

**TOWN OF ARRIBA, COLORADO
ORDINANCE NO. 154**

AN ORDINANCE OF THE BOARD OF TRUSTEES FOR THE TOWN OF ARRIBA, COLORADO, ADOPTING BY REFERENCE THE INTERNATIONAL BUILDING CODE, 2018 EDITION; THE INTERNATIONAL RESIDENTIAL CODE, 2018 EDITION; THE INTERNATIONAL MECHANICAL CODE, 2018 EDITION; AND THE INTERNATIONAL ENERGY CONSERVATION CODE, 2018 EDITION; INCLUDING ALL APPENDICES, AND MAKING SPECIFIC AMENDMENTS TO THE ABOVE REFERENCED CODES AND PROVIDING PENALTIES FOR VIOLATIONS OF THE ORDINANCE

NOW THEREFORE, BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE TOWN OF ARRIBA, COLORADO, THAT:

Section 1. BUILDING CODES ADOPTED: Pursuant to Title 31, Article 16, Part 2 of Colorado Revised Statutes, the International Building Code, 2018 edition, the International Residential Code, 2018 edition, the International Mechanical Code, 2018 edition and the International Energy Conservation Code, 2018 edition, including the appendices of each code specified herein, and published by the International Code Council, Inc, 500 New Jersey Avenue, NW 6th Floor, Washington, DC, is adopted by reference as the building codes for the Town of Arriba.

Section 2. PURPOSE. The subject matter of the adopted International Codes and appendices includes comprehensive provisions and standards regulating the erection, construction, enlargement, alteration, repair, moving, removal, conversion, demolition, occupancy, equipment, use, height, area, energy efficiency, and maintenance of all buildings and structures in the Town of Arriba and further provides for the issuance of permits and the collection of fees, therefore. A digital copy of each code adopted will be available on the Town of Arriba website at least 15 days preceding the hearing hereon and shall be kept there for public inspection while this ordinance is in force. After the adoption of this ordinance, a digital copy of said codes may also be kept in the Office of the Town Clerk and Building Inspector.

Section 3. The Board of Trustees adopts the following amendments to the International Building Code, 2018 edition:

Section 101.1 Title is replaced as follows:

101.1 Title. These regulations shall be known as the Building Code of The Town of Arriba, herein as “this Code”.

Section 101.4.4 Property maintenance is replaced as follows:

101.4.4 Property maintenance. All references to the *International Property Maintenance Code* shall be deleted.

Section 101.4.7 Existing buildings is replaced as follows:

101.4.7 Existing buildings. All references to the *International Existing Building Code* shall be deleted.

Section 103.1 Creation of enforcement agency is replaced as follow:

103.1 Creation of enforcement agency. The office of the Town Clerk or her/his designee is hereby the official in charge thereof shall be known as the *building official*. The function of the agency shall be the implementation, administration, and enforcement of the provisions of this code.

Section 907.2.11 Single- and multiple-station smoke alarms is replaced as follow:

907.2.11 Single- and multiple-station smoke alarms. *Listed* single- and multiple-station smoke alarms complying with UL 217 shall be installed in accordance with Sections 907.2.11.1 through 907.2.11.7, NFPA 72 and the manufacturer's published instructions.

Section 915.4 Carbon monoxide alarms is replaced as follows:

915.4 Carbon monoxide alarms. Carbon monoxide alarms shall be installed in accordance with the manufacturer's installation instructions and shall comply with Sections 915.4.1 through 915.4.4.

Section 1101.1 Scope is amended by adding the following sentences to the end of the paragraph:

Where there are seven or more residential dwelling units in a project, the provisions of the Colorado Revised Statute (C.R.S.) Title 9, Article 5, Standards for Accessible Housing, shall be applicable.

Section 1507.1.2 Ice barriers are replaced as follows.

