

CHAPTER 4

Community Development

Article XI Building Code Enforcement

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ARTICLE XI

Building Code Enforcement

Division 1. Building Construction

Sec. 4-11-1. Adoption of standards.

The following standard codes, as hereinafter amended, are hereby adopted by reference: *International Building Code*, 2003 edition, Third Printing, published by the International Code Council, Inc., and *International Residential Code*, 2003 edition, including Appendices G and K, Second Printing, published by the International Code Council, Inc., and *Uniform Code for Building Conservation*, 1997 edition, including Appendix Chapter 3, First Printing, published by the International Conference of Building Officials. (Prior code 70-1; Ord. 1995-1 §1; Ord. 1998-9 §1; Ord. 2002-5 §1; Ord. 2003-20 §3; Ord. 2004-06 §1)

Sec. 4-11-2. Amendments.

(a) The following sections of the *International Building Code*, 2003 edition, are amended:

(1) Section 101.1 is amended to read as follows:

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

(2) Section 101.2 Scope, is amended by deleting Exception 2.

(3) Section 101.4.4 Plumbing, is amended by deleting the last sentence.

(4) Section 101.4.5 is amended to read as follows:

"101.4.5. Existing buildings. The provisions of Chapter 34 and the *Uniform Code for Building Conservation* shall apply to change of occupancy, and the alteration or repair of existing buildings and structures."

(5) Section 101.4.7 Energy, is deleted in its entirety.

(6) Section 102.1 is amended by adding the following new subsection:

"102.1.1. Conflicts. If a conflict should arise between any section of this code and any other section of the *Silverthorne Town Code*, the intent of this code, as stated in Section 101.3, shall be enforced, at the discretion of the building official."

(7) Section 102.4 is amended by adding the following Exception:

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

(8) Section 102.6 is amended by replacing the reference to the *International Property Maintenance Code* with the *Uniform Code for Building Conservation*.

(9) Section 103.3, Deputies, is amended by deleting the last sentence.

(10) Section 105.2 is amended by changing Item # 6 to read as follows:

"6. Platforms, detached decks, sidewalks and driveways not more than 30 inches above grade and not over any basement or story below and which are not part of an accessible route."

(11) Section 105.3.1 is amended to read as follows:

"105.3.1. Action on application. The building official shall examine or cause to be examined applications for permits and amendments thereto within a reasonable time after filing. Such examination may be delayed for fifteen (15) days from the date of receipt of application to allow other Town departments and entities to review for compliance with their applicable laws and requirements. If the application or the construction documents do not conform to the requirements of pertinent laws, the affected entity shall reject such application in writing, stating the reasons therefor. If the building official is satisfied that the proposed work conforms to the requirements of this code and laws and ordinances applicable thereto, and the fees specified in Section 108 have been paid, the building official shall issue a permit therefor as soon as practicable."

(12) Section 105.3.2 is amended by changing the first sentence to read as follows:

"An application for a permit for any proposed work shall be deemed to have been abandoned 180 days after the date of filing, or approval, unless such application has been pursued in good faith or a permit has been issued; except that the building official is authorized to grant one or more extensions of time for additional periods not exceeding 90 days each."

(13) Section 105 is amended by adding the following new Subsections:

"105.8. Sanitation. After permit issuance and before any approved work is started, toilets are required at all construction job sites."

"105.9. Dumpsters. After permit issuance and before any approved work is started, dumpsters, adequate in size to handle trash and unwanted materials from the permitted project, shall be in place."

"105.10. Construction noise. Construction noise, including the operation of construction equipment or vehicles, shall be restricted to the hours of 7:00 a.m. to 7:00 p.m."

"105.11. Temporary identification. After permit issuance and before any approved work is started, temporary addresses, conforming to Section 501.2 or R321.1, must be posted on all job sites and must be maintained until permanent numbers are in place."

(14) Section 106.1 is amended by adding the following new Subsection:

"106.1.4. Manufacturer's installation instructions. Manufacturer's installation instructions, as required by this code, shall be available on the job site at the time of inspection."

(15) Section 106.3.1 is amended to read as follows:

"106.3.1. Approval of construction documents. When the building official issues a permit, the construction documents shall be approved, in writing or by stamp, as 'APPROVED.' One set of construction documents so reviewed shall be retained by the building official. The other set shall be returned to the applicant and shall be kept, along with the field inspection card, at the site of work in a conspicuous location, until the completion of the project. The approved plans and the field inspection card shall be open to inspection by the building official or his authorized representative, at all times."

(16) Section 108.2 is amended to read as follows:

"108.2. Schedule of permit fees. On buildings, structures, electrical, gas, mechanical and plumbing systems or alterations requiring a permit, a fee for each permit shall be paid as required, in accordance with the *Town of Silverthorne Construction Permit Fee Schedule*."

(17) Section 108.3 is amended to read as follows:

"108.3. The applicant for a permit shall provide an estimated permit valuation at time of application. Building valuation shall be the total value of all construction work, including materials and labor, for which the permit is issued, as well as all finish work, painting, roofing, electrical, plumbing, heating, air conditioning, elevators, fire protection systems and any other permanent equipment. Electrical, gas, mechanical, plumbing, and elevator permit valuations shall include the total value, including materials, labor and permanent equipment for which the permit is being issued. If, in the opinion of the building official, the valuation is underestimated on the application, the permit shall be denied, unless the applicant can show detailed estimates to meet the approval of the building official. The building official shall set final building permit valuation. Building permit valuation set by the building official for projects without accurate total valuation by the applicant will be determined using the *Building Valuation Data Table* published periodically in *Building Standards* magazine, by the *International Conference of Building Officials*. Additionally, a regional modifier, as specified in the *Town of Silverthorne Construction Permit Fee Schedule*, shall be used to multiply the listed cost per square foot in the *Building Valuation Data Table* to establish the cost per square foot for the Town of Silverthorne, Colorado."

(18) Section 108.4 is amended to read as follows:

"108.4. Work commencing before permit issuance. Any person who commences any work on a building, structure, electrical, gas, mechanical or plumbing system before obtaining the necessary permits or proceeds with work beyond the scope of work authorized by any permit, including a conditional permit, shall be subject to an investigation fee in addition to the permit fee. The investigation fee shall be collected whether or not a permit is then or subsequently issued. The investigation fee shall be equal to the permit fee as set forth in this fee schedule. The payment of such investigation fee shall not exempt any person from compliance with all other provisions of this Code nor from any penalty prescribed by law."

(19) Section 108.5 is amended to read as follows:

"108.5. Related fees. The payment of the fee for the construction, alteration, removal or demolition for work done in connection with or concurrently with the work authorized by a permit shall not relieve the applicant or holder of the permit from the payment of other fees that are prescribed by law."

(20) Section 108.6 is amended to read as follows:

"108.6. Refunds. The building official may authorize refunding of any fee paid hereunder that was erroneously paid or collected. The building official may authorize refunding of not more than 80 percent of the permit fee paid when no work has been done under a permit issued in accordance with the adopted codes. The building official may authorize refunding of not more than 80 percent of the plan review fee paid when an application for a permit for which a plan review fee has been paid is withdrawn or canceled before any plan reviewing is done. The building official shall not authorize refunding of any fee paid except on written application filed by the original permit holder not later than 180 days after the date of fee payment."

(21) Section 109.3.1 is amended by adding a new subsection as follows:

"109.3.1.1. Improvement survey required. Prior to requesting a foundation inspection, an improvement location certificate of the lot, prepared by a Colorado State-licensed surveyor, shall be submitted to the Community Development Department to verify that any new construction is located in accordance with the approved plans. The survey must be approved before the foundation inspection will be performed."

(22) Section 109.3.7 is amended to read:

"109.3.7. Energy efficiency inspections. Inspections shall be made for the above-grade envelope insulation R values of dwelling units."

(23) Section 109.5 is amended to read as follows:

"109.5. Inspection requests. It shall be the duty of the holder of the building permit or their duly authorized agent to notify the building official when work is ready for inspection. Every request for inspection shall be filed with the building department at least one working day before such inspection is desired. It shall be the duty of the permit holder to provide access to and means for inspection of such work for any inspections that are required by this code."

(24) Section 109 is amended by adding a new subsection to read as follows:

"109.7. Reinspections. A reinspection fee, as specified in the *Town of Silverthorne Construction Permit Fee Schedule*, may be assessed for each inspection or reinspection when such portion of work for which inspection is called is not complete or when corrections called for are not made. Reinspection fees may be assessed when the inspection record card or correction notice is not posted or otherwise available on the work site, the approved plans are not readily available to the inspector, for failing to provide access on the date for which the inspection is requested, for deviating from plans requiring the approval of the building official, or failure to maintain premise identification. In instances where reinspection fees have been

assessed, no additional inspection of the work will be performed until the reinspection fees have been paid."

(25) Section 110.1 is amended to read as follows:

"110.1. Use and occupancy. No building or structure shall be used or occupied, as defined in amended Section 202, and no change in the existing occupancy classification of a building or structure or portion thereof shall be made until the Town has issued a certificate of occupancy or certificate of completion therefor as provided herein. Issuance of a certificate of occupancy or completion shall not be construed as an approval of a violation of the provisions of this code or of other ordinances of the Town. Certificates presuming to give authority to violate or cancel the provisions of this code or other ordinances of the Town shall not be valid."

(26) Section 110.2 is amended by changing the opening paragraph to read as follows:

"110.2. Certificate issued. After the building official inspects the building or structure and finds no violations of the provisions of this Code or any applicable laws of the Town, and all required fees have been paid, the building official shall issue a certificate of occupancy. The Town may delay the issuance of a certificate of occupancy for fifteen (15) days from the date of the final building inspection to allow other departments and entities to inspect for, and approve, compliance with their regulations. The certificate of occupancy shall contain the following:"

(27) Section 110.4 is amended to read as follows:

"110.4. Revocation. The Town may, in writing, suspend or revoke a certificate of occupancy issued under the provisions of this Code whenever the certificate of occupancy is issued in error or on the basis of incorrect information supplied, or when it is determined that the building or structure or portion thereof is in violation of any of the provisions of this Code, or that the real property upon which the building or structure is located is in violation of any applicable ordinance or regulation of the Town or is in violation of any development approval or approved site plan for such property."

(28) Section 110 is amended by adding the following subsection:

"110.5. Certificate of completion. At the discretion of the building official, a certificate of completion may be issued by the Town for minor work, remodels, or additions where a certificate of occupancy was previously issued. In cases where a certificate of occupancy is required by Section 110.1, issuance of a certificate of completion shall not be construed as a substitute for said certificate of occupancy."

(29) Section 112.1 is hereby deleted as written, and replaced with the following:

"112.1. General. Appeals of orders, decisions or determinations made by the building official relative to the application and interpretation of this Code shall be made to the Board of Adjustment as provided in Section 5.2 of the *Town of Silverthorne Home Rule Charter*."

(30) Section 112.3, Qualifications, is hereby deleted in its entirety.

(31) Section 201.3 is amended by adding the following at the end of the sentence:

". . . or the *Building Code of the Town of Silverthorne*, or the *Silverthorne Town Code*."

(32) Section 202 is amended by adding the following definitions within the alphabetical order of the existing definitions:

"APPROVED VAPOR RETARDER MATERIAL. Minimum 6 mil polyethylene or approved equal with a rating of 1 perm or less, installed to cover the entire ground area within a crawl space and extending over the top of column footings and fitting tight against all penetrations. Edges shall be turned-up a minimum of 4 inches at the stem walls and must be mechanically fastened. Joints shall be overlapped a minimum of 6 inches and taped.

"BEDROOM. See SLEEPING ROOM.

"LOFT. A room, floor, or area in a building, open or partially open to the room or floor directly below, and may or may not qualify as a mezzanine. Lofts in residential occupancies with a floor area over 70 square feet shall conform to the provisions of Sections 907.2.10, 1001.1 and 1025, as amended. Any portion of the loft measuring less than 5 feet from the finished floor to the ceiling need not be included in determining this area.

