort has been expended.

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

(12) A new Subsection 108.7 is added as follows:

108.7 **Re-inspection**. A re-inspection fee may be assessed for each inspection or re-inspection necessary because the portion of work for which the inspection was requested was not complete or when a required correction was not completed.

(13) Subsection 109.3.5 **Lath and gypsum board inspection**. is hereby amended to delete the exception.

(14) Subsection 109.5 **Inspection requests** is hereby amended to read as follows:

109.5 **Inspection requests**. It shall be the duty of the holder of the building permit or their duly authorized agent to notify the Building Official when work is ready for inspection. It shall be the duty of the permit holder to provide access to and means for inspections of such work that are required by this code. Inspection requests shall be made a minimum of twenty four hours in advance.

(15) Subsections 113.1, 113.3, 113.4 and 114.3 are hereby deleted.

(16) Subsection 1612.3 **Establishment of Flood Hazard Areas** is amended to read as follows:

16.12.3 **Establishment of Flood Hazard Areas**. Flood Hazard Areas are established pursuant to Section 6-2 of the Ridgway Municipal Code.

(17) Subsection 1807.1.2.1 **Flood hazard Areas** is hereby amended such that the Exception therein reads as follows:

Exception: Under-floor spaces of Group R-1 through Group R-4 buildings that meet the requirements of FEMA/FIA-TB-11.

(18) Section 2701.1 **Scope**. is amended to read as follows:

2701.1 **Scope**. This chapter governs the electrical components, equipment and systems used in building and structures covered by this code. Electrical components, equipment and systems shall be designed and constructed in accordance with the provisions of the Electrical Code, as adopted by the State of Colorado.

(19) The Date referenced in Subsection 3410.2 is inserted as 1975.

(B) The **INTERNATIONAL RESIDENTIAL CODE, 2006 Edition** is amended as follows:

(1) References in Section R101.1 and elsewhere to “jurisdiction” shall mean the Town of Ridgway.

(2) Subsection R102.4 **Referenced codes and standards**. is hereby amended to read as follows:

R102.4 **Referenced codes and standards**. The codes and standards referenced in this code and the International Building Code, 2006 Edition, as amended, shall be considered part of the requirements of this code to the prescribed extent of each such reference. Where differences occur between provisions of this code and referenced codes and standards, the provisions of this code shall apply.

Exception: Where enforcement of a code provision would violate the conditions of the listing of the equipment or appliance, the conditions of the listing and manufacturer’s instructions shall apply.

(3) Sections R103 and R112, and Subsections R104.7, R104.8, R113.1, 113.3, 113.4, and 114.2 are deleted.

(4) Subsection R105.2 **Work Exempt From Permit**. is hereby amended as follows:

Item number 1: Replace 120 square feet (11 m²), with 150 square feet (13.9 m²).
Item number 3: Replace 4 feet (1219 mm), with 2 feet (610 mm).
Add Items 10,11, and 12.

10. Re-roofing without alteration of roof deck structure.

11. Re-siding without alteration of wall structure.

12. Decks, platforms, walkways, etc., that measure thirty less than (30) inches from the standing surface of the adjacent grade.

(5) Subsection R105.5 **Expiration**. is hereby amended to read as follows:

R105.5 **Expiration**. Every permit shall become invalid unless the work on the site authorized by such permit is commenced within 180 days after its issuance, or if the work authorized on the site by such permit is suspended or abandoned for a period of 180 days after the time the work is commenced. The building official is authorized to grant, in writing, an extension of time not to exceed 180 days. The extension shall be requested by the permittee, in writing, and justifiable cause demonstrated. No permit shall be extended more than once.

R105.5.1 All permits shall include a stated expiration date, at which time the permit shall expire and become null and void. Said expiration date shall be twelve (12) months from the date of issue, unless the building inspector determines that because of the size and complexity of the building that an additional period of time is reasonably required.

R105.5.2 The Building Inspector upon payment of the applicable fees and submission of a new application may issue a new permit for work for which a previous permit expired because the work was never commenced, or for a site at which any work under a previous permit has been totally removed.

