

ORDINANCE NO.

**AN ORDINANCE AMENDING TITLE 15 OF THE LOVELAND MUNICIPAL CODE
ADOPTING BY REFERENCE THERETO THE INTERNATIONAL
BUILDING CODE, 2012 EDITION**

WHEREAS, pursuant to Section 4-12 of the Charter of the City of Loveland, the City Council is authorized to adopt, by ordinance, any code by reference in accordance with the procedures established by state law; and

WHEREAS, the City Council has received the recommendation of the Construction Advisory Board recommending the adoption of the International Building Code, 2012 Edition, and amendments thereto; and

WHEREAS, The City Council has conducted a public hearing pursuant to Section 31-16-203, C.R.S. concerning the adoption of the International Building Code by reference and finds and determines that it is necessary to the health, safety and general welfare of the public that the City regulate conditions hazardous to life and property by the adoption of the International Building Code, 2012 Edition, and certain amendments and modifications thereto.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LOVELAND, COLORADO:

Section 1. Section 15.080.010 of the Loveland Municipal Code is repealed and reenacted to read as follows:

Section 15.08.010 – International Building Code – Adopted.

The International Building Code, 2012 Edition, issued and published by the International Code Council, 4051 West Flossmoor Road, Country Club Hills, IL 60478-5795, including appendices C, E, I, and J, is hereby adopted by reference as the building code of the city. This code is a complete code covering all buildings hereafter constructed, erected, enlarged, altered or moved into the city, and its purpose is to provide minimum standards to safeguard life and 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 and structures within the city and certain equipment specifically regulated therein for the purpose of protecting the public health, safety and general welfare. At least one copy of the International Building Code, 2012 Edition, which has been certified by the mayor and city clerk, shall be on file in the office of the city clerk and may be inspected during regular business hours.

Section 2. Section 15.08.020 of the Loveland Municipal Code is repealed and reenacted to read as follows:

Section 15.08.020 - Modifications to International Building Code, 2012 Edition.

The International Building Code, 2012 Edition, adopted in this chapter, is modified as follows:

A. Section 101.1 is amended to read as follows:

101.1 Title. These regulations shall be known as the Building Code of the City of Loveland, hereinafter referred to as “this code” or “building code.”

B. Section 103 is deleted in its entirety.

C. Section 104.10.1 is deleted in its entirety.

D. Section 105.2 is amended by adding the following to the first paragraph as follows:

(1) Item #2 under “Building” is amended to read as follows:

2. Fences not over 6 feet 3 inches high.

(2) Item #4 under “Building” is amended to read as follows:

4. Retaining walls that are not over 4 feet (1219 mm) in height measured from the bottom of the footing to the top of wall, unless supporting a surcharge. Specific manufacturer’s instructions of retaining wall products may be more restrictive regardless of the height of the retaining wall, thereby the more restrictive will apply.

(3) A new paragraph number 14. Is added under the section titled “Building” to read as follows:

14. Structures or work performed on properties of the government of the United States of America, State of Colorado, and the County of Larimer.

Unless otherwise exempted in this code, separate plumbing, electrical and mechanical permits may be required meeting the requirements of this subsection.

E. Section 105 is amended in part by the revision of Subsection 105.5 to read as follows:

Every permit issued shall become invalid unless the work on the site authorized by such permit is commenced within 180 days after its issuance, or if the work authorized on the site by such permit is suspended or abandon for a period of 180 days after the time the work is commenced. All permits issued shall become null and void regardless of the provisions of this section within eighteen (18) months of issuance. The building official is

authorized to grant, in writing, one or more extensions of time, for periods not more than 180 days each. The extension shall be requested in writing and justifiable cause demonstrated.

- F. Section 105 is amended in part by the addition of a new Subsection 105.8 to read as follows:

105.8 Transfer of permits. A building permit or application may be transferred from one party to the other upon written request to the building official, provided there are no changes to the plans and specifications. Additionally, the party to which the permit is transferred must be licensed in the appropriate license category and in good standing.

- G. Section 107 is amended in part by the addition of the following in subsection 107.3.4.1 to read as follows:

In accordance with Section 107.3.4.1 the building official *may* require plans, computations, and specifications to be prepared, designed, and stamped by an engineer or architect licensed in the State of Colorado* when, but not limited to:

** CRS 12-25-301 Board of Licensure for Architects, Engineers and Land Surveyors of the State of Colorado.*

- (1) Foundations are constructed on caissons or other than spread footings conforming to the requirements of Chapter 18.
- (2) Roof framing or wall framing is “other than standard” construction not conforming to the requirements of Chapter 16 and 23.
- (3) Conformation of beam sizes and spans, loading, or any structural element affecting the integrity of the building.