"OCCUPANCY. The purpose for which a building, or part thereof, is used or intended to be used, as classified and approved by the building official. Placement of furniture, merchandise, food or beverage items, supplies, materials, equipment or any other type of movable goods shall constitute occupancy, as well as any advertised real estate showing to the general public or similar type of 'property tour' or 'open house.'

"SLEEPING ROOM. A room or space in a dwelling, or in any building, or portion thereof, classified as any group R occupancy, designed for or with potential for use as a room for sleeping by occupants. Factors determining this potential use shall include a space or room having a floor area with 5 feet or more of ceiling height, of at least 70 square feet with any of the following factors:

- "1. Having walls and/or doors to separate it from other habitable spaces or rooms, or
- "2. Having a closet or similar provision for clothes storage, or
- "3. Having a full or partial bathroom directly connected to the space or room or on the same floor and accessible without passing through a closed room."

(33) Section 501.2 is amended to read as follows:

"501.2. Premises identification. Approved numbers or addresses shall be provided for new buildings in such a position as to be clearly visible and legible from the street or roadway fronting the property. Letters or numbers shall be a minimum 5 inches in height and of minimum 0.5 inch stroke of a contrasting color to the background itself. When the building is more than 150 feet from the curb or shoulder of the street, the address characters shall be affixed to a post or sign on the property, within 10 feet of the property line and visible from the street. Permanent numbers or addresses must be in place prior to requesting the final inspection and must be approved before a certificate of occupancy may be issued."

(34) Section 501.2 is further amended by adding the following new subsection:

"501.2.1. Additions, alterations or repairs. When an addition, alteration or repair to a structure requires a permit, address characters conforming to Section 501.2 shall be provided."

(35) Section 1106, Parking and Passenger Loading Facilities, is deleted in its entirety.

(36) Chapter 13, Energy Efficiency, is deleted in its entirety.

(37) Section 1501 is amended by adding the following new subsections:

"1501.2. Snow-shedding. Roofs shall be oriented and positioned, or otherwise arranged and designed, to prevent snow and ice from shedding and accumulating at pedestrian and vehicular exit doors or onto adjacent properties. In addition, roofs shall not shed snow onto any components of a required means of egress system or required accessible route, including, but not limited to stairways, sidewalks, landings, ramps and handrails.

"EXCEPTIONS:

"1. Roof areas with a horizontal dimension of no more than 48 inches that will not receive snow shedding from a higher roof. The horizontal projection shall be measured perpendicular to the exterior wall line from the edge of the roof or eave to any intersecting vertical surface.

"2. Roof areas sloped less than 7:12 with asphalt or wood coverings that will not receive snow shedding from a higher roof.

"3. Roofs equipped with mechanical barriers secured to roof framing members or to solid blocking secured to framing members, in accordance with the manufacturer's installation instructions. Individual devices installed in a group to create a barrier to prevent snow shedding shall be installed in at least two rows with the first row no more than 24 inches from the edge of the roof or eave. The rows shall be parallel with the bottom edge of the roof and the devices shall be staggered no more than 24 inches on center from those in adjacent rows. Continuous snow barriers shall be secured to roof framing at no more than 48 inches on center. Continuous barriers shall be installed parallel with the exterior wall line and no more than 24 inches from the edge of the roof or eave.

"1501.3. Roof drainage. Roofs shall be oriented and positioned, or otherwise arranged and designed, to prevent water from dripping and ice accumulating at required pedestrian exits and means of egress components and required accessible routes. Where additional exits or accessible routes are provided for egress purposes, this section shall apply only to the main exit and route.

"EXCEPTION: Roofs equipped with gutters and leaders conforming with Section 1503.4. Such gutters and leaders shall be provided with approved heat tracing installed in accordance with the manufacturer's installation instructions and the *ICC Electrical Code*, to prevent ice build-up and blockage."

(38) Section 1505.1 is amended by changing the last sentence to read as follows:

"The minimum roof coverings installed on buildings shall be Class B."

In addition, Table 1505.1 and its footnotes are repealed in their entirety.

(39) Section 1507.1 is amended by the addition of the following new subsection:

"1507.1.1. Ice dam protection. For all roof coverings described in sections 1507.2, 1507.3 and 1507.5 through 1507.9, a self-adhering polymer modified bitumen sheet shall be used in lieu of normal underlayment requirements, extending from the eave's edge up the roof to a point at least 8 feet 6 inches inside the exterior wall line of the building and shall also extend up to a point at least 3 feet from any valley, cricket or similar construction junction with roofs."

(40) Section 1608.1 is amended by adding the following exception:

"EXCEPTION: A uniform, nonreducible design snow load of 75 pounds per square foot may be used for the design of roofs."

(41) Section 1608.2 is amended to read as follows:

"1608.2. Ground snow loads. The ground snow load to be used in determining the design snow loads for roofs shall be 80 pounds per square foot."

(42) Section 1612.3 is amended to read as follows:

"1612.3. Establishment of flood hazard areas. To establish flood hazard areas, the governing body 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 in an engineering report entitled "The Flood Insurance Study for the Town of Silverthorne," dated August 9, 2001, as amended or revised with the accompanying Flood Insurance Rate Map (FIRM) and Flood Insurance Study (FIS) and related supporting data along with any revisions thereto. The adopted flood hazard map and supporting data are hereby adopted by reference and declared to be part of this section."

(43) Section 1802.2 is amended to read as follows:

"1802.2. Where required. The owner or applicant shall submit a foundation and soils investigation to the building official with each permit submittal for new foundations supporting new construction.

"EXCEPTION: In other than public use occupancies, this requirement may be waived, at the discretion of the building official, for minor additions and projects such as an uncovered deck or uninhabited, detached accessory buildings."

(44) Section 1805.2.1 is amended by changing item # 1 to read as follows:

"1. Extending a minimum of forty (40) inches below final grade."

The section is further amended by deleting the exception in its entirety.

(45) Section 2301.2 is amended to read as follows:

"2301.2. General design requirements. The design of structural elements or systems, constructed partially or wholly of wood or wood-based products, shall be based on one of the following methods. The use of load duration factors for snow load shall not be permitted in any of these design methods."

(46) Section 2303.1 is amended by adding the following subsection:

"2303.1.10. Building logs. All logs used in a structural capacity must be graded and marked by an approved grading agency, in accordance with ASTM D 3957. Log grade stamps must be visible and remain in place until approved by the building official."

(47) Chapter 27 Electrical, is deleted in its entirety.

(48) Section 2901.1 is amended by deleting the last sentence.

(49) Section 3001.1 is amended to read as follows:

"3001.1. Scope. This chapter governs the design, construction, installation, alteration, maintenance and repair of new and existing installations of elevators, dumbwaiters, escalators and moving walks, requiring permits therefor and providing procedures for the inspection and maintenance of such conveyances."

(50) Chapter 30 is amended by adding four (4) new sections and subsections to read as follows:

"SECTION 3007. PERMITS & CERTIFICATES OF INSPECTION

"3007.1. Permits required. It shall be unlawful to install any new elevator, moving walk, escalator or dumbwaiter, or to make major alterations to any existing elevator, dumbwaiter, escalator or moving walk, as defined in Part XII of ASME A17.1-1996, without first having obtained a permit for such installation from the building official. Permits shall not be required for maintenance or minor alterations.

"3007.2. Certificates of inspection required. It shall be unlawful to operate any elevator, dumbwaiter, escalator or moving walk without a current certificate of inspection issued by the building official. Such certificate shall be issued upon payment of prescribed fees and the presentation of a valid inspection report indicating that the conveyance is safe and that the inspections and tests have been performed in accordance with Part X of the ASME A17.1-1996. Certificates shall not be issued when the conveyance is posted as unsafe pursuant to Section 3010.

"EXCEPTION: Certificates of inspection shall not be required for conveyances within a dwelling unit.

"3007.3. Application for permits. Application for a permit to install shall be made on forms provided by the building official, and the permit shall be issued to an owner upon payment of the permit fees specified in this section.

"3007.4. Application for certificates of inspection. Application for a certificate of inspection shall be made by the owner of an elevator, dumbwaiter, escalator or moving walk. Applications shall be accompanied by an inspection report as described in Section 3009. Fees for certificates of inspection shall be as specified in this section.

"3007.5. Fees. A fee for each permit or certificate of inspection shall be paid to the building official as prescribed in the *Town of Silverthorne Construction Permit Fee Schedule*.

"SECTION 3008. DESIGN

"3008.1. Detailed requirements. For detailed design, construction and installation requirements, see Chapter 16 and the appropriate requirements of ASME A17.1-1996.

"SECTION 3009. REQUIREMENTS FOR OPERATION AND MAINTENANCE

"3009.1. General. The owner shall be responsible for the safe operation and maintenance of each elevator, dumbwaiter, escalator and moving walk installation and shall cause periodic inspections to be made on such conveyances as required in this section.

"3009.2. Routine and periodic inspections and tests shall be made as required by Part X of ASME A17.1-1996.

"3009.3. Alterations, repairs and maintenance. Alterations, repairs and maintenance shall be made as required by Part XII of ASME A17.1-1996.

"3009.4. Inspection costs. All costs of such inspections and tests shall be paid by the owner.

"3009.5. Inspection reports. After each required inspection, a full and correct report of such inspection shall be filed with the building official.

"SECTION 3010. UNSAFE CONDITIONS

"3010.1. Unsafe conditions. When an inspection reveals an unsafe condition of an elevator, moving walk, escalator or dumbwaiter, the inspector shall immediately file with the owner and the building official a full and true report of such inspection and such unsafe condition. If the building official finds that the unsafe condition endangers human life, the building official shall cause to be placed on such elevator, escalator or moving walk, in a conspicuous place, a notice stating that such conveyance is unsafe. The owner shall see to it that such notice of unsafe condition is legibly maintained where placed by the building official. The building official shall also issue an order in writing to the owner requiring the repairs or alterations to be made to such conveyance that are necessary to render it safe and may order the operation thereof discontinued until the repairs or alterations are made or the unsafe conditions are removed. A posted notice of unsafe conditions shall be removed only by the building official when satisfied that the unsafe conditions have been corrected."

(51) Section 3109.4 is amended by changing the first sentence to read as follows:

"Residential swimming pools shall comply with Sections 3109.4.1 through 3109.4.4."

This section is further amended by adding the following new subsection:

"3109.4.4 Guard height extension. When a hot tub or spa is installed within 18 inches horizontally of a guard required by Section 1012.1, the guard shall be increased to a height of 18 inches above the top surface of the hot tub."

(52) Section 3401.3 is amended to read as follows:

"3401.3. Compliance with other codes. Alterations, repairs, additions and changes of occupancy to existing structures shall comply with the provisions for alterations, repairs, additions and changes of occupancy in the *International Fire Code*, *Building Conservation*, *International Mechanical Code*, *International Residential Code* and *ICC Electrical Code*."

(53) Section 3410.2 is amended by changing the first paragraph to read as follows:

"3410.2. Applicability. Structures existing prior to December 27, 1971, in which there is work involving additions, alterations or changes of occupancy, shall be made to conform to the requirements of this section or the provisions of Sections 3402 through 3406."

(54) Section 3410.3.2 is amended by deleting the reference to the *International Property Maintenance Code*.

(55) Section 3410.4 is amended by adding the following words to the end of the sentence:

". . . by a design professional licensed to practice in the State of Colorado."

(56) Section 3410.6 is amended by adding the following as the first sentence:

"The building owner shall cause the existing building to be evaluated in accordance with the provisions of this section by a design professional licensed to practice in the State of Colorado."

(57) Chapter 35 is amended by adding the following standard within the numerical order of the existing standards on page 587:

"D 3957-96 Standard Practices for Establishing 2303.1.10"
Stress Grades for Structural
Members Used in Log Buildings

(b) The following sections of the *International Residential Code, 2003 Edition*, are amended:

Part I – Administrative

(1) Section R101.1 is amended to read as follows:

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

(2) Section R101.2 Scope, is amended by deleting the exception.

(3) Section R102.7 is amended by replacing the reference to the *International Property Maintenance Code* with the *Uniform Code for Building Conservation*. The section is further amended by adding the following as the last sentence:

"The provisions of Chapter 34 of the *International Building Code* and the *Uniform Code for Building Conservation* shall apply to the alteration or repair of existing buildings and structures."

