

**CITY OF WHEAT RIDGE, COLORADO**  
**INTRODUCED BY COUNCIL MEMBER URBAN**  
**COUNCIL BILL NO. 19**  
**ORDINANCE NO. 1682**  
**Series 2019**

**TITLE: AN ORDINANCE ADOPTING BY REFERENCE THE 2018 EDITIONS OF THE INTERNATIONAL BUILDING CODE, INTERNATIONAL MECHANICAL CODE, INTERNATIONAL PLUMBING CODE, INTERNATIONAL PROPERTY MAINTENANCE CODE, INTERNATIONAL ENERGY CONSERVATION CODE, INTERNATIONAL RESIDENTIAL CODE, INTERNATIONAL FIRE CODE, INTERNATIONAL EXISTING BUILDING CODE, INTERNATIONAL SWIMMING POOL AND SPA CODE, AND INTERNATIONAL FUEL GAS CODE, THE 2017 EDITION OF THE NATIONAL ELECTRICAL CODE; THE 2018 NATIONAL FIRE PROTECTION ASSOCIATION (NFPA 99) STANDARD FOR HEALTH CARE FACILITIES; AND THE 1997 UNIFORM CODE FOR THE ABATEMENT OF DANGEROUS BUILDINGS; ADOPTING CERTAIN AMENDMENTS TO SUCH CODES; PROVIDING PENALTIES FOR VIOLATIONS OF THE SAME; AND AMENDING CHAPTER 5 OF THE WHEAT RIDGE CODE OF LAWS ACCORDINGLY**

**WHEREAS**, the City of Wheat Ridge, Colorado (the “City”), is a Colorado home rule municipality, duly organized and existing pursuant to Section 6 of Article XX of the Colorado Constitution; and

**WHEREAS**, pursuant to Section 5.16 of the Wheat Ridge Home Rule Charter (“Charter”) and Part 2 of Article 16 of Title 31 of the Colorado Revised Statutes, the City, acting through its City Council (the “Council”), possesses the authority to adopt standard codes by reference; and

**WHEREAS**, pursuant to this authority, the City previously adopted a series of technical codes by reference, codified under Article III of Chapter 5 of the Wheat Ridge Code of Laws (“Code”); and

**WHEREAS**, after due and proper notice and in accordance with C.R.S. § 31-16-203, the Council conducted a hearing on the adoption of updated versions of said technical codes, as set forth in this ordinance; and

**WHEREAS**, based upon recommendations of staff, as informed by the administration and enforcement of said technical codes over time, and the continuing evolution of said codes by the issuance of updated editions, the Council finds that it is the best interest of the City to adopt the 2018 editions of the International Building Code, the International Mechanical Code, the International Plumbing Code, the International Property Maintenance Code, the International Energy Conservation Code, the International Residential Code, the International Fire Code, the International Fuel Gas Code, the International Existing Building Code, and the International

Swimming Pool and Spa Code, the 2017 National Electrical Code and the 2018 National Fire Protection Association ("NFPA") 99 Standard for Health Care Facilities, and 1997 Uniform Code for the Abatement of Dangerous Buildings and to adopt certain amendments to the same; and

**WHEREAS**, the Council now also desires to amend certain sections of Chapter 5, Article IV of the Wheat Ridge Code of Laws ("Code"), regarding Contractors, and to make certain amendments thereto, as further set forth herein.

**NOW THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF WHEAT RIDGE, COLORADO:**

**Section 1.** Section 5-76 of the Code, concerning the International Building Code, is hereby repealed and reenacted to read in its entirety as follows:

**Sec. 5-76. Building Code.**

- (a) *Adoption.* The International Building Code, 2018 Edition, is hereby adopted by reference and incorporated into this article as though fully set forth herein as the building code of the City of Wheat Ridge. One (1) copy of said International Building Code shall be filed in the office of the city clerk and may be inspected during regular business hours. Except as otherwise provided hereafter, such code is adopted in full, including the outline of contents, and index. Only the following Appendices are hereby adopted by reference: Appendices E and I. The 2018 International Building Code shall be known as the "I.B.C." or the "building code" and may be cited and referred to as such.
- (b) *Amendments.* The International Building Code adopted by this section is amended as follows. Section numbers referred to herein refer to and correspond with the section numbers of the 2018 International Building Code.

*101.1 Title.* Amend to read in its entirety:

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

*105.1.1 Annual permit.* Delete entire section.

*105.1.2 Annual permit records.* Delete entire section.

*105.2 Work exempt from permit.* Amend to read in its entirety:

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

**Building:**

1. One-story detached accessory structures used as tool and storage sheds, playhouses and similar uses, provided the floor area is not greater than 120 square feet.
2. Fences not over 6 feet high.
3. Oil derricks.
4. Retaining walls that are not over 4 feet in height measured from the bottom of the footing to the top of the wall, unless supporting a surcharge or impounding Class I, II or IIIA liquids.
5. Water tanks supported directly on grade if the capacity is not greater than 5,000 gallons and the ratio of height to diameter of width is not greater than 2:1.
6. Sidewalks and driveways not more than 30 inches above adjacent grade, and not over any basement or story below and are not part of an accessible route.
7. Painting, papering, carpeting, cabinets and countertops and similar finish work that is not a part of the scope of a larger permissible project.
8. Prefabricated swimming pools that are less than 24 inches in depth, not greater than 5,000 gallons and are installed entirely above ground.
9. Shade cloth structures under 400 square feet constructed for nursery or agricultural purposes, not including service systems.
10. Swings and other playground equipment accessory to detached one- and two-family dwellings.
11. Window awnings in Group R-3 and U occupancies, supported by an exterior wall that do not project more than 54 inches from the exterior wall and do not require additional support.
12. Nonfixed and movable fixtures, cases, racks, counters and partitions not over 5 feet 9 inches in height.
13. Hoop houses as defined in Section 3102.2 that do not exceed 400 square feet in floor area, that are not occupied by the general public, and that do not contain mechanical or electrical devices, equipment or systems.

#### **Electrical:**

**Repairs and maintenance:** Minor repair work, including the replacement of lamps or the connection of approved portable electrical equipment to approved permanently installed receptacles.

**Radio and television transmitting stations:** The provisions of this code shall not apply to electrical equipment used for radio and television transmission, but do apply to equipment and wiring for a power supply and the installation of towers and antennas.

**Temporary testing systems:** A permit shall not be required for the installation of any temporary system required for the testing and servicing of electrical equipment or apparatus.

#### **Gas:**

1. Portable heating appliance.
2. Replacement of any minor part that does not alter approval of equipment or make such equipment unsafe.

**Mechanical:**

1. Portable heating appliance.
2. Portable ventilation equipment.
3. Portable cooling unit.
4. Steam, hot or chilled water piping within any heating or cooling equipment regulated by this code.
5. Replacement of any part that does not alter the approval or make it unsafe.
6. Portable evaporative cooler.
7. Self-contained refrigeration system containing 10 pounds or less of refrigerant and actuated by motors of 1 horsepower or less.

**Plumbing:**

The stopping of leaks in drains, water, soil, waste or vent pipe; provided, however, that if any concealed trap, drainpipe, water, soil, waste or vent pipe becomes defective and it becomes necessary to remove and replace the same with new material, such work shall be considered as new work and a permit shall be obtained and inspection made as provided in this code.

The clearing of stoppages or the repairing of leaks in pipes, valves or fixtures, and the removal and reinstallation of water closets, provided such repairs do not involve or require the replacement or rearrangement of valves, pipes or fixtures.

*105.5 Expiration.* Amend to read in its entirety:

**105.5 Expiration.** Every permit issued by the code official under the provisions of this code shall expire one year (365 days) after the date of issuance. The building official is authorized to grant, in writing, one or more extensions of time, for periods of not more than 180 days each. The extension shall be requested in writing and justifiable cause demonstrated.

*107.1 General.* Amend to read in its entirety:

**107.1 General.** Construction documents, statement of special inspections and other data shall be submitted in two (2) sets with each application for permit. The Building Official may allow additional sets to be submitted to allow for concurrent review to decrease the review time for applicants who wish to submit the additional documents. The construction documents shall be prepared by a registered design professional where required by the statutes of the jurisdiction in which the project is to be constructed. Where special conditions exist, the building official is authorized to require additional construction documents to be prepared by a registered design professional.

**Exception:** The building official is authorized to waive the submission of construction documents and other data not required to be prepared by a registered design professional if it is found that the nature of the work applied for is such that reviewing of construction documents is not necessary to obtain compliance with this code.

*107.3.1 Approval of construction documents.* Amend to read in its entirety:

**107.3.1 Approval of construction documents.** When the building official issues a permit, the construction documents shall be approved, in writing or by stamp, as "Approved Subject to Field Inspections - Wheat Ridge Building Dept.". One set of construction documents so reviewed shall be retained by the building official. One set shall be returned to the applicant, shall be kept at the site of work and shall be open to inspection by the building official or a duly authorized representative.

*109.2 Schedule of permit fees.* Amend to read in its entirety:

**109.2 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 schedule as established by the applicable governing authority. The permit fee shall be established as set forth in Table 1-A.

*109.3 Building permit valuations.* Amend to read in its entirety:

**109.3 Building permit valuations.** The applicant for a permit shall provide an estimated project valuation at the time of application. Permit valuations shall include the value of all work, including foundation work, structural and non-structural building components, electrical, plumbing, mechanical and interior finish materials. Project valuation shall be calculated by the Building Division based on the most recent building valuation data (BVD) promulgated and published by the International Code Council (ICC). The higher of the applicant stated valuation and the building division calculated valuation shall be used to determine building permit fees. Final building permit valuation shall be set by the building official.

*109.6 Refunds.* Amend to read in its entirety:

**109.6 Refunds.** The code official shall authorize the refunding of fees as follows:

1. The full amount of any fee paid hereunder that was erroneously paid or collected.
2. Not more than 100 percent of the permit fee paid when no work has been done under a permit issued in accordance with this code.
3. Not more than 80 percent of the plan review fee paid when an application for a permit for which a plan review fee has been paid is withdrawn or canceled before any plan review effort has been expended.
4. Not more than 50 percent of the plan review fee paid when an application for permit for which a plan review fee has been paid is withdrawn or canceled after initiation of any plan review effort.

Note: The code official shall not authorize the refunding of any fee paid except upon written application filed by the original permittee not later than 180 days after the date of fee payment.

*113 Board of Appeals.* Amend to read in its entirety:

**113 Board of Appeals.** Appeals of decisions and determinations made by the Building Official shall comply with the process and procedures set forth in City of Wheat Ridge Municipal Code Sections 2-59 and 5-25. An application for appeal shall be based on a claim that the true intent of this code or the rules legally adopted thereunder, including

finer, have been incorrectly interpreted, the provisions of the code do not fully apply, or an equally good or better form of construction is proposed.

*114.4 Violation penalties.* Amend to read in its entirety:

**114.4 Violation penalties.** Any person or entity 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 or repair work in violation of the approved construction documents or directive of the code official, or of a permit or certificate issued under the provisions of this code, shall be guilty of a misdemeanor, punishable by a fine of not more than \$1,000.00 dollars or by imprisonment not exceeding 90 days, or both such fine and imprisonment; provided, however, that no person under the age of eighteen (18) years shall be subjected to imprisonment. Each day that a violation continues after due notice has been served shall be deemed a separate offense.

*115.2 Issuance.* Delete entire section.

*115.3 Unlawful continuance.* Rename and amend in its entirety:

**115.3 Issuance and unlawful continuance.** Upon notice from the code official that work is being done contrary to the provisions of this code or in a dangerous or unsafe manner such work shall immediately cease. Such notice shall be in writing and shall be given to the owner of the property, or to the owner's agent, or to the person doing the work, or visibly posted at the work site. The notice shall state the conditions under which the work is authorized to resume. Where an emergency exists, the code official shall not be required to give a written notice prior to stopping the work. Any person who shall continue any work in or about the structure after having been served with a stop work order, except such work that person is directed to perform to remove a violation or unsafe condition, shall be liable to a fine of not less than 60 dollars or not more than 1,000 dollars.

*303.1.4 Accessory to places of religious worship.* Amend to read in its entirety.

**303.1.4 Accessory to places of religious worship.**

1. Accessory religious educational rooms and religious auditoriums with occupant loads of less than 100 per room or space are not considered separate occupancies.
2. Rooms and spaces within places of religious worship providing overnight homeless sheltering for fewer than 50 occupants, for less than 16 continuous hours, shall be classified as part of the primary occupancy provided the aggregate area used for sleeping is less than 10,000 square feet and has all of the following:
  - a) exiting and emergency lighting
  - b) operational smoke alarms and carbon monoxide alarms in all sleeping areas
  - c) a minimum of one awake attendant
  - d) an emergency plan.

An operational permit and an approved emergency plan for such use may be required on an annual basis through the governing Fire Code Official subject to review of compliance with these provisions.

*306.2 Moderate-hazard factory industrial, Group F-1.* Amend the paragraph to read:

**Moderate-hazard factory industrial, Group F-1.** Factory industrial uses that are not classified as Factory Industrial F-2 Low hazard shall be classified as F-1 Moderate

Hazard, to include occupancies involving combustible and non-combustible extraction methods, and shall include, but not limited to, the following:

*306.2 Moderate-hazard factory industrial, Group F-1.* Add the following uses to this section:

Marijuana cultivation

Marijuana products containing hash oil

*308.2 Institutional Group I-1.* Amend to read in its entirety:

**308.2 Institutional Group I-1.** Institutional Group I-1 occupancy shall include buildings, structures or portions thereof for more than 16 persons, excluding staff, who reside on a 24-hour basis in a supervised environment and receive custodial care. Buildings of Group I-1 shall be classified as a Condition 2 unless approved by the building and fire code official as a Condition 1. This group shall include, but not be limited to the following:

*309.1 Mercantile Group M.* Add the following use to this section:

Sale of marijuana, products containing marijuana and hash oil, and devices for use in the consumption of marijuana

*310.5 Residential Group R-4.* Amend to read in its entirety:

**310.5 Residential Group R-4.** Residential Group R-4 shall include buildings, structures or portions thereof for more than five but not more than 16 persons, excluding staff, who reside on a 24-hour basis in a supervised residential environment and received custodial care. Buildings of Group R-4 shall be classified as a Condition 2 unless approved by the building and fire code official as a Condition 1. This group shall include, but not be limited to the following:

*420.4 Automatic sprinkler system.* Amend the paragraph to read:

**420.4 Automatic sprinkler system.** Group R occupancies, with the exception of one and two family dwellings and townhouses, shall be equipped throughout with an automatic sprinkler system in accordance with Section 903.2.8. Group I-1 occupancies shall be equipped throughout with an automatic sprinkler system in accordance with Section 903.2.6. Quick response or residential automatic sprinklers shall be installed in accordance with Section 903.3.2.