1507.1.2 Ice barriers. On roofs with a slope equal to or less than four units vertical in 12 units horizontal (33-percent slope), an ice barrier shall be installed for asphalt shingles, metal roof shingles, mineral-surfaced roll roofing, slate and slate-type shingles, wood shingles, and wood shakes. The ice barrier shall consist of not less than two layers of underlayment cemented together, or a self-adhering polymer modified bitumen sheet shall be used in place of normal underlayment and extend from the lowest edges of all roof surfaces to a point not less than 24 inches (610 mm) inside the exterior wall line of the building.

Exception: Detached accessory structures that do not contain conditioned floor area.

Section 1507.17.4.2 Ice barrier is replaced as follows:

1507.17.4.2 Ice barrier. Where required, ice barriers shall comply with Section 1507.1.2.

Section 1612.3 Establishment of flood hazard areas is replaced as follows:

1612.3 Establishment of flood hazard areas. To establish *flood hazard areas*, the applicable governing authority shall adopt a flood hazard map and supporting data. The flood hazard map shall include, at a minimum, areas of special flood hazard as identified by the Federal Emergency Management Agency, as the same may be promulgated from time to time. Any such adopted flood hazard map and supporting data from time to time shall be adopted by reference and declared to be part of this section.

Section 1809.5 Frost protection is amended by adding the following sentence:

The frost line for the Town of Arriba is 36 inches below the finished grade.

Section 4. The Board of Trustees adopts the following amendments to the International Residential Code, 2018 edition:

Section R101.1 Title is replaced as follows:

These provisions shall be known as the Residential Code for One- and Two-Family Dwellings of the Town of Arriba and shall be cited as such and will be referred to herein as “this Code”.

Section R102.4 Referenced codes and standards is amended by adding the following sentence:

All references to the *International Existing Building Code* and *International Property Maintenance Code* shall be deleted.

Section R105.2 Work exempt from permit is amended by replacing item Building 1 as follows:

Building:

1. One-story detached accessory structures, provided that the floor area does not exceed 120 square feet.

**CHAPTER 3
BUILDING PLANNING**

Table R301.2 CLIMATIC AND GEOGRAPHIC DESIGN CRITERIA is replaced as follows:

**TABLE R301.2
CLIMATIC AND GEOGRAPHIC DESIGN CRITERIA**

GROUND SNOW LOAD ^o	WIND DESIGN				SEISMIC DESIGN CATEGOR Y ^f	SUBJECT TO DAMAGE FROM			ICE BARRIER UNDERLAYME NT REQUIRED ^h	FLOOD HAZARD S ^g	AIR FREEZIN G INDEX ⁱ	MEAN ANNU AL TEMP ^j
	Spee d ^d (mph)	Topograp hic effects ^k	special wind region ^l	windbor ne debris zone ^m		Weatherin g ^a	Frost line dept h ^b	Termit e ^c				
<u>30 psf</u>	<u>85 mph</u>	<u>None</u>	<u>No</u>	<u>No</u>	-	-	<u>36"</u>	-	<u>See R905.1.2</u>	-	-	-
MANUAL J DESIGN CRITERIA2												
Elevation		Altitude correcti on factor ^e	Coincide nt wet bulb	Indoor winter design relative humidity	Indoor winter design dry- bulb temperature			Outdoor winter design dry-bulb temperature		Heating temperature difference		
				30%	70°			°		°		
Latitude		Daily Range	Indoor summer design relative humidity	Summer design gains	Indoor summer design dry- bulb temperature			Outdoor summer design dry-bulb temperature		Cooling temperature difference		
39.64°N		H	50%	-	75°			°		°		

Footnotes not shown and unchanged.

Section R309.6 Electric vehicle charging systems is added as follows:

R309.6 Electric vehicle charging systems. Where provided, electric vehicle charging systems shall be installed in accordance with NFPA 70. Electric vehicle charging system equipment shall be listed and labeled in accordance with UL 2202. Electric vehicle supply equipment shall be listed and labeled in accordance with UL 2594.

New standards for adoption in Chapter 44.