(4) Chapter 1, Administration, is amended by deleting Sections R103 through R114. The applicable corresponding sections of the *International Building Code*, as amended, shall apply to this code, as well.

Part II – Definitions

(5) Section R201.3 is amended by adding the following at the end of the sentence:

". . . the *Building Code of the Town of Silverthorne*, or the *Silverthorne Town Code*."

Part III – Building Planning and Construction

(6) Table R301.2(1) is amended to read as follows:

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

| Ground Snow Load | Wind Speed (Mph) | Seismic Design Category | SUBJECT TO DAMAGE FROM | | | | Winter Design Temp | Ice Shield Under-Layment Required | Flood Hazards | Air Freezing Index | Mean Annual Temp |
|------------------|------------------|-------------------------|------------------------|------------------|---------------|---------------|--------------------|-----------------------------------|---------------|--------------------|------------------|
| | | | Weathering | Frost line depth | Termite | Decay | | | | | |
| 80 PSF | 90 | B | Severe | 40 in | Slight | Slight | -13°F | Yes | * | 2387 | 35.4 |

*The Town of Silverthorne entered into the National Flood Insurance Program in November 1979. The date of the currently effective Flood Insurance Reference Map is August 9, 2001."

(7) Section R301.2.3 is amended to read as follows:

"R301.2.3. Snow loads. Buildings shall be designed in accordance with accepted engineering practice. Design snow loads shall be determined in accordance with Section 7 of ASCE 7, using a ground snow load of 80 pounds per square foot.

"EXCEPTION: Roofs may be designed using a uniform, non-reducible design snow load of 75 pounds per square foot, in accordance with section R301.6."

(8) Table R301.5 is amended by changing the live loads listed for exterior balconies, decks and fire escapes to 75 pounds per square foot.

(9) Section R303.4.1 is amended by adding the following new subsection:

"R303.4.1.1. Snow depth. Any required air intake openings that terminate outdoors shall be located a minimum of 3 feet above final grade.

"EXCEPTION: With prior approval of the building official, openings may be protected from snow accumulation and drifting by decks, roofs, cantilevers or similar means providing equivalent protection."

(10) Section R310.1 is amended by changing the first sentence to read as follows:

"Basements and every sleeping room shall have at least one openable emergency escape and rescue window or exterior door opening."

(11) Section R317.2.2 is amended by changing the reference to minimum roof covering in the exception from class C to class A.

(12) Section R321.1 is amended to read as follows:

"R321.1. Premises identification. Approved numbers or addresses shall be provided for new buildings in such a position as to be clearly visible and legible from the street or roadway fronting the property. Letters or numbers shall be a minimum 5 inches in height and of minimum 0.5 inch stroke of a contrasting color to the background itself. When the building is more than 150 feet from the curb or shoulder of the street, the address characters shall be affixed to a post or sign on the property, within 10 feet of the property line and visible from the street. Permanent numbers or addresses must be in place prior to requesting the final inspection and must be approved before a certificate of occupancy may be issued.

"R321.1.1. Additions, alterations or repairs. When an addition, alteration or repair to a structure requires a permit, address characters conforming to Section R321.1 shall be provided."

(13) Section R401.4 is amended to read as follows:

"R401.4. Soil test. A foundation and soils investigation is required with each permit submittal for new foundations supporting new construction. This test shall be made by an approved agency using an approved method.

"EXCEPTION: At the discretion of the building official, this requirement may be waived for minor additions and projects such as an uncovered deck or uninhabited, detached accessory buildings."

(14) Section R502.1 is amended by adding the following new subsection:

"R502.1.6. Building logs. All logs used in a structural capacity must be graded and marked by an approved grading agency, in accordance with ASTM D 3957. Log grade stamps must be visible and remain in place until approved by the building official."

(15) Section R602.1 is amended by adding the following new subsection:

"R602.1.3. Building logs. All logs used in a structural capacity must be graded and marked by an approved grading agency, in accordance with ASTM D 3957. Log grade stamps must be visible and remain in place until approved by the building official."

(16) Section R602.3 is amended by adding the following sentence after the first existing sentence:

"The use of load duration factors for snow load shall be prohibited."

(17) Section R802.1 is amended by adding the following new subsection:

"R802.1.5. Building logs. All logs used in a structural capacity must be graded and marked by an approved grading agency, in accordance with ASTM D 3957. Log grade stamps must be visible and remain in place until approved by the building official."

(18) Section R802.2 is amended by adding the following sentence after the first existing sentence:

"The use of load duration factors for snow load shall be prohibited."

(19) Section R902.1 is amended by changing the second sentence to read as follows:

"The minimum roof coverings installed on buildings shall be Class B."

(20) Section R905.1 is amended by the addition of the following new subsection:

"R905.1.1. Ice dam protection. For all roof coverings described in Sections R905.2 through R905.8, a self-adhering polymer-modified bitumen sheet shall be used in lieu of normal underlayment requirements, extending from the eave's edge up the roof to a point at least 8 feet 6 inches inside the exterior wall line of the building and shall also extend a minimum of 3 feet up any wall, valley, cricket, chimney or similar construction junction with roofs."

(21) Section R1004.4 is amended to read as follows:

"R1004.4. Unvented gas log heaters. Installation of unvented gas log heaters is prohibited."

Part IV – Energy Conservation

(22) Chapter 11, Energy Efficiency, is deleted in its entirety.

Part V – Mechanical

(23) Section M1307 is amended by adding the following new subsection:

"M1307.5. Prohibited use. Unvented room heaters are prohibited in a dwelling unit."

(24) Section M1401 is amended by adding the following new subsection:

"M1401.6. Snow depth. Any required air intake openings that terminate outdoors shall be located a minimum of 3 feet above final grade.

"EXCEPTION: With prior approval of the building official, openings may be protected from snow accumulation and drifting by decks, roofs, cantilevers, or similar means providing equivalent protection."

(25) Section M1701 is amended by adding the following new subsection:

"M1701.6. Snow depth. All combustion air openings and ducts terminating on the outside shall be a minimum of 3 feet above final grade. If a ventilated crawl space is utilized as a combustion air source, ventilation louvers must be a minimum of 3 feet above final grade.

"EXCEPTION: With prior approval of the building official, openings and duct terminations may be protected from snow accumulation and drifting by decks, roofs, cantilevers, or similar means providing equivalent protection."

(26) Section M1801.1 is amended by adding the following new subsection:

"M1801.1.1. Enclosure. Portions of venting systems which extend through occupied and storage spaces shall be enclosed to avoid contact with or damage to the installation."

(27) Section M1804.2.5 is amended by changing the last sentence to read as follows:

"The bottom of the vent terminal and air intake shall be located not less than 3 feet above final grade."

(28) Section M1804.2.6 is amended by changing Item 4 to read as follows:

"4. The bottom of the vent terminal shall be located at least 3 feet above finished ground level."

(29) Section M2001 is amended by adding the following new subsection:

"M2001.3. Drainage. All boiler rooms shall be equipped with a floor drain or other means suitable for disposing of the accumulation of liquid wastes incidental to cleaning, recharging and routine maintenance."

(30) Section M2002.4 is amended by changed the last sentence to read as follows:

"Discharge shall be piped full size to a safe place of disposal inside a heated building such as a floor drain, an indirect waste receptor, a concrete floor sloped to a floor drain or sloped to the exterior, or other approved location. Relief valves discharge piping shall not extend to the outside of the building nor to crawl spaces or other unfinished areas. The discharge pipe shall not have any trapped sections, shall be installed so as to drain by gravity flow, shall have a visible air gap located in the same room as the water heater, and shall terminate pointing downward not more than 6 inches above the floor or receptor. The terminal end of the drain pipe shall not be threaded. The discharge shall be installed in a manner that does not cause personal injury to occupants in the immediate area or structural damage to the building."

(31) Section M2103.3 is amended to read as follows:

"M2103.3. Testing. Piping or tubing to be embedded shall be tested by applying an air test or a hydrostatic pressure of not less than 50 psi, or the maximum pressure recommended by the tubing manufacturer, if that is lower than 50 psi. The pressure shall be maintained for 15 minutes, during which all joints shall be visually inspected for leaks."

Part VI – Fuel Gas

(32) Section G2406.2, Prohibited locations, is amended by deleting Exceptions 3 and 4.

(33) Section G2407.11 item #8 is amended to read as follows:

"8. Combustion air intake openings located on the exterior of a building shall have the lowest side of such openings located not less than 3 feet vertically from the adjoining grade level.

"EXCEPTION: With prior approval of the building official, openings and duct terminations may be protected from snow accumulation and drifting by decks, roofs, cantilevers or similar means providing equivalent protection."

(34) Section G2417.4.1 is amended by changing the reference of 3 psig to 10 psig.

(35) Section G2424.8 Equipment not required to be vented, is amended by deleting item #7.

(36) Section G2425.14 is amended by adding the following new subsection:

"G2424.14.1. Snow depth. Venting systems and air intakes terminating horizontally shall be a minimum of 3 feet above final grade."

(37) Section G2427.8 is amended by adding the following new subsection:

"G2427.8.1. Snow depth. Venting systems and air intakes terminating horizontally shall be a minimum of 3 feet above final grade."

(38) Section G2427.8 is amended by adding the following new subsection:

"G2427.8.1 Snow depth. Venting systems and air intakes terminating horizontally shall be a minimum of 3 feet above final grade."

(39) Section G2430.1 is amended by adding the following new subsection:

"G2430.1.1 Enclosure. Portions of venting systems which extend through occupied and storage spaces shall be enclosed to avoid contact with or damage to the installation.

(40) Section G2432.1 is amended by adding the following new subsections:

"G2432.1.1. Damper. The fireplace damper shall be completely removed to prevent spillage of combustion products into the room.

"G2432.1.2. Flue size. The flue passageway shall be not less than 1 square inch per 2,000 Btu/h input and not more than 4 square inches per 2,000 Btu/h input."

(41) Section G2433.1 is amended to read as follows:

"G2433.1. General. Log lighters are prohibited."

(42) Section G2445.1 is amended to read as follows

"G2445.1. Prohibited use. Unvented room heaters are prohibited in a dwelling unit."

(43) Sections G2445.2 through G2445.6 are deleted in their entirety.

(44) Section G2445.7 is amended to read as follows:

"G2445.7. Unvented log heaters are prohibited."

(45) Section G2431.1 is amended to read as follows:

"G2453.1. Chimney dampers. Fireplaces equipped with decorative appliances shall meet the requirements of Section G2432, as amended."

Part VII - Plumbing

(46) Section P2503.5.1 is amended by adding the following as the last sentence to Item 2:

"Test gauges shall have a maximum pressure range of 30 psi."

(47) Section P2503.6 is amended by adding the following as the second sentence:

"This pressure shall be held for a test period of at least 15 minutes."

(48) Section P2503.7.2 is amended by deleting the words "and at least annually."

(49) Section P2601.1 is amended by adding the following as the last sentence:

"Installations of plumbing not addressed by this code shall comply with the applicable provisions of the *International Plumbing Code*."

(50) Section P2719 is amended by adding the following new subsection:

"P2719.2. Boiler rooms. All boiler rooms shall be equipped with a floor drain or other means suitable for disposing of the accumulation of liquid wastes incidental to cleaning, recharging and routine maintenance."

(51) Section P2801.5.2 is amended to read as follows:

"P2801.5.2. Pan drain termination. The pan drain shall extend full-size and terminate inside a heated building over a suitably located indirect waste receptor, floor drain, a concrete floor

sloped to a floor drain or sloped to the exterior or other approved location. The pan drain shall not terminate outside the building nor in a crawl space or other unfinished area. The drain shall be installed so as to drain by gravity flow and shall be installed in a manner that does not cause structural damage to the building."