*903.2.8.1 Group R-3.* Amend to read in its entirety:

**903.2.8.1 Group R-3.** An automatic sprinkler system shall be installed in group R-3 occupancies, with the exception of one and two single family dwellings and townhouses.

*1101.2 Design.* Amend to read in its entirety:

**1102.1 Design.** Buildings and facilities shall be designed and constructed to be accessible in accordance with this code and ICC A117.1-2009 Edition.

*1209.2 Attic spaces.* Amend to read in its entirety:

**1209.2 Attic spaces.** An opening not less than 20 inches by 30 inches shall be provided to any attic area having a clear height of over 30 inches. A 30-inch minimum clear headroom in the attic space shall be provided at all points directly above the access opening. The finish opening dimensions of attic accesses shall be a minimum of 20 inches by 30 inches.

*1507.2.7 Attachment.* Amend to read in its entirety:

**1507.2.7 Attachment.** Asphalt shingles shall be attached with a minimum of 6 nails per shingle or as specified by the manufacturer, whichever is more restrictive. Where the roof slope exceeds 20 units vertical in 12 units horizontal (167 percent slope) special methods of fastening are required. Special fastening methods shall be tested in accordance with ASTM D 3161, Class F. Asphalt shingle wrappers shall bear a label indicating compliance with ASTM D 3161, Class F.

*1507.2.8.2 Ice barrier.* Amend to read in its entirety:

**1507.2.8.2 Ice barrier.** Ice barrier complying with ASTM D1970 shall be required in lieu of normal underlayment at roof eaves and shall extend from the eave edge to a point at least 24 inches inside the exterior wall line of the building.

**Exception:** Detached structures and attached garages that contain no conditioned floor area.

*1607.12 Loads.* Amend to read in its entirety:

**1607.12 Roof loads.** The structural supports of roofs and marquees shall be designed to resist wind and, where applicable, snow and earthquake loads, in addition to the dead load of construction and the appropriate live loads as prescribed in this section, or as set forth in Table 1607.1. The live loads acting on a sloping surface shall be assumed to act vertically on the horizontal projection of that surface. For Hoop Houses as defined in Section 3102.2, the minimum live load for roofs shall be 5 PSF for coverings and 20 PSF for structural components.

*1609.1 Application.* Amend to read in its entirety:

**1609.1 Application.** Buildings, structures and parts thereof shall be designed to withstand the minimum wind loads prescribed herein. Decreases in wind loads shall not be made for the effect of shielding by other structures.

**Exception:** Hoop Houses as defined in Section 3102.2 shall be designed to provide resistance to a minimum wind speed of 70 miles per hour.

*1808.1 General.* Amend to read in its entirety:

**1808.1 General.** Footings shall be designed and constructed in accordance with Sections 1805.1 through 1805.9. Footings and foundations shall be built on undisturbed soil, compacted fill material or CLSM. Compacted fill material shall be placed in accordance with Section 1803.5. CLSM shall be placed in accordance with 1803.6.

All footing and foundation systems for additions and new structures shall be designed by a structural engineer licensed by the State of Colorado. Submitted plans for these



systems shall be wet-stamped and signed by the engineer of record at the time of permit application.

The top surface of footings shall be level. The bottom surface of footings is permitted to have a slope not exceeding one unit vertical in 10 units horizontal (10 percent slope). Footings shall be stepped where it is necessary to change the elevation of the top surface of the footing or where the surface of the ground slopes more than the one unit vertical in 10 units horizontal (10 percent slope).

*3001.2 Referenced Standards.* Amend to read in its entirety:

**3001.2 Referenced Standards.** Except as otherwise provided for in this Code, the design, construction, installation, alteration, repair and maintenance of elevators and conveying systems and their components shall conform to ASME A90.1, ASME B20.1, ALCTV, and ASCE 24 for construction in flood hazard areas established in section 1612.3 of this code. The design, construction installation, alteration, repair and maintenance of elevators and conveying systems shall also conform to ASME A17.1, ASME A17.2, ASME A17.3, ASME A18.1 and ASME QE-1 and all other standards referenced in Section 2-6-1(1) of the Colorado Department of Labor and Employment, Division of Public Safety Conveyance Regulations, 7 Colo. Code Regs. 1101-8, as now and hereafter amended (the "OPS Regulations").

*3102.2 Definitions.* Add the following language to Section 3102.2:

**HOOP HOUSE.** A structure not exceeding 1,000 square feet in floor area with a maximum six mils thick poly film roof and wall covering installed over rounded structural members in which there is no storage of solvents, fertilizers, gases or other chemicals or flammable materials. Structures not complying with all of the specifics set forth in the definition above shall be defined in accordance with adopted code and standard practice. Hoop houses exceeding 1,000 square feet in size shall be defined as greenhouses for the purpose of determining applicability of adopted codes and regulations.

*3102.3 Type of construction.* Amend to read in its entirety:

**3102.3 Type of construction.** Noncombustible membrane structures shall be classified as Type IIB construction. Noncombustible frame or cable-supported structures covered by and approved membrane in accordance with Section 3102.3.1 shall be classified as Type IIB construction. Heavy timber frame-supported structures covered by an approved membrane in accordance with Section 3102.3.1 shall be classified as Type IV construction. Other membrane structures, and hoop houses as defined in Section 3102.2, shall be classified as Type V construction.

**Exception:** Plastic less than 30 feet above any floor used in hoop houses as defined in Section 3102.2 and greenhouses, where occupancy by the general public is not authorized, and for aquaculture pond covers is not required to meet the fire propagation performance criteria of NFPA 701.

*3102.3.1 Membrane and interior liner.* Amend to read in its entirety:

**3102.3.1 Membrane and interior liner material.** Membrane and interior liners shall be either noncombustible as set forth in Section 703.4 or meet the fire propagation performance criteria of NFPA 701 and the manufacturer's test protocol.

**Exception:** Plastic less than 20 mil in thickness used in hoop houses as defined in Section 3102.2 and in greenhouses, where occupancy by the general public is not authorized, and for aquaculture pond covers is not required to meet the fire propagation performance criteria of NFPA 701.

*3102.4 Allowable floor areas.* Amend to read in its entirety:

**3102.4 Allowable floor areas.** The area of a membrane structure shall not exceed the limitations set forth in Table 503, except as provided in Section 506. The floor area of Hoop Houses as defined in Section 3102.2 shall not exceed 1,000 square feet.

*3102.5 Maximum height.* Amend to read in its entirety:

**3102.5 Maximum height.** Membrane structures shall not exceed one story nor shall such structures exceed the height limitations in feet set forth in Table 503. Hoop houses as defined in Section 3102.2 shall not exceed applicable heights as determined by regulations set forth in Municipal Code Sections 26-205, 26-214, and 26-625.

**Exception:** Noncombustible membrane structures serving as roofs only.

*3102.6.1 Noncombustible membrane.* Amend to read in its entirety:

**Section 3102.6.1 Noncombustible membrane.** A noncombustible membrane shall be permitted for use as the roof or as a skylight of any building or atrium of a building of any type of construction provided it is at least 20 feet above any floor, balcony or gallery. A noncombustible poly film not exceeding 6 millimeters in thickness shall be permitted to be used as the roof and wall covering for structures defined as Hoop Houses in Section 3102.2, regardless of height.

**Section 2.** Section 5-76 of the Code, concerning the National Electrical Code, is hereby repealed and reenacted to read in its entirety as follows:

**Sec. 5-76. National Electrical Code.**

- (a) *Adoption.* The National Electrical Code, (NFPA-70) 2017 Edition, copyrighted by the National Fire Protection Association, Batterymarch Park, Quincy, Massachusetts, 01269-7471, is hereby adopted by reference and incorporated into this article as though fully set forth herein as the electrical code of the City of Wheat Ridge. One (1) copy of said National Electrical Code shall be filed in the office of the city clerk and may be inspected during regular business hours. Any modifications to or newer versions of the National Electrical Code (NFPA-70) that are adopted by the Colorado State Electrical Board pursuant to its authority under C.R.S. §12-23-104(2)(a) shall be automatically incorporated herein and deemed to modify this code. The 2017 National Electrical Code shall be known as the "N.E.C." or the "electrical code" and may be cited and referred to as such.
- (b) *Purpose.* The purpose of this section is to provide minimum standards to safeguard life or limb, health, property, and public welfare by regulating and controlling the design,

construction, quality of materials, use and occupancy, location and maintenance of all buildings, structures and utilities and certain equipment specifically regulated herein.

- (c) *Electrical permit fees.* Electrical permit fees shall be as follows: All fees shall be computed based on the estimated project valuation at the time of application. project valuation shall include the value of all work, including all costs of labor and materials related to the project. Project valuation shall be calculated by the building division based on data published on the city website or other reasonable means, and the higher of the applicant's stated valuation and the division's calculated valuation shall be used to determine permit fees. Fees shall be computed based upon Table 1-A of the city's fee schedule, as adopted from time to time by city council resolution ("Table 1-A"), at time of obtaining the permit.
- (d) *Fees for work without a permit.* Items of work for which a permit is required under this section which are commenced before a permit is secured shall be assessed a fee as set forth in Table 1-A. This fee shall be in addition to the permit fee required for such work pursuant to Table 1-A.
- (e) *Electrical inspections.*

(1) *General.* All construction and work for which a permit is required by the code adopted by this section 5-77 shall be subject to inspection by the building official to ensure compliance with said code and such construction or work shall remain accessible and exposed for inspection purposes until approved. Approval as a result of an inspection shall not be construed to be an approval of a violation of the provisions of the code adopted by this section or of other ordinances of the city. Inspections presuming to give authority to violate or cancel the provisions of the code adopted by this section or of other ordinances of the city shall not be valid. It shall be the duty of the permit applicant to cause the work to remain accessible and exposed for inspection purposes. Neither the building official nor the city shall be liable for expense entailed in the removal or replacement of any material required to allow inspection. Approval of one (1) portion of work upon inspection shall not constitute approval of any other portion of work requiring inspection.

(2) *Inspection agencies.* The building official is authorized to accept reports of inspection agencies, provided such agencies satisfy the building official's requirements as to qualifications and reliability.

(3) *Permit posted.* Inspection records available. No construction or work for which a permit is required by the code adopted by this section shall be commenced until such required permit is posted at the work site. Additionally, all inspection records for a work site shall be maintained and made available for inspection by the city on-site at all times that work is occurring at such site.

**Section 3.** Section 5-78 of the Code, concerning the International Mechanical Code, is hereby repealed and reenacted to read in its entirety as follows:

**Sec. 5-78. Mechanical Code.**

- (a) *Adoption.* The International Mechanical Code, 2018 Edition, is hereby adopted by reference and incorporated into this article as though fully set forth herein as the mechanical code of the City of Wheat Ridge. One (1) copy of said International Mechanical Code shall be filed in the office of the city clerk and may be inspected during regular business hours. Except as otherwise provided hereafter, such code is adopted in full, including the outline of contents and index contained herein. The 2018 International Mechanical Code shall be known as the "I.M.C." or the "mechanical code" and may be cited and referred to as such.
- (b) *Amendments.* The International Mechanical Code adopted by this section is amended as follows. Section numbers referred to herein refer to and correspond with the section numbers of the 2018 International Mechanical Code.

*101.1 Title.* Amend to read in its entirety:

**101.1 Title.** These regulations shall be known as the *Mechanical Code* of the City of Wheat Ridge hereinafter referred to as "this code."

*106.3.1 Construction documents.* Amend to read in its entirety:

**106.3.1 Construction documents.** Construction documents, statement of special inspections and other data shall be submitted in two (2) sets with each application for permit. The Building Official may allow additional sets to be submitted to allow for concurrent review to decrease the review time for applicants who wish to submit the additional documents. The code official shall require construction documents, computations and specifications to be prepared and designed by a registered design professional when required by state law. Where special conditions exist, the code official is authorized to require additional construction documents to be prepared by a registered design professional. Construction documents shall be drawn to scale and shall be of sufficient clarity to indicate the location, nature and extent of the work proposed and show in detail that the work conforms to the provisions of this code. Construction documents for buildings more than two stories in height shall indicate where penetrations will be made for mechanical systems, and the materials and methods for maintaining required structural safety, fire-resistance rating and fireblocking.

**Exception:** The code official shall have the authority to waive the submission of construction documents, calculations or other data if the nature of the work applied for is such that reviewing of construction documents is not necessary to determine compliance with this code.

*106.4.3 Expiration.* Amend to read in its entirety:

**106.4.3 Expiration.** Every permit issued by the code official under the provisions of this code shall expire one year (365 days) after the date of issuance. The building official is authorized to grant, in writing, one or more extensions of time, for periods of not more than 180 days each. The extension shall be requested in writing and justifiable cause demonstrated.

*106.5.2 Fee Schedule.* Amend to read in its entirety:

**106.5.2 Fee Schedule.** The fees for all mechanical work shall be established as set forth in Table 1-A.

*106.5.3 Fee refunds.* Amend to read in its entirety:

**106.5.3 Fee refunds.** The code official shall authorize the refunding of fees as follows:

1. The full amount any fee paid hereunder that was erroneously paid or collected.
2. Not more than 100 percent of the permit fee paid when no work has been done under a permit issued in accordance with this code.
3. Not more than 80 percent of the plan review fee paid when an application for a permit for which a plan review fee has been paid is withdrawn or canceled before any plan review effort has been expended.
4. Not more than 50 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 after initiation of any plan review effort.

