

CHAPTER 18

Building Regulations

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ARTICLE I

Building Code

Sec. 18-1-10. Adoption.

Pursuant to Title 31, Article 16, Part 2, C.R.S., there is hereby adopted by reference Chapters 1 through 35 and Appendix I of the *International Building Code* (IBC), 2006 Edition, published by the International Code Council, 500 New Jersey Avenue, NW, 6th Floor, Washington, DC 20001-2070, to have the same force and effect as if set forth herein in every particular. The subject matter of the adopted code includes comprehensive provisions and standards regulating 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 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 structures as herein provided; providing for the issuance of permits and collection of fees therefor; and each and all of the regulations, provisions, penalties, conditions and terms of said Building Code as amended in Section 18-1-30 below. (Prior code 8-1-1; Ord. 2002-10; Ord. 01, 2005 §1; Ord. 2007-14 §1)

Sec. 18-1-20. Copy on file.

At least one (1) copy of the International Building Code has been and is now 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. The code as finally adopted shall be available for sale to the public through the office of the Building Official. (Ord. 01, 2005 §1; Ord. 2007-14 §1)

Sec. 18-1-30. Amendments.

The code adopted herein is hereby modified by the following amendments:

- (1) Section 101.1 is amended to read:

"**101.1 Title.** These regulations shall be known as the Building Code of the City of Salida, hereinafter referred to as 'this code.' "

- (2) Section 101.4.1 is amended to read:

"**101.4.1 Electrical.** The provisions of National Electrical Code, 2005 Edition, ('NEC'), as adopted, shall apply to the installation of electrical systems, including alterations, repairs, replacement, equipment, appliances, fixtures, fittings and appurtenances thereto. For structures built under the provisions of the International Residential Code, the requirements of Part VIII – Electrical shall be equivalent to the NEC. Any references in this code to the ICC Electrical Code shall instead refer to the 2005 NEC."

- (3) Section 101.4.4 is amended to read:

"**101.4.4 Plumbing.** The provisions of the International Plumbing Code shall apply to the installation, alteration, repair and replacement of plumbing systems, including equipment, appliances, fixtures, fittings and appurtenances, and where connected to a water or sewage

system and all aspects of a medical gas system. The provisions of the Chaffee County On-site Wastewater Treatment System Regulations shall apply to private sewage disposal systems."

(4) Section 102.4 is amended to read:

"102.4 Referenced codes and standards. The codes and standards referenced in this code shall be considered part of the requirements of this code to the prescribed extent of each such reference. Where differences occur between provisions of this code and adopted codes and standards, the provision of the adopted code shall apply. Reference to other codes such as electrical, gas, mechanical, plumbing, property maintenance, fire prevention, energy and existing buildings shall refer only to the currently adopted code of that type."

(5) Section 105.1 is amended to read:

"105.1 Required. Any owner or authorized agent who intends to construct, enlarge, alter, repair, move, demolish or change the occupancy of a building or structure, or to erect, install, enlarge, alter, repair, remove, convert or replace any electrical, gas, mechanical or plumbing system, the installation of which is regulated by this code, or to cause any such work to be done, shall first make application to the Building Official and obtain the required permit. A permit application shall not be accepted unless it includes the appropriate approval from agencies or departments governing zoning, fire protection, water supply, wastewater treatment, drainage and access."

(6) Section 105.1.1, Annual permit, is deleted.

(7) Section 105.1.2, Annual permit records, is deleted.

(8) Section 106.2 is amended to read:

"106.2 Site plan. The construction documents submitted with the application for permit shall be accompanied by a site plan showing to scale the size and location of new construction and existing structures on the site, distances from lot lines, the established street grades and the proposed finished grades; and it shall be drawn in accordance with an accurate boundary line survey. In the case of demolition, the site plan shall show construction to be demolished and the location and size of existing structures and construction that are to remain on the site or plot. The site plan also must include location of utilities, private wells, individual sewage disposal systems, ditches, streams, rivers, lakes, slopes steeper than thirty (30) degrees, drainages, access locations, bridges and road grades. The Building Official is authorized to waive or modify the requirement for a site plan when the application is for alteration or repair or otherwise warranted."

(9) Section 106.3.2, Previous approvals, is deleted.

(10) Section 108.3 is deleted and replaced with the following language:

"108.3 Building permit valuations. Building permit valuations shall be established using the procedures outlined in Resolutions 2006-28 and 2006-39 as amended from time to time."

(11) The first paragraph of Section 110.2 is amended to read:

"110.2 Certificate issued. In order to ensure that a building or structure is in compliance with applicable municipal codes, no certificate of occupancy shall be issued or valid without prior review and approval of the City's Fire, Public Works, Utility and Planning Departments. Thereafter, and after the Building Official inspects the building or structure and finds no violations of the provisions of this code or other laws that are enforced by the department or building safety, the Building Official shall issue a certificate of occupancy that contains the following:"

(12) Section 110.3 is amended to read:

"110.3 Temporary occupancy. The Building Official is authorized to issue a temporary certificate of occupancy before the completion of the entire work covered by the permit, provided that such portion or portions shall be occupied safely as determined by the Building Official and the City's Fire, Public Works and Planning Departments. The Building Official, with the consensus of the City's Fire, Public Works and Planning Departments, shall set a time period during which the temporary certificate of occupancy is valid."

(13) Section 110.4 is amended to read:

"110.4 Revocation. The Building Official is authorized to, in writing, suspend or revoke a certificate of occupancy or completion issued under the provisions of this code wherever the certificate is issued in error or on the basis of incorrect information supplied, or where it is determined that the building or structure or portion thereof is in violation of any ordinance or regulation or any of the provisions of this code. A suspension or revocation may be initiated at the request of the City's Fire, Public Works or Planning Departments."

(14) Section 112 is amended to read:

"Section 112 Board of Appeals. All appeals to this code shall be made to the City of Salida Board of Appeals. The appeals process is described in Section 18-8-10 of the Salida Municipal Code."

(15) Section 202, Definitions, is amended by the addition of the following definitions that shall replace or supersede conflicting definitions therein:

"Design Professional. A Colorado State-licensed Architect or Engineer.

"Townhouse. A single-family dwelling constructed in a group of two or more attached units in which each unit extends from the foundation to the roof and with open space on at least two sides. A legal property line shall separate the units along the common walls."

(16) Section 901.1 is amended to read:

"901.1 Scope. The provisions of this Chapter shall specify where fire protection systems are required. The design, installation and operation of fire protection systems must be in compliance with Colorado state law."

(17) Section 901.2, Exception, is amended to read:

"Exception: Any fire protection system or portion thereof not required by this code shall be permitted to be installed for partial or complete protection, provided that such system meets the requirements of the fire official having jurisdiction."

(18) Section 1608.2 is amended to read:

"1608.2 Ground snow loads. The design snow loads for roofs shall be 40 pounds per square foot."

(19) Section 1609.3, Basic wind speed, is amended to read:

"1609.3 Basic wind speed. The basic wind speed, in mph, for the determination of the wind loads shall be determined by Figure 1609. Basic wind speed for the special wind regions indicated, near mountainous terrain and near gorges, shall be in accordance with local jurisdiction requirements. Basic wind speeds determined by the local jurisdiction shall be 90 mph for a three-second gust."

(20) Section 1805.2.1 is deleted and replaced with the following:

"1805.2.1 Frost protection. Depth of footing for frost protection shall be governed by Chaffee County Minimum Footing/Foundation Requirements. Such frost protection requirements shall be adopted by resolution of the City Council and may be amended from time to time."

(21) Section 2701.1 is amended to read:

"2701.1 Scope. This Chapter governs the electrical components, equipment and systems used in buildings and structures covered by this code. Electrical components, equipment and systems shall be designed and constructed in accordance with the provisions of the 2005 National Electrical Code."

(22) Section 3410.2 is amended to read:

"3410.2 Applicability. Structures existing prior to the effective date of adoption of building codes within the jurisdiction, in which there is work involving additions, alterations or changes of occupancy, shall be made to conform with the requirements of this section or the provisions of Sections 3403 through 3407. The provisions in Sections 3410.2.1 through 3410.2.5 shall apply to existing occupancies that will continue to be, or are proposed to be, in Groups A, B, E, F, M, R, S and U. These provisions shall not apply to buildings with occupancies in Group H or I."

(Prior code 8-1-1; Ord. 2000-14 §1; Ord. 2002-10; Ord. 01, 2005 §1; Ord. 2007-14 §1)

Sec. 18-1-40. Violations, penalties.