- H. Section 109.2 is amended in part by the revision of Subsection 109.2 to read as follows:

109.2 Schedule of permit fees. Fees for any permit, plan review or inspection required by this code shall be established from time to time by resolution of the City Council.

- I. Section 109.2 is amended by the addition of a new subsection 109.2.1 to read as follows:

109.2.1 Plan Review Fee. When submittal documents are required by Section 105.1, a plan review fee shall be paid. The plan review fees specified in this section are separate fees from the permit fees specified in Section 108.2 and are in addition to the permit fees.

- J. Section 109 is amended in part by the addition of a new subsection 109.2.2 to read as follows:

109.2.2 Expiration of plan review. Applications for which no permit is issued within ninety (90) days following the date of last action of review without any response or additional information submitted by the applicant shall expire. Plans submitted for checking may thereafter be returned to the applicant or destroyed by the building official. The building official may extend the time for action by the applicant for a period not exceeding sixty (60) days upon written request by the applicant demonstrating that circumstances beyond control of the applicant have prevented action from being taken. In order to renew action on an application after expiration, the applicant shall resubmit plans and review fee.

- K. Section 109 is amended in part by the revision of Subsection 109.4 to read as follows:

109.4 Work commencing before permit issuance. Any person who commences any work on a building, structure, electrical, gas, mechanical or plumbing system before obtaining the necessary permits shall be subject to a fee established by the building official that shall be in addition to the required permit fees. This fee can equal up to the amount of the permit fee required by this code. The payment of such fee shall not exempt an applicant from compliance with all other provisions of either this code or other requirements nor from the penalty prescribed by law.

- L. Section 109 is amended in part by the revision of Subsection 109.6 to read as follows:

109.6 Refunds. The building official shall be permitted to authorize refunding of not more than fifty percent (50%) of the permit fee paid when no work has been done under a permit issued in accordance with this code.

The building official shall be permitted to authorize refunding of not more than fifty percent (50%) 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 provided that no examination time has been expended.

The building official shall not be permitted to authorize refunding of any fee paid except upon written application filed by the original permittee not later than sixty (60) days after the date of fee payment.

- M. Section 109 is amended by the addition of a new Subsection 109.7 to read as follows:

109.7 Investigative fees - Work without a permit. Whenever any work for which a permit is required by this code has been commenced without first obtaining said permit, a special investigation shall be made before a permit may be issued for such work. An investigation fee, in addition to the permit fee, shall be collected whether or not a permit is then or subsequently issued. The investigation fee **up to or** equal to the amount of the permit fee required by this code. The minimum investigation fee shall be the same fee as

the minimum set forth and adopted by the City Council. The payment of such investigation fee shall not exempt any person from compliance with all other provisions of this code nor from any penalty prescribed by law.

N. Section 109 is amended by the addition of a new Subsection 109.8 to read as follows:

109.8 Re-inspections. A re-inspection fee may be assessed for each inspection or re-inspection when such portion of work for which inspection is called is not complete or when corrections called for are not made. This section is not to be interpreted as requiring re-inspection fees the first time the job is rejected for failure to comply with the requirements of this code, but as controlling the practice of calling for inspections before the job is ready for such inspection or re-inspection.

Re-inspection fees may be assessed when the inspection card is not posted or otherwise not available on the work site; the approved plan is not readily available to the inspector; failure to provide access on the date for which a inspection is requested; or for deviating from the plans requiring the approval of the building official.

O. Section 110 is amended by the addition of a new Subsection 110.1.1 to read as follows:

110.1.1 Inspection record card. Work requiring a building permit shall not be commenced until the permit holder or his agent shall have posted an inspection record card in a conspicuous place on the premises and in a position as to allow the building official to make the required entries conveniently thereon regarding inspection of the work. The address of the building site must be posted in a conspicuous place readily visible from the public road. This card shall be maintained in such a position by the permit holder until all inspections have been made and final approvals have been granted by the building official. No permanent electric meters will be released until the card has all the required signatures which have been verified by the Building Division.

P. Section 110 is amended by the addition of a new Subsection 110.3.1.1 to read as follows:

110.3.1.1 Drilled pier inspection. Inspection will be made while the piers are being drilled. The Engineer of record or his authorized representative shall be present during the drilling operations and be available to the City inspector during required inspections.