Note: The code official shall not authorize the refunding of any fee paid except upon written application filed by the original permittee not later than 180 days after the date of fee payment.

*108.4 Violation penalties.* Amend to read in its entirety:

**108.4 Violation penalties.** Any person or entity 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 or repair mechanical work in violation of the approved construction documents or directive of the code official, or of a permit or certificate issued under the provisions of this code, shall be guilty of a misdemeanor, punishable by a fine of not more than \$1,000.00 dollars or by imprisonment not exceeding 90 days, or both such fine and imprisonment; provided, however, that no person under the age of eighteen (18) years shall be subjected to imprisonment. Each day that a violation continues after due notice has been served shall be deemed a separate offense.

*108.5 Stop work orders.* Amend to read in its entirety:

**108.5 Stop work orders.** Upon notice from the code official, work on any mechanical system that is being done contrary to the provisions of this code or in a dangerous or unsafe manner shall immediately cease. Such notice shall be in writing and shall be given to the owner of the property, or to the owner's agent, or to the person doing the work, or visibly posted at the work site. The notice shall state the conditions under which the work is authorized to resume. Where an emergency exists, the code official shall not be required to give a written notice prior to stopping the work. Any person who shall continue any work in or about the structure after having been served with a stop work order, except such work that person is directed to perform to remove a violation or unsafe condition, shall be liable to a fine of not less than 60 dollars or not more than 1,000 dollars.

*109 Means of Appeal.* Amend to read in its entirety:

**109 Means of Appeal.** Appeals of decisions and determinations made by the Building Official shall comply with the process and procedures set forth in City of Wheat Ridge Municipal Code Sections 2-59 and 5-25. An application for appeal shall be based on claim the true intent of this code or the rules legally adopted thereunder, and fines, have

been incorrectly interpreted, the provisions of the code do not fully apply, or an equally good or better form of construction is proposed.

*502.21 Marijuana related occupancies.* Add the following section:

**502.21 Marijuana related occupancies.** Occupancies involved in the sale, transfer, packaging, processing, cultivation, production, extraction or destruction of plants and their parts, devices designed for the use of marijuana and marijuana products, products containing marijuana and hash oil, hash oil or other marijuana related operations and activities shall provide an approved source capture system capable of removing particulate and odors as required to achieve levels that do not constitute as nuisance to adjacent occupants, structures and properties.

**Section 4.** Section 5-79 of the Code, concerning the International Plumbing Code, is hereby repealed and reenacted to read in its entirety as follows:

**Sec. 5-79. Plumbing Code.**

- (a) *Adoption.* The International Plumbing Code, 2018 Edition, is hereby adopted by reference and incorporated into this article as though fully set forth herein as the plumbing code of the City of Wheat Ridge. One (1) copy of said International Plumbing Code shall be filed in the office of the city clerk and may be inspected during regular business hours. Except as otherwise provided hereafter, such code is adopted in full, including the outline of contents and index contained herein. The 2018 International Plumbing Code shall be known as the "I.P.C." or the "plumbing code" and may be cited and referred to as such.
- (b) *Amendments.* The International Plumbing Code adopted by this section is amended as follows. Section numbers referred to herein refer to and correspond with the section numbers of the 2018 International Plumbing Code.

*101.1 Title.* Amend to read in its entirety:

**101.1 Title.** These regulations shall be known as the *Plumbing Code* of the City of Wheat Ridge hereinafter referred to as "this code."

*106.3.1 Construction documents.* Amend to read in its entirety:

**106.3.1 Construction documents.** The registered design professional shall submit to the code official two complete sets of signed and sealed construction documents for the alternative engineered design. The construction documents shall include floor plans and a riser diagram of the work. Where appropriate, the construction documents shall indicate the direction of flow, all pipe sizes, grade of horizontal piping, loading, and location of fixtures and appliances.

**Exception:** The code official shall have the authority to waive the submission of construction documents, calculations or other data if the nature of the work applied for is such that submission of construction documents is not necessary to determine compliance with this code.

*106.5.3 Expiration.* Amend to read in its entirety:

**106.5.3 Expiration.** Every permit issued by the code official under the provisions of this code shall expire one year (365 days) after the date of issuance. The building official is authorized to grant, in writing, one or more extensions of time, for periods of not more than 180 days each. The extension shall be requested in writing and justifiable cause demonstrated.

*106.6.2 Fee Schedule.* Amend to read in its entirety:

**106.6.2 Fee Schedule.** The fees for all plumbing work shall be established as set forth in Table 1-A.

*106.6.3 Fee refunds.* Amend to read in its entirety:

**106.6.3 Fee refunds.** The code official shall authorize the refunding of fees as follows:

1. The full amount any fee paid hereunder that was erroneously paid or collected.
2. Not more than 100 percent of the permit fee paid when no work has been done under a permit issued in accordance with this code.
3. Not more than 80 percent of the plan review fee paid when an application for a permit for which a plan review fee has been paid is withdrawn or canceled before any plan review effort has been expended.
4. Not more than 50 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 after initiation of any plan review effort.

Note: The code official shall not authorize the refunding of any fee paid except upon written application filed by the original permittee not later than 180 days after the date of fee payment.

*108.4 Violation penalties.* Amend to read in its entirety:

**108.4 Violation penalties.** Any person or entity 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 or repair plumbing work in violation of the approved construction documents or directive of the code official, or of a permit or certificate issued under the provisions of this code, shall be guilty of a misdemeanor, punishable by a fine of not more than \$1,000.00 dollars or by imprisonment not exceeding 90 days, or both such fine and imprisonment; provided, however, that no person under the age of eighteen (18) years shall be subjected to imprisonment. Each day that a violation continues after due notice has been served shall be deemed a separate offense.

*108.5 Stop work orders.* Amend to read in its entirety:

**108.5 Stop work orders.** Upon notice from the code official, work on any plumbing system that is being done contrary to the provisions of this code or in a dangerous or unsafe manner shall immediately cease. Such notice shall be in writing and shall be given to the owner of the property, or to the owner's agent, or to the person doing the work, or visibly posted at the work site. The notice shall state the conditions under which the work is authorized to resume. Where an emergency exists, the code official shall not be required to give a written notice prior to stopping the work. Any person who shall continue any work in or about the structure after having been served with a stop work order, except such work that person is directed to perform to remove a violation or unsafe

condition, shall be liable to a fine of not less than 60 dollars or not more than 1,000 dollars.

*109 Means of Appeal.* Amend to read in its entirety:

**109 Means of Appeal.** Appeals of decisions and determinations made by the Building Official shall comply with the process and procedures set forth in City of Wheat Ridge Municipal Code Sections 2-59 and 5-25. An application for appeal shall be based on claim the true intent of this code or the rules legally adopted thereunder, including fines, have been incorrectly interpreted, the provisions of the code do not fully apply, or an equally good or better form of construction is proposed.

*403.1 Minimum number of fixtures.* Delete the text of this section, while maintaining Table 403.1, and insert:

**403.1 Minimum number of fixtures.** Plumbing fixtures shall be provided for the type of occupancy and in the minimum number shown in Tables 403.1 and 403.1.1. Types of occupancies not shown in Tables 403.1 and 403.1.1 shall be considered individually by the code official. The number of occupants shall be determined by the International Building Code. Occupancy classification shall be determined in accordance with the International Building Code. Table 403.1.1 shall be as follows:

**Table 403.1.1**

Occupancy	Description	Separate Sex Facilities Required When Occupant Load Exceeds
A-1	Theaters and other buildings for the performing arts and motion pictures	65
A-2	Nightclubs, bars, taverns, dance halls and buildings for similar purposes	40
	Restaurants, banquet halls and food courts	75
A-3	Auditoriums without permanent seating, art galleries, exhibition halls, museums, lecture halls, libraries, arcades and gymnasiums	65
	Passenger terminals and transportation facilities	250
	Places of worship and other religious services	75
A-4	Coliseums, arenas, skating rinks, pools and tennis courts for indoor sporting events and activities	40



A-5	Stadiums, amusement parks, bleachers and grandstands for outdoor sporting events and activities	40
B	Buildings for the transaction of business, professional services, other services involving merchandise, office buildings, banks, light industrial and similar uses	25
E	Educational facilities	50
F1 & F2	Structures in which occupants are engaged in work fabricating, assembly or processing of products or materials	100
I-1	Residential care	10
I-2	Hospitals, ambulatory nursing home patients	N/A
	Employees, other than residential care	25
	Visitors, other than residential care	75
I-3	Prisons	N/A
I-3	Reformatories, detention centers, and correctional centers	15
I-4	Adult day care and child care	15
M	Retail stores, service stations, shops, salesrooms, markets and shopping centers	125
R-1	Hotels, motels, boarding houses (transient)	N/A
R-2	Dormitories, fraternities, sororities and boarding houses (not transient)	10
R-2	Apartment house	N/A
R-3	One- and two-family dwellings	N/A
R-4	Residential care/assisted living facilities	10
S-1 S-2	Structures for the storage of goods, warehouses, storehouse and freight depots. Low and moderate hazard	100

*305.4.1 Sewer Depth. Amend to read in its entirety.*

**305.4.1 Sewer depth.** Building sewers that connect to private sewage disposal systems shall not be less than 12 inches below finished grade at the point of septic tank connection. Building sewers shall not be less than 12 inches below grade.

*903.1 Roof Extensions. Amend to read in its entirety:*

**903.1 Roof Extension.** All open pipes that extend through a roof shall be terminated at least twelve inches above the roof, except that where a roof is to be used for any occupiable purpose, the vent extensions shall be run at least 7 feet (2,134 mm) above the roof.

**Section 5.** Section 5-80 of the Code, concerning the Uniform Code for the Abatement of Dangerous Buildings, is hereby repealed and reenacted to read in its entirety as follows:

**Sec. 5-80. Uniform Code for the Abatement of Dangerous Buildings.**

(a) *Adopted.* The Uniform Code for the Abatement of Dangerous Buildings, 1997 Edition, copyright 1997, by the International Conference of Building Officials, 5360 Workman Mill Road, Whittier, California, 90601-2298, is hereby adopted by reference and incorporated into this article as though fully set forth herein as the code of the City of Wheat Ridge for the abatement of dangerous buildings. One copy of said Uniform Code for the Abatement of Dangerous Buildings shall be filed in the office of the city clerk and may be inspected during regular business hours. Such code is hereby adopted in full.

(b) *Amendments.* None

**Section 6.** Section 5-82 of the Code, concerning the International Property Maintenance Code, is hereby repealed and reenacted to read in its entirety as follows:

**Sec. 5-82. Property Maintenance Code.**

(a) *Adoption.* The International Property Maintenance Code, 2018 Edition, is hereby adopted by reference and incorporated into this article as though fully set forth herein as the property maintenance code of the City of Wheat Ridge. One (1) copy of said International Property Maintenance Code shall be filed in the office of the city clerk and may be inspected during regular business hours. Except as otherwise provided hereafter, such code is adopted in full, including the outline of contents and index contained herein. The 2018 International Property Maintenance Code shall be known as the "I.P.M.C." or the "property maintenance code" and may be cited and referred to as such.

(b) *Amendments.* The International Property Maintenance Code adopted by this section is amended as follows. Section numbers referred to herein refer to and correspond with the section numbers of the 2018 International Property Maintenance Code.

*101.1 Title. Amend to read in its entirety:*

**101.1 Title.** These regulations shall be known as the *Property Maintenance Code* of the City of Wheat Ridge, hereinafter referred to as "this code."

*111 Means of Appeal.* Amend to read in its entirety:

**111 Means of Appeal.** Appeals of decisions and determinations made by the Building Official shall comply with the process and procedures set forth in City of Wheat Ridge Municipal Code Sections 2-59 and 5-25. An application for appeal shall be based on a claim that the true intent of this code or the rules legally adopted thereunder, and fines, have been incorrectly interpreted, the provisions of the code do not fully apply, or an equally good or better form of construction is proposed.

*112.4 Failure to comply.* Amend to read in its entirety:

**112.4 Failure to comply.** Any person who shall continue any work in or about the structure after having been served with a stop work order, except such work that person is directed to perform to remove a violation or unsafe condition, shall be liable to a fine of not less than 60 dollars or not more than 1,000 dollars.

*302.4 Weeds.* Amend to read in its entirety:

**302.4 Weeds.** All premises and exterior property shall be maintained free from weeds or plant growth in excess of twelve (12) inches in height. All noxious weeds shall be prohibited. Weeds shall be defined as all grasses, annual plants and vegetation, other than trees or shrubs provided; however this term shall not include cultivated flowers and gardens.

*303.2 Enclosures.* Amend to read in its entirety:

**303.2. Enclosures.** Private swimming pools, hot tubs and spas, containing water more than 24 inches in depth shall be completely surrounded by a fence or barrier at least 60 inches in height above the finished ground level measured on the side of the barrier away from the pool. Gates and doors in such barriers shall be self-closing and self-latching. Where the self-latching device is less than 54 inches above the bottom of the gate, the release mechanism shall be located on the pool side of the gate. Self-closing and self-latching gates shall be maintained such that the gate will positively close and latch when released from an open position of 6 inches from the gate post. No existing pool enclosure shall be removed, replaced or changed in a manner that reduces its effectiveness as a safety barrier.

**Exception:** Spas or hot tubs with a safety cover that complies with ASTM F 1346 shall be exempt from the provisions of this section.

*304.14 Insect screens.* Amend to read in its entirety:

**304.14 Insect screens.** Insect screens shall be provided on every door, window and other outside opening required for ventilation of habitable rooms, food preparation areas, food service areas or any areas where products to be included in food for human consumption are processed, manufactured, packaged or stored shall be supplied with approved tightly fitting screens of minimum 16 mesh per inch, and every screen door used for insect control shall have a self-closing device in good working condition.

