

**TOWN OF NEW CASTLE, COLORADO
ORDINANCE NO. TC 2018-5**

AN ORDINANCE OF THE NEW CASTLE TOWN COUNCIL ADOPTING THE 2015 EDITIONS OF THE INTERNATIONAL BUILDING CODE, INTERNATIONAL RESIDENTIAL CODE, INTERNATIONAL MECHANICAL CODE, INTERNATIONAL FUEL GAS CODE, INTERNATIONAL PLUMBING CODE, INTERNATIONAL EXISTING BUILDING CODE, AND INTERNATIONAL FIRE CODE AND CERTAIN AMENDMENTS THERETO AS WELL AS THE EDITION OF THE NATIONAL ELECTRICAL CODE MOST RECENTLY ADOPTED BY THE STATE OF COLORADO AND AMENDING TITLE 15 OF THE TOWN MUNICIPAL CODE ACCORDINGLY.

WHEREAS, pursuant to Article IV of the Charter of the Town of New Castle (“Town”) and C.R.S. § 31-16-202, the Town is authorized to adopt codes by reference; and

WHEREAS, the Town has previously adopted by reference the 2003 editions of the International Building Code, the International Residential Code, the International Mechanical Code, the International Fuel Gas Code, the International Plumbing Code, the International Existing Building Code, and the International Fire Code (collectively, the “International Codes”);

WHEREAS, the International Codes serve as the building codes for the Town as set forth in Title 15 of the New Castle Municipal Code,

WHEREAS, the Town has also adopted the 2005 edition of the National Electrical Code as a reference resource as stated in Chapter 15.28 of the Municipal Code; and

WHEREAS, pursuant to C.R.S. §§ 12-23-104 and 12-58-104, the Town is required to adopt and adhere to the minimum standards for electrical and plumbing work adopted by the state electric and plumbing boards; and

WHEREAS, other municipalities near the Town have adopted more recent versions of the International Codes; and

WHEREAS, to be consistent with surrounding municipalities, comply with state law, and promote the health, safety, and welfare of Town residents, the Town building inspector has recommended that the Town adopt the 2015 version of the International Codes and the version of the National Electrical Code adopted by the State of Colorado; and

WHEREAS, Town staff has reviewed the International Codes in light of the Town’s unique physical setting and development needs and determined that the amendments set forth herein will ensure efficient administration and enforcement of the International Codes; and

WHEREAS, on August 7, 2018, the Town Council conducted a duly notice public hearing regarding the adoption of the updated editions of the International Codes pursuant to C.R.S. § 31-16-203; and

WHEREAS, the Town Council finds and determines that the interests of the citizens of New Castle will be best served by adopting by reference the 2015 editions of the International Codes and the version of the National Electrical Code enforced by the State of Colorado, subject to the amendments set forth herein.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF NEW CASTLE, COLORADO AS FOLLOWS:

Section 1. Recitals. The foregoing Recitals are incorporated as findings of the Town Council.

Section 2. Adoption The Town Council hereby adopts by reference the following codes, subject to the amendments set forth in Section 3 of this Ordinance: International Building Code, 2015 Edition; the International Residential Code, 2015 Edition; the International Mechanical Code, 2015 Edition; the International Fuel Gas Code, 2015 Edition; the International Plumbing Code, 2015 Edition; the International Existing Building Code, 2015 Edition; the International Fire Code, 2015 Edition; and the edition of the National Electric Code that is adopted and enforced from time to time by the State of Colorado Electric Board.

Section 3. Code Amendment. Chapters 15.04, 15.08, 15.10, 15.12, 15.14, 15.16, 15.18, 15.24, and 15.28 of the Town Code are repealed in their entirety and reenacted as set forth below. Those chapters of Title 15 not expressly addressed in this Ordinance shall remain unchanged and in full force and effect. All title pages and tables of contents shall be updated accordingly.