(52) Section P2803.6.1 is amended to read as follows:

"P2803.6.1. The outlet of a pressure relief valve, temperature relief valve or combination thereof shall not be directly connected to the drainage system. The relief valve shall discharge full size to a safe place of disposal inside a heated building such as a floor drain, an indirect waste receptor, a concrete floor sloped to a floor drain or sloped to the exterior, or other approved location. Relief valves discharge piping shall not extend to the outside of the building nor to crawl spaces or other unfinished areas. The discharge pipe shall not have any trapped sections, shall be installed so as to drain by gravity flow, shall have a visible air gap located in the same room as the water heater, and shall terminate pointing downward not more than 6 inches above the floor or receptor. The terminal end of the drain pipe shall not be threaded. The discharge shall be installed in a manner that does not cause personal injury to occupants in the immediate area or structural damage to the building."

(53) Section P3103.1 is amended to read as follows:

"P3103.1. Roof extension. All open vent pipes that extend through a roof shall be terminated at least 12 inches above the roof, except that where a roof is to be used for any purpose other than weather protection, the vent extensions shall be run at least 7 feet above the roof."

(54) Section P3103.2 is amended to read as follows:

"P3103.2. Frost closure. Every vent extension through a roof or wall shall be a minimum of 3 inches in diameter. Any increase in the size of the vent shall be made inside the structure a minimum of 1 foot below the roof or inside the wall."

Part VIII - Electrical

(55) Chapters 33 through 42 are deleted in their entirety. The applicable sections of the *ICC Electrical Code*, as defined by Section 101.1 in Division 3: Electrical Standards of the *Silverthorne Town Code*, shall apply to this code, as well.

Part IX – Referenced Standards

(56) Chapter 43 is amended by adding the following standard within the numerical order of the existing standards on page 515:

"D 3957-96 Standard Practices for Establishing 2303.1.10"
Stress Grades for Structural
Members Used in Log Buildings

(57) The *International Residential Code* is amended by adding a new Chapter 44 to read as follows:

"CHAPTER 44

"ELEVATORS AND CONVEYING SYSTEMS

"SECTION 101. GENERAL

"101.1. Scope. This chapter governs the design, installation, alteration, maintenance and repair of new and existing installations of elevators and dumbwaiters requiring permits therefor and providing procedures for the inspection and maintenance of such conveyances.

"101.2. Applicable codes. Elevators and dumbwaiters in residences governed by this code shall be subject to the provisions of Chapter 30 of the *International Building Code*, as amended."

Part X – Appendices

(58) Section AG105 is amended by adding the following new subsection:

"AG105.6 Guard height extension. When a hot tub or spa is installed within 18 inches horizontally of a guard required by Section R312.1, the guard shall be increased to a height of 18 inches above the top surface of the hot tub."

(c) The following sections of the *Uniform Code for Building Conservation*, 1997 edition, are amended:

(1) Section 207, Building Conservation Advisory and Appeals Board, is deleted in its entirety. The corresponding sections of the *International Building Code*, as amended, shall apply to this code, as well.

(2) Section 301 is amended by changing the following definition to read as follows:

"BUILDING CODE is the *International Building Code* promulgated by the International Code Council, Inc., as adopted by this jurisdiction."

(Prior code 70-2; Ord. 1995-1 §1; Ord. 1998-9 §1; Ord. 1998-16 §1; Ord. 1998-21 §1; Ord. 1999-14 §22 & §23; Ord. 2002-5 §1; Ord. 2003-20 §3; Ord. 2004-06 §1)

Sec. 4-11-3. Enforcement.

The provisions of this Chapter shall be administered and enforced by the Community Development Department through the Building Official and/or such other authority as may be appointed by the Town Council. The Building Official shall be an employee of the Town as part of the Community Development Department, accountable to the Community Development Director and subject to the personnel policies of the Town. (Prior code 192-6; Ord. 1995-1 §1; Ord. 2003-20 §3)

Sec. 4-11-4. Right of entry.

This section is hereby deleted and reserved for future use.

Sec. 4-11-5. Stop-work orders.

This section is hereby deleted and reserved for future use.

Sec. 4-11-6. Building permit required.

It shall be unlawful to commence the excavation for or the construction of any building or other structure, including accessory structures, or to store building material or construct entrances or parking lots, commence the moving, structural alterations, conversions, extensions, enlargements, alteration or repairs, except usual repairs not requiring permits under this Article or any other Town ordinance, of any structure, including accessory structures, fences or walls, until a building permit for such work has been issued. Repairs that are deemed by the Community Development Department to be in the usual course of maintenance or upkeep of a structure will not require a building permit. (Prior code 192-9; Ord. 1995-1 §1; Ord. 2003-20 §3)

Sec. 4-11-7. Application for and issuance of building permit.

Applications for, requirements for and issuance of building permits shall be in accordance with this Article. Unless otherwise expressly provided, every structure designed for occupancy by human beings shall, only after payment of the then-current tap fees and before the same shall be occupied or used, connect with the Town's water and sewer systems. (Prior code 192-10; Ord. 2003-20 §3)

*Division 2
Dangerous Buildings*

Sec. 4-11-21. Adoption of standards.

The following standard code, as hereinafter amended, is hereby adopted by reference: the *Uniform Code for the Abatement of Dangerous Buildings, 1997 edition*, published by the International Conference of Building Officials, 5360 South Workman Mill Road, Whittier, California 90601. (Prior code 73-1; Ord. 1995-1 §1; Ord. 1998-9 §1; Ord. 2003-20 §3)

Sec. 4-11-22. Amendments.

The following amendments shall be made to the *Uniform Code for the Abatement of Dangerous Buildings, 1997 edition*: All references to "Board of Appeals" shall mean the Board of Adjustment. (Prior code 73-2; Ord. 1995-1 §1; Ord. 1998-9 §1; Ord. 2003-20 §3)

*Division 3
Electrical Standards*

Sec. 4-11-41. Adoption of standards.

The following standard code, is hereby adopted by reference:

(1) The *National Electrical Code*, 2008 edition, published by the National Fire Protection Association, Batterymarch Park, Quincy, Massachusetts, 02269; and

(2) In compliance with state statutes, any subsequent electrical code adopted by the Colorado State Electrical Board after the effective date of the ordinance codified herein. (Ord. 2008-6 §1)

Sec. 4-11-42. Amendments.

The following sections of the *ICC Electrical Code - Administrative Provisions*, 2000 edition, are amended:

(1) Section 101.1 is amended to read as follows:

"101.1. Title. These regulations shall be known as the *ICC Electrical Code – Administrative Provisions of The Town of Silverthorne* and shall be cited as such. The *ICC Electrical Code – Administrative Provisions* in combination with the separately adopted *National Electrical Code* will be referred to herein as "this code." The *ICC Electrical Code – Administrative Provisions* in combination with the separately adopted *National Electrical Code* will be referred to throughout all other building construction and housing standards adopted by the Town of Silverthorne as the "*ICC Electrical Code*."

(2) Section 102.2 is amended by adding the following new subsection:

"102.2.1 Conflicts. If a conflict should arise between any section of this code and any other section of the *Silverthorne Town Code*, the intent of this code, as stated in Section 101.2, shall be enforced, at the discretion of the building official."

(3) Section 201.3 is amended by deleting the references to the *International Energy Conservation Code*, the *International Private Sewage Disposal Code* and the *International Property Maintenance Code*.

(4) Section 303, Certificate of Occupancy, is deleted in its entirety. The corresponding sections of the *International Building Code*, as amended, shall apply to this code, as well.

(5) Section 401.3 is amended by adding the following exceptions:

"6. Portable motors or other portable appliances energized by means of a cord or cable having an attachment plug end to be connected to an approved receptacle when that cord or cable is permitted by this code.

"7. Repair or replacement of fixed motors, transformers or fixed approved appliances of the same type and rating in the same location.

"8. Repair or replacement of current-carrying parts of any switch, contactor or control device.

"9. Repair or replacement of electrodes or transformers of the same size and capacity for signs or gas tube systems.

"10. The wiring for temporary theater, motion picture or television stage sets.

"11. Low-energy power, control, and signal circuits of Class II and Class III as defined in this code.

"12. The installation, alteration, or repair of electrical wiring apparatus, or equipment, or the generation, transmission, distribution or metering of electrical energy, or in the operation of signals or the transmission of intelligence by public or private utilities in the exercise of their function as a serving utility."

(6) Section 403.2 is amended to read as follows:

"403.2. Expiration. Every permit issued by the building official under the provisions of this code shall expire 18 months after the date of issue. Every permit issued shall become invalid unless the work on the site authorized by such permit is commenced within 180 days after its issuance, or if the work authorized on the site by such permit is suspended or abandoned for a period of 180 days after the time the work is commenced. The building official is authorized to grant, in writing, an extension of time, for a period of not more than 18 months. The extension shall be requested in writing, shall be received by the building official prior to the date on which the original permit or extension expires, and shall demonstrate justifiable cause for the extension."

(7) Section 403.3, Extensions, is deleted in its entirety.

(8) Section 403.6, Information on the permit, is amended by deleting the last sentence.

(9) Section 404, Fees, is deleted in its entirety. The corresponding sections of the *International Building Code*, as amended, shall apply to this code, as well.

(10) Chapter 11, Means of Appeal, is deleted in its entirety. The corresponding sections of the *International Building Code*, as amended, shall apply to this code, as well.

(11) Section 1202, Provisions, is deleted in its entirety.

(12) Section 1203, Existing Electrical Facilities, is deleted in its entirety. (Prior code 84-2; Ord. 1995-1 §1; Ord. 1997-6 §1; Ord. 2002-5 §1; Ord. 2003-20 §3)

*Division 4
Energy Conservation*

Sec. 4-11-61. Adoption of standards.

The following standard code is hereby adopted by reference: *International Energy Conservation Code*, 2006 edition, second printing, published by the International Code Council, Inc. (Ord. 2008-6 §1)

Sec. 4-11-62. Amendments.

The following amendments are hereby made to the *Model Energy Code, 1995 edition*:

- (1) Chapter 1, Section 101.2, Intent, is amended by the addition of the following Exception:

"EXCEPTION: All Group R Occupancies need not comply with this code, but all wall assemblies must have a minimum of R-19; roof/ceiling assemblies must have a minimum of R-30; and floor assemblies must have a minimum of R-19."

- (2) Chapter 3, Section 302, is amended by the addition of Table 302-A, Exterior Design Conditions:

| "EXTERIOR DESIGN CONDITIONS" | | |
|------------------------------|-----------------|--------|
| "Winter | Design dry-bulb | -20°F |
| Summer | Design dry-bulb | 83°F |
| | Design wet bulb | 59°F |
| Degree day heating | | 10,800 |
| Degree North latitude | | 40°F" |

(Prior code 87-2; Ord. 1995-1 §1; Ord. 1998-9 §1; Ord. 2003-20 §3)

*Division 5
Fire Safety*

Sec. 4-11-81. Adoption of standards.

The following standard codes, as hereinafter amended, are hereby adopted by reference: the *International Fire Code, 2006 edition*, including Appendix Chapters B, C, D, E, F and G, published by the International Code Council, Inc. (Ord. 2008-1 §1)

Sec. 4-11-82. Amendments.

The following sections of the *International Fire Code, 2006 edition*, are amended:

- (1) Section 102.4 is amended to read as follows:

"102.4. Application of Building Code. The design and construction of new structures shall comply with the *International Building Code* and the *International Fire Code*, and any alterations, additions, changes in use or changes in structures required by this code, which are within the scope of the *International Building Code*, shall be made in accordance therewith."

(2) The first sentence of Section 102.6 is amended to read as follows:

"102.6 Referenced codes and standards. The codes and standards referenced in this code shall be the most currently published edition of those that are listed in Chapter 45, and such codes and standards shall be considered part of the requirements of this code to the prescribed extent of each such reference."

(3) Section 102.10 is amended by adding the following new subsection:

"102.10 Life safety and fire protection systems. Any fire suppression or life safety system required by this code in additions, alterations, or tenant finishes shall be extended into the existing building or structure and throughout any area not separated by a fire wall meeting the requirements of Section 705 of the *International Building Code*. If the water supply to the structure is not sufficient to provide for an approved fire suppression system throughout, in areas not affected by the addition, alteration, or repair, the fire code official is hereby authorized to review and approve alternative materials and methods. An evaluation will be made to determine the need for additional life safety and fire protection systems."