**Exception:** Screens shall not be required where other approved means, such as air curtains or insect repellent fans, are employed.

*602.3 Heat supply.* Amend to read in its entirety:

**602.3 Heat supply.** Every owner and operator of any building who rents, leases or lets one or more dwelling units or sleeping units on terms, either expressed or implied, to furnish heat to the occupants thereof shall supply heat to maintain a minimum temperature of 68 degrees in all habitable rooms, bathrooms and toilet rooms.

**Section 7.** Section 5-84 of the Code, concerning the International Energy Conservation Code, is hereby repealed and reenacted to read in its entirety as follows:

**Sec. 5-84. Energy Conservation Code.**

(a) *Adoption.* The International Energy Conservation Code, 2018 Edition, is hereby adopted by reference and incorporated into this article as though fully set forth herein as the energy conservation code of the City of Wheat Ridge. One (1) copy of said International Energy Conservation Code shall be filed in the office of the city clerk and may be inspected during regular business hours. Except as otherwise provided hereafter, such code is adopted in full, including the outline of contents and index contained herein. The only Appendices hereby adopted by reference are Appendices CA and RA. The 2018 International Energy Conservation Code shall be known as the "I.E.C.C." or the "energy code" and may be cited and referred to as such.

(b) *Amendments.* The International Energy Conservation Code adopted by this section is amended as follows. Section numbers referred to herein refer to and correspond with the section numbers of the 2018 International Energy Conservation Code.

*C101.1 Title.* Amend to read in its entirety:

**C101.1 Title.** These regulations shall be known as the *Energy Conservation Code* of the City of Wheat Ridge, and shall be cited as such. It is referred to herein as "this code."

*C103.1 General.* Amend to read in its entirety:

**C103.1 General.** Construction documents, statement of special inspections and other data shall be submitted in two (2) sets with each application for permit. The Building Official may allow additional sets to be submitted to allow for concurrent review to decrease the review time for applicants who wish to submit the additional documents. The code official is authorized to require necessary construction documents to be prepared by a registered design professional.

**Exception:** The code official is authorized to waive the requirements for construction documents or other supporting data if the code official determines they are not necessary to confirm compliance with this code.

*C108 Stop work orders.* Amend to read in its entirety:

**C108 Stop work orders.** Upon notice from the code official that work is being done contrary to the provisions of this code or in a dangerous or unsafe manner shall immediately cease. Such notice shall be in writing and shall be given to the owner of the property, or to the owner's agent, or to the person doing the work, or visibly posted at the work site. The notice shall state the conditions under which the work is authorized to resume. Where an emergency exists, the code official shall not be required to give a

written notice prior to stopping the work. Any person who shall continue any work in or about the structure after having been served with a stop work order, except such work that person is directed to perform to remove a violation or unsafe condition, shall be deemed to be in violation of this code.

*C109 Board of Appeals.* Amend to read in its entirety:

**C109. Board of Appeals.** Appeals of decisions and determinations made by the Building Official shall comply with the process and procedures set forth in City of Wheat Ridge Municipal Code Sections 2-59 and 5-25. An application for appeal shall be based on a claim that the true intent of this code or the rules legally adopted thereunder, including fines, have been incorrectly interpreted, the provisions of the code do not fully apply, or an equally good or better form of construction is proposed.

*C110 Violation penalties.* Add the following section:

**C110 Violation penalties.** Any person or entity 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 or repair work in violation of the approved construction documents or directive of the code official, or of a permit or certificate issued under the provisions of this code, shall be guilty of a misdemeanor, punishable by a fine of not more than \$1,000.00 dollars or by imprisonment not exceeding 90 days, or both such fine and imprisonment; provided, however, that no person under the age of eighteen (18) years shall be subjected to imprisonment. Each day that a violation continues after due notice has been served shall be deemed a separate offense.

*R101.1 Title.* Amend to read in its entirety:

**R101.1 Title.** These regulations shall be known as the *Energy Conservation Code* of the City of Wheat Ridge, and shall be cited as such. It is referred to herein as "this code."

*R103.1 General.* Amend to read in its entirety:

**R103.1 General.** Construction documents, statement of special inspections and other data shall be submitted in two (2) sets with each application for permit. The Building Official may allow additional sets to be submitted to allow for concurrent review to decrease the review time for applicants who wish to submit the additional documents. The code official is authorized to require necessary construction documents to be prepared by a registered design professional.

**Exception:** The code official is authorized to waive the requirements for construction documents or other supporting data if the code official determines they are not necessary to confirm compliance with this code.

*R108 Stop work orders.* Amend to read in its entirety:

**R108 Stop work orders.** Upon notice from the code official that work is being done contrary to the provisions of this code or in a dangerous or unsafe manner shall immediately cease. Such notice shall be in writing and shall be given to the owner of the property, or to the owner's agent, or to the person doing the work, or visibly posted at the

work site. The notice shall state the conditions under which the work is authorized to resume. Where an emergency exists, the code official shall not be required to give a written notice prior to stopping the work. Any person who shall continue any work in or about the structure after having been served with a stop work order, except such work that person is directed to perform to remove a violation or unsafe condition, shall be deemed to be in violation of this code.

*R109 Board of Appeals. Amend to read in its entirety:*

**R109. Board of Appeals.** Appeals of decisions and determinations made by the Building Official shall comply with the process and procedures set forth in City of Wheat Ridge Municipal Code Sections 2-59 and 5-25. An application for appeal shall be based on a claim that the true intent of this code or the rules legally adopted thereunder, including fines, have been incorrectly interpreted, the provisions of the code do not fully apply, or an equally good or better form of construction is proposed.

*R110 Violation penalties. Add the following section:*

**R110 Violation penalties.** Any person or entity 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 or repair work in violation of the approved construction documents or directive of the code official, or of a permit or certificate issued under the provisions of this code, shall be guilty of a misdemeanor, punishable by a fine of not more than \$1,000.00 dollars or by imprisonment not exceeding 90 days, or both such fine and imprisonment; provided, however, that no person under the age of eighteen (18) years shall be subjected to imprisonment. Each day that a violation continues after due notice has been served shall be deemed a separate offense.

*Appendix CA: Solar-ready zone commercial. Amend appendix in its entirety.*

The following section CA103.7 is only adopted.

**CA103.7 Electrical service reserved space.** The main electrical service panel shall have a reserved space to allow installation of a dual pole circuit breaker for future solar electric installation and shall be labeled "For Future Solar Electric." The reserved space shall be positioned at the end of the panel that is opposite from the supply conductor connection.

*Appendix RA: Solar-ready provisions – detached one- and two-family dwellings and townhouses. Amend appendix in its entirety*

The following section RA103.7 is only adopted.

**RA103.7 Electrical service reserved space.** The main electrical service panel shall have a reserved space to allow installation of a dual pole circuit breaker for future solar electric installation and shall be labeled "For Future Solar Electric." The reserved space shall be positioned at the opposite (load) end from the input feeder location or the main circuit breaker.

**Section 8.** Section 5-85 of the Code, concerning the International Residential Code, is hereby repealed and reenacted to read in its entirety as follows:

**Sec. 5-85. Residential Code.**

- (a) *Adoption.* The International Residential Code, 2018 Edition, is hereby adopted by reference and incorporated into this article as though fully set forth herein as the one- and two-family dwelling code of the City of Wheat Ridge. One (1) copy of said International Residential Code shall be filed in the office of the city clerk and may be inspected during regular business hours. Except as otherwise provided hereafter, such code is adopted in full, including the outline of contents and index contained herein. The only Appendices hereby adopted by reference are Appendices A, B, C, D, F, H, H, J, and Q. The 2018 International Residential Code shall be known as the "I.R.C." or the "residential code" and may be cited and referred to as such.
- (b) *Amendments.* The International Residential Code adopted by this section is amended as follows. Section numbers referred to herein refer to and correspond with the section numbers of the 2018 International Residential Code.

*R101.1 Title.* Amend to read in its entirety:

**R101.1 Title.** These provisions shall be known as the *Residential Code for One- and Two-family Dwellings* of the City of Wheat Ridge, and shall be cited as such and will be referred to herein as "this code." *R101.1 Title.* Amend to read in its entirety:

*R101.2 Scope.* Amend to read in its entirety:

**R101.2 Scope.** The provisions of the International Residential Code for One- and Two-Family Dwellings shall apply to the construction, alteration, movement, enlargement, replacement, repair, equipment, use and occupancy, location, removal and demolition of detached one- and two-family dwellings and townhouses not more than three stories above grade plane in height with separate means of egress and their accessory structures.

*R105.2 Work exempt from permit.* Amend to read in its entirety:

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

**Building:**

1. One-story detached accessory structures used as tool and storage sheds, playhouses and similar uses, provided the floor area does not exceed 120 square feet.
2. Fences not over 6 feet high.
3. Retaining walls that are not over 4 feet in height measured from the bottom of the footing to the top of the wall, unless supporting a surcharge.
4. Water tanks supported directly on grade if the capacity does not exceed 5,000 gallons and the ratio of height to diameter or width does not exceed 2 to 1.
5. Sidewalks and driveways.
6. Painting, papering, tiling, carpeting, cabinets, counter tops and similar finish work that is not part of the scope of a larger permissible project.
7. Prefabricated swimming pools that are less than 24 inches deep.
8. Swings and other portable playground equipment.

9. Window awnings supported by an exterior wall which do not project more than 54 inches from the exterior wall and do not require additional support.
10. Decks not exceeding 120 square feet in area, that are not more than 30 inches above grade at any point, are not attached to a dwelling unit and do not serve the exit door required by Section R311.4.
11. Hoop houses as defined in Section 3102.2 of the International Building Code that do not exceed 400 square feet in floor area, that are not occupied by the general public, and that do not contain mechanical or electrical devices, equipment or systems.
12. Residential lawn sprinkler systems.

**Electrical:**

1. Listed cord-and-plug connected temporary decorative lighting.
2. Reinstallation of attachment plug receptacles but not the outlets therefor.
3. Replacement of branch circuit overcurrent devices of the required capacity in the same location.
4. Electrical wiring, devices, appliances, apparatus or equipment operating at less than 25 volts and not capable of supplying more than 50 watts of energy.
5. Minor repair work, including the replacement of lamps or the connection of approved portable electrical equipment to approved permanently installed receptacles.

**Gas:**

1. Portable heating, cooking or clothes drying appliances.
2. Replacement of any minor part that does not alter approval of equipment or make such equipment unsafe.
3. Portable fuel cell appliances that are not connected to a fixed piping system and are not interconnected to a power grid.

**Mechanical:**

1. Portable heating appliances.
2. Portable ventilation appliances.
3. Portable cooling unit.
4. Steam, hot or chilled water piping within any heating or cooling equipment regulated by this code.
5. Replacement of any minor part that does not alter approval of equipment or make such equipment unsafe.
6. Portable evaporative cooler.
7. Self-contained refrigeration systems containing 10 pounds (4.54 kg) or less of refrigerant or that are actuated by motors of 1 horsepower (746W) or less.
8. Portable fuel cell appliances that are not connected to a fixed piping system and are not interconnected to a power grid.

**Plumbing:**

The stopping of leaks in drains, water, soil, waste or vent pipe; provided, however, that if any concealed trap, drainpipe, water, soil, waste or vent pipe becomes defective and it



becomes necessary to remove and replace the same with new material, such work shall be considered as new work and a permit shall be obtained and inspection made as provided in this code.

The clearing of stoppages or the repairing of leaks in pipes, valves or fixtures, and the removal and reinstallation of water closets, provided such repairs do not involve or require the replacement or rearrangement of valves, pipes or fixtures.

*R105.5 Expiration.* Amend to read in its entirety:

**R105.5 Expiration.** Every permit issued by the code official under the provisions of this code shall expire one year (365 days) after the date of issuance. The building official is authorized to grant, in writing, one or more extensions of time, for periods of not more than 180 days each. The extension shall be requested in writing and justifiable cause demonstrated.

*R106.1 Submittal documents.* Amend to read in its entirety:

**R106.1 Submittal documents.** Construction documents, statement of special inspections and other data shall be submitted in two (2) sets with each application for permit. The Building Official may allow additional sets to be submitted to allow for concurrent review to decrease the review time for applicants who wish to submit the additional documents. The construction documents shall be prepared by a registered design professional where required by the statutes of the jurisdiction in which the project is to be constructed. Where special conditions exist, the building official is authorized to require additional construction documents to be prepared by a registered design professional.

**Exception:** The building official is authorized to waive the submission of construction documents and other data not required to be prepared by a registered design professional if it is found that the nature of the work applied for is such that reviewing of construction documents is not necessary to obtain compliance with this code.

*R108.2 Schedule of permit fees.* Amend to read in its entirety:

**R108.2 Schedule of permit fees.** On buildings, structures, electrical, gas, mechanical and plumbing systems or alterations requiring a permit, a fee for each permit shall be paid as required, in accordance with the schedule as established by the applicable governing authority. The permit fee shall be established as set forth in Table 1-A.

*R108.3 Building permit valuations.* Amend to read in its entirety:

**R108.3 Building permit valuations.** The applicant for a permit shall provide an estimated project valuation at the time of application. Permit valuations shall include the total value of all work, including foundation work, structural and non-structural building components, electrical, gas, plumbing, mechanical and interior finish materials. Project valuation shall be calculated by the Building Division based on the most current data published by ICC Building Valuation Data Sheet and the higher of the applicant stated valuation and the building division calculated valuation shall be used to determine building permit fees. Final building permit valuation shall be set by the building official.

*R108.5 Refunds.* Amend to read in its entirety:

**R108.5 Refunds.** The code official shall authorize the refunding of fees as follows:

1. The full amount any fee paid hereunder that was erroneously paid or collected.
2. Not more than 100 percent of the permit fee paid when no work has been done under a permit issued in accordance with this code.
3. Not more than 80 percent of the plan review fee paid when an application for a permit for which a plan review fee has been paid is withdrawn or canceled before any plan review effort has been expended.
4. Not more than 50 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 after initiation of any plan review effort.

