

RESOLUTION NO. 40, SERIES OF 2008

**A RESOLUTION ADOPTING THE INTERNATIONAL BUILDING CODE,
INTERNATIONAL RESIDENTIAL CODE AND INTERNATIONAL ENERGY
CONSERVATION CODE, 2006 EDITIONS AS THE BUILDING CODE OF FREMONT
COUNTY, EFFECTIVE JULY 1, 2008**

WHEREAS, the Board of Commissioners for Fremont County, pursuant to §30-28-201, C.R.S., is authorized to adopt a building code for the unincorporated portions of Fremont County; and

WHEREAS, the Building Official for Fremont County has recommended adoption of the 2006 International Building Code, the 2006 International Residential Code and the 2006 International Energy Conservation Code; and

WHEREAS, the 2003 International Building Code and the 2003 International Residential Code are currently in effect for Fremont County and the Board agrees that a newer code should be adopted to govern building standards for Fremont County; and

WHEREAS, the Building Official for Fremont County has made recommendations for certain amendments, additions and deletions to the 2006 International Building Code, the 2006 International Residential Code and the 2006 International Energy Conservation Code, attached hereto as Exhibits A and B; and incorporated herein by reference; and

WHEREAS, a public hearing was held before the Board of County Commissioners of Fremont County on June 9, 2008, after notice of same was published in a newspaper of general circulation in the county at least fourteen days prior to said hearing; and

WHEREAS, the Board of County Commissioners finds that such Building Code should be adopted and enforced in the unincorporated area of Fremont County that being all of Fremont County that are not embraced within the limits of any incorporated city or town; and

WHEREAS, the Board of County Commissioners for Fremont County hereby finds that the provisions of the 2006 edition of the International Building Code, the 2006 edition of the International Residential Code and the 2006 edition of the International Energy Conservation Code, together with the amendments, additions and deletions to the same, attached hereto as exhibits A and B take into consideration the public health, safety, morals and general welfare; and the safety, protection and sanitation of dwellings, buildings and structures within the county.

NOW THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Fremont County that the 2006 edition of the International Building Code, the 2006 edition of the International Residential Code and the 2006 edition of the International Energy Conservation Code, together with the amendments, additions and deletions to the 2006 International Building

Code, the 2006 International Residential Code and the 2006 International Energy Conservation Code, attached hereto as Exhibits A and B are hereby adopted and approved to be the official building codes for the unincorporated areas of Fremont County.

BE IT FURTHER RESOLVED that the 2003 International Building Code and the 2003 International Residential Code presently in effect for Fremont County is hereby repealed and shall have no further binding effect in Fremont County as of the effective date of this Resolution.

BE IT FINALLY RESOLVED that the 2006 International Building Code, the 2006 International Residential Code and the 2006 International Energy Conservation Code, together with those amendments, additions and deletions set forth in Exhibits A and B attached hereto, shall become effective the FIRST DAY OF JULY, 2008, and shall remain in full force and effect thereafter, except as may be modified from time to time by formal action of the Board of Commissioners for Fremont County.

Commissioner Norden moved the adoption of the foregoing Resolution with a second by Commissioner Stiehl.

Commissioner Stiehl	AYE	NAY	ABSTAIN	ABSENT
Commissioner Lasha	AYE	NAY	ABSTAIN	ABSENT
Commissioner Norden	AYE	NAY	ABSTAIN	ABSENT

The Resolution was declared to be duly adopted.

Date: June 9, 2008

Larry Lasha
Chairman

Attest: Norma Hatfield
Clerk

EXHIBIT A

I. TITLE, AUTHORITY & TEXT OF BUILDING CODE

The *International Building Code*, 2006 Edition, hereinafter to be known as the Building Code of Fremont County, is adopted pursuant to the authority granted at C.R.S. 30-28-201. The text of the Building Code of Fremont County shall consist of the *International Building Code*, the *International Residential Code* and the *International Energy Conservation Code*, 2006 Editions, published by the International Code Council, 4051 Flossmoor Road, Country Club Hills, Illinois 60478-5795; including the specifically adopted chapters of the Appendix to said codes and together with the errata sheets accompanying said *International Building Code*, *International Residential Code* and *International Energy Conservation Code* (all of which is hereinafter referred to as “The Building Code of Fremont County”) all to have the same force and effect as if set forth herein in every particular, for commercial, industrial, residential and accessory structures construction, alteration, movement, enlargement, replacement, repair, use and occupancy, removal and demolition within the entire unincorporated portion of Fremont County, Colorado and providing for the issuance of building permits and inspections except as said *International Building Code*, *International Residential Code* and *International Energy Conservation Code* are modified by Section III hereunder, which exceptions will also constitute the text of the Building Code of Fremont County.