It shall be unlawful for any person, owner, occupant or contractor to erect, construct, enlarge, alter, repair, move, improve, remove, rehabilitate, convert, demolish, use, occupy, equip or maintain any

building or structure in the City, or cause the same to be done, contrary to or in violation of any of the provisions of this Article and the IBC. Violations of this Article and/or the IBC shall be punishable by a fine not to exceed one thousand dollars (\$1,000.00) or a term of imprisonment not to exceed ninety (90) days, or both such fine and imprisonment. A separate offense shall be deemed committed for each day, or portion of a day, that a violation of this Article occurs or continues unabated. (Ord. 2002-10; Ord. 01, 2005 §1; Ord. 2007-14 §1)

ARTICLE II

Residential Code

Sec. 18-2-10. Adoption.

Pursuant to Title 31, Article 16, Part 2, C.R.S., there is hereby adopted by reference Chapters 1 through 43 and Appendices A, B, G, H, J and O of the *International Residential Code (IRC)*, 2006 Edition, published by the International Code Council, 500 New Jersey Avenue, NW, 6th Floor, Washington, DC 20001-2070, to have the same force and effect as if set forth herein in every particular. The subject matter of the adopted code includes comprehensive provisions and standards regulating the construction, alteration, movement, enlargement, replacement, repair, equipment, location, removal and demolition of detached one- and two-family dwellings and multiple single-family dwellings (townhouses) not more than three (3) stories in height with separate means of egress as herein provided; providing for the issuance of permits and collection of fees therefor; and each and all of the regulations, provisions, penalties, conditions and terms of said Residential Code as amended in Section 18-2-30 below. (Prior code 8-1-2; Ord. 2002-10; Ord. 01, 2005 §1; Ord. 2007-14 §2)

Sec. 18-2-20. Copy on file.

At least one (1) copy of the International Residential Code has been and is now 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. The code as finally adopted shall be available for sale to the public through the office of the Building Official. (Ord. 01, 2005 §1; Ord. 2007-14 §2)

Sec. 18-2-30. Amendments.

The code adopted herein is hereby modified by the following amendments:

- (1) Section R101.1 is amended to read:

"**R101.1 Title.** These regulations shall be known as the Residential Building Code for One- and Two-Family Dwellings of the City of Salida, will be cited as such and will be referred to herein as 'this code.' "

- (2) Section R102.4, first paragraph, is amended to read:

"**R102.4 Referenced codes and standards.** The codes and standards referenced in this code shall be considered part of the requirements of this code to the prescribed extent of each such reference. Where differences occur between provisions of this code and referenced codes and standards, the provisions of this code shall apply. For structures built under the

provisions of the IRC, the requirements of Part VIII-Electrical shall be equivalent to the NEC. Any references in this code to the ICC Electrical Code shall instead refer to the 2005 NEC."

(3) Section R105.1 is amended to read:

"R105.1 Required. Any owner or authorized agent who intends to construct, enlarge, alter, repair, move, demolish or change the occupancy of a building or structure, or to erect, install, enlarge, alter, repair, remove, convert or replace any electrical, gas, mechanical or plumbing system, the installation of which is regulated by this code, or to cause any such work to be done, shall first make application to the Building Official and obtain the required permit. A permit application shall not be accepted unless it includes the appropriate approval from agencies or departments governing zoning, fire protection, water supply, wastewater treatment, drainage and access."

(4) Section R105.2, Building, is amended to read:

"R105.2 Work exempt from permit. Permits shall not be required for the following. Exemption from the permit requirements of this code shall not be deemed to grant authorization for any work to be done in any manner in violation of the provisions of this code or any other laws or ordinances of this jurisdiction.

"Building:

"1. One-story detached accessory structures used as tool and storage sheds, playhouses and similar uses, provided the floor area does not exceed 200 square feet (18.58 m²) with no sleeping use permitted.

"2. Fences not over 6 feet (1829 mm) high.

"3. Retaining walls that are not over 4 feet (1219 mm) in height measured from the bottom of the footing to the top of the wall, unless supporting a surcharge.

"4. Water tanks supported directly upon grade if the capacity does not exceed 5,000 gallons (18,927 L) and the ratio of height to diameter or width does not exceed 2 to 1. Fire and domestic cisterns require a cistern permit.

"5. Sidewalks and driveways and raised platforms and decks not more than 30 inches (762 mm) above adjacent grade.

"6. Painting, papering, tiling, carpeting, cabinets, countertops and similar finish work.

"7. Prefabricated swimming pools that are less than 24 inches (610 mm) deep.

"8. Swings and other playground equipment accessory to a one- or two-family dwelling.

"9. Window awnings supported by an exterior wall which do not project more than 54 inches (1372 mm) from the exterior wall and do not require additional support."

(5) Section R105.3.2, Time limitation of application, is deleted.

(6) Section R106.2 is amended to read:

"R106.2 Site plan. The construction documents submitted with the application for a permit shall be accompanied by a site plan showing to scale the size and location of new construction and existing structures on the site, distances from lot lines, the established street grades and the proposed finished grades. In the case of demolition, the site plan shall show construction to be demolished and the location and size of existing structures and construction that are to remain on the site or plot. The site plan also must include existing utilities, private wells, individual sewage disposal systems, ditches, streams, rivers, lakes, slopes steeper than 30 degrees, drainages, access locations, bridges and road grade. The Building Official is authorized to waive or modify the requirement for a site plan when the application is for alteration or repair or otherwise warranted."

(7) Section R108.3 is amended to read:

"R108.3 Building permit valuations. Building permit valuations shall be established using the procedures outlined in Resolutions 2006-28 and 2006-39 as amended from time to time."

(8) Section R109.1.1 is amended to read:

"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. After initial pre-pour inspection, the Building Official may allow photo documentation of corrections for defects in lieu of a re-inspection prior to pour, provided the inspection report states photo documents will be permitted."

(9) Section R110.1, Exception #2, is amended to read:

"2. Accessory buildings or structures without habitable space or decks, porches or minor remodels (remodels other than room additions)."

(10) The first paragraph of Section R110.2 is amended to read:

"R110.2 Certificate issued. In order to ensure that a building or structure is in compliance with applicable municipal codes, no certificate of occupancy shall be issued or valid without prior review and approval of the City's Fire, Public Works, Utility and Planning Departments. Thereafter, and after the Building Official inspects the building or structure and finds no violations of the provisions of this code or other laws that are enforced by the department or building safety, the Building Official shall issue a certificate of occupancy that contains the following:"

(11) Section R110.3 is amended to read:

"R110.3 Temporary occupancy. The Building Official is authorized to issue a temporary certificate of occupancy before the completion of the entire work covered by the permit, provided that such portion or portions shall be occupied safely as determined by the Building Official and the City's Fire, Public Works and Planning Departments. The Building Official, with the consensus of the City's Fire, Public Works and Planning Departments, shall set a time period during which the temporary certificate of occupancy is valid."

(12) Section R110.4 is amended to read:

"R110.4 Revocation. The Building Official is authorized to, in writing, suspend or revoke a certificate of occupancy or completion issued under the provisions of this code wherever the certificate is issued in error or on the basis of incorrect information supplied, or where it is determined that the building or structure or portion thereof is in violation of any ordinance or regulation or any provisions of this code. A suspension or revocation may be initiated at the request of the City's Fire, Public Works or Planning Departments."

(13) Section R112.1 is amended to read:

"R112.1 General. All appeals to this code shall be made to the City of Salida Board of Appeals. The appeals process is described in Section 18-8-10 of the Salida Municipal Code."

(14) Section R202, Definitions, is amended by the addition of the following definitions that shall replace or supersede conflicting definitions therein:

"Design Professional. A Colorado State-licensed architect or engineer.

"Townhouse. A single-family dwelling constructed in a group of two or more attached units in which each unit extends from the foundation to the roof and with open space on at least two sides. A legal property line shall separate the units along the common walls."

(15) Table R301.2(1), Climatic and Geographic Design Criteria, is amended to read:

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

<i>Ground Snow Load</i>	<i>Wind Speed^d</i>	<i>Seismic Design Category^y</i>	Subject to Damage From			<i>Winter Design Temp^e</i>	<i>Ice Barrier Underlayment Required^h</i>	<i>Flood Hazards^g</i>	<i>Air Freezing Index^j</i>	<i>Mean Annual Tempⁱ</i>
			<i>Weathering^a</i>	<i>Frost line depth^b</i>	<i>Termite^c</i>					
40 lbs. per sq. ft.	90 mph, 3-sec. gust	C	Severe	Varies — See Chaffee County Footing/Foundation Requirements	None to Slight	(-16° Fahrenheit)	No	Varies — See FEMA maps	1166	43.9 ° Fahrenheit

(16) Section R311.5.3.3, Exceptions, shall have the following added:

"3. Interior risers may allow passage of a 6-inch diameter sphere."