Note: The code official shall not authorize the refunding of any fee paid except upon written application filed by the original permittee not later than 180 days after the date of fee payment.

*R112 Board of Appeals.* Amend to read in its entirety:

**R112 Board of Appeals.** Appeals of decisions and determinations made by the Building Official shall comply with the process and procedures set forth in City of Wheat Ridge Municipal Code Sections 2-59 and 5-25. An application for appeal shall be based on a claim that the true intent of this code or the rules legally adopted thereunder, including fines, have been incorrectly interpreted, the provisions of the code do not fully apply, or an equally good or better form of construction is proposed.

*R113.4 Violation penalties.* Amend to read in its entirety:

**R113.4 Violation penalties.** Any person or entity 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 or repair residential work in violation of the approved construction documents or directive of the code official, or of a permit or certificate issued under the provisions of this code, shall be guilty of a misdemeanor, punishable by a fine of not more than \$1,000.00 dollars or by imprisonment not exceeding 90 days, or both such fine and imprisonment; provided, however, that no person under the age of eighteen (18) years shall be subjected to imprisonment. Each day that a violation continues after due notice has been served shall be deemed a separate offense.

*R114.2 Unlawful continuance.* Amend to read in its entirety:

**R114.2 Unlawful continuance.** Any person who shall continue any work in or about the structure after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be liable to a fine of not less than 60 dollars or not more than 1,000 dollars and shall be guilty of a misdemeanor, punishable by a fine of not more than \$1,000.00 dollars or by imprisonment not exceeding 90 days, or both such fine and imprisonment. Each day that a violation continues after due notice has been served shall be deemed a separate offense.

*Table R301.2(1): Climatic and Geographic Design Criteria.* Table R301.2(1) shall apply as referenced in this code and is hereby completed as follows:

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

*R313 Automatic fire sprinkler systems. Delete entire section.*

Ground and Roof Snow Load	Wind Design*		Seismic Design Category	Subject To Damage From			Winter Design Temp	Ice Barrier Underlayment Required	Flood Hazards	Air Freezing Index	Mean Annual Temp
	Speed (mph)	Topo-graphic Effects		Weather-ing	Frost line depth	Termite					
30 psf	135 mph** vult Exp. C	Yes	“B”	Severe	36”	Slight	1° F	Yes	1979 Firm	1500	45 F
Manual J Design Criteria											
Elevation	Latitude	Winter Heating 99% Dry Bulb	Summer Cooling 1% Dry Bulb	Altitude Correction Factor	Indoor Design Temperature	Design Temperature Cooling	Heating Temperature Difference				
5459 ft.	39° North	-7	95	Varies	72°	75°	79°				
Cooling Temperature Difference	Wind Velocity Heating	Wind Velocity Cooling	Coincident Wet Bulb	Daily Range	Winter Humidity	Summer Humidity	--				
20°	15 mph	7.5 mph	59	High (H)	50%	50%	--				
** Approximately Equivalent to 105 mph V <sup>asd</sup> (three second gust) Exposure C (see Table R301.2.1.3 for conversion)											

*R401.2 Requirements. Amend to read in its entirety:*

**R401.2 Requirements.** Foundation construction shall be capable of accommodating all loads according to Section R301 and of transmitting the resulting loads to the supporting soil. Fill soils that support footings and foundations shall be designed, installed and tested in accordance with accepted engineering practice. Gravel fill used as footings for wood and precast concrete foundations shall comply with Section R403. With the exception of prescriptive monolithic slabs less than 1000 square feet in size for garages or similar non-habitable occupancies, foundation systems shall be designed, inspected and approved by a State of Colorado registered Structural Engineer and verified by the Building Division.

*R602.5 Interior nonbearing walls. Amend to read in its entirety:*

**R602.5 Interior nonbearing walls.** Interior nonbearing walls shall be permitted to be constructed with 2-inch-by-3-inch (51 mm by 76 mm) studs spaced 24 inches on center. Interior nonbearing walls shall be capped with at least a single top plate. Interior nonbearing walls shall be fire blocked in accordance with Section R602.8.

*R602.7.3 Nonbearing walls.* Amend to read in its entirety:

**R602.7.4 Nonbearing walls.** In interior and exterior nonbearing walls, a header constructed of two (2) 2-inch-by-4-inch members placed on edge shall be required over all openings spanning less than eight (8) feet.

*R703.6.1 Lath.* Amend to read in its entirety:

**R703.7.1 Lath.** All lath and lath attachments shall be of corrosion-resistant materials. Expanded metal or woven wire lath shall be attached with 1½-inch long, 11 gage nails having a 7/16 -inch head, or 7/8 -inch-long, 16 gage staples, spaced at no more than 6 inches, or as otherwise approved. Whenever the wall sheathing is of code approved material capable of receiving and sustaining fasteners, lath fasteners shall be spaced at no more than 6 inches on center both horizontally and vertically, or as otherwise approved.

*R807.1 Attic Access.* Amend to read in its entirety:

**R807.1 Attic Access.** Buildings with combustible ceiling or roof construction shall have an attic access opening to attic areas that exceed 30 square feet and have a vertical height of 30 inches or more.

The rough-framed opening shall not be less than 22 inches by 30 inches and shall be located in a hallway or other readily accessible location. A 30-inch minimum unobstructed headroom in the attic space shall be provided at all points directly above the access opening. The finish opening dimensions of attic accesses shall be a minimum of 20 inches by 30 inches. See Section M1305.1.3 for access requirements where mechanical equipment is located in attics.

*R905.2.6 Attachment.* Amend to read in its entirety:

**R905.2.6 Attachment.** Asphalt shingles shall be attached with a minimum of 6 nails per shingle or as specified by the manufacturer, whichever is more restrictive. Where the roof slope exceeds 20 units vertical in 12 units horizontal (167 percent slope) special methods of fastening are required. Special fastening methods shall be tested in accordance with ASTM D 3161, Class F. Asphalt shingle wrappers shall bear a label indicating compliance with ASTM D 3161, Class F.

*905.2.7.1 Ice barrier.* Amend to read in its entirety:

**905.2.7.1 Ice barrier.** An ice barrier complying with ASTM D1970 shall be required in lieu of normal underlayment at roof eaves and shall extend from the eave edge to a point at least 24 inches inside the exterior wall line of the building.

**Exception:** Detached structures and attached garages that contain no conditioned floor area.

*R905.2.8.5 Other Flashing.* Amend to read in its entirety:

**R905.2.8.4 Other Flashing.** Flashing against a vertical front wall, as well as soil stack, vent pipe and chimney flashing, shall be applied according to the asphalt shingle manufacturer's printed instructions. A minimum 2-inch by 2-inch galvanized flashing shall be required at eaves of all roofs. Flashing shall be installed to as recommended by manufacturer or as necessary to seal gaps between roof sheathing and roof gutters.

*M1305.1.4 Appliances under floors. Amend to read in its entirety:*

**M1305.1.3 Appliances under floors.** Underfloor spaces containing appliances requiring access shall have an unobstructed passageway large enough to remove the largest appliance, but not less than 30 inches high and 22 inches wide, no more than 20 feet long when measured along the centerline of the passageway from the opening to the appliance. A level service space at least 30 inches deep and 30 inches wide shall be present at the front or service side of the appliance. If the depth of the passageway or the service space exceeds 12 inches below the adjoining grade, the walls of the passageway shall be lined with concrete or masonry extending 4 inches above the adjoining grade in accordance with Chapter 4. The rough-framed access opening dimensions shall be a minimum of 22 inches by 30 inches where the dimensions are large enough to remove the largest appliance. The finish opening dimensions of under floor accesses shall be a minimum of 20 inches by 30 inches.

*G2417.4 Test pressure measurement. Amend in its entirety:*

**G2417.4 Test pressure measurement.** Test pressure shall be measured with a manometer or with a pressure-measuring device designed and calibrated to read, record, or indicate a pressure loss caused by leakage during the pressure test period. Mechanical gauges used to measure test pressure shall have a maximum range of 30 psig and shall display measurements in 1 psig increments.

*G2417.4.1 Test Pressure. Amend to read in its entirety:*

**406.4.1 Test Pressure.** The test pressure to be used shall be no less than 1½ times the working proposed maximum working pressure, but not less than 20 psig, irrespective of design. Where the test pressure exceeds 125 psig, the test pressure shall not exceed a value that produces a hoop stress in the piping greater than 50 percent of the specified minimum yield strength of the pipe.

*G2417.4.2 Test duration. Amend to read in its entirety:*

**406.4.2 Test duration.** Test duration shall not be less than 15 minutes. The maximum test duration shall not be required to exceed 24 hours.

*P2603.5.1 Sewer Depth. Amend to read in its entirety.*

**P2603.5.1 Sewer depth.** Building sewers that connect to private sewage disposal systems shall not be less than 12 inches below finished grade at the point of septic tank connection. Building sewers shall not be less than 12 inches below grade.

*P2904 Dwelling Unit Fire Sprinkler Systems. Delete section in its entirety*

*P3103.1.1 Roof extension. Amend to read in its entirety:*

**P3103.1.1 Roof extension.** All open pipes that extend through a roof shall be terminated at least twelve (12) inches above the roof, except that where a roof is to be used for any occupiable purpose, the vent extensions shall be run at least 7 feet (2134 mm) above the roof.

*Appendix T: Solar-Ready Provisions – Detached One-and Two Family Dwellings and Townhouses.* Amend appendix in its entirety.

The following section T103.9 (RA103.7) is only adopted.

**T103.9 (RA103.7) Electrical service reserved space.** The main electrical service panel shall have a reserved space to allow installation of a dual pole circuit breaker for future solar electric installation and shall be labeled “For Future Solar Electric.” The reserved space shall be positioned at the opposite (load) end from the input feeder location or the main circuit breaker.

**Section 9.** Section 5-86 of the Code, concerning the International Fire Code, is hereby repealed and reenacted to read in its entirety as follows:

**Sec. 5-86. Fire Code.**

(a) *Adoption.* The International Fire Code, 2018 Edition, is hereby adopted by reference and incorporated into this article as though fully set forth herein as the fire code of the City of Wheat Ridge. One copy of said International Fire Code shall be filed in the office of the city clerk and may be inspected during regular business hours. Except as otherwise provided hereafter, such code is adopted in full, including the outline of contents and index contained herein. Only the following Appendices are hereby adopted by reference: Appendices B, C, D, F, H, I, K, L and M. The 2018 International Fire Code shall be known as the “I.F.C.” or the “fire code” and may be cited and referred to as such.

(b) *Amendments.* The International Fire Code adopted by this section is amended as follows. Section numbers referred to herein refer to and correspond with the section numbers of the 2018 International Fire Code.

*103.4.1 Legal Defense.* Amend to read in its entirety:

**103.4.1 Legal Defense.** Any suit instituted against any officer or employee of any fire protection district or any officer or employee of the City of Wheat Ridge because of an act performed by that officer or employee in the lawful discharge of duties and under the provisions of this code shall be defended by the legal representative of the fire protection district or City by which he or she is employed by the legal representative of the fire protection district or City by which he or she is employed until the final termination of the proceedings. The fire code official, city officer or employee or any subordinate shall not be liable for costs in an action, suit or proceeding that is instituted in pursuance of the provisions of this code; and any officer or employee of the department of fire prevention or the City, acting in good faith and without malice, shall be free from liability for acts performed under any of its provisions or reason of any acts or omission in the performance of official duties in connection therewith.

*105.6.51 Assisted Living Facilities* is added as follows:

**105.6.51 Assisted living facilities.** An operational permit is required to operate an assisted living facility.

*105.6.52 Door Side Trash Collection* is added as follows:

**105.6.52 Door Side Trash Collection.** An operational permit is required to operate door side trash collection in R-2 occupancies.

*105.6.53 Sheltering in A and E Occupancies* is added as follows:

**105.6.53 Sheltering in A and E occupancies.** An operational permit is required to operate sheltering in A and E occupancies for one night or more.

*108 Board of Appeals* is amended as follows:

**108.1 Board of appeals established.** Appeals of decisions and determinations made by the Building Official or the fire code official shall comply with the process and procedures set forth in City of Wheat Ridge Municipal Code Sections 2-59 and 5-25.

**108.2 Limitations on authority.** Is unchanged and adopted as written.

**108.3 Qualifications.** Is deleted in its entirety.

*109.4 Violation penalties.* Amend to read in its entirety:

**109.4 Violation penalties.** Any person or entity 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 or repair work in violation of the approved construction documents or directive of the fire code official, or of a permit or certificate issued under the provisions of this code, shall be guilty of a misdemeanor, punishable by a fine of not more than \$1,000.00 dollars or by imprisonment not exceeding 90 days, or both such fine and imprisonment; provided, however, that no person under the age of eighteen (18) years shall be subjected to imprisonment. Each day that a violation continues after due notice has been served shall be deemed a separate offense. The denial, suspension, revocation, or restriction of any permit or other privilege conferred by this code shall not be regarded as a penalty for purposes of this chapter.

*111.1 Order* is amended as follows:

**111.1 Order.** Whenever the building code official or fire code official finds any work regulated by this Code being performed in a manner contrary to the provisions of this code or in a dangerous or unsafe manner, the building code official or fire code official, with the concurrence of the other code official, is authorized to issue a stop work order.

*111.4 Failure to comply* is amended as follows:

**111.4 Failure to comply.** Upon notice from the fire code official, work that is being done contrary to the provisions of this code or in a dangerous or unsafe manner shall immediately cease. Such notice shall be in writing and shall be given to the owner of the property, or to the owner's agent, or to the person doing the work, or visibly posted at the work site. The notice shall state the conditions under which the work is authorized to resume. Where an emergency exists, the fire code official shall not be required to give a written notice prior to stopping the work. Any person who shall continue any work in or about the structure after having been served with a stop work order, except such work that person is directed to perform to remove a violation or unsafe condition, shall be liable to a fine of not less than 60 dollars or not more than 1000 dollars.