Chapter 15.04 GENERAL PROVISIONS

15.04.010 Scope.

The provisions of this title shall apply to the construction or alteration of all dwellings, buildings, and structures in the entire incorporated area of the town, together with plumbing, mechanical, and electrical installations therein, or in connection therewith, and to storage, handling and use of hazardous substances, materials, and devices and conditions hazardous to life or property in the area of the town. This title shall govern the adoption of the International Building Code, 2015 Edition, the International Residential Code, 2015 Edition, the International Mechanical Code, 2015 Edition, the International Fuel Gas Code, 2015 Edition, the International Plumbing Code, 2015 Edition, the International Existing Building Code, 2015 Edition, the International Fire Code, 2015 Edition, and, for special reference resource material purposes only, the edition of the National Electric Code adopted and enforced by the State of Colorado Electric Board from time to time, all to be used collectively as a set of building code regulations.

15.04.020 Code copies.

At least one copy of each of the international and uniform codes adopted herein, certified to

be true copies by the mayor and the town clerk, shall be on file in the office of the chief building code enforcement officer of the town, and may be inspected by any interested person during normal business hours of the town. Each of the codes as finally adopted shall be available for sale to the public through the office of the town clerk at a moderate price.

15.04.030 Liability of Town.

A. Nothing in this title including, but not limited to, the adoption of the various construction building codes and the authorization of inspections by the town and its agents and authorized representatives, shall be construed as imposing on the town or any town official, employee, agent or authorized representative, any liability or responsibility for injury or damage to a person caused by anything required or not required by such construction building codes or caused by reason of inspections or the lack thereof authorized by this title or caused by the issuance or lack thereof of a building permit, certificate of occupancy, or other similar document.

B. The town building official, members of the board of appeals, and any other town employee or authorized agent charged with the enforcement of any code adopted in this Title 15, while acting in good faith and without malice in the discharge of duties required by any such code or other law or ordinance, shall not thereby be rendered personally liable for costs or fees in any action, suit, or proceeding, and is hereby relieved from personal liability for any damage accruing to persons or property as a result of any act or by reason of an act or omission in the discharge of official duties.

C. The adoption of any code in this Title 15 or any previous codes shall not be construed to relieve or lessen the responsibility of any person owning, operating, or controlling any building, structure, or property for any damages to persons or property caused by defects on or in such premises, nor shall the Town of New Castle, the town building official, town code enforcement officer, or any other town employee, agent, or authorized representative be held as assuming any such responsibility or liability by reason of the adoption of any code or by the exercise of inspections authorized and carried out thereunder, or by the issuance of any permits or certificates issued pursuant to this code.

15.04.040 - Severability.

If any section, subsection or provision of this title or any code adopted by reference in this title or the application thereof to any person or circumstance is declared unconstitutional or otherwise invalid by any competent court, such invalidity shall not affect the other sections, subsections, provisions or applications of this title or such code adopted by reference if they can be given effect without the invalid section, subsection, provision or application.

15.04.050 - Penalties.

A. It is unlawful for any person or other legal entity to erect, construct, enlarge, alter, repair, move, improve, remove, convert, demolish, equip, use, occupy, or maintain any building or structure in the town, or cause or permit the same to be done contrary to or in violation of any of the provisions of the codes adopted by reference under this title.

B. Any person or other legal entity who is found to have erected, constructed, altered or repaired a building or structure in violation of the approved construction documents or directive of

the building official, or of a permit or certificate issued under the provisions of any code adopted by reference under this title, shall be guilty of a separate offense for each and every day or portion thereof during which any violation of any provision of this code is committed, continued, or permitted.

C. Any violation of this title and the codes adopted hereunder shall be deemed a misdemeanor crime punishable by a fine not to exceed one thousand five hundred dollars (\$1,500.00) or imprisonment for a term not exceeding ninety (90) days or by both such fine and imprisonment.

15.04.060 Contractor testing.

Prior to the issuance of any building permit under this title, applicants shall provide to the building official evidence of his/her qualifications and competency to engage in the building contractor work for which application is made. Such evidence may include, but is not limited to, proof of passage of a written examination such as the test(s) prepared by the Board of Examiners for Standardized Testing (B.E.S.T.); a current B.E.S.T. card; a list of relevant experience with verifiable references; a work portfolio with verifiable references; or current licensing from other governmental jurisdictions if such licensing requires a comparable demonstration of familiarity with current code editions of the International Code Council. The building official reserves the right to deny the issuance of a building permit if the building official reasonably determines that the evidence provided by the applicant does not adequately demonstrate the applicant's qualifications and competency to engage in the building contractor work applied for.