(4) Section 105.1.1 is amended to read as follows:

"105.1.1 Permits 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 erect, install, enlarge, alter, repair, remove, convert or replace any electrical, gas, mechanical, plumbing system, or fire and life safety systems, the installation of which is regulated by the *International Building Code* or the *International Fire Code*, shall make application to the fire code official and obtain the required permits. Permits required by this code shall be obtained from the fire code official. Permit fees, if any, shall be paid prior to issuance of the permit. Issued permits shall be kept on the premises designated therein at all times and shall be readily available for inspection by the fire code official."

(5) The second condition of Section 105.1.2, Types of permits, is amended to read as follows:

"2. Construction permits. A construction permit allows the applicant to construct, enlarge, alter, repair, move, demolish, or change the occupancy of a building or structure, the likes of which are regulated by this code. A construction permit also allows the applicant to install or modify systems and equipment for which a permit is required by Section 105.7."

(6) Section 108.1.1 is amended by adding the following new subsection:

"108.1.1 Procedures. To request a hearing before the Board of Appeals, the applicant shall file a request in writing to the Chief. The Chief shall arrange for the Board of Appeals to meet within 10 working days from the receipt of the request. All applicable fees as stated in the Fire District fee schedule shall be paid at the time the written request is made."

(7) Section 108.3 is amended to read as follows:

"108.3 Qualifications. The Board of Appeals shall consist of members who are qualified by experience and training to pass on matters pertaining to hazards of fire, explosions, hazardous conditions or fire protection systems."

(8) Section 109.3 is amended to read as follows:

"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 fire code official, or of a permit or certificate used under the provisions of this code, shall be guilty of a misdemeanor, punishable by a fine or by imprisonment or both such fine and imprisonment as determined by the court. Each day that a violation continues after due notice has been served shall be deemed a separate offense."

(9) Section 111.4 is amended to read as follows:

"111.4 Failure to comply. Any person who shall continue any work after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be liable to a fine as determined by the court and shall be subject to a fee per the most current Fire District resolution."

(10) Section 304.1.2 is amended to read as follows:

"304.1.2 Vegetation. Weeds, grass, vines or other growth that is capable of being ignited and endangering property, shall be cut down and removed by the owner or occupant of the premises. Vegetation clearance requirements in urban-wildland interface areas shall be in accordance with local codes, policies, and ordinances."

(11) Section 304.3.3 is amended by the addition of the following Exception:

"EXCEPTION #3: Storage in a structure shall not be prohibited where the structure is in compliance with local codes, policies and ordinances as mandated by the authority having jurisdiction."

(12) Section 308.3.1.1 is amended to read as follows:

"308.3.1.1 Liquefied-petroleum-gas-fueled cooking devices. LP-gas burners having an LP-gas container with a water capacity greater than 48 pounds [nominal 20 pound (9.1 kg) LP-gas capacity] shall not be located on combustible balconies or within 10 feet (3,048 mm) of combustible construction.

"EXCEPTION: 1. One- and two-family dwellings. 2. Where a more restrictive code, policy, ordinance, or covenant exists."

(13) Section 315.2 is amended to read as follows:

"315.2 Storage in buildings. Storage of combustible materials in buildings shall be orderly. Storage shall be separated from heaters or heating devices by distance or shielding so that ignition cannot occur. Storage room doors shall be provided with approved signs."

(14) Section 315.2.3 is amended to read as follows:

"315.2.3 Equipment rooms. Combustible material shall not be stored in boiler rooms, mechanical rooms, electrical equipment rooms, and other rooms where a potential ignition source exists, as determined by the fire code official."

(15) Section 503.2.1 is amended to read as follows:

"503.2.1 Dimensions. Where town or county standards exist, fire apparatus roads shall meet those standards. Where a town or county standard does not apply, the minimum unobstructed width of a fire apparatus access road shall not be less than 24 feet (7,315 mm) or as specified in Appendix D of the 2006 *International Fire Code*. Fire apparatus access roads shall have an unobstructed vertical clearance of not less than 13 feet 6 inches (4,115 mm) or as approved by the fire code official."

(16) Section 505.1 is amended to read as follows:

"505.1 Address numbers. New and existing buildings shall have approved address numbers, building numbers or approved building identification placed in a position that is plainly legible and visible from the street or road fronting the property. These numbers shall contrast with their background. Address numbers shall be Arabic numerals or alphabet letters. Numbers shall be a minimum of 5 inches (127 mm) high with a minimum stroke width of 0.5 inch (12.7 mm). All street addresses shall be within 25' (7,620 mm) of the street in an approved location if the structure or residence is more than 150' (45,720 mm) from a road."

(17) The first sentence of Section 509.1 is amended to read as follows:

"509.1 Features. A Fire Command Center shall be required in buildings, structures, or facilities that are more than 4 stories (including basements) in height or are greater than 50,000 square feet (4,645 m²) within surrounding exterior walls."

(Editors note: The remainder of this section is unchanged.)

(18) A new Section, 511, Public radio amplification systems, is added to read as follows:

"511 Public radio amplification systems

"511.1 General. Public safety radio amplification systems for the enhancement of emergency services communications within buildings shall be designed, installed and maintained in accordance with this section. For the purposes of this section, fire walls shall not be used to define separate buildings.

"511.2 Where required. Where adequate radio coverage cannot be demonstrated within a building, as defined by the fire code official, public safety radio amplification systems shall be installed in the following locations:

"1. New buildings with a total building area exceeding 50,000 square feet or building additions that cause a building to be greater than 50,000 square feet.

"2. All new basements exceeding 10,000 square feet where the design occupant load is greater than 50, regardless of the occupancy classification.

"3. Where adequate radio coverage cannot be demonstrated within an existing building with a total building area exceeding 50,000 square feet meeting the criteria of Item #1 or #2 of this section undergoing alterations exceeding 50% of the aggregate area of the building.

"4. Where adequate radio coverage cannot be demonstrated within an existing basements exceeding 10,000 square feet where the design occupant load is greater than 50, regardless of occupancy classification, undergoing alterations exceeding 50% of the aggregate area of the building.

"EXCEPTIONS: One- and two-family dwellings and townhouses.

"511.3 Design and installation standard. Public safety radio amplification systems shall be designed and installed in accordance with the criteria established by the fire code official based on the capabilities and communication features of emergency services.

"511.4 Maintenance. Public safety radio amplification systems shall be maintained in an operative conditions at all times and shall be replaced or repaired where defective."

(19) Section 601 is amended by the addition of a section to read as follows:

"601.3 Utility meters and piping. Utility meters and piping shall be protected from vehicular impact. Guard posts shall comply with Section 312.2. Utility meters and piping shall be protected from snow and ice shedding from a roof area. Snow and ice build-up around utility meters shall be kept clear at all times."

(20) Section 603.6 is amended the addition of a section to read as follows:

"603.6.6 Chimneys and heating appliances. Chimneys and fireboxes for solid fuel-burning appliances shall be inspected annually by a qualified person or company. They shall be inspected for soundness, corrosion, proper support, and freedom from combustible deposits. A certificate of inspection in a form acceptable to the Fire District shall be forwarded to the Fire District upon completion."

(21) Section 607 is amended by the addition of a section to read as follows:

"607.4 Communication. All elevators shall be equipped with two-way communication equipment, and the equipment shall be operable at all times."

(22) Section 901.4.2 is amended to read as follows:

"901.4.2 Non-required fire protection systems. Any fire protection system or portion thereof not required by this code or the *International Building Code* shall be installed

throughout a building for complete protection provided such installed system meets the requirements of this code and the International Building Code."

(23) Section 901.7, is amended to read as follows:

"901.7 Systems out of service. Where a required fire protection system is out of service, the Fire Department shall be notified immediately and where required by the Fire Department, the building shall either be evacuated or an approved fire watch shall be provided for all occupants left unprotected by the shut down until the fire protection system has been returned to service."

(24) Section 902.1 is amended to read as follows:

"902.1 Definitions. FIRE AREA. For buildings constructed under the *International Building Code*, the fire area is the aggregate floor area enclosed and bounded by fire walls meeting the requirements of Section 705 of the *International Building Code* and exterior walls of a building. For buildings constructed under the *International Residential Code*, the fire area is the aggregate floor area enclosed and bounded by approved fire rated wall assemblies and exterior walls of a building."

(25) The first two conditions of Section 903.2.1.1, Group A-1, are amended to read as follows:

- "1. The fire area exceeds 6,000 square feet (557 m²).
- "2. The fire area has an occupant load of 50 or more."

(26) The second condition of Section 903.2.1.2, Group A-2, is amended to read as follows:

- "2. The occupancy has an occupant load of 50 or more."

(27) The first two conditions of Section 903.2.1.3, Group A-3, are amended to read as follows:

- "1. The fire area exceeds 6,000 square feet (557 m²).
- "2. The occupancy has an occupant load of 50 or more."

The section is further amended by deleting the Exception.

(28) The first two conditions of Section 903.2.1.4, Group A-4, are amended to read as follows:

- "1. The fire area exceeds 6,000 square feet (557 m²).
- "2. The fire area has an occupant load of 50 or more."

The section is further amended by deleting the Exception.

(29) The first two conditions of Section 903.2.2, Group E, are amended to read as follows:

- "1. Throughout all Group E fire areas greater than 6,000 square feet (557 m²) in area.

"2. Throughout every portion of educational buildings above and below the level of exit discharge."

(30) Section 903.2.3, Group F, is amended to read as follows:

"An automatic sprinkler system shall be provided throughout all buildings containing a Group F occupancy where one of the following conditions exist:

"1. Where a Group F fire area exceeds 6,000 square feet (557 m²).

"2. Where a Group F fire area is located more than two stories above grade plane.

"3. Where the combined area of all Group F fire areas on all floors, including mezzanines and basements; exceeds 6,000 square feet (557 m²)."

(31) The Exception in Section 903.2.5, Group I, is amended to read as follows:

"EXCEPTION: An automatic sprinkler system installed in accordance with Section 903.3.1.2 shall be allowed in Group I-1 facilities."

(32) All conditions in Section 903.2.6, Group M, are amended to read as follows:

"1. Where a Group M fire area exceeds 6,000 square feet (557 m²);

"2. Where a Group M fire area is located more than two stories above grade plane; or

"3. Where the combined area of all Group M fire areas on all floors, including all mezzanines and basements, exceeds 6,000 square feet (557 m²)."

(33) All conditions in Section 903.2.8, Group S-1, are amended to read as follows:

"1. A Group S-1 fire area exceeds 6,000 square feet (557 m²);

"2. A Group S-1 fire area is located more than two stories above grade plane; or

"3. The combined area of all Group S-1 fire areas on all floors including mezzanines and basements, exceeds 6,000 square feet (557 m²)."

(34) The first two conditions in Section 903.2.8.1, Repair garages, are amended to read as follows:

"1. Buildings two or more stories in height, including basements with a fire area containing a repair garage exceeding 6,000 square feet (557 m²); or

"2. One-story buildings with a fire area containing a repair garage exceeding 6,000 square feet (557 m²)."

(35) Section 903.2.8.2 is amended to read as follows:

"903.2.8.2 Bulk storage of tires. Buildings and structures where the area for the storage of tires exceeds 10,000 cubic feet (283 m²) shall be equipped throughout with an automatic sprinkler system in accordance with Section 903.3.1.1."

(36) Section 903.2.9, Group S-2, is amended by deleting the Exception.

(37) A new Section 903.2.14 is added to read as follows:

"903.2.14 Group B and mixed occupancies. An automatic sprinkler system shall be provided throughout all buildings containing Group B or mixed occupancies where one of the following conditions exists:

"1. The fire area exceeds 6,000 square feet (557 m²); or

"2. Where a Group B or mixed occupancy is more than two stories in height, or where the combined fire area on all floors, including mezzanines and basements, is greater than 6,000 square feet (557m²)."

(38) A new Section 903.2.15 is added to read as follows:

"903.2.15 Buildings constructed under the *International Residential Code*. An automatic sprinkler system installed in accordance with Section 903.3.1.3 shall be provided throughout all detached one- and two-family dwellings and multiple single-family dwellings (townhouses), complying with the requirements of the *International Residential Code*, whose total aggregate fire area exceeds 6,000 square feet (557 m²).