*Chapter 2 is amended as follow:*

Occupancy Classification, Assembly Group A:

Amend: Accessory with places of religious worship to read as follows:

1. Accessory religious educational rooms and religious auditoriums with occupant loads of less than 100 per room or space are not considered separate occupancies.
2. Rooms and spaces within places of religious worship providing overnight homeless sheltering for fewer than 50 occupants, for less than 16 continuous hours, shall be classified as part of the primary occupancy notwithstanding any other provisions of this code which would disallow overnight occupancy in such rooms or spaces, and provided the aggregate area used for sleeping is less than 10,000 square feet and has all of the following:
  - a) exiting and emergency lighting
  - b) operational smoke alarms and carbon monoxide alarms in all sleeping areas
  - c) a minimum of one awake attendant
  - d) an emergency plan.

An operational permit and an approved emergency plan for such use may be required on an annual basis through the governing Fire Code Official subject to review of compliance with these provisions.

Amend: Institutional Group I-1 to read as follows: Institutional Group I-1 occupancy shall include buildings, structures or portions thereof for more than 16 persons, excluding staff, who reside on a 24-hour basis in a supervised environment and receive custodial care. Buildings of Group I-1 shall be classified as a Condition 2 unless approved by the building and fire code official as a Condition 1. This group shall include, but not be limited to the following:

Amend Residential Group R-4 to read as follows: Residential Group R-4 shall include buildings, structures or portions thereof for more than five but not more than 16 persons, excluding staff, who reside on a 24-hour basis in a supervised residential environment and received custodial care. Buildings of Group R-4 shall be classified as a Condition 2 unless approved by the building and fire code official as a Condition 1. This group shall include, but not be limited to the following:

*315 General Storage* is amended by adding the following subsection:



**315.3.5 Marking maximum permitted storage height.** Identification of the maximum approved storage height shall be provided in areas where stacked or shelved storage of materials occurs. The maximum approved height will be based upon the requirements of Chapter 32. Maximum storage height identification shall consist of a minimum of a four (4) inch (101.6 mm) stripe on a contrasting background shall be placed at the maximum storage height as determined by Chapter 32 above the finished floor and clearly labeled with the designation: “*No Storage Above This Line.*”

*503.2 Specifications is amended to read as follows:*

**503.2 Specifications.** Fire apparatus access roads shall be installed and arranged in accordance with Sections 503.2.1 through 503.2.8, and Appendix D.

*503.2.1 Dimensions is amended to read as follows:*

**503.2.1 Dimensions-Public and Private Streets.** Public and private streets that are used for fire apparatus access shall have an unobstructed width that meets the dimensions and parking restrictions as set forth by the *Street Standards* adopted by the City of Wheat Ridge; and an unobstructed vertical clearance of not less than thirteen (13) feet six (6) inches (4115 mm).

*503.2.1 Dimensions is amended by adding the following subsection:*

**503.2.1.1 Dimensions-Private Drives.** Fire apparatus access that is designated as a private drive shall have an unobstructed width of not less than twenty-four (24) feet (7315 mm) and an unobstructed vertical clearance of not less than thirteen (13) feet six (6) inches (4115 mm).

*503.2.3 Surface is amended to read as follows:*

**503.2.3 Surface.** Fire apparatus access roads shall be designed and maintained to support the imposed loads of fire apparatus and shall be paved so as to provide all-weather driving capabilities.

*503.2.4 Turning Radius shall be amended to read as follows:*

**503.2.4 Turning Radius.** The required turning radius of a fire apparatus access road shall be an inside radius of 27 feet and an outside radius of 50 feet or as determined by the fire code official. Computer modeling may be required to establish that each fire district’s apparatus can adequately maneuver the proposed access roads.

*503.2.8 Angles of approach and departure shall be amended to read as follows:*

**503.2.8 Angles of approach and departure.** The angles of approach and departure for fire apparatus access roads shall be no greater than 10% or within the limits established by the fire code official based on the fire district’s apparatus.

*507.5.1.1 Hydrant for automatic sprinkler systems and standpipe systems* is amended to read as follows:

**Section 507.5.1.1 Hydrant for automatic sprinkler systems and standpipe systems.** Buildings equipped with an automatic sprinkler system in accordance with Section 903.3.1.1 or 903.3.1.2 and/or standpipe system installed in accordance with Section 905 shall have a fire hydrant a minimum of 50 feet and a maximum of 100 feet of the fire department connection.

Exception: The distance shall be permitted to exceed 100 feet where approved by the fire code official.

*510.4.1.1 Minimum signal strength into the building* shall be amended to read as follows:

**Section 510.4.1.1 Minimum signal strength into the building.** The minimum inbound signal strength into the building shall be -85dBm to provide usable voice communications throughout the coverage area. The inbound signal level shall be sufficient to provide not less than a Delivered Audio Quality (DAQ) of 3.0 or an equivalent Signal-to-Interference-Plus-Noise Ratio (SINR) applicable to the technology for either analog or digital signals.

*510.4.1.2 Minimum signal strength out of the building* shall be amended to read as follows:

**510.4.1.2 Minimum signal strength out of the building.** The minimum outbound signal strength out of the building shall be -90 dBm to provide usable voice communications throughout the coverage area to the fire district's radio system when transmitted from within the building. The outbound signal level shall be sufficient to provide not less than a DAQ of 3.0 or an equivalent SINR applicable to the technology for either analog or digital signals.

*510.4.1.3 System performance* shall be amended to read as follows:

**510.4.1.3 System performance.** If the field signal strength outside the building where received antenna system for the in-building system is located is less than the -85dBm, then the minimum required in-building field of strength shall equal the field of strength being delivered to the receiving antenna of the building.

*901.4.6 Pump and riser room size* shall be amended to read as follows:

**901.4.6 Pump and riser room size.** Where provided, fire pump rooms and *automatic sprinkler system* riser rooms shall be designed with adequate space for all equipment necessary for the installation, as defined by the manufacturer, with sufficient working space around the stationary equipment. Clearances around equipment to elements of permanent construction, including other installed equipment and appliances, shall be sufficient to allow inspection, service, repair or replacement without removing such elements of permanent construction or disabling the function of a required fire-resistance-rated assembly. Fire pump and *automatic sprinkler system* riser rooms shall be provided with doors and unobstructed passageways large enough to allow removal of

the largest piece of equipment. The room shall provide a minimum of 36 square feet working space around a fire pump or *automatic sprinkler system* riser.

*901.6 Inspection, testing and maintenance* shall be amended to read as follows:

**901.6 Inspection, testing and maintenance.** Fire detection and alarm systems, emergency alarm systems, gas detection systems, fire-extinguishing systems, mechanical smoke exhaust systems and smoke and heat vents shall be maintained in an operative condition at all times and shall be replaced or repaired where defective. Non-required *fire protection systems* and equipment shall be inspected, tested and maintained or removed. The removal of any non-required fire protection system or equipment shall be *approved* by the fire district.

*903.1 General* is amended by adding the following subsection:

**903.1.2 Location of sprinkler control valves.** When automatic sprinkler systems are required within a building and the system serves more than one tenant space, the main control valves shall be located within an approved room that is accessible directly from the building exterior. The door to said room shall be not less than three (3) feet (914 mm) in width by six (6) feet eight (8) inches (203.2 mm) in height. The door to said room shall be identified as required in section 509.1. The size of the room shall meet the size requirements per Section 901.4.6.

**903.1.2 Multi-tenant buildings.** In buildings that have warehouse space(s) that have the ability to allow high-piled combustible storage per Chapter 32 shall have a fire line installed with a main that runs the length of the building for future addition of fire sprinkler systems.

*903.4.2 Alarms* shall be amended to read as follows:

**903.4.2 Alarms.** An approved audible/visual appliance, located on the exterior of the building in an approved location, shall be connected to each automatic sprinkler system. Such sprinkler water-flow alarm appliances shall be activated by water flow equivalent to the flow of a single sprinkler of the smallest orifice size installed in the system. Where a fire alarm system is installed, actuation of the automatic sprinkler system shall actuate the building fire alarm system.

*903.4.2 Alarms* is amended by adding the following subsection:

**903.4.2.1 Audible and visual signals.** Audible and visual fire alarm notification devices shall be connected to every automatic sprinkler system. Such audible and visual devices shall be activated throughout the building upon water flow. When buildings have multiple tenant spaces, notification devices shall be installed in accordance with Section 907.5 in each tenant space.

*904 Alternative Automatic Fire-Extinguishing Systems* is amended by adding the following subsection:

**904.13 Domestic cooking systems.** Cooktops and ranges installed in the following occupancies shall be protected in accordance with Section 904.13.1.

1. Unchanged
2. Unchanged
3. Unchanged
4. In Group R-4 occupancies where domestic cooking facilities are installed in accordance with Section 407.2.6 of the International Building Code.

*906.1 Where required* shall be amended to read as follows:

**906.1 Where required.** Portable fire extinguishers shall be installed in all of the following locations:

1. In new and existing Group A, B, E, F, H, I, M, R-1, R-2, R-4 and S occupancies.  
Exceptions:  
1-6. Unchanged
7. In Group A, and B occupancies equipped throughout with an approved automatic fire sprinkler system with quick response sprinklers, portable fire extinguishers shall be required only in locations specified in Items 2 through 6.

*907.6 Installation and monitoring* is amended by adding the following subsection:

**907.11 Security systems.** Fire alarm panels and security alarm panels shall be separate and not combined.

*912.3.1 Locking fire department connection caps* is amended to read as follows:

**912.3.1 Locking fire department connection caps.** Approved locking fire department connection caps shall be installed on fire department connections on all new water-based fire protection systems. Installation of approved locking fire department connection caps shall be required on existing water-based fire protection systems where there is a history of missing caps or interior obstructions of the fire department connection.

*3310.1 Required access* shall be amended to read as follows and subsection added:

**3310.1 Required access.** Approved fire apparatus access for firefighting and emergency medical services is required to all construction or demolition sites. Access shall be provided to within 150 feet of all portions of the exterior walls of the first story of the building as measured by an approved route around the exterior of the building. When approved by the fire code official, temporary fire apparatus access can be installed during construction of sites not consisting of one- and two-family dwellings and where practical difficulty exists with providing permanent access during construction. Permanent fire apparatus access shall be provided prior to occupancy. Approved temporary access shall be installed as set forth in Section 3310.1.1 through 3310.1.3.

**3310.1.1 Installation timing.** The required access shall be installed prior to above ground construction and/or the storage of combustible materials on-site, all access and

water supplies for fire fighting vehicles shall be provided to construction or demolition sites as shown on the approved site plan in their entirety.

Section 3310.1.2 Dimensions. Fire apparatus access roads shall have an unobstructed width of not less than 24 feet and vertical clearance of not less than 13 feet 6 inches.

**3310.1.3 Surface.** Fire apparatus access roads shall have an all-weather surface consisting of the first lift of asphalt, concrete, or Class 6 road base. The surface shall be capable of supporting an 85,000-pound imposed load. Documentation from a licensed geotechnical engineer attesting that the surface will support the required imposed load and all-weather capability shall be provided.

*5307.1 General* shall be amended to read as follows:

**5307.1 General.** *Compressed gases* in storage or use not regulated by the material-specific provisions of Chapters 6, 54, 55 and 60 through 67, including asphyxiant, irritant and radioactive gasses, shall comply with this section in addition to other requirements of this chapter. The provisions of this chapter shall apply to new or existing systems.

*5307.3 Insulated liquid carbon dioxide systems used in beverage dispensing applications* this section shall be amended to read as follows:

**5307.3 Liquid carbon dioxide systems** used in beverage dispensing applications.

*6109.13 Protection of containers* shall delete the exception from this section.

*5704.2.9.6.1 Locations where above-ground tanks are prohibited* is amended to read as follows:

**5704.2.9.6.1 Locations where above-ground tanks are prohibited.** The storage of Class I and II liquids in above-ground tanks shall conform to the geographic limits established by Sections 26-805 and 26-806 of the Wheat Ridge Municipal Code.

*5706.2.4.4 Locations where above-ground tanks are prohibited* is amended to read as follows:

**5706.2.4.4 Locations where above-ground tanks are prohibited.** The storage of Class I and II liquids in above-ground tanks shall conform to the geographic limits established by Sections 26-805 and 26-806 of the Wheat Ridge Municipal Code.

*5806.2 Limitations* is amended to read as follows:

**5806.2 Limitations.** Storage of flammable cryogenic fluids in stationary containers outside of buildings shall conform to the geographic limits established by Sections 26-805 and 26-806 of the Wheat Ridge Municipal Code.

*6104.2 Maximum capacity within established limits* is amended to read as follows:

**6104.2 Maximum capacity within established limits.** Within the limits established by law restricting the storage of liquefied petroleum gas for the protection of heavily

populated or congested areas, the aggregate capacity of any one installation shall not exceed a water capacity of 2,000 gallons within the City of Wheat Ridge.

*Chapter 80 Referenced standards*

*8001 Adoption of standards* and subsection shall be added as follows:

**8001 Adoption of standards.**

**8001.1 NFPA standards.** In every case where this code references a standard published by the National Fire Protection Association (NFPA), the most current edition of the referenced standard is hereby adopted. The most current edition of the references NFPA standard shall become effective on January 1<sup>st</sup> following publication and release of the standard.