II. REPEAL

The previously adopted Resolution No. 61, Series of 2003 is hereby repealed in its entirety.

III. AMENDMENTS, ADDITIONS & DELETIONS

A) International Building Code

Section 101.1 is hereby amended to read as follows:

101.1 Title. These regulations shall be known as *The Building Code of Fremont County, Colorado*, hereinafter referred to as “this code”.

Section 101.4 and subsections 101.4.1 through 101.4.7 are hereby deleted in their entirety and the following section and subsections are substituted therefor:

101.4 Referenced codes. The other codes listed in sections 101.4.1 through 101.4.7 and referenced elsewhere in this code shall be considered part of the requirements of this code to the prescribed extent of each such reference.

101.4.1 Electrical. All provisions of this code which reference the *International Electrical Code* shall be interpreted as a reference to the corresponding provision in the versions or editions of the electrical code that is currently adopted and enforced by the Colorado State Electrical Board, including any subsequent versions which may be adopted by the State of Colorado after the date of this resolution.

101.4.2 Plumbing and fuel gas. All provisions of this code which reference the *International Plumbing Code* or the *International Fuel Gas Code* shall be interpreted as a reference to the corresponding provision in the versions or editions of the plumbing and/or gas code that are currently adopted and enforced by the Colorado State Board of Examining Plumbers, including any subsequent versions which may be adopted by the State of Colorado after the date of this resolution.

101.4.3 Mechanical. Provisions of the *International Mechanical Code* which cross over to this code and specific provisions of this code which reference mechanical installations shall be enforced as provided in this code.

101.4.4 Individual sewage disposal systems. All individual sewage disposal system installations and repairs shall comply with the provisions of the *Individual Sewage Disposal System Regulations* adopted by resolution of the Fremont County Board of County Commissioners in Resolution 31, Series of 1995, and all subsequent amendments, reenactments or revisions of the same.

101.4.5 Property maintenance. All land use regulations governing Fremont County shall be as set forth in the *Fremont County Zoning Resolution*, as amended. All provisions of this code which reference the *International Property Maintenance Code* shall be interpreted as a reference to the corresponding provisions set forth in the *Fremont County Zoning Resolution*, as amended. In the event that there shall be a conflict between this code and the *Fremont County Zoning Resolution*, the *Fremont County Zoning Resolution* shall prevail and shall supersede the provisions of this code.

101.4.6 Fire prevention. All provisions of this code which reference the *International Fire Code* shall be interpreted as a reference to the corresponding provision in the fire prevention/protection code adopted and enforced by the fire protection jurisdiction having authority.

101.4.7 Energy. The provisions of the *International Energy Conservation Code* shall apply to all matters governing the design and construction of buildings for energy efficiency.

101.4.8 Areas prone to flooding. All development in areas prone to flooding shall comply with the *Fremont County Flood Damage Prevention Regulations* as adopted by Resolution of the Fremont County Board of County Commissioners in Resolution No. 43, Series of 2007 and all subsequent amendments, reenactments or revisions of the same. In any case where there is a conflict between the provisions of this code and the provisions of the *Fremont County Flood Damage Prevention Regulations*, the *Fremont County Flood Damage Prevention Regulations* shall prevail and shall supersede the provisions of this code

Section 103 and subsections 103.1 through 103.3 are hereby deleted in their entirety and the following section and subsections are substituted therefor:

SECTION 103
DEPARTMENT OF BUILDING SAFETY

103.1 Creation of enforcement agency. There is hereby established the Fremont County Department of Building and Environmental Health which shall be under the administrative and operational control of the building official.