"EXCEPTION: Unless otherwise required by more restrictive local codes, policies, amendments, ordinances, or plat notes."

(39) A new Section 903.2.16 is added to read as follows:

"903.2.16 Additions and alterations to existing buildings. Any building, with a fire area exceeding 6,000 square feet (557 m²), undergoing additions, alterations or remodel work shall be evaluated under the Fire Code, for the need for additional fire protection systems. Portions of buildings separated by approved fire walls as outlined in Chapter 7, Section 705 of the 2006 edition of the *International Building Code* may be considered as separate buildings.

"903.2.16.1 Existing buildings with a fire area not exceeding 6,000 square feet (557 m²). An automatic sprinkler system shall be provided throughout a building undergoing an addition and/or alteration work whose new aggregate fire area of the building exceeds 6,000 square feet (557 m²).

"903.2.16.2 Existing buildings with a fire area exceeding 6,000 square feet (557 m²). An automatic sprinkler system shall be provided throughout a building undergoing addition work that increases the fire area of the existing building."

"903.2.16.3 Alterations to existing buildings with a fire area exceeding 6,000 square feet (557 m²). An automatic sprinkler system shall be provided throughout a building when the area undergoing alterations equals or exceeds 50% of the aggregate fire area of the building.

"EXCEPTION: Alterations limited to the removal and replacement or the covering of existing materials, elements, equipment, or fixtures using the same materials, elements, equipment or fixtures that serve the same purpose."

(40) Section 903.4, Sprinkler system monitoring and alarm, is amended by the deletion of Exceptions #2, #3 and #5.

(41) Section 905.3.1 is amended to read as follows:

"905.3.1 Building height. Class I standpipe systems shall be installed throughout buildings where the floor level of the highest story is more than 20 feet (6,035 mm) above the lowest level of fire department vehicle access, or where the floor level of the lowest story is located more than 20 feet (6,035 mm) below the highest level of fire department access.

(Editors note: Exceptions to remain unchanged.)

"905.3.1.1 Building area. In buildings exceeding 10,000 square feet (929 m²) within surrounding exterior walls, an approved Class I standpipe system shall be provided where any portion of the building's interior is more than 150 feet (46 m) of travel, vertically and/or horizontally, from the nearest point of fire department vehicle access."

(42) The first sentence of Section 1008.1.8.3, Item #2.2, is amended to read as follows:

"2.2 A readily visible, durable sign is posted on the egress side on or adjacent to the door stating: 'THIS DOOR TO REMAIN UNLOCKED DURING BUSINESS HOURS'."

(43) Section D103.5 is amended by the addition of a new condition #7 to read as follows:

"7. Locking device specifications shall be submitted for approval by the fire code official. In lieu of a lock on gates, the fire code official may require an automatic opening feature where the gate services a single commercial structure or multiple structures."

(Ord. 2008-1 §1)

Division 6
Housing Standards

Sec. 4-11-101. Adoption of standards.

The following standard code, as hereinafter amended, is hereby adopted by reference: the *Uniform Housing Code, 1997 edition*, published by the International Conference of Building Officials, 5360 South Workman Mill Road, Whittier, California 90601. (Prior code 112-1; Ord. 1995-1 §1; Ord. 1998-9 §1; Ord. 2003-20 §3)

*Division 7
Mechanical Standards*

Sec. 4-11-121. Adoption of standards.

The following standard codes, as hereinafter amended, are hereby adopted by reference: *International Mechanical Code*, 2003 edition, including Appendix A, Second Printing, published by the International Code Council, Inc.; and *International Fuel Gas Code*, 2003 edition, including Appendices A and B, Second Printing, published by the International Code Council, Inc. (Prior code 127-1; Ord. 1995-1 §1; Ord. 1998-9 §1; Ord. 2002-5 §1; Ord. 2003-20 §3; Ord. 2004-06 §1, 2004)

Sec. 4-11-122. Amendments.

(a) The following sections of the *International Mechanical Code*, 2003 edition, are amended to read as follows:

(1) Section 101.1 is amended to read as follows:

"101.1 Title. These regulations shall be known as the *Mechanical Code of the Town of Silverthorne*, hereinafter referred to as 'this code.' "

(2) Section 101.2, Scope, is amended by deleting Exception 2.

(3) Section 102.1 is amended by adding the following new subsection:

"102.1.1 Conflicts. If a conflict should arise between any section on this code and any other section of the *Silverthorne Town Code*, the intent of this code, as stated in Section 101.3, shall be enforced, at the discretion of the building official."

(4) Section 106, Permits, is deleted in its entirety. The corresponding sections of the *International Building Code*, as amended, shall apply to this code, as well.

(5) Section 108.4, Violation penalties, is deleted in its entirety. The corresponding section of the *International Building Code*, as amended, shall apply to this Code, as well.

(6) Section 108.5, Stop work orders, is amended by deleting the last sentence.

(7) Section 109, Means of Appeal, is deleted in its entirety. The corresponding section of the *International Building Code*, as amended, shall apply to this Code, as well.

(8) Section 201.3 is amended by adding the following at the end of the sentence:

". . . or the *Building Code of the Town of Silverthorne*, or the *Silverthorne Town Code*."

(9) Section 303 is amended by adding the following new subsection:

"303.9 Prohibited installations. No unvented or direct fired fuel-burning equipment shall be installed or used to provide comfort heating within any occupancy group other than Group F, S or U, nor within any occupancy within a building containing a dwelling unit."

(10) Section 401.5 is amended by adding the following new subsection:

"401.5.4 Snow depth. Air exhaust and intake openings that terminate outdoors shall be located a minimum of 3 feet above final grade.

"EXCEPTION: With prior approval of the building official, openings may be protected from snow accumulation and drifting by decks, roofs, cantilevers or similar means providing equivalent protection."

(11) Section 501.2 is amended by adding following new subsection:

"501.2.1 Snow depth. Exhaust ducts and openings shall terminate a minimum of 3 feet above final grade.

"EXCEPTION: With prior approval of the building official, openings may be protected from snow accumulation and drifting by decks, roofs, cantilevers or similar means providing equivalent protection."

(12) Section 604.1, General, is amended by deleting the reference to the *International Energy Conservation Code*.

(13) Section 701 is amended by adding the following new subsection:

"701.6 Snow depth. All combustion air openings and ducts terminating on the outside shall be a minimum of 3 feet above final grade. If a ventilated crawl space is utilized as a combustion air source, ventilation louvers must be a minimum of 3 feet above final grade.

"EXCEPTION: With prior approval of the building official, openings and duct terminations may be protected from snow accumulation and drifting by decks, roofs, cantilevers or similar means providing equivalent protection."

(14) Section 802.3 is amended by adding a new subsection:

"802.3.1 Enclosure. Portions of venting systems which extend through occupied and storage spaces shall be enclosed to avoid contact with or damage to the installation."

(15) Section 804 is amended by adding the following new subsection:

"804.4 Snow depth. Any horizontally terminated vent or combustion air intake opening must be a minimum of 3 feet above final grade."

(16) Section 805.1 is amended by adding the following new subsection:

"805.1.1 Enclosure. Portions of venting systems which extend through occupied and storage spaces shall be enclosed to avoid contact with or damage to the installation."

(17) Section 903.3 is amended to read as follows:

"903.3 Unvented gas log heaters. Unvented gas log heaters are prohibited."

(18) Section 904.1 is amended to read as follows:

"904.1. Prohibited use. Pellet fuel-burning appliances are prohibited."

(19) Section 1006.6 is amended to read as follows:

"1006.6 Safety and relief valve discharge. Safety and relief valve discharge pipes shall be of rigid pipe that is approved for the temperature of the system. The relief valve shall discharge full size to a safe place of disposal inside a heated building such as a floor drain, an indirect waste receptor, a concrete floor sloped to a floor drain or sloped to the exterior, or other approved location. Relief valve discharge piping shall not extend to the outside of the building nor to crawl spaces or other unfinished areas. The discharge pipe shall not have any trapped sections, shall be installed so as to drain by gravity flow, shall have a visible air gap located in the same room as the boiler or pressure vessel and shall terminate pointing downward not more than 6 inches above the floor or receptor. The terminal end of the drain pipe shall not be threaded. The discharge shall be installed in a manner that does not cause personal injury to occupants in the immediate area or structural damage to the building. High-pressure-steam safety valves shall be vented to the outside of the structure."

(20) Section 1204.1, Insulation characteristics, is amended by deleting the reference to the *International Energy Conservation Code*.

(21) Section 1204.2, Required thickness, is deleted in its entirety.

(b) The following sections of the *International Fuel Gas Code*, 2003 edition, are amended:

(1) Section 101.1 is amended to read as follows:

"101.1. Title. These regulations shall be known as the *Fuel Gas Code of the Town of Silverthorne*, hereinafter referred to as 'this code.' "

(2) Section 101.2, Scope, is amended by deleting Exception 2.

(3) Section 102.1 is amended by adding the following new subsection:

"102.1.1. Conflicts. If a conflict should arise between any section of this Code and any other section of the *Silverthorne Town Code*, the intent of this Code, as stated in Section 101.4, shall be enforced, at the discretion of the building official."

(4) Section 106, Permits, is deleted in its entirety. The applicable corresponding sections of the *International Building Code*, as amended, shall apply to this Code, as well.

(5) Section 108.4, Violation penalties, is deleted in its entirety. The applicable corresponding section of the *International Building Code*, as amended, shall apply to this code, as well.

(6) Section 108.5, Stop work orders, is amended by deleting the last sentence.

(7) Section 109, Means of Appeal, is deleted in its entirety. The applicable corresponding section of the *International Building Code*, as amended, shall apply to this Code, as well.

(8) Section 201.3 is amended by adding the following at the end of the sentence:

". . . or the *Building Code of the Town of Silverthorne*, or the *Silverthorne Town Code*."

(9) Section 301.2, Energy utilization, is deleted in its entirety.

(10) Section 303 is amended by adding the following new subsection:

"303.8. Prohibited installations. No unvented or direct-fired fuel gas appliances shall be installed or used to provide comfort heating within any occupancy group other than Group F, S or U."

(11) Section 303.3, Prohibited locations, is amended by deleting Exceptions 3 and 4.

(12) Section 304.11, item #8 is amended to read as follows:

"8. Combustion air intake openings located on the exterior of a building shall have the lowest side of such openings located not less than 3 feet vertically from the adjoining grade level.

"EXCEPTION: With prior approval of the building official, openings and duct terminations may be protected from snow accumulation and drifting by decks, roofs, cantilevers or similar means providing equivalent protection."

(13) Section 406.4.1 is amended by changing the reference of 3 psig to 10 psig.

(14) Section 501.14 is amended by adding the following new subsection:

"501.14.1. Snow depth. Venting systems and air intakes terminating horizontally shall be a minimum of 3 feet above final grade."

(15) Section 502.5 is amended by adding the following new subsection:

"502.5.1. Enclosure. Portions of venting systems which extend through occupied and storage spaces shall be enclosed to avoid contact with or damage to the installation."

(16) Section 503.8 is amended by adding the following new subsection:

"503.8.1. Snow depth. Venting systems and air intakes terminating horizontally shall be a minimum of 3 feet above final grade."

(17) Section 506.1 is amended by adding the following new subsection:

"506.1.1. Enclosure. Portions of venting systems which extend through occupied and storage spaces shall be enclosed to avoid contact with or damage to the installation."

(18) Section 602.1 is amended by adding the following new subsections:

"602.1.1. Damper. The fireplace damper shall be completely removed to prevent spillage of combustion products into the room.

"602.1.2. Flue size. The flue passageway shall be not less than 1 square inch per 2,000 Btu/h input and not more than 4 square inches per 2,000 Btu/h input."

(19) Section 603.1 is amended to read as follows:

"603.1. General. Log lighters are prohibited."

(20) Section 621.2 is amended to read as follows:

"621.2. Prohibited use. Unvented room heaters are prohibited in a dwelling unit, or in any occupancy within a building containing a dwelling unit."

(21) Section 621.7 is amended to read as follows:

"621.7. Unvented log heaters. Unvented log heaters are prohibited."