*Table B105.1(1)* shall be amended to reflect the following table:

**TABLE B105.1(1)**

REQUIRED FIRE-FLOW FOR ONE-AND TWO-FAMILY DWELLINGS, Group R-3 and R-4 BUILDINGS AND TOWNHOUSES

FIRE-FLOW CALCULATION AREA (square feet)	AUTOMATIC SPRINKLER SYSTEM (Design Standard)	MINIMUM FIRE- FLOW (gallons per minute)	FLOW DURATION (hours)
0-3,600	No automatic sprinkler system	1,000	1
3,601 and greater	No automatic sprinkler system	Value in Table B105.1(2)	Duration in Table B105.1 (2) at the reduced flow rate
0-3,600	Section 903.3.1.3 of the <i>International Fire Code</i> or Section P2904 of the <i>International Residential Code</i>	1,000	½
3,601 and greater	Section 903.3.1.3 of the <i>International Fire Code</i> or Section P2904 of the <i>International Residential Code</i>	½ value in Table B105.1(2) <sup>a</sup>	1

For SI: 1 gallon per minute = 3.785 L/min.

a. The reduced fire-flow shall not be less than 1,000 gallons per minute.

Table B105.2) shall be amended to reflect the following table:

**TABLE B105.2**  
**REQUIRED FIRE-FLOW FOR BUILDINGS OTHER THAN ONE-**  
**AND TWO-FAMILY DWELLINGS, Group R-3 and R-4 BUILDINGS AND**  
**TOWNHOMES**

AUTOMATIC SPRINKLER SYSTEM (Design Standard)	MINIMUM FIRE- FLOW (gallons per minute)	FLOW DURATION (hours)
No automatic sprinkler system	Value in Table B105.1(2)	Duration in Table B105.1 (2)
Section 903.1.1 of the <i>International Fire Code</i>	50% of the value in Table B105.1 (2) <sup>a</sup>	Duration in Table B105.1 (2) at the reduced flow rate
Section 903.1.2 of the <i>International Fire Code</i>	50% of the value in Table B105.1 (2) <sup>b</sup>	Duration in Table B105.1 (2) at the reduced flow rate

For SI: 1 gallon per minute = 3.785 L/min.

- b. The reduced fire-flow shall not be less than 1,500 gallons per minute.
- c. The reduced fire-flow shall not be less than 1,500 gallons per minute.

*Appendix D Section D102.1 Access and loading* is amended to read as follows:

**D102.1 Access and loading.** Facilities, buildings or portions of buildings hereafter constructed shall be accessible to fire department apparatus by way of an approved fire apparatus access road with an asphalt, concrete or other approved driving surface capable of supporting the imposed load of fire apparatus weighing at least 85,000 pounds (38636 kg).

**Section 10.** Section 5-87 of the Code, concerning the International Fuel Gas Code, is hereby repealed and reenacted to read in its entirety as follows:

**Sec. 5-87. Fuel Gas Code.**

- (a) *Adoption.* The International Fuel Gas Code, 2018 Edition, is hereby adopted by reference and incorporated into this article as though fully set forth herein as the fuel gas code of the City of Wheat Ridge. One (1) copy of said International Fuel Gas Code shall be filed in the office of the city clerk and may be inspected during regular business hours. Except as otherwise provided hereafter, such code is adopted in full, including the outline of contents and index contained herein. The only Appendices hereby adopted by reference are Appendices A, B, C, and D. The 2018 International Fuel Gas Code shall be known as the "I.F.G.C." or the "fuel gas code" and may be cited and referred to as such.
- (b) *Amendments.* The International Fuel Gas Code adopted by this section is amended as follows. Section numbers referred to herein refer to and correspond with the section numbers of the 2018 International Fuel Gas Code.

*101.1 Title.* Amend to read in its entirety:

**101.1 Title.** These regulations shall be known as the *Fuel Gas Code* of the City of Wheat Ridge, hereinafter referred to as "this code."

*106.5.3 Expiration.* Amend to read in its entirety:

**106.5.3 Expiration.** Every permit issued by the code official under the provisions of this code shall expire one year (365 days) after the date of issuance. The building official is authorized to grant, in writing, one or more extensions of time, for periods of not more than 180 days each. The extension shall be requested in writing and justifiable cause demonstrated.

*106.6.2 Fee schedule.* Amend to read in its entirety:

**106.6.2 Fee Schedule.** The fees for work done pursuant to this code shall be as set forth in Table 1-A.

*106.6.3 Refunds.* Amend to read in its entirety:

**106.6.3 Refunds.** The code official shall authorize the refunding of fees as follows:

1. The full amount any fee paid hereunder that was erroneously paid or collected.
2. Not more than 100 percent of the permit fee paid when no work has been done under a permit issued in accordance with this code.
3. Not more than 80 percent of the plan review fee paid when an application for a permit for which a plan review fee has been paid is withdrawn or canceled before any plan review effort has been expended.
4. Not more than 50 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 after initiation of any plan review effort.

Note: The code official shall not authorize the refunding of any fee paid except upon written application filed by the original permittee not later than 180 days after the date of fee payment.

*108.4 Violation penalties.* Amend to read in its entirety:

**108.4 Violation penalties.** Any person or entity 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 or repair work in violation of the approved construction documents or directive of the code official, or of a permit or certificate issued under the provisions of this code, shall be guilty of a misdemeanor, punishable by a fine of not more than \$1,000.00 dollars or by imprisonment not exceeding 90 days, or both such fine and imprisonment; provided, however, that no person under the age of eighteen (18) years shall be subjected to imprisonment. Each day that a violation continues after due notice has been served shall be deemed a separate offense.

*108.5 Stop work orders.* Amend to read in its entirety:

**108.5 Stop work orders.** Upon notice from the code official that work is being done contrary to the provisions of this code or in a dangerous or unsafe manner shall



immediately cease. Such notice shall be in writing and shall be given to the owner of the property, or to the owner's agent, or to the person doing the work, or visibly posted at the work site. The notice shall state the conditions under which the work is authorized to resume. Where an emergency exists, the code official shall not be required to give a written notice prior to stopping the work. Any person who shall continue any work in or about the structure after having been served with a stop work order, except such work that person is directed to perform to remove a violation or unsafe condition, shall be liable to a fine of not less than 60 dollars or not more than 1,000 dollars.

*109 Means of Appeal.* Amend to read in its entirety:

**109 Means of Appeal.** Appeals of decisions and determinations made by the Building Official shall comply with the process and procedures set forth in City of Wheat Ridge Municipal Code Sections 2-59 and 5-25. An application for appeal shall be based on a claim that the true intent of this code or the rules legally adopted thereunder, and fines, have been incorrectly interpreted, the provisions of the code do not fully apply, or an equally good or better form of construction is proposed.

*406.4 Test pressure measurement.* Amend to read in its entirety:

**406.4 Test pressure measurement.** Test pressure shall be measured with a manometer or with a pressure-measuring device designed and calibrated to read, record, or indicate a pressure loss caused by leakage during the pressure test period. Mechanical gauges used to measure test pressure shall have a maximum pressure range of 150 psig, except for one- and two-family dwellings, which shall have a maximum range of 30 psig and shall display measurements in 1 psig increments.

*406.4.1 Test Pressure.* Amend to read in its entirety:

**406.4.1 Test Pressure.** The test pressure to be used shall be no less than 1½ times the working proposed maximum working pressure, but not less than 20 psig, irrespective of design. Where the test pressure exceeds 125 psig, the test pressure shall not exceed a value that produces a hoop stress in the piping greater than 50 percent of the specified minimum yield strength of the pipe.

*406.4.2 Test duration.* Amend to read in its entirety:

**406.4.2 Test duration.** Test duration shall be not less than one-half hour for each 500 cubic feet of pipe volume or fraction thereof, except for one- and two-family dwellings, which shall have a test duration of not less than 15 minutes. The maximum test duration shall not be required to exceed 24 hours.

**Section 11.** Section 5-88 of the Code, concerning health care facilities code, is hereby repealed and reenacted to read in its entirety as follows:

**Sec. 5-88. Health care facilities code.**

- (a) *Adopted.* The NFPA 99 Standards for Health Care Facilities 2018 Edition, Copyright by the National Fire Protection Association, Batterymarch Park, Quincy, Massachusetts, 02269 is hereby adopted by reference thereto and incorporated into

this article as though fully set out herein as the health care facilities code for the City of Wheat Ridge. Except as otherwise provided in this article, such code is adopted in full, including the index and annex contained therein. One (1) copy of said Standards for Health Care Facilities 2015 Edition shall be filed in the office of the clerk and may be inspected during regular business hours.

- (b) *Amendments.* None.

**Section 12.** A new section 5-89 of the Code, concerning Swimming Pool and Spa Code, is hereby created to read as follows:

**Sec. 5-89. Swimming Pool and Spa Code.**

- (a) *Adoption.* The International Swimming Pool and Spa Code, 2018 Edition, is hereby adopted by reference and incorporated into this article as though fully set forth herein as the Pool and Spa Code of the City of Wheat Ridge. One (1) copy of said International Pool and Spa Code shall be filed in the office of the city clerk and may be inspected during regular business hours. Except as otherwise provided hereafter, such code is adopted in full, including the outline of contents and index contained herein. The 2018 International Swimming Pool and Spa Code shall be known as the "I.S.P.S.C." or the "Pool and Spa Code" and may be cited and referred to as such.
- (b) *Amendments.* The International Pool and Spa Code adopted by this section is amended as follows. Section numbers referred to herein refer to and correspond with the section numbers of the 2018 International Swimming Pool and Code.

*101.1 Title. Amend to read in its entirety*

**101.1 Title.** These regulations shall be known as the *Swimming Pool and Spa Code* of the City of Wheat Ridge, hereinafter referred to as "this code."

*105.5.1 Approved construction documents. Amend to read in its entirety:*

**105.5.1 Approved construction documents.** When the building official issues a permit, the construction documents shall be approved, in writing or by stamp, as "Approved Subject to Field Inspections - Wheat Ridge Building Dept.". One set of construction documents so reviewed shall be retained by the building official. One set shall be returned to the applicant, shall be kept at the site of work and shall be open to inspection by the building official or a duly authorized representative.

*105.5.3 Expiration. Amend to read in its entirety:*

**105.5.3 Expiration.** Every permit issued by the code official under the provisions of this code shall expire one year (365 days) after the date of issuance. The building official is authorized to grant, in writing, one or more extensions of time, for periods of not more than 180 days each. The extension shall be requested in writing and justifiable cause demonstrated.

*105.6.2 Fee Schedule. Amend to read in its entirety:*

**105.6.2 Fee Schedule.** 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 schedule as established by the applicable governing authority. The permit fee shall be established as set forth in Table 1-A.

*105.6.3 Fee Refunds.* Amend to read in its entirety:

**105.6.3 Fee Refunds.** The code official shall authorize the refunding of fees as follows:

1. The full amount of any fee paid hereunder that was erroneously paid or collected.
2. Not more than 100 percent of the permit fee paid when no work has been done under a permit issued in accordance with this code.
3. Not more than 80 percent of the plan review fee paid when an application for a permit for which a plan review fee has been paid is withdrawn or canceled before any plan review effort has been expended.
4. Not more than 50 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 after initiation of any plan review effort.
  - a. Note: The code official shall not authorize the refunding of any fee paid except upon written application filed by the original permittee not later than 180 days after the date of fee payment.

*107.5 Stop work orders.* Amend to read in its entirety:

**107.5 Stop work orders.** Upon notice from the code official that work is being done contrary to the provisions of this code or in a dangerous or unsafe manner shall immediately cease. Such notice shall be in writing and shall be given to the owner of the property, or to the owner's agent, or to the person doing the work, or visibly posted at the work site. The notice shall state the conditions under which the work is authorized to resume. Where an emergency exists, the code official shall not be required to give a written notice prior to stopping the work. Any person who shall continue any work in or about the structure after having been served with a stop work order, except such work that person is directed to perform to remove a violation or unsafe condition, shall be liable to a fine of not less than 60 dollars or not more than 1,000 dollars.

*108 Means of Appeals.* Amend to read in its entirety:

**108 Means of Appeals.** Appeals of decisions and determinations made by the Building Official shall comply with the process and procedures set forth in City of Wheat Ridge Municipal Code Sections 2-59 and 5-25. An application for appeal shall be based on a claim that the true intent of this code or the rules legally adopted thereunder, including fines, have been incorrectly interpreted, the provisions of the code do not fully apply, or an equally good or better form of construction is proposed.

*Section 305.2 (1), Item 1. Barrier height clearances.* Amend to read in its entirety:

**305.2.1, Item 1. Barrier height and clearances.** The top of the barrier shall be at least 60 inches above grade measured on the side of the barrier that faces away from the swimming pool. Such height shall exist around the entire perimeter of the barrier and for a distance of 3 feet measured horizontally from the outside of the required barrier.

**Section 13.** A new section 5-90 of the Code, concerning Existing Building Code, is hereby created to read as follows:

**Sec. 5-90. Existing Building Code.**

(a) *Adoption.* The International Existing Building Code, 2018 Edition, is hereby adopted by reference and incorporated into this article as though fully set forth herein as the existing building code of the City of Wheat Ridge. One (1) copy of said International Existing Building Code shall be filed in the office of the city clerk and may be inspected during regular business hours. Except as otherwise provided hereafter, such code is adopted in full, including the outline of contents and index contained herein. The 2018 International Existing Building Code shall be known as the "I.E.B.C." or the "Existing Building Code" and may be cited and referred to as such.

(b) *Amendments.* The International Building Code adopted by this section is amended as follows. Section numbers referred to herein refer to and correspond with the section numbers of the 2018 International Existing Building Code.

*101.1 Title.* Amend to read in its entirety:

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

*105.1.1 Annual permit.* Delete entire section.

*105.1.2 Annual permit records.* Delete entire section.

*105.2 Work exempt from permit.* Amend to read in its entirety:

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

**Building:**

1. Sidewalks and driveways not more than 30 inches above adjacent grade, and not over any basement or story below and are not part of an accessible route.
2. Painting, papering, carpeting, cabinets and countertops and similar finish work that is not a part of the scope of a larger permissible project.
3. Shade cloth structures under 400 square feet constructed for nursery or agricultural purposes, not including service systems.
4. Window awnings in Group R-3 and U occupancies, supported by an exterior wall that do not project more than 54 inches from the exterior wall and do not require additional support.
5. Nonfixed and movable fixtures, cases, racks, counters and partitions not over 5 feet 9 inches in height.