R105.5.3 A new permit shall not be issued for any work for which a previous permit expired by virtue of the lapse of the initial stated expiration date or because such work was suspended or abandoned for a period of 180 days once any work has begun, unless the permit is approved by the Town of Ridgway Town Council. The permit shall not be issued unless the Town Council finds following a hearing with reasonable notice to the applicant that the following criteria are met, with the burden on the applicant to establish that such criteria will be met:

1. The applicant has the financial capability to proceed with the project and complete it with due diligence within six (6) months.
2. The applicant has the legal right to proceed with the construction on the site.
3. The applicant has provided written guarantees that the work will be completed with due diligence within six (6) months and agreed that in the event of his failure to bring the work to a point of substantial completion at the end of such time, the Town shall have the right to enter onto the property and remove whatever portion of the work exists at the cost of the applicant. Such agreement shall be on a form provided by the Town.
4. The site will be maintained in a safe and secure condition and no safety hazard or health hazard will be created by continuing with the work.
5. The applicant has submitted the proper application documents and paid the fee for the new permit.

R105.5.4 All permits issued pursuant to Section R105.5.3 shall expire 180 days from the date of issuance.

(6) Section R108.2 **Schedule of permit fees**, is hereby amended to read as follows:

R108.2 **Schedule of permit fees**. On buildings, structures, electrical, gas, mechanical, and plumbing systems or alterations requiring a permit, a fee for each permit shall be paid as required, in accordance with Table 1-A-Building Permit Fees, as established by the Uniform Building Code, 1997 Edition. Plan review fees shall be 65 percent of the building permit fee as shown in Table 1-A. When submittal documents are incomplete or changed so as to require additional plan review or when the project involves deferred submittal items, an additional plan review fee shall be charged at the rate shown in Table 1-A.

(7) Subsection R108.3 **Building permit valuations**. is hereby amended to read as follows:

R108.3 **Building permit valuations**. Residential project valuations shall include 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. These residential valuations shall be derived using the Town of Ridgway Valuation Worksheet as promulgated by the Ridgway Town Council.

(8) Subsection R108.5 **Refunds**. is hereby amended to read as follows:

R108.5 **Refunds**. The Building Official shall authorize the refunding of fees as follows:

1. The full amount of any fee paid hereunder which was erroneously paid or collected.
2. Not more than 80 percent (80%) of the permit fee paid when no work has been done under a permit issued in accordance with this code.
3. Not more than 80 percent (80%) of the plan review fee paid when an application for a permit for which a plan review fee has been paid is withdrawn or canceled before any plan review effort has been expended.

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

(9) Subsection R110.1 is hereby amended to delete Exception: 2. Accessory buildings or structures.

(10) Table R301.2 (1) **CLIMATIC AND GEOGRAPHIC DESIGN CRITERIA**. The following values shall be added to the table:

Ground Snow Load: 65 Lbs/Sq. Ft.
Wind Speed: 90 mph, 3 second gusts
Seismic Design Category: C
Weathering: Severe
Frost Line Depth: 40 inches
Termite: Slight
Decay: Slight
Winter Design Temperature: -16 degrees F
Ice Shield: Yes
Flood Hazards: Ridgway Municipal Code Subsection 6-2-6
Air Freezing Index: 3000 (BF/days)

Mean Annual Temperature: 43 degrees F

(11) Section R310 **Emergency Escape and Rescue Openings**. is hereby amended to add a new Subsection R310.2.2, to read as follows:

R310.2.2 **Roof Section Required**. Every window well serving as a means of egress shall have a roof section that extends beyond the window well footprint.

(11) Section R311.4.1 **Exit Door Required**. is hereby amended to add the following sentence: Exit doors shall be provided with protection from ice and snow shedding.

(12) Section R313 **Smoke Alarms**. is hereby amended to add the following subsection R313.4:

R313.4 **Carbon Monoxide Detectors**. Carbon monoxide detectors shall be installed in all new construction, additions, remodels, and renovations where gas appliances are installed. Detectors shall receive primary power from the building's wiring and be equipped with a battery backup. Location of detectors shall be in accordance with the manufacturer's installation instructions.

(13) Subsection N1101.2 **Compliance**. is hereby amended to read as follows:

N1101.2 **Compliance**. Compliance shall be demonstrated by meeting the requirements of the International Energy Conservation Code.

(14) Subsection G2406.2 **Prohibited Locations**. is hereby amended to delete exceptions Numbered 3 and 4.

(15) Subsection G2425.8 **Equipment Not Required to be Vented**. is hereby amended to delete item Number 7.

(16) Subsection G2445 **Unvented Room Heaters**. is hereby amended in its entirety to read as follows:

G2445.1 **Prohibited**. Unvented room heaters are prohibited in all locations throughout all occupancies.