(22) Section 634.1 is amended to read as follows:

"634.1. Chimney dampers. Fireplaces equipped with decorative appliances shall meet the requirements of Section 602, as amended."

(Prior code 127-2; Ord. 1995-1 §1; Ord. 1998-9 §1; Ord. 2002-5 §1; Ord. 2003-20 §3; Ord. 2004-06 §1)

*Division 8.
Plumbing Standards*

Sec. 4-11-141. Adoption of standards.

The following standard code, as hereinafter amended, is hereby adopted by reference: *International Plumbing Code*, 2003 edition, including Appendix E, Second Printing, published by the International Code Council, Inc. (Prior code 148-1; Ord. 1998-9 §1; Ord. 2002-5 §1; Ord. 2003-20 §3; Ord. 2004-06 §1, 2004)

Sec. 4-11-142. Amendments.

The following sections of the *International Plumbing Code*, 2003 edition, are amended:

(1) Section 101.1 is amended to read as follows:

"101.1. Title. These regulations shall be known as the *International Plumbing Code of the Town of Silverthorne*, hereinafter referred to as 'this code.' "

(2) Section 101.2 Scope, is amended by deleting Exception 2.

(3) Section 102.1 is amended by adding the following new subsection:

"102.1.1. Conflicts. If a conflict should arise between any section of this Code and any other section of the *Silverthorne Town Code*, the intent of this Code, as stated in Section 101.3, shall be enforced, at the discretion of the building official."

(4) Section 106, Permits, is deleted in its entirety. The applicable corresponding sections of the *International Building Code*, as amended, shall apply to this Code, as well.

(5) Section 108.4, Violation penalties, is deleted in its entirety. The applicable corresponding section of the *International Building Code*, as amended, shall apply to this Code, as well.

(6) Section 108.5, Stop work orders, is amended by deleting the last sentence.

(7) Section 109, Means of Appeal, is deleted in its entirety. The applicable corresponding section of the *International Building Code*, as amended, shall apply to this Code, as well.

(8) Section 201.3 is amended by adding the following at the end of the sentence:

". . . or the *Building Code of the Town of Silverthorne*, or the *Silverthorne Town Code*."

(9) Section 312.3 is amended by adding the following as the last sentence:

"Test gauges shall have a maximum pressure range of 30 psi."

(10) Section 312.5 is amended by adding the following as the second sentence:

"This pressure shall be held for a test period of at least 15 minutes."

(11) Section 312.9.1, Inspections, is deleted in its entirety.

(12) Section 313, Equipment Efficiencies, is deleted in its entirety.

(13) Section 412 is amended by adding the following new subsection:

"412.5. Boiler rooms. All boiler rooms shall be equipped with a floor drain or other means suitable for disposing of the accumulation of liquid wastes incidental to cleaning, recharging and routine maintenance."

(14) Section 504.6.1 is amended to read as follows:

"504.6.1. Discharge. The relief valve shall discharge full size to a safe place of disposal inside a heated building such as a floor drain, an indirect waste receptor, a concrete floor sloped to a floor drain or sloped to the exterior or other approved location. Relief valve discharge piping shall not extend to the outside of the building nor to crawl spaces or other unfinished areas. The discharge pipe shall not have any trapped sections, shall be installed so as to drain by gravity flow, shall have a visible air gap located in the same room as the water heater, and shall terminate pointing downward not more than 6 inches above the floor or receptor. The terminal end of the drain pipe shall not be threaded. The discharge shall be installed in a manner that does not cause personal injury to occupants in the immediate area or structural damage to the building."

(15) Section 504.7.2 is amended to read as follows:

"504.7.2. Pan drain termination. The pan drain shall extend full-size and terminate inside a heated building over a suitably located indirect waste receptor, floor drain, a concrete floor sloped to a floor drain or sloped to the exterior or other approved location. The pan drain shall not terminate outside the building nor in a crawl space or other unfinished area. The drain shall be installed so as to drain by gravity flow and shall be installed in a manner that does not cause structural damage to the building."

(16) Section 607.2, Hot water supply temperature maintenance, is amended by deleting the last sentence.

(17) Section 607.2.1, Piping insulation, is deleted in its entirety.

(18) Section 608.17, Protection of individual water supplies, is deleted in its entirety, including all subsections 608.17.1 through 608.17.8.

(19) Section 904.1 is amended to read as follows:

"904.1. Roof extension. All open vent pipes that extend through a roof shall be terminated at least 12 inches above the roof, except that where a roof is to be used for any purpose other than weather protection, the vent extensions shall be run at least 7 feet above the roof."

(20) Section 904.2 is amended to read as follows:

"904.2. Frost closure. Every vent extension through a roof or wall shall be a minimum of 3 inches in diameter. Any increase in the size of the vent shall be made inside the structure a minimum of 1 foot below the roof or inside the wall."

(21) Section 1108.1 is amended to read as follows:

"1108.1. Combined sanitary and storm system. Combination sanitary and storm drain or sewer systems are prohibited."

(Prior code 148-2; Ord. 1998-9 §1; Ord. 2002-5 §1; Ord. 2003-20 §3; Ord. 2004-06 §1)

Division 9.
General

Sec. 4-11-151. Applicability to development in process.

All applications for building and construction permits received by the Town on and after the effective date of Ordinance 2002-5 (May 8, 2002) shall be processed solely with respect to the *International Building Codes*. All applications for building and construction permits received by the Town prior to that date shall be processed, at the election of the applicant, under: (1) the *International Building Codes*, or (2) the *Uniform Building Codes* in force in the Town prior to that date, which codes are hereby continued in force for that limited purpose only. The election of the applicant permitted hereby shall be permanent and shall apply to all subsequent construction activity on the affected structure. (Ord. 2002-5 §1; Ord. 2003-20 §3)

Division 10.
Nuisances

Sec. 4-11-161. Definitions.

As used in this Division, the following terms shall have the meanings indicated:

Hazard to health or safety includes any activity so recognized by the United States, the State or the ordinances of the Town. Such hazards shall also include activities likely to cause foul or offensive odors, promote the growth or propagation of disease-carrying insects, pollute the air or groundwaters of adjacent property, create loud or offensive sounds or cause drainage and runoff to occur in other than historical patterns.

Inoperable vehicle means any automobile, truck or self-propelled vehicle incapable of moving under its own power or which lacks a valid current license plate or does not comply with the minimum safety requirements of the Colorado Motor Vehicle Law.

Nuisance means any substance, act, occupation, condition or use of property declared a *nuisance* by this Article or declared a *nuisance* by the State or by any court or agency thereof, or known as a *nuisance* at common law, or which is of such nature and duration as to:

- a. Substantially annoy, injure or damage the comfort, health, repose or safety of the public.
- b. In any way render the public insecure in life or in the use of property.
- c. Unlawfully and substantially interfere with, obstruct or tend to obstruct or render dangerous for passage any street, alley, highway or other public way.

Offensive or unwholesome business or establishment means any business or establishment involving the provision of goods or services to others in exchange for something of value, which business or establishment may create, foster or maintain any hazard to health or safety. (Prior code 137-1, 153-1; Ord. 2003-20 §3)

Sec. 4-11-162. Nuisances prohibited.

No person being the owner, agent or occupant or having under his or her control any building, lot or premises or unimproved real estate within the Town limits shall maintain or allow any nuisance to be or remain therein. (Prior code 137-2; Ord. 2003-20 §3)

Sec. 4-11-163. Authority of Town to declare nuisances.

Any act, condition, substance, occupation or use of property which substantially meets the criteria of a nuisance as defined in Section 4-3-161 above may be so declared by the Town Council, and nothing in Section 4-3-164 below shall be construed to limit the power of the Town to make such declaration. (Prior code 137-3; Ord. 2003-20 §3)

Sec. 4-11-164. Nuisances declared.

(a) Unwholesome business. Offensive or unwholesome businesses or establishments are prohibited. From and after the effective date of this Article, it shall be unlawful for any person to allow or suffer upon his or her premises or any premises which he or she is entitled to possess any offensive or unwholesome business or establishment within the Town, or within one (1) mile beyond the outer limits of the Town as such outer limits are now, or may be hereafter, constituted. Any slaughterhouse or other place for slaughtering animals within the Town is therefore declared to be a nuisance.

(b) Junkyards and dumping grounds. All places used or maintained as junkyards or dumping grounds or for the wrecking or disassembling of automobiles, trucks, tractors or machinery of any kind or for the storing or leaving of worn out, wrecked or abandoned automobiles, trucks, tractors, trailers, boats and house trailers or machinery of any kind, or of any of the parts thereof, or for the storing or leaving of any machinery or equipment used by contractors or builders or by other persons, which places essentially interfere with the comfortable enjoyment of life or property by others, are hereby declared to be nuisances.

(c) Discharge of noxious liquids. The discharge out of or from any house or place of foul or noxious liquid or substance of any kind whatsoever into or upon any adjacent ground or lot or into any street, alley or public place in the Town is hereby declared a nuisance.

(d) Stale matter. The accumulation of any stale, putrid or stinking fat or grease or other matter is hereby declared to be a nuisance.

(e) Sewer inlet. Any article or materials accumulated in any sewer, sewer inlet or privy vault that shall have a sewer connection, which cause or might cause such sewer, sewer inlet or privy vault to become noxious or offensive to others or injurious to public health, are hereby declared to be nuisances.

(f) Dead animals; removal. The body of any animal which has died and which is undisposed of after twenty-four (24) hours after death is hereby declared to be a nuisance.

(g) Stagnant ponds. Any cellar, vault, drain, sewer, pond of water or other place in the Town that shall be noxious or offensive to others, or injurious to public health, through an accumulation or deposit of noxious, offensive or foul water or other substances shall be deemed a nuisance. This applies in all cases for which no other specific provisions are made in this Article or any other ordinance of the Town.

(h) Open wells, cisterns or excavations. It is hereby declared that excavations exceeding five (5) feet in depth, cisterns and wells or an excavation used for storage of water are public nuisances unless the same are adequately covered with a locked lid or other covering weighing at least sixty (60) pounds or are securely fenced with a solid fence to a height of at least five (5) feet, and it shall be unlawful for any person to permit such nuisance to remain on premises owned or occupied by him or her. Any well or cistern on any property within the limits of the Town, whenever a chemical analysis or other proper test or the location of the same shows that the water of said well or cistern is probably contaminated, impure or unwholesome, shall be deemed a nuisance. Any abandoned or unused well or cistern shall be filled with dirt and covered.

(i) Noisemaking devices to attract children. The use of bells, whistles, sirens, music, horns or any other noisemaking devices for the purpose of attracting children or minors to any vehicle upon the streets, highways, rights-of-way, alleys or public ways of the Town for the purpose of selling, distributing or giving away any product whatsoever to such minors is hereby declared to be a public nuisance and hazard and is expressly prohibited and shall be unlawful, except such activities carried on as part of duly authorized public parades or processions.

(j) Handbills, flyers, posters and placards. Any handbill, flyer, poster, placard or painted or printed matter which shall be stuck, posted or pasted upon any public or private house, vehicle, store or other building or upon any fence, power pole, telephone pole or other structure without the permission of the owner, agent or occupant of the property shall be deemed a nuisance.

(k) Unused appliances. Any unused, inoperable or abandoned refrigerator, washer, dryer, freezer or other appliance within any accessible yard, lot or carport within the limits of the Town is hereby declared a nuisance.

(l) Vacant buildings. It is declared a nuisance for the owner of any vacant building to fail to replace any broken window or fail to secure any other means of entry into such building within seventy-two (72) hours after notice is given by the Town.

(m) Transporting of garbage or manure. The transport of manure, garbage, swill or offal upon any street in the Town in a vehicle which is not fitted with a substantially tight enclosed box thereon allowing no portion of such filth to be scattered or thrown into such street is hereby declared a nuisance.

(n) Removal of inoperable vehicle. Any inoperable vehicle parked on any lot or parcel of property in the Town is a nuisance. For purposes of this Section, *inoperable vehicle* shall mean any vehicle (including but not limited to motor vehicles, trailers, snowmobiles and ATV's) which does not have current license or registration, is incapable of moving or operating on its own power or as originally manufactured, or is missing, in the judgment of authorized Town officials, any significant component part. However, not more than two (2) unlicensed vehicles owned by the owner or occupant of the property may be stored, for repair or restoration purposes only and not for sale, in a garage, or in the rear yard of the property if screened from public view by a permanent opaque wall or fence at least six (6) feet in height.