Q. Section 110 is amended in part by the revision of Subsection 110.3.3 to read as follows:

110.3.3 Lowest floor elevation. The elevation certificate required in Section 1612.5 shall be submitted when required by the building official or as required by Chapter 15.14 of the City of Loveland Municipal Code.

- R. Section 110 is amended in part by adding the following sentence of Subsection 110.3.7 to read as follows:

Energy efficiency inspections, if required, shall be provided by and at the owner's expense to verify compliance with the provisions of this section

- S. Section 110 is amended in part by adding the following sentences to Subsection 110.3.8 to read as follows:

All new footing and foundation inspections shall be performed by a Colorado licensed design professional and shall include the reinforcing, concrete-encased electrode (UFER ground), and when required damp-proofing and perimeter drain.

- T. Section 111 is amended in part by the addition of a paragraph at the end of Subsection 111.1 to read as follows:

The issuance of a temporary certificate of occupancy may be granted when all provisions of a permit are not complete, provide all required life safety requirements are met. Where occupancies are not determined at time of building permit application, permits issued for no occupancy and core and shell construction shall be issued a limited letter of completion or letter of completion.

- U. Section 111 is amended in part by the addition of the new Subsection 111.1.1 to read as follows:

111.1.1 Exception. Certificates of occupancy are not required for work exempt from permits under Section 105.2. No certificate of occupancy shall be required for Private U Occupancies and permits not establishing a use.

- V. Subsection 112.3 is deleted in its entirety.

- W. Subsection 113 is deleted in its entirety.

- X. Subsection 115 is amended in part with the revision to Subsection 115.2 to read as follows:

115.2 Issuance. The stop work order shall be in writing and shall be given to the owner of the property involved, or to the owner's agent, or to the person doing the work, or posted on the property. Upon issuance of a stop work order, the cited work shall immediately cease. The stop work order shall state the reason for the order, and the conditions under which the cited work will be permitted to resume.

- Y. Section 202 is amended by the addition of the following definitions of "Room, Sleeping (Bedroom)," and "Utility Space (Room)" to read as follows:

Room, Sleeping (Bedroom) is a habitable room within a dwelling unit designated primarily for the purpose of sleeping. Built in features such as closets and similar storage facilities shall not be considered as relevant factors in determining whether or not a room is a sleeping room.

Utility Space (Room) is a room designed or used to house heating and general maintenance equipment.

Z. Section 310 is amended in part by deleting “Live/work units” under Subsection 310.4.

AA. Section 414.1.3 shall be amended by adding *and fire official* following *building official*.

BB. Section 419 is deleted in its entirety. **CAB discussion**

CC. Section 508.1 is amended by the deletion of exception 3.

DD. Section 901.1 is amended to read as follows:

901.1 Scope. The provisions of this chapter shall specify where fire protection systems are required and shall apply to the design, installation and operation of fire protection systems. When the requirements of this code and the adopted fire code are in conflict the more restrictive shall apply.

EE. Section 901.2 is amended to read as follows:

901.2 Fire protection systems. Fire protection systems shall be installed, repaired, operated and maintained in accordance with this code and the adopted fire code.

Any fire protection system for which an exception or reduction to the provisions of this code has been granted shall be considered to be a required system.

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

FF. Section 903.1.1 is amended to read as follows:

903.1.1 Alternative protection. Alternative automatic fire-extinguishing systems complying with Section 904 shall be permitted in lieu of automatic sprinkler protection where recognized by the applicable standard and approved by the building official and by the fire code official.

GG. Section 903.2.7 amending item 4 to read as follows:

4. A Group M occupancy is used for the display and sale of upholstered furniture which does not exceed six thousand (6,000) sq. ft.

HH. Section 903 is amended to read as follows:

903.2.14 Dead-end Roadways. An automatic fire sprinkler system shall be installed in all Group R fire areas, other than single family detached residences, on a dead-end roadway when the dead-end is in excess of 400 feet. (Fire Code)

II. Section 903 is amended by the addition of a new subsection 903.3.5.3 to read as follows:

903.3.5.3 Backflow protection. All fire sprinkler systems undergoing modification, unless exempt by the Director of the City of Loveland Water and Power Department, shall be isolated from the public water system by a backflow prevention device meeting the requirements of the Loveland Municipal Code.