(17) Chapters 25 through 42 are hereby deleted. Plumbing and Electrical shall comply with codes adopted by the State of Colorado.

(C) The **INTERNATIONAL ENERGY CONSERVATION CODE, 2006 Edition, is amended as follows**”

(1) References in Subsection 101.1 and elsewhere to “jurisdiction” shall mean the Town

of Ridgway.

(D) The INTERNATIONAL MECHANICAL CODE, 2006 Edition is amended as follows:

(1) References in Subsection 101.1 and elsewhere to “jurisdiction” shall mean the Town of Ridgway.

(2) Subsection 106.5.2 **Fee Schedule**. is hereby amended to read as follows:

106.5.2 **Fee Schedule**. The fees for mechanical work shall be derived using the Town of Ridgway Valuation Worksheet promulgated by the Ridgway Town Council.

(3) Subsection 106.5.3 **Fee Refunds**. is hereby amended to read as follows:

106.5.3 **Refunds**. The Building Official shall authorize the refunding of fees as follows:

1. The full amount of any fee paid hereunder which was erroneously paid or collected.
2. Not more than 80 percent (80%) of the permit fee paid when no work has been done under a permit issued in accordance with this code.
3. Not more than 80 percent (80%) of the plan review fee paid when an application for a permit for which a plan review fee has been paid is withdrawn or canceled before any plan review effort has been expended.

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

(4) Sections 103 and 109, subsections 104.8, 108.1, 108.3, 108.4 and 108.5, and the second paragraph of subsection 108.7.3 are hereby deleted.

(D) The INTERNATIONAL FUEL GAS CODE, 2006 Edition is amended as follows:

(1) References in Subsection 101.1 and elsewhere to “jurisdiction” shall mean the Town of Ridgway.

(2) Subsection 106.5.2 **Fee Schedule**. is hereby amended to read as follows:

106.5.2 **Fee Schedule**. The fees for work shall be derived using the Town of Ridgway Valuation Worksheet as promulgated by the Ridgway Town Council.

(3) Subsection 106.5.3 **Fee Refunds**. is hereby amended to read as follows:

106.5.3 **Refunds**. The Building Official shall authorize the refunding of fees as follows:

1. The full amount of any fee paid hereunder which was erroneously paid or collected.
2. Not more than 80 percent (80%) of the permit fee paid when no work has been done under a permit issued in accordance with this code.
3. Not more than 80 percent (80%) of the plan review fee paid when an application for a permit for which a plan review fee has been paid is withdrawn or canceled before any plan review effort has been expended.

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

(4) Sections 103 and 109 and subsections 104.8, 108.1, 108.3, 108.4, 108.5, and the second paragraph of subsection 108.7.3 are hereby deleted.

(E) The INTERNATIONAL FIRE CODE, 2006 Edition is amended to read as follows:

(1) References in Subsection 101.1 and elsewhere to “jurisdiction” shall mean the Town of Ridgway.

(2) Section 103 and 108 and Subsections 109.1, 109.2.3, 109.3, 109.3.1 and 111.4 are hereby deleted.

(3) Subsection 605.3 **Working Space and Clearance**. is hereby amended to restate Exception 1 and to read as follows:

1. Where other dimensions are required or allowed by the Electrical Code as adopted by the State of Colorado.

(4) Subsection 605.3 **Working Space and Clearance**. is hereby amended by the addition of a new Subsection 605.3.2, to read as follows:

605.3.2 **Outside Disconnect Device**. All electrical services shall be equipped with an exterior, moisture resistant service disconnect device, adjacent to and following the meter, so situated as to be readily accessible and easily operable by fire protection personnel or for other emergency uses.

(5) The geographic limits referred to in the following sections of the UFC are hereby established as follows:

3204.3.1.1 None

3404.2.9.5.1 The entire Town except the I-1 and the I-2 Zoning Districts, and except outside above ground fuel oil tanks used for heating if the capacity or aggregate capacity does not exceed 500 gallons, in use as of June 1, 2006.

3406.2.4.4 The entire Town except the I-1 and I-2 Zoning Districts.

3804.2 The entire Town.

(6) Subsection 302.1 **Definitions**. is hereby amended by the substitution of a new definition of Recreational Fire, to read as follows:

RECREATIONAL FIRE. An outdoor fire burning materials other than refuse where the fuel being burned is contained in an outdoor fire place, barbeque grill, chiminea, patio heater, or similar container, and has a total fuel area of three (30 feet or less in diameter and two (2) feet or less in height, for pleasure, religious, ceremonial, cooking, warming or similar purposes.