103.2 Appointment. The building official shall be appointed by the Fremont County Board of County Commissioners.

103.3 Deputies. In accordance with the prescribed procedures of Fremont County and with the concurrence of the Board of County Commissioners, the building official shall have the authority to appoint technical officers, inspectors, plans examiners and other staff persons. Such persons shall have powers and authority as delegated by the building official.

Section 105.2 is hereby deleted in its entirety and the following section is substituted therefor:

105.2 Work exempt from permit. Exemptions from 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 Fremont County, the State of Colorado or the United States of America. Permits shall not be required for the following:

1. One story detached accessory structures used as tool and storage sheds, playhouses and similar uses, provided the floor area does not exceed two hundred (200) square feet.
2. Agricultural buildings and/or structures which are directly associated with agricultural use, comply with the definition of agricultural building in section 202 of this code and are constructed on property which has received agricultural designation status through the Fremont County Assessor's office. Such buildings and/or structures are to be used solely for agricultural purposes and may not contain mixed uses.
3. Wire fences that are more than fifty percent (50%) open and solid fences not over six (6) feet in height.
4. Oil derricks.
5. Retaining walls which are not that are not over four (4) feet in height measured from the lowest point of finished grade to the top of the wall, unless supporting a surcharge or impounding Class I, II, or III-A liquids.
6. Water tanks supported directly on grade if the capacity does not exceed five thousand (5000) gallons and the ratio of height to diameter does not exceed 2 to 1.
7. Sidewalks and driveways, and platforms not more than thirty (30) inches above adjacent grade and not over any basement or story below.
8. Painting, papering, tiling, carpeting, cabinets, countertops, trimwork and other similar finish work.
9. Temporary motion picture, television and theater stage sets and scenery.
10. Prefabricated swimming pools that are installed entirely above ground and in-ground swimming pools which are accessory to a group R-3 occupancy.
11. Shade cloth structures constructed for nursery or agricultural purposes and not

- including service systems.
12. Swings and other playground equipment.
 13. Window awnings supported by an exterior wall that do not project more than 54 inches from the exterior wall and do not require additional support.
 14. Moveable fixtures, cases, racks, counters and partitions not over 8 feet in height.

Subsections 105.2.1 through 105.2.3 shall remain as published.

Section 105.5 is hereby deleted in its entirety and the following section and sub-section are substituted therefor:

105.5 Expiration. Every permit issued by the Building Official under the provisions of this code shall expire and become invalid one year from the date of issue.

- Exceptions:**
1. Demolition permits expire 180 days from the date of issue.
 2. Re-roofing permits expire 90 days from the date of issue.

105.5.1 Renewal. The building official is authorized to renew any permit for one additional year provided that a request for renewal from the permit holder and the appropriate renewal fee are submitted to the building department prior to the expiration date. No permit may be renewed more than once.

- Exceptions:**
1. Demolition permits may not be renewed.
 2. Re-roofing permits may not be renewed.
 3. Mobile home placement permits may not be renewed.

105.5.2 Extended time. Any project which cannot be completed by the end of the renewal period will be eligible for application for a new permit for a fee which is equal to one half the of the original permit fee. This new permit may be renewed under the provisions of section 105.5.1.

Section 105.7 is hereby amended by adding the following sentence:

Replacement of a lost, stolen or damaged building permit card is subject to a fee pursuant to the Fremont County Building Department Fee Schedule.

Section 106.1 is hereby amended to read as follows:

106.1 Submittal documents. Construction documents, statement of special inspections and other data shall be submitted in duplicate sets with each permit application. The construction documents shall be prepared by a design professional registered in the State of Colorado and shall include but not be limited to:

- 1) Site plan as described in section 106.2
- 2) Foundation design including dimensions and reinforcing details
- 3) Floor plan identifying dimensions, layout and intended use of all floor space
- 4) Construction details of all structural members and their connections

- 5) Manufacturer's engineered truss design
- 6) Energy conservation details showing compliance with the *International Energy Conservation Code* or Chapter 11 of the *International Residential Code*
- 7) Colorado State Installation Authorization (for manufactured housing only)
- 8) Drainage study and report (commercial and multi-family only)
- 9) Fire Department Permit (commercial and multi-family in Cañon City Fire District only)
- 10) Other information including but not limited to:
 - A) Evidence of ownership
 - B) Evidence of an approved water supply
 - C) Evidence of sanitation
 - D) County road or State highway access inspection
 - E) Legally issued address
 - F) Flood elevation certificate (when required)

Exception: The building official is authorized to waive the requirement for plans to be prepared by a registered design professional when it is determined that the nature of the work does not require engineering.