JJ. Section 903.4.3 is amended to read as follows:

Section 903.4.3 Floor Control Valves. Approved supervised indicating control valves shall be provided at the point of connection to the riser on each floor in all multi-story structures.

KK. Section 907.2.10.1 is amended by the addition of the following to read as follows:

4. In Groups R-2, R-3, R-4 and I-1 occupancies all attached garages, an interconnected heat detector shall be installed. (Fire Code)

LL. Section 907 is amended by the addition of a new subsection 907.2.10.4 is hereby enacted to read as follows:

907.2.10.4 Exterior Strobe. An exterior strobe shall be provided on the exterior of all R-3 and R-4 occupancies in a location readily visible from the roadway fronting the structure. This strobe shall alarm upon activation of any smoke or heat detection. (Fire Code)

MM. Section 1101.2 is amended to read as follows:

1101.2 Design. Buildings and facilities shall be designed and constructed to be accessible in accordance with this code and ICC A117.1, most current edition, **and Colorado Revised Statute Title 9 Article 5, 9-5-101, et seq., as amended.**

NN. Section 1301 is amended by the addition of a new subsection 1301.1.2 to read as follows:

1301.1.2 Design values. The exterior design values shall be as follows:

Winter Design Dry-bulb	4 degrees F
Summer Design Dry-bulb	94 degrees F
Summer Design Wet-bulb	63 degrees F
Degree Days Heating	6600 degrees F
Degrees North Latitude	40 degrees 35 minutes
Air Freezing Index	1000

OO. Section 1403.5 is amended by adding the following paragraph to read as follows:

For buildings in flood hazard areas as established in Section 1612.3, all construction shall comply with the provisions of Chapter 15.14, Floodplain Building Code of the Loveland Municipal Code and any Floodplain Overlay Areas established by the City of Loveland.

PP. Section 1505.1 is amended by the addition of the following footnotes d & e to Table 1505.1 Minimum Roof Covering Classification for Types of Construction to read as follows:

d. The roof covering on any new structure or on the re-roofing of 50 percent or more during a one year period of any existing structure located west of the following described line shall be upgraded from a Class C to a Class B: Starting at the intersection of the Wyoming border line and Range 69 West, then South nine miles to S.W. Corner of Section 31, Township 11, Range 69, then West three miles to N.W. Corner of Section 3, Township 10, Range 70 then South five miles to S.W. corner of Section 27, Township 10, Range 70, then East three miles to S.W. corner of Section 30, Township 10, Range 69, then South nine miles to S.W. corner of Section 7, Township 9, Range 69, then West one mile to N.W. corner of Section 13, Township 8, Range 70, then South four miles to S.W. corner of Section 36, Township 8, Range 70, then East two miles, to N.W. corner of Section 6, Township 7, Range 69, then South three miles to S.W. corner of Section 17, Township 7, Range 69, then East one mile to S.W. corner of Section 17, Township 7, Range 69, then South four miles to S.W. Corner of Section 4, Township 6, Range 69, then East one mile to S.W. corner of Section 4, Township 6, Range 69, then South four miles to S.W. corner of Section 27, Township 6, Range 69, then West one mile to S.W. corner of Section 28. Township 6, Range 69, then South three miles to intersection of U.S. Hwy. 34 then West following Hwy. 34 two miles to intersection with Range 69 West, then South seven and three quarter miles to S.W. corner of Section 18, Township 4, Range 69, then West one mile to S.W. corner of Section 13, Township 4, Range 70, then South three miles to where the S.W. corner of Section 36, Township 9, Range 70 meets the Boulder County Line.

e. For the purpose of using Table 1507.8, the City of Loveland shall be considered to be within the temperate climate classification. Underlayment in temperate climate: shakes shall be applied over solid sheathing with an underlayment of type 15 felt and with not less than 18 wide strips of type 30 felt applied shingle fashion between each course with no felt exposed below the butt of the shingle. Alternatively, shakes may be applied over

solid sheathing with an underlayment of not less than two type 30 felts applied single fashion.

QQ. Table 1607.1, item 25. Residential, Habitable attics and sleeping rooms shall be amended to 40 psf uniform.

RR. Section 1608.2. is amended to read as follows:

1608.2 Ground snow loads. The ground snow loads to be used in determining the design snow loads for roofs are given in Figure 1608.2 for the contiguous United States and Table 1608.2 for Alaska. Site-specific case studies shall be made in areas designated CS in Figure 1608.2. Ground snow loads for sites at elevations above the limits indicated in Figure 1608.2 and for all sites within the CS areas shall be approved. Ground snow load determination for such sites shall be based on an extreme value statistical analysis of data available in the vicinity of the site using a value with a 2-percent annual probability of being exceeded (50-year mean recurrence interval). Snow loads are zero for Hawaii, except in mountainous regions as approved by the building official. Minimum design ground snow load for the City of Loveland shall be thirty (30) pounds per square foot.