(F) The INTERNATIONAL PROPERTY MAINTENANCE CODE, 2006 Edition is hereby amended as follows:

(1) References in Subsection 101.1 and elsewhere to “jurisdiction” shall mean the Town of Ridgway.

(2) Subsection 103.5 **Fees**. is hereby amended to read as follows:

103.5 **Fees**. The fees for activities and services performed by the department in carrying out its responsibilities under this Code shall be as indicated in Table 1-A-Building Permit Fees, as established by the Uniform Building Code, 1997 Edition.

(3) Subsection 304.14 **Insect screens**. is hereby amended to insert the following dates in the spaces provided: May 1 to October 15.

(4) Subsection 602.3 **Heat supply**. is hereby amended to insert the following dates in the spaces provided: January 1 to December 31.

(5) Subsection 602.4 **Occupiable work spaces**. is hereby amended to insert the following dates in the spaces provided: January 1 to December 31.

(6) *Subsection 302.4 is hereby amended to insert the following measurements in the spaces provided: 6 inches and 6 inches.*

(7) Sections 103, 106 and 111 and subsections 104.7, 107.1, 107.2, 107.3, 107.4, 108.3, 109.5, 109.6, 110.2, 110.3, and 110.4 are hereby deleted.

(G) The INTERNATIONAL EXISTING BULIDINGS CODE, 2006 Edition is amended as follows:

(1) References in Subsection 101.1 and elsewhere to “jurisdiction” shall mean the Town of Ridgway.

(2) Subsection 108.6 **Fee Refunds**. is hereby amended to read as follows:

108.6 **Refunds**. The Building Official shall authorize the refunding of fees as follows:

1. The full amount of any fee paid hereunder which was erroneously paid or collected.

2. Not more than 80 percent (80%) of the permit fee paid when no work has been done under a permit issued in accordance with this code.

3. Not more than 80 percent (80%) of the plan review fee paid when an application for a permit for which a plan review fee has been paid is withdrawn or canceled before any plan review effort has been expended.

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

(3) Subsection 1301.2 is amended by the insertion of the following date: 1975

(4) Sections 103 and 112 and, subsections 104.7, 104.8, 106.5, 113.1, 113.3, 114.3, 115.2, 115.3, 115.4, 116.5, 116.6, 117.2, and 117.4 are hereby deleted.

(H) (1) Any structure which has not been substantially completed prior to the expiration of a building permit, is hereby declared to be a nuisance, which may be abated by the Town in any lawful manner. It shall be unlawful to maintain or fail to remove such a nuisance.

(2) All below grade excavation done in advance of construction shall be filled and made safe within thirty (30) days of an abandoned project. Where construction has proceeded beyond excavation, all foundation work and above grade construction shall be secured against the weather and the construction site shall be otherwise returned to that condition as existed before the permit was issued.

(3) Notwithstanding anything in the codes adopted herein to the contrary, wood shingles shall be allowed only if they are treated to Class “B” fire resistance pursuant to UL Standard 790 or

the equivalent. The building inspector may charge an additional inspection fee as necessary to cover the costs of inspection to insure only qualified shingles are used in the work.

(4) No building permit shall be issued for any premises requiring plumbing unless Town water and Town sewer services are reasonably available to the site, or the necessary extensions are provided for contractually, or for sewer, an individual or private system has been authorized pursuant to Section 9-1-10 of the Ridgway Municipal Code; and applicable water or sewer tap fees have been paid. It shall be unlawful to occupy any premises for any residential related purpose unless the premises is served by lawful operational domestic water supply and sanitary sewer plumbing systems.

(5) Nothing in the Codes adopted by reference in this Section shall be construed to prohibit the issuance of a building permit in the Vista Terrace Subdivision, merely because the Town water system in such subdivision is unable to deliver full fire flows.

(6) Buildings and structures and all portions thereof that are subject to snow loading shall be designed and constructed to resist snow loads and all other loads pursuant to the Town of Ridgway Building Code. Potential unbalanced accumulation of snow at valleys, parapets, roof structures and offsets in roofs of uneven configuration shall be considered. Ground snow load is hereby established to be 65 pounds per square foot throughout the entire Town of Ridgway.