6. Hoop houses as defined in Section 3102.2 that do not exceed 400 square feet in floor area, that are not occupied by the general public, and that do not contain mechanical or electrical devices, equipment or systems.

**Electrical:**

1. Repairs and maintenance: Minor repair work, including the replacement of lamps or the connection of approved portable electrical equipment to approved permanently installed receptacles.
2. Radio and television transmitting stations: The provisions of this code shall not apply to electrical equipment used for radio and television transmission, but do apply to equipment and wiring for a power supply and the installation of towers and antennas.
3. Temporary testing systems: A permit shall not be required for the installation of any temporary system required for the testing and servicing of electrical equipment or apparatus.

**Gas:**

1. Portable heating appliance.
2. Replacement of any minor part that does not alter approval of equipment or make such equipment unsafe.

**Mechanical:**

1. Portable heating appliance.
2. Portable ventilation equipment.
3. Portable cooling unit.
4. Steam, hot or chilled water piping within any heating or cooling equipment regulated by this code.
5. Replacement of any part that does not alter the approval or make it unsafe.
6. Portable evaporative cooler.
7. Self-contained refrigeration system containing 10 pounds or less of refrigerant and actuated by motors of 1 horsepower or less.

**Plumbing:**

1. The stopping of leaks in drains, water, soil, waste or vent pipe; provided, however, that if any concealed trap, drainpipe, water, soil, waste or vent pipe becomes defective and it becomes necessary to remove and replace the same with new material, such work shall be considered as new work and a permit shall be obtained and inspection made as provided in this code.
2. The clearing of stoppages or the repairing of leaks in pipes, valves or fixtures, and the removal and reinstallation of water closets, provided such repairs do not involve or require the replacement or rearrangement of valves, pipes or fixtures.
- 3.

*105.5 Expiration.* Amend to read in its entirety:

**105.5 Expiration.** Every permit issued by the code official under the provisions of this code shall expire one year (365 days) after the date of issuance. The building official is authorized to grant, in writing, one or more extensions of time,

for periods of not more than 180 days each. The extension shall be requested in writing and justifiable cause demonstrated.

*106.1 General.* Amend to read in its entirety:

**106.1 General.** Construction documents, statement of special inspections and other data shall be submitted in two (2) sets with each application for permit. The Building Official may allow additional sets to be submitted to allow for concurrent review to decrease the review time for applicants who wish to submit the additional documents. The construction documents shall be prepared by a registered design professional where required by the statutes of the jurisdiction in which the project is to be constructed. Where special conditions exist, the building official is authorized to require additional construction documents to be prepared by a registered design professional.

**Exception:** The building official is authorized to waive the submission of construction documents and other data not required to be prepared by a registered design professional if it is found that the nature of the work applied for is such that reviewing of construction documents is not necessary to obtain compliance with this code.

*106.3.1 Approval of construction documents.* Amend to read in its entirety:

**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 Subject to Field Inspections - Wheat Ridge Building Dept.". One set of construction documents so reviewed shall be retained by the building official. One set shall be returned to the applicant, shall be kept at the site of work and shall be open to inspection by the building official or a duly authorized representative.

*108.2 Schedule of permit fees.* Amend to read in its entirety:

**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 schedule as established by the applicable governing authority. The permit fee shall be established as set forth in Table 1-A.

*109.3 Building permit valuations.* Amend to read in its entirety:

**108.3 Building permit valuations.** The applicant for a permit shall provide an estimated project valuation at the time of application. Permit valuations shall include the value of all work, including foundation work, structural and non-structural building components, electrical, plumbing, mechanical and interior finish materials. Project valuation shall be calculated by the Building Division based on the most recent building valuation data (BVD) promulgated and published by the International Code Council (ICC), and the higher of the applicant stated valuation and the division calculated valuation shall be used to determine building permit fees. Final building permit valuation shall be set by the building official.

*112 Board of Appeals.* Amend to read in its entirety:

**112 Board of Appeals.** Appeals of decisions and determinations made by the Building Official shall comply with the process and procedures set forth in City of Wheat Ridge Municipal Code Sections 2-59 and 5-25. An application for appeal shall be based on a

claim that the true intent of this code or the rules legally adopted thereunder, including fines, have been incorrectly interpreted, the provisions of the code do not fully apply, or an equally good or better form of construction is proposed.

*113.4 Violation penalties.* Amend to read in its entirety:

**113.4 Violation penalties.** Any person or entity 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 or repair work in violation of the approved construction documents or directive of the code official, or of a permit or certificate issued under the provisions of this code, shall be guilty of a misdemeanor, punishable by a fine of not more than \$1,000.00 dollars or by imprisonment not exceeding 90 days, or both such fine and imprisonment; provided, however, that no person under the age of eighteen (18) years shall be subjected to imprisonment. Each day that a violation continues after due notice has been served shall be deemed a separate offense.

*114.2 Issuance.* Delete entire section.

*114.3 Unlawful continuance.* Rename and amend in its entirety:

**115.3 Issuance and unlawful continuance.** Upon notice from the code official that work is being done contrary to the provisions of this code or in a dangerous or unsafe manner such work shall immediately cease. Such notice shall be in writing and shall be given to the owner of the property, or to the owner's agent, or to the person doing the work, or visibly posted at the work site. The notice shall state the conditions under which the work is authorized to resume. Where an emergency exists, the code official shall not be required to give a written notice prior to stopping the work. Any person who shall continue any work in or about the structure after having been served with a stop work order, except such work that person is directed to perform to remove a violation or unsafe condition, shall be liable to a fine of not less than 60 dollars or not more than 1,000 dollars.

**Section 14. Penalties.** Penalties and remedies for violations of the codes and standards adopted by reference by Sections 1 through 13 of this Ordinance are set forth in Code Sections 5-5 and 5-83, which read, in their respective entirety, as follows:

**Sec. 5-5. Enforcement and remedies.**

(a) *Civil actions.* When an alleged violation of this chapter has not been voluntarily abated within the time specified in the notice issued pursuant to section 2-34:

- (1) The city may bring a civil action in the municipal court to have the violation declared as such by the court and to have the court enjoin the violation or to authorize its restraint, removal, termination or abatement by the owner, agent, occupant or person who caused the violation or the person who allowed the violation to continue, or by the mayor, the director of community development, director of public works or the chief of police or their designated representatives.

- (2) The civil action to declare and abate a violation of this chapter shall be brought in the name of the City of Wheat Ridge by filing a complaint, which shall be verified or supported by an affidavit. Summonses and subpoenas shall be issued and served as in civil cases. Any employee or agent of the City of Wheat Ridge who is over the age of eighteen (18) may serve a summons and verified complaint upon the owner, agent, occupant or the person who caused or allowed the violation (hereinafter "respondent"), or a subpoena upon any witness to the violation. Trial shall be to the court.
- (3) A notice of appearance shall be served with the summons and complaint. The appearance date shall be not less than twenty-one (21) days from the date of service of the summons and complaint. The respondent shall file a response or answer on or before the appearance date specified in the notice of appearance. The trial shall be held upon the appearance date, unless the court grants a continuance for good cause shown. No case shall be continued for more than sixty (60) days after the appearance date.
- (4) Upon the date and time specified for appearance and trial, if the respondent has filed no response and fails to appear, and if the city proves that proper service was made on respondent at least twenty-one (21) days prior to the appearance date, the court may grant such orders as are requested by the city; except that, the court shall order the enforcement by the city be stayed for ten (10) days and that a copy of the court's order be mailed to the respondent at his last known address. Failure to appear on any date set for hearing and trial shall be grounds for entering a default and default judgment against the nonappearing party. Prior to enforcement, and upon good cause shown, the court may set aside an entry of default and default judgment entered thereon.
- (5) Any disobedience to or interference with any injunction or order issued by the municipal court in an action to abate a violation of this chapter of the Wheat Ridge Code of Laws may be punished as a contempt of court or by a fine of not more than one thousand dollars (\$1,000.00). Each day's failure to comply with an injunction or order to abate shall constitute a separate act of contempt for which an additional penalty may be imposed.
- (6) In order to facilitate just, speedy, informal and inexpensive determinations of claims, the court shall follow the rules of county court civil procedure, as presently adopted and as amended hereafter from time to time, excepting Rules 302, 313, 338, 339, 347, 348, 350, 351, 351.1, 359(c)(2), 365, 383, 398, 402, 403, 404 and 406 thereof, and shall further utilize and follow the provisions of Rule 65 of the Colorado Rules of Civil Procedure in all cases wherein civil enforcement of the provisions of chapter 5 is sought. In the event of any discrepancy between any of the provisions of chapter 5 and those applicable rules of county court civil



procedure, or Rule 65 of the Colorado Rules of Civil Procedure adopted hereby, the provisions of chapter 5 shall prevail and be applied.

The right is expressly reserved and delegated to the presiding judge of the Wheat Ridge Municipal Court to adopt rules of procedure for the Wheat Ridge Municipal Court, which rules shall be applicable in any civil enforcement action brought by the city; provided, however, that said rules of procedure adopted and promulgated by the presiding judge of the municipal court shall not conflict with or contradict the authority of the city to pursue civil enforcement for violations of the provisions of this chapter 5.

- (7) In any case in which the city prevails in a civil action initiated pursuant to this subsection (a), the city may recover its reasonable costs of abating the violation, including reasonable costs of litigation, plus fifteen (15) percent in administrative costs; plus costs may be assessed against the subject property pursuant to paragraphs 16-13-313 and 16-13-314, C.R.S., (as amended). The remedies specified in this subsection (a) shall be in addition to all other remedies provided by law.

(b) Cumulative remedies. The remedies set forth herein are cumulative. In the event any building, structure or utility is erected, constructed, reconstructed, altered, repaired, converted, demolished, moved or maintained, or any building, structure or utility is used in violation of this chapter, the city or any proper city official may institute any other appropriate action or proceedings to prevent such unlawful erection, construction, reconstruction, alteration, repair, conversion, maintenance or occupancy to restrain, correct or abate such violation or to prevent the occupancy of such building, structure or land. The initiation of any action or the imposition of any penalty hereunder shall not preclude the city or any proper person from instituting any other appropriate action or proceeding to require compliance with the provisions of this chapter and with administrative orders and determinations made hereunder.

#### **Sec. 5-83. Technical code violation penalties.**

Except as otherwise provided for in the amendments for a code adopted herein by reference, a person, firm, corporation, partnership or any other entity who violates any of the technical codes contained in this articles, as such violations are defined in each of the respective codes and its amendment(s), may be punished by a fine of not more than one thousand dollars (\$1,000.00), or by imprisonment for a period of not exceeding one year, or both such fine and imprisonment; provided, however, that no person under the age of eighteen (18) years shall be subjected to imprisonment for violation of any provision of a technical code contained in this article. Each day that a violation continues shall be deemed a separate offense. The penalties provided in this section are intended to apply exclusively and solely to the technical codes contained in this articulated and do not rescind, amend or otherwise affect any other penalty provisions of this chapter.

**Section 15.** Section 5-117 of the Code, concerning Classification of licenses, is hereby amended by the deletion of subsection (a)(13) as follows:

**Sec. 5-117. - Classification.**

- (a) The various classes of licenses issued under this article and the work authorized to be performed by the holder of the license are as follows:

...

~~(13) Lawn sprinkler contractor—Class 13. A lawn sprinkler contractor, class 13, shall be authorized to do the following: Installation of underground lawn sprinkler systems, including backflow prevention devices and tapping the existing water service or main. CRS 12-58-102.~~

**Section 16.** Section 5-121 of the Code, concerning Fees for licenses, is hereby amended by the deletion of subsection (13) as follows:

**Sec. 5-121. - Fees.**

The annual license fees for contractors license under the provisions of this article shall be paid in accordance with the following table:

...

~~(13) Lawn sprinkler contractor, Class 13—\$75.00~~

**Section 17. Severability, Conflicting Ordinances Repealed.** If any section, subsection or clause of this Ordinance shall be deemed to be unconstitutional or otherwise invalid, the validity of the remaining sections, subsections and clauses shall not be affected thereby. All other ordinances or parts of ordinances in conflict with the provisions of this Ordinance are hereby repealed.


**Section 18. Safety Clause.** The City Council hereby finds, determines, and declares that this Ordinance is promulgated under the general police power of the City of Wheat Ridge, that it is promulgated for the health, safety, and welfare of the public and that this Ordinance is necessary for the preservation of health and safety and for the protection of public convenience and welfare. The City Council further determines that the Ordinance bears a rational relation to the proper legislative object sought to be attained.

**Section 19. Effective Date.** This Ordinance shall take effect on July 1, 2020, with the exception of Appendix F (Radon Control Methods), Appendix T (Solar Ready Provisions) of the 2018 International Residential Code, and section 306.2 (Moderate-hazard factory industrial, Group F-1) of the 2018 International Building Code, which shall take effect fifteen (15) days after final publication, as permitted by Section 5.11 of the Charter.

**INTRODUCED, READ, AND ADOPTED** on first reading by a vote of \_\_\_ to \_\_\_ on this 25<sup>th</sup> day of November, 2019, ordered published in full in a newspaper of general circulation in the City of Wheat Ridge, and Public Hearing and consideration on final passage set for January 13, 2020 at 7:00 p.m., in the Council Chambers, 7500 West 29th Avenue, Wheat Ridge, Colorado.

**READ, ADOPTED AND ORDERED PUBLISHED** on second and final reading by a vote of 7 to 0, this 13 day of January, 2020.

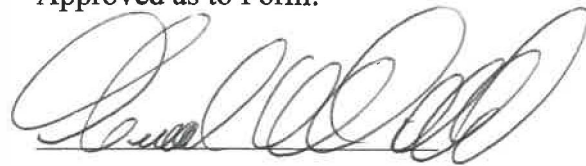
SIGNED by the Mayor on this 13 day of January, 2020.

  
Bud Starker, Mayor

ATTEST:

  
Steve Kirkpatrick, City Clerk

Approved as to Form:

  
Gerald E. Dahl, City Attorney

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