All sub-sections to section 106.1 shall remain as published

Section 106.2 is hereby amended to read as follows:

106.2 Site plan. The construction documents submitted with the application shall be accompanied by a site plan showing the configuration of the lot and all property dimensions, the size and location of new construction and existing structures on the site, setback distances from lot lines, setback distances to other structures on the lot, location and name of any public or private roadways which adjoin or encroach the property, the location that the driveway enters the property from the public or private roadway and a "North" arrow. (Note: The location of the driveway will determine the "front" of the property and the address.) 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 building official is authorized to waive or modify the requirement for a site plan when the application for permit is for alteration or repair or when otherwise warranted.

Section 107.3 is hereby deleted in its entirety.

Section 108.2 is hereby amended to read as follows:

108.2 Schedule of permit fees. On buildings, structures, additions, alterations or repairs requiring a permit, a fee for each permit shall be paid as required in accordance with the Fremont County Building Department Fee Schedule as established by Resolution of the Fremont County Board of County Commissioners.

Section 108.3 is hereby amended to read as follows:

108.3 Building permit valuations. Building permit valuations shall include total value of work, including material and labor, for which the permit is being issued and shall be

determined from the most recent Building Valuation Data as published by the International Code Council on a semi-annual basis.

Exception: If evidence is demonstrated that the valuation estimate from the Building Valuation Data does not accurately reflect the valuation of an individual project, then final building permit valuation shall be set by the building official.

Section 108.4 is hereby amended to read as follows:

108.4 Work commencing before permit issuance. Any person who commences work on a building or structure before obtaining the necessary permits shall be subject to a penalty or additional fee, the amount of which is equal to the required permit fee, and shall be payable in addition to the required permit fee. Civil penalties may also be assessed pursuant to Article 28 of Title 30, Colorado Revised Statutes as amended.

Section 108.6 is hereby amended to read as follows:

108.6 Refunds. The building official will apply to the Fremont County Finance Office for any refund only upon receipt of a written request for refund from the original permit applicant and not later than ninety (90) days after the date of fee payment. The building official is authorized to deduct from the fee payment any expenses incurred by the building department for administrative costs or plan review time.

Section 108.7 is hereby added:

108.7 Re-inspection fee. Re-inspection fees shall be paid as required in accordance with the Fremont County Building Department Fee Schedule.

Subsection 109.3.5 is hereby amended by deleting the **Exception**.

Subsection 109.3.10 is hereby amended to read as follows:

109.3.10 Final inspection. The final inspection shall be made after all work required by the building permit is completed and final inspections from a Colorado State Electrical Inspector and Colorado State Plumbing Inspector have been approved.

Chapter 11 is hereby amended by adding the following section:

1101.3 Residential building project requirements. Before any construction of a residential building project may be started, which project includes seven (7) or more residential units, a contract shall be entered into with the Fremont County Board of County Commissioners (Board). Said contract shall guarantee to the Board that the specified number of accessibility points for accessible residential units, as provided for in §9-5-105 Colorado Revised Statutes, as amended, shall be provided. The builder of such project shall be required to certify that said accessible and adaptable units will substantially comply with ICC/ANSI A117.1 standards.

Section 1203.2 is hereby amended as follows:

All provisions for attic ventilation which require a 1/150 ratio shall be decreased to a 1/300 ratio.

All provisions for attic ventilation which require a 1/300 ratio shall be decreased to a 1/600 ratio.

All other provisions and requirements of this section shall remain as published.

Section 1203.3.1 is hereby amended as follows:

The requirement for under-floor ventilation at the rate of one (1) square foot of ventilation openings for each 150 square feet of under-floor area shall be decreased to one (1) square foot of ventilation openings for each 500 square feet of under-floor space.