(o) Barking, yelping, howling or mewing by dogs or cats. Any dog or cat which, by loud or frequent or habitual barking, yelping, howling or mewing, causes a serious annoyance to the neighborhood or to persons passing to and fro upon the streets or sidewalks is hereby declared a nuisance.

(p) Accumulation of garbage, refuse, etc. Any accumulation of refuse, trash or other waste or discarded material, including discarded building and construction materials, is hereby declared to be a nuisance.

(q) Smoke and odor from burning. Any smoke and odor resulting from the burning of refuse, trash or other materials, including but not limited to those materials outlined in Subsection (p) above, is hereby declared to be a nuisance.

(r) Accumulation of manure. The accumulation of manure or other animal waste in quantities which causes complaints from neighboring property owners is hereby declared a nuisance. This provision does not apply to a light spread of manure upon lawns or gardens or which is plowed under the surface of the ground.

(s) Disorderly house. The keeping of any dwelling, boardinghouse, rooming house or other residential property in violation of any provision of this Chapter, including any violation of maximum occupancy limitations imposed by that Article or any condition of approval of the use of property imposed by action of the Town is a nuisance. A disorderly house shall also include keeping any such property in a condition or manner which generates law enforcement calls disproportionate to other properties in the neighborhood or which negatively affects neighboring properties and/or residents, whether by continuous or excessive noise or by maintenance of the property in an unsightly or unwholesome manner, noxious or offensive to others or injurious to public health. For purposes of enforcement of this Subsection, the person responsible for the maintenance of a disorderly house may be the owner of the property, lessee, sublessee, tenant, occupant or renter, jointly or severally.

(t) Fences in disrepair. Any fence which comes into disrepair or is not maintained is hereby declared a nuisance. (Prior code 137-4; Ord. 1995-1 §1; Ord. 1995-8 §25; Ord. 1999-14 §§25—29; Ord. 2003-20 §3)

Sec. 4-11-165. Offensive or unwholesome business prohibited.

Offensive or unwholesome businesses or establishments are prohibited within the Town and within one (1) mile beyond the outer limits of the Town and it shall be unlawful to open, operate, carry on or maintain such a business or establishment. (Prior code 153-2; Ord. 2003-20 §3)

Sec. 4-11-166. Certain businesses prohibited near schools.

No tannery, stable, pigsty or privy, whether within or outside the Town limits, shall be permitted to operate, open or carry on within three thousand (3,000) feet of any school. (Prior code 153-3; Ord. 2003-20 §3)

Sec. 4-11-167. Complaints.

Complaints of nuisances may be made in writing to any Town official. Whenever possible, any complaint shall state the nature of such nuisance, the location, including street address, name of the owner, agent or occupant of the building or lot, if known, and the name and address of the complainant. (Prior code 137-5; Ord. 2003-20 §3)

Sec. 4-11-168. Inspections; right of entry; emergencies.

(a) Whenever necessary to make an inspection to enforce any of the provisions of this Article, or Article VIII, Division 3 (Tree Conservation and Replacement), Article VIII, Division 4 (Removal of Dead, Diseased and Beetle-Infested Trees), Article VIII, Division 5 (Fire Hazard Mitigation) and Article VIII, Division 6 (Noxious Weed Control), or whenever an authorized Town official shall have reasonable cause to believe that there exists in any building or upon any premises any condition which constitutes a nuisance hereunder, the authorized Town official may enter such building or premises at all reasonable times to inspect the same or to perform any duty under this Article. If such building or premises are occupied, the authorized Town official shall first present proper credentials and demand

entry; and if such building or premises are unoccupied, he or she shall first make a reasonable effort to locate the owner or occupant or other person having charge or control of the building or premises and, upon locating said owner, occupant or other person or persons, shall present proper credentials and demand entry. If entry is refused, the authorized Town official shall give the owner or occupant, or if said owner or occupant cannot be located after a reasonable effort, he or she shall leave at the building or premises, twenty-four (24) hours' written notice of intention to inspect. The notice given to the owner or occupant or left on the premises as aforesaid shall state that the property owner has the right to refuse entry and that, in the event such entry is refused, inspection may be made only upon issuance of a search warrant by the Municipal Judge of the Town or a judge of any other court having jurisdiction.

(b) After the expiration of said twenty-four-hour period from the giving or leaving of notice, the authorized Town official may appear before the Municipal Judge of the Town and, upon a showing of probable cause, shall obtain a search warrant entitling him or her to enter said building or go upon such premises. Upon presentation of said search warrant and proper credentials, or possession of the same in the case of an unoccupied building or premises, said official may enter into said building or go upon said premises using such reasonable force as may be necessary to gain entry.

(c) For the purposes of the above Subsection (b), a determination of probable cause will be based upon reasonableness, and if a valid public interest justifies the intrusion contemplated, then there is probable cause to issue a search warrant. The person applying for such warrant shall not be required to demonstrate specific knowledge of the condition of the particular structure or premises in issue in order to obtain a search warrant. It shall be unlawful for any owner or occupant of said building or premises to resist reasonable force used by any authorized agent acting pursuant to this Section.

(d) Whenever an emergency situation exists in relation to the enforcement of any of the provisions of this Article, the authorized Town official, upon a presentation of proper credentials or identification in the case of an occupied building or premises, or possession of said credentials in the case of an unoccupied building or premises, may enter into any building or go upon any premises within the jurisdiction of the Town. In said emergency situation, such person or his or her authorized representative may use such reasonable force as may be necessary to gain entry into said building or upon said premises.

(e) For purposes of the above Subsection (d), an emergency situation shall include but not be limited to any situation where there is imminent danger of loss of life, limb and/or property. It shall be unlawful for any owner or occupant of said building or premises to resist reasonable force used by the authorized official acting pursuant to this Subsection.

(f) In addition to, or in lieu of, the procedures described above, an authorized representative of the Town may appear before the Municipal Judge of the Municipal Court and, upon presentation of an affidavit showing probable cause, may request a search warrant entitling such authorized representative of the Town to enter said building or upon such premises. The supporting affidavit shall allege sufficient facts to warrant a person of reasonable caution to believe that a nuisance as defined by this Article, or a condition within the scope of Article VIII, Division 3 (Tree Conservation and Replacement), Article VIII, Division 4 (Removal of Dead, Diseased and Beetle-Infested Trees or Article VIII, Division 5 (Fire Hazard Mitigation) is located or maintained on the premises to be searched. In determining whether probable cause for issuance of a search warrant exists, the Municipal Judge may consider, in addition to any other evidence or matters of which judicial notice may be taken:

- (1) The totality of the facts and circumstances known to the affiant;
- (2) The affiant's experience and training in evaluating the existence or probable existence of a nuisance or other prohibited condition; and
- (3) Whether there is a fair probability that evidence of a nuisance or other condition as described above will be found.

After obtaining a search warrant, the authorized representative of the Town may enter the subject building or premises using such reasonable force as may be necessary to gain entry, to the extent property damage occasioned thereby is minimized to the degree possible. It shall be unlawful for any owner or occupant of said building or premises to resist reasonable force used by any authorized agent acting pursuant to this Section. (Prior code 137-6; Ord. 1995-1 §1; Ord. 2003-20 §3; Ord. 2007-17 §1; Ord. 2007-24 §1)

Sec. 4-11-169. Conviction and abatement of nuisances; failure to comply.

(a) Any person convicted in the Municipal Court of any violation of this Division shall immediately correct the violation and may be imprisoned in the county jail for a period not to exceed one (1) year or fined an amount not to exceed one thousand dollars (\$1,000.00), or ordered to participate in a useful public service program pursuant to the provisions of Subsection 1-3-7(b) of this Code, or any combination of the above. Each day upon which any violation shall continue shall constitute a separate offense.

(b) Upon the discovery of any nuisance on public or private property in the Town, the authorized representative of the Town, may, in the exercise of discretion, notify in writing the owner of the property on which the nuisance is discovered and require said owner to abate the same. The reasonable time for abatement shall not exceed ten (10) days, unless extended for good cause at the reasonable discretion of the person issuing the notice. Such notice shall state that, if the nuisance is not abated within the time period stated in the notice, then the Town will seek an abatement order from the Municipal Court and will assess the cost of such abatement, together with an additional five-percent assessment for inspection and incidental costs, and an additional ten-percent assessment for the costs of collection, as a lien against the property to be collected in the same manner as real estate taxes against the property.

(c) Service of notice. If written notice to abate is given, it shall be served on the owner and, if different, to the responsible party by:

- (1) Posting a copy of the notice in a conspicuous place on the premises upon which said nuisance exists; and
- (2) By mailing a copy of the notice by certified United States mail, to the last known address of the owner of said premises as reflected in the Summit County real estate or tax assessment records;
or
- (3) By hand delivery.

(d) Abatement order. If the person notified shall neglect or refuse to comply with the notice to abate the nuisance within the time specified, such person shall be guilty of a violation of this Article and the Town Attorney may apply to the Municipal Court for an abatement order as follows:

(1) The application shall be accompanied by an affidavit or testimony establishing to the satisfaction of the Court, based on a preponderance of the evidence, that a nuisance as defined by this Article exists on the subject property, and that the Town has complied with the notice requirements of Subsections (b) and (c) above, and that the owner has failed to abate the identified nuisance upon the property.

(2) The Town shall give notice to the owner and, if different, to the responsible party, of the subject premises of its application for the abatement order in the manner as provided above in Subsection (c).

(3) The notice of application for an abatement order shall include a copy of the Town's application and its affidavit or a summary of its anticipated testimony in support of its application, as well as the time, date and place at which the Town will appear before the Municipal Court to request entry of the abatement order.

(4) At the stated time, date and place, the Municipal Court Judge shall hold a hearing to review the application for abatement order, the affidavit, if any, and any testimony or other evidence offered by the Town in support of the application, as well as any testimony or other evidence presented by the owner, if present.

(5) Thereafter, the Municipal Court is authorized to enter an order authorizing the Town to enter upon such property, abate the nuisance and recover its costs as provided by Section 4-11-170 below.

(6) Upon the Municipal Court's issuance of an order authorizing the abatement of a nuisance, the Town shall abate said nuisance or cause the same to be abated. (Ord. 1999-14 §30; Ord. 2001-18 §4; Ord. 2003-20 §3; Ord. 2007-17 §2)

Sec. 4-11-170. Costs of abatement.

(a) The person or persons responsible for any nuisance within the Town shall be liable for and pay and bear all costs and expenses of its abatement. Unless otherwise provided in this Code, the actual costs of abatement, together with an additional five-percent assessment for inspection and incidental costs and an additional ten-percent assessment for costs of collection, shall be assessed against the owner of any private property upon which a nuisance was abated and such costs and expenses may be collected by the Town in any action at law, referred for collection by the Town Attorney or assessed against the property as hereinafter provided.

(b) The Town shall mail notice of the assessment by certified mail to the owner at his or her address as shown in the County Tax Assessor's records, and such costs shall be paid to the Town within thirty (30) days thereafter. The notice shall notify the owner that work has been performed and of the nature of the work and demand payment of the costs thereof, including an additional five-percent assessment for inspection and other incidental costs in connection therewith and an additional ten-percent assessment for costs of collection. The notice shall also state that, if said amount is not paid within thirty (30) days after mailing the notice, it shall become an assessment on and a lien

against the property of said owner, will be certified by the Town Clerk to the County Treasurer as an assessment against such property, and will be collected in the same manner as real estate taxes upon the property.

(c) Failure to pay the assessment within thirty (30) days shall cause it to become a lien against such property until paid and shall have priority over all liens, except general taxes and prior special assessments.

(d) The Town Clerk shall certify any assessment not paid when due to the County Treasurer, who shall collect the assessment, including the five-percent assessment for inspection and incidental costs and the additional ten-percent assessment for costs of collection, in the same manner as other taxes are collected. (Ord. 2007-17 §3)