(17) Section R312.2, Exceptions, shall have the following added:

"3. A 6-inch sphere for exterior decks and balconies shall be permitted upon written request and approval by the Building Official."

(18) Section R319.1.4 is amended to read:

"R319.1.4 Wood columns. Wood columns shall be approved wood of natural decay resistance or approved pressure-preservative-treated wood. Heavy timber or log columns may be used when approved by the Building Official."

(19) Section R320, Protection against subterranean termites, is deleted in its entirety.

(20) Section R322.1 is amended to read:

"R322.1 Scope. Where there are seven or more dwelling units or sleeping units in a single structure, the provisions of Chapter 11 of the International Building Code for Group R-3 shall apply."

(21) Section R402.1 is amended to read:

"R402.1 Wood foundations. Wood foundation systems shall be designed by a licensed design professional in accordance with Chapter 4 of this code and shall have prior approval of the Building Official."

(22) Section R403 is amended to begin with the following statement:

"The Chaffee County Minimum Footing/Foundation Requirements as adopted by resolution of the City Council shall be used to construct such footings and foundations described in this section, or a design professional may use the provisions of this Section to design these elements."

(23) Section R403.1.4 is amended to include the following Exception:

"Exception: Where top soil and vegetation have been removed and soils are stable and included in Group I or II of Table R405.1, footings are not required to be 12 inches into undisturbed ground."

(24) Section R404.4.7.1 is amended to include the following Exception:

"Exception: ICF walls of detached accessory buildings and garages without habitable space and attached garages with a 1-hour separation from the dwelling do not require a thermal barrier."

(25) Section R408.4 is amended to read:

"R408.4 Access. Access shall be provided to all underfloor spaces. Access openings through the floor shall be a minimum of 18 inches by 24 inches (457 mm by 610 mm). Openings through a perimeter wall shall be not less than 16 inches by 24 inches (407 mm by 610 mm). When any portion of the through-wall access is below grade, an areaway not less than 16 inches by 24 inches (407 mm by 610 mm) shall be provided. The bottom of the

areaway shall be below the threshold of the access opening. Through-wall access openings shall not be located under a door to the residence. See Section M1305.1.4 for access requirements where mechanical equipment is located under floors. An unobstructed pathway from the access to each remote end of structure must be maintained, in addition to an 18-inch clearance throughout."

(26) Section M1503.1 is amended to read:

"M1503.1 General. In spaces where a gas outlet is provided for a range, hoods or down draft vents shall be installed at ranges and shall discharge to the outdoors through a single-wall duct. The duct serving the hood shall have a smooth interior surface, shall be air-tight and shall be equipped with a backdraft damper. Ducts serving range hoods shall not terminate in an attic or crawlspace or areas inside the building."

(27) The first paragraph of Section G2406.2(303.3) is amended to read:

"G2406.2(303.3) Prohibited locations. Appliances shall not be located in sleeping rooms, bathrooms, toilet rooms, storage closets or surgical rooms, or in a space that opens only into such rooms or spaces, except with prior approval of the Building Official and where the installation complies with one of the following:"

(28) Section G2411.1(310.1) shall read as amended:

"G2411.1(310.1) Gas pipe bonding. As required by E3509.7."

(29) Section G2414.5.2(403.5.2) shall read as amended:

"G2414.5.2(403.5.2) Copper tubing. Copper tubing, fittings or pipe shall not be installed downstream of the riser."

(30) Section G2415.4(404.4) shall read as amended:

"G2415.4(404.4) Piping through foundation wall. Underground piping, where installed below grade through the outer foundation or basement wall of a building, shall be encased in a protective pipe sleeve. The annular space between the gas piping and the sleeve shall be sealed. Gas piping shall daylight immediately prior to penetrating the foundation."

(31) Section G2427.8(503. 8) #3 shall read as amended:

"3. The vent terminal of a direct-vent appliance with an input of 10,000 Btu per hour (3 kW) or less shall be located at least 6 inches (152 mm) from any air opening into a building, and such an appliance with an input over 10,000 Btu per hour (3 kW) but not over 50,000 Btu per hour (14.7 kW) shall have at least a 12-inch (305 mm) vent termination clearance. The bottom of the vent terminal and the air intake shall be located at least 18 inches above grade."

(32) Section P2708.1, Exception #2, is deleted.

(33) Section E3501.3 shall read as amended:

"E3501.3. One building or other structure not to be supplied through another. Service conductors supplying a building or other structure shall not pass through the interior of another building or other structure. Townhomes shall be considered separate structures."

(34) Section E3501.6.2 shall read as amended:

"E3501.6.2 Service disconnect location. The service disconnecting means shall be installed at a readily accessible location outside of a building at the point of entrance of the service conductors or at the location of the meter, transformer or pedestal when approved by the authority having jurisdiction."

(Ord. 2002-10; Ord. 2007-14 §2)

Sec. 18-2-40. Violations, penalties.

It shall be unlawful for any person, owner, occupant or contractor to erect, construct, enlarge, alter, repair, move, improve, remove, rehabilitate, convert, demolish, use, occupy, equip or maintain any building or structure in the City, or cause the same to be done, contrary to or in violation of any of the provisions of this Article and the IRC. Violations of this Article and/or the IRC shall be punishable by a fine not to exceed one thousand dollars (\$1,000.00) or a term of imprisonment not to exceed ninety (90) days, or both such fine and imprisonment. A separate offense shall be deemed committed for each day, or portion of a day, that a violation of this Article occurs or continues unabated. (Prior code 8-1-2; Ord. 2002-10; Ord. 01, 2005 §1; Ord. 2007-14 §2)

ARTICLE III

Fire Code

Sec. 18-3-10. Adoption.

Pursuant to Title 31, Article 16, Part 2, C.R.S., there is hereby adopted by reference the *International Fire Code*, including Appendix Chapters B, C, D, E, F and G, (IFC), 2006 Edition, published by the International Code Council, to have the same force and effect as if set forth herein in every particular; provided, however, that such code shall be amended by the changes set forth in Section 18-3-30 below. (Prior code 8-1-3; Ord. 15, 2003 §1; Ord. 01, 2005 §1; Ord. 13, 2007 §1)

Sec. 18-3-20. Copy on file.

At least one (1) copy of the International Fire Code, certified to be a true copy, has been and is now 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. The code as finally adopted shall be available for sale to the public through the office of the City Clerk at a moderate price. (Prior code 8-1-3; Ord. 01, 2005 §1; Ord. 13, 2007 §1)

Sec. 18-3-30. Amendments.

The 2006 International Fire Code, as adopted by the City in this Article, shall be amended or modified by the following amendments:

(1) Section 101.1 is amended to read:

"101.1 Title. These regulations shall be known as the *Fire Code of the City of Salida*, hereinafter referred to as 'this code.' "

(2) Section 102.5 is amended to read:

"102.5 Historic buildings. The provisions of this code relating to the construction, alteration, repair, enlargement, restoration, relocation or moving of buildings or structures shall not be mandatory for existing buildings or structures identified and classified by the state or local jurisdiction as historic buildings when such buildings or structures do not constitute a distinct hazard to life or property. Fire protection in designated historic buildings and structures shall be provided in accordance with an approved fire protection plan developed in accordance with the provisions of the 2006 International Existing Building Code."

(3) Section 102.9 is amended to read:

"102.9 Conflicting provisions. Where there is a conflict between a general requirement and a specific requirement, the specific requirement shall be applicable. If the Fire Code is in conflict with the existing municipal codes regarding street standards, the Salida Municipal Code will take precedence."

(4) Section 104 is amended to add:

"104.12 User fees. User fees may be instituted and collected as established by a fee schedule and as approved by resolution."

(5) Section 105, Permits, is amended as follows:

- a. Sections 105.6.1 through 105.6.13 shall be deleted.
- b. Section 105.6.14 shall be maintained as written.
- c. Sections 105.6.15 through 105.6.29 shall be deleted.
- d. Section 105.6.30 shall be amended as follows:

"105.6.30 Open burning. An operational permit is required for the kindling or maintaining of an open fire, for agricultural purposes, on any public or private ground. Instructions and stipulations of the permit shall be adhered to."

- e. Sections 105.6.31 through 105.7.13 shall be deleted.

(6) Section 108, Board of Appeals, is amended to read:

"108 Board of Appeals. The Board of Appeals established by Chapter 18, Article X of the Salida Municipal Code shall act, pursuant to the provisions and regulations spelled out in Chapter 18, Article X of the Salida Municipal Code, as the Board of Appeals for the IFC."