All other provisions and requirements of this section shall remain as published.

Section 1211 is hereby added:

1211 LPG fired appliances. Liquefied petroleum gas-burning appliances shall not be installed in a pit, crawlspace, basement or similar location where heavier-than-air gas might collect. Appliances so fueled shall not be installed in an above-grade under-floor space or basement unless such location is provided with an approved means for removal of unburned gas.

Exception: Direct vent appliances with sealed combustion chamber.

Section 1608 is hereby deleted in its entirety and the following is substituted therefor:

SECTION 1608 SNOW LOADS

1608.1 Roof snow loads. Design snow loads for roofs shall be site specific, based on elevation, and shall be determined in accordance with the snow load chart prepared by Ketchum, Ryan & Fleming of Denver, Colorado, Consulting Engineers. (See Exhibit "B")

Section 1805.2.1 is hereby amended to establish the frost line of the locality at a minimum of 27 inches below finished grade.

B) *International Residential Code*

Chapter 1 – Administration is hereby deleted in its entirety and shall be replaced by Chapter 1 of the *International Building Code* as amended by this Resolution.

Section R202 is hereby amended by deleting the published definition of Manufactured Home and adding the following:

MANUFACTURED HOME. Manufactured home means a structure which is built in a factory or other off-site location to comply with HUD, UBC or IRC standards, transportable in one or more sections to a permanent location and placed on a foundation which is designed by a Colorado Registered Professional Engineer or Architect and intended for use as a single family dwelling and includes the plumbing, heating, air-conditioning and electrical systems contained therein.

Table R301.2(1) is hereby amended by adding the following information to the corresponding columns:

Roof snow load- varies with elevation (refer to Exhibit B)
Wind speed- 90 miles per hour (3 second gust) 76 miles per hour (fastest mile)
Seismic design category- B
Weathering- Severe
Frost line depth- 27 inches, minimum
Termite infestation probability- Slight to moderate
Decay- None to slight
Winter design temperature- 0
Ice barrier underlayment required- No
Flood hazards- a) 9 September 1989, b) 19 September 2007
Air freezing index- 1500
Mean annual temperature- 40

Section R301.6 is hereby amended to read as follows:

R301.6 Roof load. Design snow loads for roofs shall be site specific, based on elevation, and shall be determined in accordance with the snow load chart prepared by Ketchum, Ryan & Fleming of Denver, Colorado, Consulting Engineers. (See Exhibit “B”)

Section R324.1 is hereby deleted in its entirety and the following section is substituted therefor:

R324.1 General. All development in areas prone to flooding shall comply with the *Fremont County Flood Damage Prevention Regulations* as adopted by Resolution of the Fremont County Board of County Commissioners in Resolution No. 43, Series of 2007 and all subsequent amendments, reenactments or revisions of the same. In any case where there is a conflict between the provisions of this code and the provisions of the *Fremont County Flood Damage Prevention Regulations*, the *Fremont County Flood Damage Prevention Regulations* shall prevail and shall supersede the provisions of this code.

Sections R408.1 and 408.2 are hereby amended as follows:

The requirement for under-floor ventilation at the rate of one (1) square foot of ventilation openings for each 150 square feet of under-floor area shall be decreased to one (1) square foot of ventilation openings for each 500 square feet of under-floor space.

All other provisions and requirements of this section shall remain as published.

Section 806.2 is hereby amended as follows:

All provisions for attic ventilation which require a 1/150 ratio shall be decreased to a 1/300 ratio.

All provisions for attic ventilation which require a 1/300 ratio shall be decreased to a 1/600 ratio.

All other provisions and requirements of this section shall remain as published.

Section 1307.3.2 is hereby added:

M1307.3.2 LPG fired appliances. Liquefied petroleum gas-burning appliances shall not be installed in a pit, crawlspace, basement or similar location where heavier-than-air gas might collect. Appliances so fueled shall not be installed in an above-grade under-floor space or basement unless such location is provided with an approved means for removal of unburned gas.

Exception: Direct vent appliances with sealed combustion chamber.