15.04.070 State License Required.

All persons performing plumbing or electrical work of any type regulated or licensed by the State of Colorado must hold a valid State license before engaging in any trade, job or contractual service within the Town of New Castle.

15.04.080 Compliance with Laws.

All work performed pursuant to this Title shall be in conformity with all applicable provisions of the Municipal Code, ordinances of the Town, and state and federal statutes, codes, rules and regulations, unless such state and federal statutes, codes, rules and regulations have been superseded by the provisions of this Title.

15.04.090 Conflicts.

If the provisions of the building codes, as adopted in this Title, conflict with any other provisions of the Municipal Code then the more restrictive of the two shall govern. Where there is a conflict between a general requirement and a specific requirement, the specific requirement shall be applicable.

**Chapter 15.08
INTERNATIONAL BUILDING CODE**

15.08.010 Adoption.

Pursuant to the power and authority conferred by the Town Charter C.R.S. §§ 31-16-201, *et seq.*, there is adopted by reference thereto the International Building Code, 2015 Edition, and

Appendices B, G, I, and J thereto, promulgated by the International Code Council, Inc., 4051 West Flossmoor Road, Country Club Hills, Illinois 60478-5795. The purpose of this code is to establish the minimum regulations governing the conditions and maintenance of all property, buildings, and structures within the Town by providing the standards for supplied utilities and facilities and other physical things and conditions essential to ensure that structures are safe, sanitary, and fit for occupation and use and the condemnation of buildings and structures unfit for human occupancy and use and the demolition of such structures.

15.08.020 Amendments

The International Building Code, 2015 Edition, is amended as follows:

Section 101.1 insert the “Town of New Castle”

The following portion of Section 101.4.5 is amended to read as follows, with the balance of Section 101.4.5 remaining unchanged:

Section 101.4.5 Fire Prevention. The provisions of the International Fire Code as adopted by the Town of New Castle . . .

Section 104.1 is amended to read as follows:

Section 104.1 General. The building official or any authorized representative, is hereby authorized and directed to enforce all provisions of this code; however, a guarantee that all buildings and structures have been constructed in accordance with all provisions of this code is neither intended nor implied. The building official shall have the authority to render interpretations of this code and to adopt policies and procedures in order to clarify the application of its provisions. Such interpretations, policies and procedures shall not have the effect of waiving requirements specifically required in this code.

Section 104.8 is hereby deleted. See Section 15.04.030 of the Municipal Code.

Section 105.3 is amended to include the following language:

A survey of the building lot may be required by the building official to verify that the structure is located in accordance with the approved site plans. A site development plan shall be submitted with any building permit application which involves the construction of a new building or the expansion of an existing building. The site development plan shall be submitted in triplicate, shall be drawn to scale, and shall show the actual dimensions of the lot to be built upon, the size of the building to be erected, the location of the building on the lot with reference to legally established property lines, and such other information as may be necessary to provide for the enforcement of the Municipal Code. Prior to issuance of a building

permit, the building official may require monumentation of property boundaries and corners in accordance with the standards set forth in C.R.S. '38-51-101 et seq., as amended, in order to fulfill the purposes of this section. A record of all site development plans and other survey information shall be kept in the office of the building official.

Section 105.5 is amended to read as follows:

105.5 Expiration. Every permit issued shall become invalid unless the work on the site authorized by such permit is commenced within one hundred eighty (180) days after its issuance, or if the work authorized on the site by such permit is suspended or abandoned for a period of 180 days after the time the work is commenced. The building official is authorized to grant, in writing, 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.