(7) Section 109.3 is amended to read:

"109.3 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 code official, or of a permit or certificate used under provisions of this code, shall be guilty of a misdemeanor, punishable by a fine of not more than one thousand dollars (\$1,000.00) or by imprisonment not exceeding ninety (90) days, or both such fine and imprisonment. Each day that a violation continues after due notice has been served shall be deemed a separate offense."

(8) Section 111.4 is amended to read:

"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 liable to a fine of not less than one hundred dollars (\$100.00) or more than one thousand dollars (\$1,000.00)."

(9) Section 307.1 is amended to read:

"307.1 General. A person shall not kindle or maintain or authorize to be kindled or maintained any open burning unless burning is for agricultural purposes and is in accordance with this section."

(10) Section 307.1.1 is amended to read:

"307.1.1 Prohibited open burning. Open burning that will be offensive or objectionable due to smoke or odor emissions when atmospheric conditions or local circumstances make such fires hazardous shall be prohibited."

(11) Section 307.4 is amended to read:

"307.4 Location. The location for any open burning shall not be less than 50 ft (15,240 mm) from any structure, and provisions shall be made to prevent the fire from spreading to within 50 ft (15,240 mm) of any structure."

The Exceptions are deleted.

(12) Section 307.4.1 is deleted in its entirety.

(13) Section 307.4.2 is deleted in its entirety.

(14) Section 308.3, Open flames, is deleted in its entirety.

(15) Section 901.2 is amended to read:

"901.2 Construction documents. The Colorado Department of Public Safety shall have the authority to require construction documents and calculations for all fire protection systems and to require permits be issued for the installation, rehabilitation or modification of

any fire protection system. Construction documents for fire protection systems shall be submitted for review and approval prior to system installation."

(16) Section 901.2.1 is amended to read:

"901.2.1 Statement of compliance. Before requesting final approval of the installation, where required by the Colorado Department of Public Safety, the installing contractor shall furnish a written statement to the Colorado Department of Public Safety that the subject fire protection system has been installed in accordance with approved plans and has been tested in accordance with the manufacturer's specifications and the appropriate installation standard. Any deviations from the design standards shall be noted, and copies of the approvals for such deviations shall be attached to the written statement."

(Prior code 8-1-3; Ord. 15, 2003 §1; Ord. 01, 2005 §1; Ord. 13, 2007 §1)

Sec. 18-3-40. Enforcement.

The Fire Chief shall enforce this Article and may issue summonses and complaints for violations of this Article on his or her own authority, or may request that summonses and complaints be issued by any police officer. (Prior code 8-1-3; Ord. 15, 2003 §1; Ord. 13, 2007 §1)

Sec. 18-3-50. Violations, penalties.

The Municipal Court shall have jurisdiction to hear all violations of this Article and, in the event that a violation is of a continuing nature, each day during which such violation continues shall be deemed a separate offense, subject to fine and/or imprisonment for each such separate offense pursuant to Section 109.3 of the IFC. (Ord. 15, 2003 §1; Ord. 01, 2005 §1; Ord. 13, 2007 §1)

Sec. 18-3-60. Establishing limits.

Sections 3204.3.1.1, 3404.2.9.5.1, 3406.2.4.4 and 3804.2 of the IFC reference limits established by this Article as the limits of districts in which storage is prohibited. In all of those cases, the limits of the district in which such storage is prohibited shall be the City limits. (Ord. 15, 2003 §1; Ord. 13, 2007 §1)

ARTICLE IV

Existing Building Code

Sec. 18-4-10. Adoption.

Pursuant to Title 31, Article 16, Part 2, C.R.S., there is hereby adopted by reference Chapters 1 through 15 and Appendix B of the *International Existing Building Code* (IEBC), 2006 Edition, published by the International Code Council, 500 New Jersey Avenue, NW, 6th Floor, Washington, DC 20001-2070, to have the same force and effect as if set forth herein in every particular. The subject matter of the adopted code includes comprehensive provisions and standards regulating the repair, alteration, change of occupancy, addition and relocation of existing buildings, including historic buildings, as herein provided; providing for the issuance of permits and collection of fees therefor; and each and all of the regulations,

provisions, penalties, conditions and terms of said Existing Building Code as amended in Section 18-4-30 below. (Ord. 2000-08 §1; Ord. 01, 2005 §1; Ord. 2007-14 §3)

Sec. 18-4-20. Copy on file.

At least one (1) copy of the International Existing Building Code has been and is now 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. The code as finally adopted shall be available for sale to the public through the office of the Building Official. (Ord. 2000-08 §1; Ord. 01, 2005 §1; Ord. 2007-14 §3)

Sec. 18-4-30. Amendments.

The code adopted herein is hereby modified by the following amendments:

- (1) Section 101.1 is amended to read:

"**101.1 Title.** These regulations shall be known as the Existing Building Code of the City of Salida, will be cited as such and will be referred to herein as 'this code.' "

- (2) The first paragraph of Section 110.2 is amended to read:

"**110.2 Certificate issued.** In order to ensure that a building or structure is in compliance with applicable municipal codes, no certificate of occupancy shall be issued or valid without prior review and approval of the City's Fire, Public Works, Utility and Planning Departments. Thereafter, and after the Building Official inspects the building or structure and finds no violations of the provisions of this code or other laws that are enforced by the department or building safety, the Building Official shall issue a certificate of occupancy that contains the following:"

- (3) Section 110.3 is amended to read:

"**110.3 Temporary occupancy.** The Building Official is authorized to issue a temporary certificate of occupancy before the completion of the entire work covered by the permit, provided that such portion or portions shall be occupied safely as determined by the Building Official and the City's Fire, Public Works and Planning Departments. The Building Official, with the consensus of the City's Fire, Public Works and Planning Departments, shall set a time period during which the temporary certificate of occupancy is valid."

- (4) Section 110.4 is amended to read:

"**110.4 Revocation.** The Building Official is authorized to, in writing, suspend or revoke a certificate of occupancy or completion issued under the provisions of this code wherever the certificate is issued in error or on the basis of incorrect information supplied, or where it is determined that the building or structure or portion thereof is in violation of any ordinance or regulation or any provisions of this code. A suspension or revocation may be initiated at the request of the City's Fire, Public Works or Planning Departments."

- (5) Section 112 is amended to read:

"Section 112 Board of Appeals. All appeals to this code shall be made to the City of Salida Board of Appeals. The appeals process is described in Section 18-8-10 of the Salida Municipal Code."

(Ord. 2000-08 §1; Ord. 01, 2005 §1; Ord. 2007-14 §3)

Sec. 18-4-40. Violations, penalties.

It shall be unlawful for any person, owner, occupant or contractor to erect, construct, enlarge, alter, repair, move, improve, remove, rehabilitate, convert, demolish, use, occupy, equip or maintain any building or structure in the City, or cause the same to be done, contrary to or in violation of any of the provisions of this Article and the IEBC. Violations of this Article and/or the IEBC shall be punishable by a fine not to exceed one thousand dollars (\$1,000.00) or a term of imprisonment not to exceed ninety (90) days, or both such fine and imprisonment. A separate offense shall be deemed committed for each day, or portion of a day, that a violation of this Article occurs or continues unabated. (Ord. 2000-08 §1; Ord. 01, 2005 §1; Ord. 2007-14 §3)

ARTICLE V

Plumbing Code

Sec. 18-5-10. Adoption.

Pursuant to Title 31, Article 16, Part 2, C.R.S., there is hereby adopted by reference Chapters 1 through 13 and Appendices C, E and F of the *International Plumbing Code* (IPC), 2006 Edition, published by the International Code Council, 500 New Jersey Avenue, NW, 6th Floor, Washington, DC 20001-2070, including Appendix E, to have the same force and effect as if set forth herein in every particular. The subject matter of the adopted code includes comprehensive provisions and standards regulating the design, construction, quality of materials, erection, installation, alteration, repair, location, replacement, addition to, use or maintenance of plumbing systems as herein provided; providing for the issuance of permits and collection of fees therefor; and each and all of the regulations, provisions, penalties, conditions and terms of said Plumbing Code as amended in Section 18-5-30 below. (Prior code 8-1-1; Ord. 2002-10; Ord. 01, 2005 §1; Ord. 2007-14 §4)

Sec. 18-5-20. Copy on file.

At least one (1) copy of the International Plumbing Code has been and is now 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. The code as finally adopted shall be available for sale to the public through the office of the Building Official. (Ord. 01, 2005 §1; Ord. 2007-14 §4)

Sec. 18-5-30. Amendments.

The code adopted herein is hereby modified by the following amendments:

- (1) Section 101.1 is amended to read:

"**101.1 Title.** These regulations shall be known as the International Plumbing Code of the City of Salida, will be cited as such and will be referred to herein as 'this code.' "

(2) Section 109 is amended to read:

"**109 Means of appeal.** All appeals to this code shall be made to the City of Salida Board of Appeals. The appeals process is described in Section 18-8-10 of the Salida Municipal Code."