(7) For the purpose of determining footing and foundation depths, frost line depth is hereby established to be forty (40) inches below finished grade. Footing and foundation depths may be altered, when approved by the building official, based upon approved engineered design and geotechnical analysis. Monolithic slabs for garages and similar non-residential structures less than six hundred (600) square feet shall be subject to a minimum twenty-four (24) inch depth below finished grade throughout the entire Town of Ridgway.

(8) The storage of explosives and blasting agents is prohibited within the Town of Ridgway, Colorado.

(9) The storage of hazardous materials is prohibited within the Town of Ridgway, Colorado.

(10) All references in the International Fire Code, 2006 Edition, to the Fire Code Official, Fire Department, Fire Chief, Fire Marshal, Fire Prevention Bureau, or other administrative officers or employees shall be construed to mean the Town of Ridgway, and its building official or inspector, or other officer, employee or agent authorized by the Town to enforce and administer the International Fire Code, 2006 Edition.

(11) The Town shall be exempt from Permit fees.

6-1-4: PLUMBING AND ELECTRICAL PERMITS.

It shall be unlawful to do any plumbing or electrical work within the Town of Ridgway

without the proper permits issued by the State of Colorado pursuant to State law.

6-1-5: APPEALS.

(A) The decision of the Building Official or his designated official or inspector under this Chapter, or the codes adopted by reference herein may be appealed to the Board of Appeals by filing a written appeal on forms provided by the Town with said official or inspector within fifteen days of the date he renders his decision.

(B) Such appeal should set in full the reasons for the appeal, and specify the relief requested.

(C) The Building Official shall review the appeal and forward it to the Board of Appeals attaching thereto his written recommendations and reasons for his decision.

(D) The Board of Appeals shall hold a hearing with reasonable notice to the applicant. The decision of the Board of Appeals shall be final.

(E) The Board of Appeals shall have no authority to grant any variance.

(F) The Mayor shall appoint three members to the Board of Appeals to serve at the pleasure of the Mayor.

6-1-8: VIOLATIONS AND PENALTIES.

(A) It shall be unlawful to violate any provision of this Chapter, the State Electrical Code, the Colorado Plumbing Code, any of the Codes adopted by reference herein, or any notice, stop order, permit, certificate or other order issued by the Town pursuant to said Codes or this Chapter. Any person convicted of such a violation shall be punished by a fine of not more than \$300 or imprisonment for not more than 90 days or by both fine and imprisonment; provided, however, no person under the age of eighteen (18) years shall be sentenced to any term of imprisonment in excess of ten (10) days, except for contempt of Court. Each day during which any violation is committed or permitted to continue shall be considered as a separate offense. As part of any sentence the Municipal Court may order restitution of the Town's cost of enforcement including reasonable attorney's fees.

(B) Continuing violation of the provisions of this Chapter, the Codes adopted herein by reference, the state electrical code, the Colorado plumbing Code or of any notice, stop order, permit, certificate or other order issued pursuant to this Chapter or the Codes adopted by this Chapter is hereby declared to be a nuisance and may be abated in accordance with law.

(C) In addition to any other remedy the Town may have, it may maintain an action in a Court of competent jurisdiction to enjoin any violation of any provision of this Chapter, the State Electrical Code, or of the Codes adopted herein by reference.

(D) The Town may refuse to issue any permits required by this Chapter, or by the Codes adopted herein by reference if the applicant is in violation of any of any provision of such codes, this Chapter, or any notice, stop order, permit, certificate or other order issued pursuant thereto.

Section 2. Savings Clause. The repeal and amendment of various provisions of the Code of the Town of Ridgway, Colorado by this ordinance shall not affect any offense or act committed, any penalty incurred, any contract, right, or duty established or accruing before the effective date of this ordinance.

Section 3. Severance Clause. If any provision of this ordinance or the application of it to any person or circumstance is held invalid by a court of competent jurisdiction, such invalidity shall not affect other provisions or applications of this ordinance which can be given effect without the invalid provisions or applications. The provisions of this ordinance are expressly declared to be severable.

ADOPTED by the Ridgway Town Council on August 13, 2008.

TOWN OF RIDGWAY, COLORADO

By

Pat Willits, Mayor

ATTEST:

Pam Kraft, MMC
Town Clerk

CERTIFICATE OF TOWN CLERK

The foregoing Ordinance was introduced at a meeting of the Ridgway Town Council on June 11, 2008, posted and published by title thereafter and adopted on August 13, 2008.

(SEAL)

Pam Kraft, MMC, Town Clerk