2202—2009 Electric Vehicle (EV) Charging System Equipment—with Revisions through February 2018

2594—2016 Electric Vehicle Supply Equipment

SECTION R313 AUTOMATIC FIRE SPRINKLER SYSTEMS is deleted in entirety.

Section R314.1.2 Installation is added as follows:

R314.1.2 Installation. Smoke alarms and combination smoke and carbon monoxide alarms shall be installed in accordance with their listing and the manufacturer's instructions.

Section R314.3.1 Installation near cooking appliances is replaced as follows:

R314.3.1 Installation near cooking appliances. Smoke alarms shall be installed a minimum of 10 ft. (3.0 m) horizontally from a permanently installed cooking appliance.

Exception: Smoke alarms shall be permitted to be installed a minimum of 6 ft. (1.8 m) horizontally from a permanently installed cooking appliance where necessary to comply with Section R314.3

Section R315.1.2 Installation is added as follows:

R315.1.2 Installation. Carbon monoxide alarms shall be installed in accordance with their listing and the manufacturer's instructions.

Section R320.1 Scope is amended by adding the following sentence:

In addition to the requirements of this section, the provisions of the Colorado Revised Statute (C.R.S.) Title 9, Article 5, Standards for Accessible Housing, shall be applicable.

Section R905.1.2 Ice barriers is replaced as follows:

R905.1.2 Ice barriers. On roofs with a slope equal to or less than four units vertical in 12 units horizontal (33-percent slope), an ice barrier shall be installed for asphalt shingles, metal roof shingles, mineral-surfaced roll roofing, slate and slate-type shingles, wood

shingles and wood shakes. The ice barrier shall consist of not fewer than two layers of *underlayment* cemented together, or a self-adhering polymer-modified bitumen sheet shall be used in place of normal *underlayment* and extend from the lowest edges of all roof surfaces to a point not less than 24 inches (610 mm) inside the exterior wall line of the building.

Section R1002.1 Definition is amended by adding the following sentence:

Masonry heaters shall be approved by the Colorado Department of Public Health and Environment and listed on their currently published list of Colorado Approved Masonry Heaters.

Section R1004.1 General is amended by adding the following sentence:

R1004.1 General. Factory-built fireplaces listed in the EPA Certified Wood Heater Database published by the Environmental Protection Agency as currently EPA Certified under the 2020 rule.

Section R1004.4 Unvented gas log heaters is replaced as follows:

R1004.4 Unvented gas log heaters. Unvented gas log heaters shall be prohibited.

Section M1410.1 General is amended by adding the following sentence:

Pellet fuel-burning appliances shall be listed in the EPA Certified Wood Heater Database published by the Environmental Protection Agency as currently EPA Certified under the 2020 rule.

Section M1414.1 General is amended by adding the following sentence:

Fireplace stoves and wood heaters shall be listed in the EPA Certified Wood Heater Database published by the Environmental Protection Agency as currently EPA Certified under the 2020 rule.

Section M1801.1 Venting required is replaced as follows:

M1801.1 Venting required. Fuel-burning *appliances* shall be vented to the outdoors in accordance with their *listing* and *label* and manufacturer's installation instructions. Venting systems shall consist of *approved* chimneys or vents, or venting assemblies that are integral parts of *labeled appliances*. Gas-fired *appliances* shall be vented in accordance with Chapter 24.

Section G2425.8 Appliances not required to be vented is amended by deleting item 7

Sections G2445.1 General through G2445.7.1 Ventless firebox enclosures are replaced in their entirety as follows:

G2445.1 Prohibited. Unvented room heaters and unvented decorative room heaters shall not be installed within *dwelling units*.

Section 5. The Board of Trustees adopts the following amendments to the International Mechanical Code, 2018 edition:

Section 101.1 Title is replaced as follows:

101.1 Title. These provisions shall be known as the Mechanical Code of Town of Arriba hereinafter referred to as “this Code”.