(3) Section 417.4, Exception, is deleted in its entirety.

(Prior code 8-1-1; Ord. 2002-10; Ord. 01, 2005 §1; Ord. 2007-14 §4)

Sec. 18-5-40. Violations, penalties.

It shall be unlawful for any person, owner, occupant or contractor to erect, construct, enlarge, alter, repair, move, improve, remove, rehabilitate, convert, demolish, use, occupy, equip or maintain any building or structure in the City, or cause the same to be done, contrary to or in violation of any of the provisions of this Article and the IPC. Violations of this Article and/or the IPC shall be punishable by a fine not to exceed one thousand dollars (\$1,000.00) or a term of imprisonment not to exceed ninety (90) days, or both such fine and imprisonment. A separate offense shall be deemed committed for each day, or portion of a day, that a violation of this Article occurs or continues unabated. (Ord. 2002-10; Ord. 01, 2005 §1; Ord. 2007-14 §4)

ARTICLE VI

Mechanical Code

Sec. 18-6-10. Adoption.

Pursuant to Title 31, Article 16, Part 2, C.R.S., there is hereby adopted by reference Chapters 1 through 15 and Appendix A of the *International Mechanical Code* (IMC), 2006 Edition, published by the International Code Council, 500 New Jersey Avenue, NW, 6th Floor, Washington, DC 20001-2070, to have the same force and effect as if set forth herein in every particular. The subject matter of the adopted code includes comprehensive provisions and standards regulating the design, construction, quality of materials, erection, installation, alteration, repair, location, replacement, addition to, use or maintenance of mechanical systems as herein provided; providing for the issuance of permits and collection of fees therefor; and each and all of the regulations, provisions, penalties, conditions and terms of said Mechanical Code as amended in Section 18-6-30 below. (Prior code 8-1-1; Ord. 2002-10; Ord. 01, 2005 §1; Ord. 2007-14 §5)

Sec. 18-6-20. Copy on file.

At least one (1) copy of the International Mechanical Code has been and is now 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. The code as finally adopted shall be available for sale to the public through the office of the Building Official. (Ord. 01, 2005 §1; Ord. 2007-14 §5)

Sec. 18-6-30. Amendments.

The code adopted herein is hereby modified by the following amendments:

- (1) Section 101.1 is amended to read:

"101.1 Title. These regulations shall be known as the International Mechanical Code of the City of Salida, will be cited as such and will be referred to herein as 'this code.' "

- (2) Section 109 is amended to read:

"109 Means of appeal. All appeals to this code shall be made to the City of Salida Board of Appeals. The appeals process is described in Section 18-8-10 of the Salida Municipal Code."

- (3) Section 505.1 is amended to read:

"505.1 Domestic systems. Where a gas outlet is supplied for domestic ranges and similar appliances, such appliances shall have a means to exhaust fumes and vapors to the outside. Where domestic range hoods and domestic appliances equipped with downdraft exhaust are located within dwelling units, such hoods and appliances shall discharge to the outdoors through sheet metal ducts constructed of galvanized steel, stainless steel, aluminum or copper. Such ducts shall have smooth inner walls and shall be air-tight and equipped with a backdraft damper."

(Ord. 2002-10; Ord. 01, 2005 §1; Ord. 2007-14 §5)

Sec. 18-6-40. Violations, penalties.

It shall be unlawful for any person, owner, occupant or contractor to erect, construct, enlarge, alter, repair, move, improve, remove, rehabilitate, convert, demolish, use, occupy, equip or maintain any building or structure in the City, or cause the same to be done, contrary to or in violation of any of the provisions of this Article and the IMC. Violations of this Article and/or the IMC shall be punishable by a fine not to exceed one thousand dollars (\$1,000.00) or a term of imprisonment not to exceed ninety (90) days, or both such fine and imprisonment. A separate offense shall be deemed committed for each day, or portion of a day, that a violation of this Article occurs or continues unabated. (Ord. 2002-10; Ord. 01, 2005 §1; Ord. 2007-14 §5)

ARTICLE VII

Electrical Code

Sec. 18-7-10. Adoption.

Pursuant to Title 31, Article 16, Part 2, C.R.S., there is hereby adopted by reference Article 90 and Chapters 1 through 9 of the National Electrical Code (NEC), 2005 Edition, published by the National Fire Protection Association, 1 Batterymarch Park, Quincy, MA 02169-7471, to have the same force and effect as if set forth herein in every particular. The subject matter of the adopted code includes comprehensive

provisions and standards regulating the design, construction, quality of materials, erection, installation, alteration, repair, location, replacement, addition to, use or maintenance of electrical systems as herein provided; providing for the issuance of permits and collection of fees therefor; and each and all of the regulations, provisions, penalties, conditions and terms of said Electrical Code as amended in Section 18-7-30 below. (Prior code 8-1-1; Ord. 2002-10; Ord. 01, 2005 §1; Ord. 2007-14 §6)

Sec. 18-7-20. Copy on file.

At least one (1) copy of the National Electrical Code has been and is now 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. The code as finally adopted shall be available for sale to the public through the office of the Building Official. (Ord. 01, 2005 §1; Ord. 2007-14 §6)

Sec. 18-7-30. Amendments.

The code adopted herein is hereby modified by the following amendments:

(1) Section 90.8(C) is added and will read:

"**90.8(C).** Electrical plans shall be submitted with the building permit and shall include service and feeder circuit size and load calculations and identify use of branch circuits to show compliance with the Code."

(2) Section 230.70(A)(1) is amended to read:

"**230.70(A)(1) Readily accessible location.** The service disconnecting main shall be installed at a readily accessible location outside of a building or structure at the point of entrance of the service conductors or at the location of the meter, transformer or pedestal when approved by the authority having jurisdiction."

(3) The first paragraph of Section 334.10 is amended to read:

"**334.10 Uses permitted.** Type NM, Type NMC and Type NMS cables shall be permitted to be used in the following when approved by the Building Official. Item (1) below does not require prior approval."

(Ord. 2002-10; Ord. 01, 2005 §1; Ord. 2007-14 §6)

Sec. 18-7-40. Violations, penalties.

It shall be unlawful for any person, owner, occupant or contractor to erect, construct, enlarge, alter, repair, move, improve, remove, rehabilitate, convert, demolish, use, occupy, equip or maintain any building or structure in the City, or cause the same to be done, contrary to or in violation of any of the provisions of this Article and the NEC. Violations of this Article and/or the NEC shall be punishable by a fine not to exceed one thousand dollars (\$1,000.00) or a term of imprisonment not to exceed ninety (90) days, or both such fine and imprisonment. A separate offense shall be deemed committed for each day, or portion of a day, that a violation of this Article occurs or continues unabated. (Ord. 2002-10; Ord. 01, 2005 §1; Ord. 2007-14 §6)

ARTICLE VIII

Appeals Process

Sec. 18-8-10. Appeal.

An order, decision or interpretation based upon any of the codes adopted by this Chapter may be appealed to the Board of Appeals. (Ord. 2002-10)

Sec. 18-8-20. Appeal contents.

The appeal shall be in the form of a written letter of appeal submitted to the Community Development Director within forty-five (45) days of the date of the order, decision or interpretation. Such notice shall identify the date and nature of the order, decision or interpretation at issue and set forth in plain and concise language the:

- (1) Facts and reasons. The facts and reasons for the appeal, including any relevant citations to any rule, regulation or code section relied upon.
- (2) Copy. A copy of the order, decision or interpretation being appealed if the same was issued in writing. (Ord. 2002-10)

Sec. 18-8-30. Actions following receipt of appeal.

Upon receipt of the appeal, the Community Development Director shall notify the Building Official and schedule the appeal for a regular or special meeting before the Board of Appeals within a maximum time frame of thirty-one (31) days. (Ord. 2002-10)

Sec. 18-8-40. Notice.

Written notice of the time, date and location of the hearing shall be delivered not less than one (1) day prior to the hearing to the appellant and the Building Official. (Ord. 2002-10)

Sec. 18-8-50. Decision by appeal body.

All decisions on appeal shall be reduced to writing, contain a concise listing of facts and reasons supporting the same and be promptly mailed by regular mail to the applicant. The burden of persuasion on appeal shall rest with the appellant; and the unexcused absence of the appellant from the appeal hearing, absent good and just cause at the discretion of the appeal body, shall result in the dismissal of the appeal, and no further action shall be taken thereon. All decisions on appeal shall be final and may be appealed to the District Court as provided for in Colorado Rules of Civil Procedure. (Ord. 2002-10)

ARTICLE IX

Enforcement

Sec. 18-9-10. Civil enforcement.