SS. Section 1609.3 is amended to read as follows:

1609.3 Basic wind speed. The Special Wind Region, as indicated in Figure 1609 of the 2012 Edition of the International Building Code, shall apply. Additional Wind Design Speed for any given project area shall reference the Colorado Front Range Basic Wind Speed Study Map. Refer to Colorado Front Range Gust Map dated October 15, 2005.

Minimum design wind speed is 100 mph (3-second gust), exposure C

Note: Exposure B may be allowed if the site plan and Colorado registered engineer's calculations show that exposure B is acceptable for the project location due to site conditions and it is approved by the Building Official.

TT. Section 1611.1 is amended by adding the following after the first paragraph:

1611.1 Design rain loads.

60 minute duration, 100 year event is 2.66 inches/hour; 0.0275 gpm/square foot

UU. Section 1612.3 is amended to read as follows:

1612.3 Establishment of flood hazard areas. To establish flood hazard areas, the governing body shall adopt a flood hazard map and supporting data. The flood hazard map shall include, at a minimum, areas of special flood hazard as identified by the Federal Emergency Management Agency in an engineering report entitled "The Flood Insurance Study for the City of Loveland," as amended or revised with the accompanying Flood Insurance Rate Map (FIRM) and Flood Boundary and Floodway Map (FBFM) and

related supporting data along with any revisions thereto. The adopted flood hazard map and supporting data are hereby adopted by reference and declared to be part of this section.

VV. Section 1803.6 is amended by the addition of a new subparagraph 10 to read as follows:

1803.6 Reports. . . .

11. An investigation of the potential for subsurface water and, if necessary, designs for the control of subsurface water.

WW. Section 1809.5 is amended by the addition of the following sentence at the end of the section to read as follows:

The frost line, for footing/foundation design, shall be a minimum of 30 inches below finished grade line.

XX. Table 2304.6.1 is amended by adding the following footnote d:

d. the use of staples is permitted provide the staples are tested and listed for the appropriate installation and/or specified by a Colorado licensed design professional

YY. Section 3001.2 is amended to read as follows:

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 A17.1, ASME A18.1 (Platform Lifts & Stairway chairlifts), ASME A90.1, ASME B20.1, ALI ALCTV, and ASCE 24 for construction in flood hazard areas established in Section 1612.3.

ZZ. Section 3109.1 “Swimming Pool Enclosures and Safety Devices” General, is hereby amended to read as follows:

Swimming Pools shall comply with the requirements of this section and other applicable sections of this code and per Colorado Revised Statutes Title 25, Article 5, Part 8.

AAA. Appendix A, “Employee Qualifications”, is hereby deleted in its entirety.

BBB. Appendix B, “Board of Appeals”, is hereby deleted in its entirety.

CCC. Appendix D, “Fire Districts”, is hereby deleted in its entirety.

DDD. Appendix F, “Rodent Proofing”, is hereby deleted in its entirety.

EEE. Appendix G, “Flood Resistant Construction”, is hereby deleted in its entirety.

FFF. Appendix H, "Signs," is hereby deleted in its entirety.

GGG. Appendix K, "Administrative Provisions " is hereby deleted in its entirety.

Section 6. Section 15.08.030 of the Loveland Municipal Code is repealed and reenacted to read as follows:

Section 15.08.030 – Violations and penalties.

It shall be unlawful for any person, firm or corporation to erect, construct, enlarge, alter, repair, move, improve, remove, convert or demolish, equip, use, occupy or maintain any building or structure in the city or cause the same to be done contrary to or in violation of any of the provisions of the building code, as adopted and modified by the city. Any person, firm or corporation violating any of the provisions of the building code, as adopted and modified by the city, shall be deemed guilty of a misdemeanor, and subject to penalties as set forth in Section 1.12.010 of the code of the city of Loveland.

Section 7. As provided in Loveland Charter Section 4-8(b), this ordinance shall be in full force and effect ten days after publication following final adoption.

Signed this _____ day of _____, 2013

Mayor

ATTEST:

City Clerk

APPROVED AS TO FORM:

Assistant City Attorney