Section 106.5.2 Fee schedule is replaced as follows:

106.5.2 Fee schedule. For mechanical work requiring a permit, a fee for each permit shall be paid as required in accordance with the provisions of the Town of Arriba fee schedule.

Section 106.5.3 Fee refunds is replaced as follows:

106.5.3 Fee refunds. The building official is authorized to establish a refund policy.

Section 108.5 Stop work orders is replaced as follows:

108.5 Stop work orders. Upon notice from the code official that mechanical work is being performed contrary to the provisions of this code or in a dangerous or unsafe manner, such work shall immediately cease. Such notice shall be in writing and shall be given to the owner of the property, or to the owner’s authorized agent, or to the person doing the work. The notice shall state the conditions under which work is authorized to resume. Where an emergency exists, the code official shall not be required to give a written notice prior to stopping the work. Any person who shall continue any work on the system 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 for a fine as established by the applicable governing authority.

Section 903.1 General is amended by adding the following sentence:

903.1 General. Factory-built fireplaces shall be listed in the EPA Certified Wood Heater Database published by the Environmental Protection Agency as currently EPA Certified under the 2020 rule.

Section 903.3 Unvented gas log heaters is replaced as follows:

903.3 Unvented gas log heaters. Unvented gas log heaters shall be prohibited.

Section 904.1 General is amended by adding the following sentence:

Pellet fuel-burning appliances shall be listed in the EPA Certified Wood Heater Database published by the Environmental Protection Agency as currently EPA Certified under the 2020 rule.

Section 925.1 General is amended by adding the following sentence:

Masonry heaters shall be approved by the Colorado Department of Public Health and Environment and listed on their currently published list of Colorado Approved Masonry Heaters.

Section 6. The Board of Trustees adopts the following amendments to the International Conservation Code, 2018 edition:

Section R101.1 Title is replaced as follows:

R101.1 Title. These provisions shall be known as the Residential Energy Conservation Code of the Town of Arriba hereinafter referred to as “this Code”.

Section C101.1 Title is replaced as follows:

C101.1 Title. These provisions shall be known as the Commercial Energy Conservation Code of Town of Arriba hereinafter referred to as “this Code”.

Section 7. COPIES OF CODES AVAILABLE: A digital copy of each code adopted herein by reference will be available on the Town of Arriba website at least 15 days preceding the hearing hereon and shall be kept there for public inspection while this ordinance is in force. After the adoption of this ordinance, and the codes herein stated by reference, the copy of said codes may also be kept in the Office of the Town Clerk and Building Inspector.

Section 8. PENALTY PROVISIONS: Failure to comply with the terms of the *International Building Codes* adopted herein by reference shall constitute a civil infraction. Any person who is found guilty of, or pleads guilty or nolo contendere to the commission of, the civil infraction shall be subject to a civil penalty of up to two thousand six hundred and fifty dollars (\$2,650.00). For each day, or portion thereof during which any violation continues shall be a separate violation.

Section 9. Safety Clause. The Town Board of Trustees hereby finds, determines, and declares that this ordinance is promulgated under the general police power of the Town of Arriba, that it is promulgated for the health, safety, and welfare of the public, and that this ordinance is necessary for the preservation of health and safety and for the protection of public convenience

and welfare. The Board of Trustees further determines that the ordinance bears a rational relation to the proper legislative object sought to be attained.

Section 10. Severability. If any clause, sentence, paragraph, or part of this ordinance or the application thereof to any person or circumstances shall for any reason be adjudged by a court of competent jurisdiction invalid, such judgment shall not affect application to other persons or circumstances.

Section 11. Effective Date. This Ordinance shall take effect 30 days after publication following adoption.

INTRODUCED, READ IN FULL AND ADOPTED this 27th day of June, 2023.

PASSED by a vote of 4 for and 0 against AND ORDERED PUBLISHED ONCE IN FULL this 27 day of June, 2023.

TOWN OF ARRIBA

(Seal)

By
Marilyn Lightsey, Mayor

ATTEST:

Josie Hart, Town Clerk