It is unlawful for any premises to be in violation of the building or occupancy codes adopted by this Chapter, or to have upon said premises construction which has been created, commenced or carried out or is being carried out without a proper permit as provided for by said codes. The City may bring a civil suit in the State Court whose general jurisdiction includes the City for an order that said premises be brought into compliance with applicable code provisions and/or prohibiting the use of said premises for any purposes until such time as said premises are in compliance with applicable code provisions. The civil proceeding shall be a proceeding *in rem* and shall be deemed to relate to the particular premises involved in the code violations. The owners and occupants of the premises shall be summoned into court in the manner provided for by the Colorado Rules of Civil Procedure. The order issued by the Court shall be enforceable only to the extent of the value of the premises. Enforcement of orders issued may include the forfeiture of the premises to the City or an order that the premises be sold at public auction in order to pay fines and costs levied against the owners or occupants for violation of Court orders. In any such civil suit, the City shall be entitled to recover its costs and attorneys' fees, and all such costs, fees and all fines levied by the Court shall constitute a lien upon the premises. (Prior code 8-1-6; Ord. 2002-10)

Sec. 18-9-20. Enforcement as nuisance.

It is a public nuisance for a premises to exist or to be used contrary to the terms of the building and occupancy codes adopted by this Chapter, or for there to be construction in place or in progress upon any premises contrary to the terms of said codes adopted by this Chapter. The City may seek relief from said public nuisances by civil suit brought in the State Court of general jurisdiction whose venue includes the County under the law generally provided for the abatement of nuisances. If such public nuisances are of such a nature as to pose an immediate threat to the public health, safety and welfare, the City may abate them in the same manner provided for the abatement of nuisances in Chapter 7, Article I of this Code. (Prior code 8-1-6; Ord. 2002-10; Ord. 01, 2005 §1)

Sec. 18-9-30. Remedies not exclusive.

The remedies provided in this Article shall not be exclusive, and this Article shall not be deemed to prohibit the use of remedies provided for in the various building and occupancy codes adopted by this Chapter. (Prior code 8-1-6; Ord. 2002-10)

ARTICLE X

Board of Appeals

Sec. 18-10-10. Establishment.

There is hereby created and established the Board of Appeals which shall exercise the powers and responsibilities as set forth in this Article. (Ord. 2002-10)

Sec. 18-10-20. Membership and organization.

The Board of Appeals shall consist of five (5) regular members and up to two (2) alternate members who shall be appointed by the Mayor, the appointment of whom shall be confirmed by a majority of City Council, to serve staggered three-year terms. Board members, inclusive of alternates, must be residents and qualified electors of the City. Alternate members shall perform all of the duties of a regular member in the absence or disqualification of a regular member from a meeting of the Board. A member may continue to serve the Board until his or her successor is appointed and assumes office. Members may be reappointed to serve successive terms without limitation. (Ord. 2002-10)

Sec. 18-10-30. Terms.

Upon the establishment of the Board of Appeals as herein provided, two (2) members shall serve an initial term of three (3) years, two (2) members shall serve an initial term of two (2) years, and one (1) member shall serve an initial term of one (1) year. Persons initially appointed as alternate members shall serve a term of three (3) years. (Ord. 2002-10)

Sec. 18-10-40. Vacancies.

Vacancies on the Board of Appeals shall be filled by appointment made by the City Council to serve out unexpired member terms. (Ord. 2002-10)

Sec. 18-10-50. Removal from office.

Members may be removed from office for chronic absenteeism or for other good cause as determined by the City Council upon written notice. For purposes of this Article, *chronic absenteeism* shall mean three (3) or more consecutive unexcused absences from Board meetings, or absences from more than fifty percent (50%) of the Board's meetings in any twelve-month period. (Ord. 2002-10)

Sec. 18-10-60. Meetings.

All meetings of the Board of Appeals shall be subject to the requirements of the Colorado Open Meetings Law. Not less than three (3) members must be present at a regular or special meeting to transact business, and all questions coming before the Board shall be decided by simple majority vote of all those present. All votes shall be recorded by ayes and nays, except that a roll call vote shall be conducted upon the request of any member. A tie vote shall be deemed a denial of the matter voted upon. (Ord. 2002-10)

Sec. 18-10-70. Rules of procedure.

The Board of Appeals shall adopt such rules of procedure as it deems necessary to conduct business. The Board shall elect a Chairperson and a Vice Chairperson from among its members by majority vote. The Chairperson and the Vice Chairperson so elected shall serve terms of one (1) year and may be reelected to office without limitation. (Ord. 2002-10)

Sec. 18-10-80. Minutes.

Minutes of all regular and special meetings and resolutions passed by the Board of Appeals shall be authenticated by the presiding officer and timely recorded in an official book kept for that purpose by the City. Meeting minutes shall be maintained in writing or by electronic recording device. (Ord. 2002-10)

Sec. 18-10-90. Special meetings.

The Board of Appeals may, by majority vote, set and conduct special meetings from time to time in addition to conducting regular meetings. The date, time, location and agenda for any special meeting shall be publicly posted and/or published in accordance with the requirements of the Colorado Open Meetings Law. (Ord. 2002-10)

Sec. 18-10-100. Powers and duties.

The Board of Appeals shall have the following powers and duties: to reverse or affirm, wholly or in part, or modify the order, requirement, decision, interpretation or determination of the Building Official pursuant to the provisions of Article VIII of this Chapter. (Ord. 2002-10)

ARTICLE XI

House Numbers

Sec. 18-11-10. Numbers required; placement.

It is hereby made the duty of all owners and occupants of houses and buildings situate in the corporate limits of the City to number the same within thirty (30) days after being notified so to do by the City Clerk, in the manner hereinafter directed, and by securely fastening a metal plate or sign bearing the figures necessary to indicate the proper number of such house or building over the front door thereof. (Prior code 8-2-1)

Sec. 18-11-20. Method of numbering houses.

The proper number to be affixed to each of such houses and buildings shall be ascertained and determined in the following manner:

(1) By beginning at that certain street in the City known as "F" Street, and numbering all houses and buildings fronting upon streets running at right angles therewith in accordance with what is known as the decimal system, and by regularly increasing numbers, according to the distance from said "F" Street, allowing one (1) number to each twelve and one-half (12½) feet of space in each block, exclusive of alleys. The numbers in each block shall begin with 101 and 102, 201 and 202, 301 and 302, etc., according to whether the same is the first, second or third, etc., block from "F" Street. On all streets or avenues running northerly and southerly, even numbers shall be placed on the west side, and on all streets and avenues running easterly and westerly, the even numbers shall be placed on the north side. The odd numbers alternating in each case shall be placed on the side of the street opposite to that on which the even numbers are to be placed, as aforesaid.

(2) The houses and buildings situate upon "F" Street, and upon all other streets running parallel or nearly parallel therewith, shall be numbered by the same method and in the same manner, using that certain street in the City known as First Street as a base or starting point.

(3) All stairways in business blocks shall be numbered with half numbers such 150½, 250½, etc.

(4) The number which, by proper computation and measurements made in accordance with the foregoing provisions, falls to any house or building in the City, shall thenceforth be and remain the proper and official number thereof. (Prior code 8-2-2)

Sec. 18-11-30. Size of numbers.

The figures used to indicate the number of each house or building in the City, and to be placed upon the metal plates or signs mentioned in Section 18-11-10 above, shall each be at least three (3) inches in height and so inscribed and placed as to be plainly visible from the street upon which the house or building bearing the number is situated. (Prior code 8-2-3)

Sec. 18-11-40. Administration of provisions.

(a) The City Council shall, by resolution, appoint a suitable person to make the necessary measurements and computations, to assign each house or building its proper number and, if so desired, to furnish the metal plate or sign with the appropriate number inscribed thereon as hereinbefore provided, at a cost not exceeding twenty-five cents (\$.25) for each plate or sign so furnished; provided, however, that if the owner or occupant of any house or building desires a more costly number therefor, the person so appointed shall furnish the same at such increased price as may be agreed upon between him or her and such owner or occupant.

(b) The Community Development Director is hereby authorized and directed to take any and all such steps and proceedings and, on behalf of the City, to make, enter into and execute any and all such contracts as may be necessary or proper for the purpose of carrying into effect the provisions of this Article. (Prior code 8-2-4; Ord. 01, 2005 §1)

Sec. 18-11-50. Application of provisions.

Any and all houses and buildings which may be hereafter constructed in the City shall be subject to the provisions of this Article and numbered in the manner herein prescribed. (Prior code 8-2-5)

Sec. 18-11-60. Penalties.