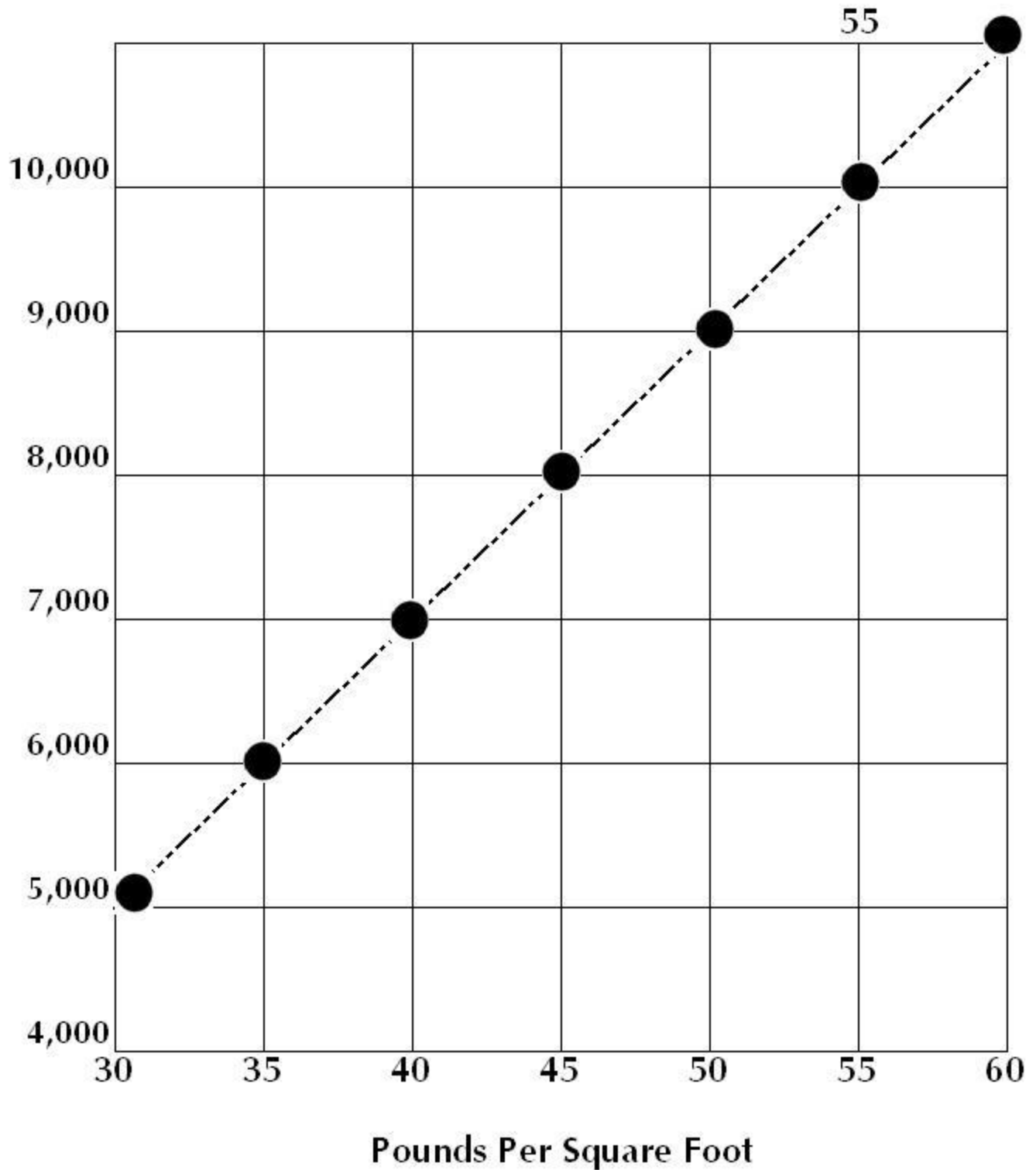
Chapters 24 through 42 are hereby deleted in their entirety.

C) *International Energy Conservation Code*

The *International Energy Conservation Code* is hereby adopted as published pursuant to §30-28-211 Colorado Revised Statutes as amended.

Exhibit 'B' Roof Snow Load

Elevation - Feet Above Sea Level



Basis: Average Weight of Snow = 14 Pounds Per Cubic Foot