Any person, being the owner of any house or building in the City or occupying the same, who, after being notified as hereinbefore provided of the proper number thereof, shall, for thirty (30) days thereafter, fail, neglect or refuse to number such house or building in conformity with the provisions of this Article, shall be subject to a penalty of five dollars (\$5.00) and a further penalty of five dollars (\$5.00) for every thirty (30) days thereafter that he or she shall continue to fail, neglect or refuse to so number such said house or building, the penalty, together with the costs of the proceeding. Such penalty shall be recovered by an appropriate action in the same manner as other fines and penalties incurred by reason of the violation of other provisions of this Code are recovered. (Prior code 8-2-6; Ord. 01, 2005 §1)

ARTICLE XII

Fuel Gas Code

Sec. 18-12-10. Adoption.

Pursuant to Title 31, Article 16, Part 2, C.R.S., there is hereby adopted by reference Chapters 1 through 8 and Appendices A and B of the *International Fuel Gas Code* (IFGC), 2006 Edition, published by the International Code Council, 500 New Jersey Avenue, NW, 6th Floor, Washington, DC 20001-2070, including Appendices A, B and C, to have the same force and effect as if set forth herein in every particular. The subject matter of the adopted code includes comprehensive provisions and standards regulating fuel gas systems and gas-fired appliances as herein provided; providing for the issuance of permits and collection of fees therefor; and each and all of the regulations, provisions, penalties, conditions and terms of said Fuel Gas Code as amended in Section 18-12-30 below. (Ord. 2007-14 §7)

Sec. 18-12-20. Copy on file.

At least one (1) copy of the International Fuel Gas Code has been and is now 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. The code as finally adopted shall be available for sale to the public through the office of the Building Official. (Ord. 2007-14 §7)

Sec. 18-12-30. Amendments.

The code adopted herein is hereby modified by the following amendments:

- (1) Section 101.1 is amended to read:

"**101.1 Title.** These regulations shall be known as the Fuel Gas Code of the City of Salida, will be cited as such and will be referred to herein as 'this code.' "

- (2) Section 109 is amended to read:

"**Section 109 (IFGC) Means of appeal.** All appeals to this code shall be made to the City of Salida Board of Appeals. The appeals process is described in Section 18-8-10 of the Salida Municipal Code."

- (3) The first paragraph of Section 303.3 is amended to read:

"**303.3 Prohibited locations.** Appliances shall not be located in sleeping rooms, bathrooms, toilet rooms, storage closets or surgical rooms, or in a space that opens only into such rooms or spaces, except with prior approval of the Building Official and where the installation complies with one of the following:"

- (4) Section 310.1 is amended to read:

"**310.1 Gas pipe bonding.** As required by the 2005 National Electrical Code."

- (5) Section 403.5.2 is amended to read:

"403.5.2 Copper and brass tubing. Copper tubing, fittings or pipe shall not be installed downstream of the riser."

(6) Section 404.4 is amended to read:

"404.4 Piping through foundation wall. Underground piping, where installed below grade through the outer foundation or basement wall of a building, shall be encased in a protective pipe sleeve. The annular space between the gas piping and the sleeve shall be sealed. Gas piping shall daylight immediately prior to penetrating the foundation."

(7) Section 503.8, #3, is amended to read:

"3. The vent terminal of a direct-vent appliance with an input of 10,000 Btu per hour (3 kW) or less shall be located at least 6 inches (152 mm) from any air opening into a building, and such an appliance with an input over 10,000 Btu per hour (3 kW) but not over 50,000 Btu per hour (14.7 kW) shall be installed with a nine-inch (230 mm) vent at termination clearance, and an appliance with an input over 50,000 Btu per hour (14.7 kW) shall have at least a twelve-inch (305 mm) vent termination clearance. The bottom of the vent terminal and air intake shall be located at least 18 inches above grade."

(Ord. 2007-14 §7)

Sec. 18-12-40. Violations, penalties

It shall be unlawful for any person, owner, occupant or contractor to erect, construct enlarge, alter, repair, move, improve, remove, rehabilitate, convert, demolish, use, occupy, equip or maintain any building or structure in the City, or cause the same to be done, contrary to or in violation of any of the provisions of this Article and the IFGC. Violations of this Article and/or the IFGC shall be punishable by a fine not to exceed one thousand dollars (\$1,000.00) or a term of imprisonment not to exceed ninety (90) days, or both such fine and imprisonment. A separate offense shall be deemed committed for each day, or portion of a day, that a violation of this Article occurs or continues unabated. (Ord. 2007-14 §7)

ARTICLE XIII

Energy Conservation Code

Sec. 18-13-10. Adoption.

Pursuant to Title 31, Article 16, Part 2, C.R.S., there is hereby adopted by reference Chapters 1 through 6 of the *International Energy Conservation Code* (IECC), 2006 Edition, published by the International Code Council, 500 New Jersey Avenue, NW, 6th Floor, Washington, DC 20001-2070, to have the same force and effect as if set forth herein in every particular. The subject matter of the adopted code includes comprehensive provisions and standards regulating energy-efficient building envelopes and installation of energy-efficient mechanical, lighting and power systems as herein provided; providing for the issuance of permits and collection of fees therefor; and each and all of the regulations, provisions, penalties, conditions and terms of said Energy Conservation Code as amended in Section 18-13-30 below. (Ord. 2007-14 §8)

Sec. 18-13-20. Copy on file.

At least one (1) copy of the International Energy Conservation Code has been and is now 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. The code as finally adopted shall be available for sale to the public through the office of the Building Official. (Ord. 2007-14 §8)

Sec. 18-13-30. Amendments.

The code adopted herein is hereby modified by the following amendment:

(1) Section 101.1 is amended to read:

"**101.1 Title.** These regulations shall be known as the Energy Conservation Code of the City of Salida, will be cited as such and will be referred to herein as 'this code.' "

(Ord. 2007-14 §8)

Sec. 18-13-40. Violations, penalties.

It shall be unlawful for any person, owner, occupant or contractor to erect, construct, enlarge, alter, repair, move, improve, remove, rehabilitate, convert, demolish, use, occupy, equip or maintain any building or structure in the City, or cause the same to be done, contrary to or in violation of any of the provisions of this Article and the IECC. Violations of this Article and/or the IECC shall be punishable by a fine not to exceed one thousand dollars (\$1,000.00) or a term of imprisonment not to exceed ninety (90) days, or both such fine and imprisonment. A separate offense shall be deemed committed for each day, or portion of a day, that a violation of this Article occurs or continues unabated. (Ord. 2007-14 §8)

ARTICLE XIV

Property Maintenance Code

Sec. 18-14-10. Adoption.

Pursuant to Title 31, Article 16, Part 2, C.R.S., there is hereby adopted by reference Chapters 1 through 8 of the *International Property Maintenance Code* (IPMC), 2006 Edition, published by the International Code Council, 500 New Jersey Avenue, NW, 6th Floor, Washington, DC 20001-2070, to have the same force and effect as if set forth herein in every particular. The subject matter of the adopted code includes comprehensive provisions and standards regulating 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 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; providing for the issuance of permits and collection of fees therefor; and each and all of the regulations, provisions, penalties, conditions and terms of said Property Maintenance Code as amended in Section 18-14-30 below. (Ord. 2007-14 §9)

Sec. 18-14-20. Copy on file.

At least one (1) copy of the International Property Maintenance Code has been and is now 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. The code as finally adopted shall be available for sale to the public through the office of the Building Official. (Ord. 2007-14 §9)

Section 18-14-30. Amendments.

The code adopted herein is hereby modified by the following amendments:

- (1) Section 101.1 is amended to read:

"101.1 Title. These regulations shall be known as the Property Maintenance Code of the City of Salida, will be cited as such and will be referred to herein as 'this code.' "

- (2) Section 101.2 is amended to read:

"101.2 Scope. The provisions of this code shall apply to all existing residential and nonresidential structures, excepting one- and two-family dwellings, and all existing premises, and constitute minimum requirements and standards for premises, structures, equipment and facilities for light, ventilation, space, heating, sanitation, protection from the elements, life safety, safety from fire and other hazards, and for safe and sanitary maintenance; the responsibility of owners, operators and occupants; the occupancy of existing structures and premises, and for administration, enforcement and penalties."

- (3) Section 102.3 is amended to read:

"102.3 Application of other codes. Repairs, additions or alterations to a structure, or changes of occupancy, shall be done in accordance with the procedures and provisions of the International Building Code, International Fuel Gas Code, International Mechanical Code and the National Electrical Code. Nothing in this code shall be construed to cancel, modify or set aside any provision of the remainder of the Salida Municipal Code."

- (4) Section 103.1 is amended to read:

"103.1 General. The Department of Property Maintenance Inspection is hereby created within the Salida Police Department. The Chief of Police is the code official."

- (5) Section 103.3 is amended to read:

"103.3 Deputies. The Building Official, Fire Chief and Code Enforcement Officer shall be deputies. In accordance with the prescribed procedures of this jurisdiction and with the concurrence of the appointing authority, the code official shall have the authority to appoint other deputy code officials, other related technical officers, inspectors and other employees."

- (6) Section 103.5 is amended to read:

"**103.5 Fees.** The fees for activities and services performed by the department in carrying out its responsibilities under this code shall be adopted by resolution of the City Council."

(7) Section 104.7 is amended to read:

"**104.7 Department records.** The code official shall keep official records of all business and activities of the department specified in the provisions of this code. Such records shall be retained in the official records as long as the building or structure to which such records relate remains in existence, unless otherwise provided by other regulations. These records may be kept in the property files of the Planning Department."

(8) Section 111.2 is amended to read:

"**111.2.** All appeals to this code shall be made to the City of Salida Board of Appeals. The appeals process is described in Section 18-8-10 of the Salida Municipal Code."

(9) Sections 111.2.1 through 111.2.5, 111.3, 111.4, 111.5 and 111.6 are deleted in their entirety.

(10) Section 201.3 is amended to read:

"**201.3 Terms defined in other codes.** Where terms are not defined in this code and are defined in the International Building Code, International Fuel Gas Code, International Fire Code, International Mechanical Code, Salida Land Use Code or the National Electrical Code, such terms shall have the meanings ascribed to them as stated in those codes."

(11) Section 302.3 is amended to read:

"**302.3 Walkways and driveways.** All walkways, stairs, driveways, parking spaces and similar areas shall be kept in a proper state of repair and maintained free of hazardous conditions."

(12) Section 302.4 is deleted in its entirety.

(13) Section 302.8 is deleted in its entirety.

(14) Section 302.9 is deleted in its entirety.

(15) Section 303 is deleted in its entirety.

(16) Section 304.3 is deleted in its entirety.

(17) Section 304.14 is deleted in its entirety.

(18) Section 404.3, Exceptions #1 and #2, are deleted in their entirety.

(19) The first paragraph of Section 602.3 is amended to read:

"602.3 Heat supply. Every owner and operator of any building who rents, leases or lets one or more dwelling units or sleeping units on terms, either expressed or implied, to furnish heat during the entire year to a temperature of not less than 68°F (20°C) in all habitable rooms, bathrooms and toilet rooms."

(20) The first paragraph of Section 602.4 is amended to read:

"602.4 Occupiable work spaces. Indoor occupiable work spaces shall be supplied with heat during the entire year to maintain a temperature of not less than 65°F (18°C) during the time the spaces are occupied."

(21) Section 604.2 is amended to read:

"604.2 Service. The size and usage of appliances and equipment shall serve as a basis for determining the need for additional facilities in accordance with the National Electrical Code. Dwelling units shall be served by a three-wire, 120/140-volt, single-phase electrical service having a rating of not less than 60 amperes."

(22) Chapter 8, Referenced Standards, is amended to replace "ICC Electrical Code" with "National Electrical Code" and "International Zoning Code" with "Salida Municipal Code."

(Ord. 2007-14 §9)

Sec. 18-14-40. Violations, penalties.

It shall be unlawful for any person, owner, occupant, or contractor to erect, construct, enlarge, alter, repair, move, improve, remove, rehabilitate, convert, demolish, use, occupy, equip, or maintain any building or structure in the City, or cause the same to be done, contrary to or in violation of any of the provisions of this Article and the IPMC. Violations of this Article and/or the IPMC may be punishable by a fine not to exceed one thousand dollars (\$1,000.00) or a term of imprisonment not to exceed ninety (90) days, or both such fine and imprisonment. A separate offense shall be deemed committed for each day, or portion of a day, that a violation of this Article occurs or continues unabated. As an alternate remedy, after complying with the Notice and Order provisions of IPMC Section 107, the City shall have the right, but not the obligation, to enter the violating property and conduct repairs and/or maintenance necessary to abate a non-emergency violation. The City Administrator shall prepare a statement enumerating the actual costs of abatement and collection plus a surcharge of ten percent (10%) of the abatement costs to cover inspection and other administrative costs. Such charge shall be payable by the owners at the time of the assessment, personally, and also shall be a perpetual lien upon the respective lots or parcels served relating back to the date upon which the abatement actions were performed. Any such lien may be foreclosed in the same manner as provided by the laws of this state for the foreclosure of mechanics' liens. (Ord. 2007-14 §9, Ord. 2009-10 §2)

ARTICLE XV

Building Permit Administration

Sec. 18-15-10. Inspection and supervision.

It shall be unlawful to erect, construct, reconstruct, alter or change the use of any building or other structure within the unincorporated territory of the County without obtaining a building permit from the City. The Building Official appointed by the City shall have the duty to enforce all provisions of this Chapter, as well as to receive applications required by these codes, issue permits and furnish the prescribed certificate, to examine the premises for which permits have been issued and to make necessary inspections to see that the provisions of law are complied with and that construction is prosecuted safely. The Building Official is hereby granted the authority to enter on all premises within the City for the purpose of carrying out his or her duties as building official. (Ord. 2007-14 §10)

Sec 18-15-20. Fees.

Current fees are set by resolution of the City Council. The City Council retains the authority to amend any and all fees from time to time by resolution. (Ord. 2007-14 §10)

Sec. 18-15-30. Building permit effective periods and extensions.

(a) Notwithstanding provisions in the applicable building codes to the contrary, permits issued under the county building codes are effective for a period of one (1) year.

(b) Upon a written request for an extension by the applicant, a permit may be extended for an additional one-year period. Up to two (2) extensions may be requested, provided that in no event may a permit be valid for more than three (3) years, or for more than two (2) years following the adoption of a new version of the applicable building code, whichever is less. For example, if a plumbing permit is issued on February 1, 2004, and a new version of the plumbing code is adopted on May 1, 2004, the maximum date to which the permit can be effective, including extensions, would be May 1, 2006.

(c) In order to renew action on a permit after expiration, the permittee shall pay a new full permit fee, except the Building Official may authorize one-half (½) the new fee where all rough inspections have been completed under the expired permit. (Ord. 2007-14 §10)

Sec. 18-15-40. Notice of building permit expirations.

(a) The Building Official shall endeavor to send by certified letter a Notice of Building Permit Expiration to a property owner thirty (30) days prior to the expiration of a building permit or if there have been no requests for inspection on a building permit for a period of six (6) months. Any failure to comply with this Section shall not result in an extension of a building permit.

(b) The Notice of Building Permit Expiration shall advise the property owner that if a certificate of occupancy is not obtained, upon expiration of the permit, a letter may be filed and recorded with the County Clerk that indicates that structures on the property may not have been inspected by building officials and, thus, may not meet past or current building codes, and that no building permit for additions

to or new structures will be issued unless the current structure is brought up to code or evidence of a prior certificate of occupancy is submitted.

(c) If a certificate of occupancy is not obtained within sixty (60) days of the expiration of the building permit, the Building Official shall endeavor to proceed with filing and recording such letter with the County Clerk; in addition, the Building Official and the City may pursue other remedies provided by statute, ordinance or resolution with respect to building code violations, if any. Nothing in this Section shall obligate the City to file such letter or prosecute building code violations nor prevent or limit the City from seeking to remedy building code violations as provided by state law. (Ord. 2007-14 §10)

Sec. 18-15-50. Modification and forms.

The Building Official shall have the power to modify any of the provisions of the codes hereby adopted upon application in writing by the owner or lessee or his or her duly authorized agent when there are practical difficulties in the way of carrying out the strict letter of the codes, provided that the spirit of the codes shall be observed, public safety secured and substantial justice done. The particulars of such modification when granted or allowed and the decision of the Building Official shall be entered upon the Building Official's records, and a signed copy shall be furnished to the applicant. The Building Official is authorized to adopt any forms or documents as necessary to implement the provisions of this Chapter. (Ord. 2007-14 §10)

Sec. 18-15-60. Appeals.

An appeal to the Board of Appeals may be taken by any person aggrieved by his or her inability to obtain a building permit or certificate or by the Building Official or any City department or representative affected by the grant or refusal of a building permit or certificate. An appeal may be made to the Board of Appeals from any decision of the Building Official based upon or made in the course of the administration or enforcement of the building code, including without limitation a failure of an inspection or a claim that the provisions of the City's building codes do not apply or the true intent and meaning of the City's building codes have been misconstrued or wrongly interpreted. (Ord. 2007-14 §10)