Every permit issued by the building official under the provisions of this code shall expire by limitation and become null and void eighteen (18) months from the date of issuance of such permit. The building official may extend the time for completion by the applicant for a period not exceeding 18 months upon written request by the applicant showing the circumstances beyond the control of the applicant that prevented completion of the permitted work. No permit shall be extended more than once nor beyond three (3) years from the date of issuance of such permit.

Section 107.2.5.2 is hereby added:

Section 107.2.5.2. The site plan shall be submitted in triplicate and in addition to the requirements of Section 107.5.2 shall include such other information as may be necessary to provide for the enforcement of the Municipal Code.

Section 107.3.3 is amended to read as follows:

Section 107.3.3 Phased approval. The building official is authorized to issue a permit for the excavation of a building site only after the documents for the entire building or structure have been submitted and the Excavation Permit Application is approved by the Town of New Castle. The holder of the Excavation Permit shall proceed at the holder's own risk without assurance that the permit for the entire structure will be granted. If the permit for the entire structure is not approved the excavation work shall cease and the lot returned to its original condition within 30 days of the denial of the project, or, the owner may submit a revised set of plans for approval. If the revised plans are not approved, the foundation and

excavation work shall be removed and the lot returned to its original condition within 30 days of the denial of the revised plans.

Section 107.6 Building Lot Survey is hereby added:

Section 107.6 Building Lot Survey. A survey of the building lot may be required by the building official to verify that the structure is located in accordance with the approved site plans. Prior to issuance of a building permit, the building official may require monumentation of property boundaries and corners in accordance with the standards set forth in C.R.S. '38-51-101 (Article 51), as amended, in order to fulfill the purposes of this section. The owner and/or contractor shall sign a waiver absolving the Town of all responsibility regarding building location prior to commencing work. A foundation location or improvement location certificate prepared by licensed surveyor shall be provided within 7 days of the approval of the foundation inspection. Work may be stopped if a foundation location or improvement location certificate is not provided within 7 days of the approval of the foundation inspection. The Improvement Location Certificate shall show building setbacks and building envelope. A record of all site plans and other survey information shall be kept in the office of the building official.

Exception: For additions to existing buildings the building official may authorize the use of an existing improvement location certificate prepared by licensed surveyor to verify that the addition is properly located on the site.

Section 109.2 is amended to read as follows:

109.2 Schedule of permit fees. A fee for each building permit shall be paid to the building department as set forth in the Building Permit Fee Schedule adopted by the Town, as may be amended. The determination of value or valuation under any of the provisions of this Code shall be made by the building official based on the Valuation Schedule published in the most current edition of the "Building Safety Journal" magazine by the International Code Council. The value to be used in computing the building permit and building plan review fees shall be the total value of all construction work for which the permit is issued. The building official may waive the building permit fee for any public entity when such entity is applying for a building permit for a governmental use or a proprietary purpose.

Section 109.4 is amended to read as follows:

109.4 Work commencing before permit issuance. Whenever any work for which a permit is required by this Code has 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 shall be equal to the amount of the permit fee required by this code. The minimum investigation fee shall be the same as the minimum fee set forth in the Building Permit Fee Schedule adopted by the Town, as may be amended. 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.

Section 109.6 is amended to read as follows:

109.6 Refunds. The building official may authorize the refunding of any fee paid hereunder which was erroneously paid or collected.

Section 109.6.1 is added to read as follows:

109.6.1 Processing fee. There shall be a minimum \$60.00 fee for processing refunds.

Section 109.6.2 is added to read as follows:

109.6.2 Permit fee refund. The building official may authorize the refunding of not more than 80 percent of the permit fee paid when no work has been done under a permit issued in accordance with this code.

Section 109.6.3 is added as follows:

109.6.3 Plan review fee refunds. The building official may authorize the refunding of not more than 80 percent of the plan review fee paid when an application for a permit for which a plan review fee has been paid is withdrawn or cancelled before any plan reviewing is done.

Section 109.6.4 is added as follows:

109.6.4 Fee refund application. The building official shall not authorize the refunding of any fee paid except upon written application filed by the original permittee not later than 90 days after the date of the fee payment.

Section 109.7 is hereby added as follows:

109.7 Plan review fee. When submittal documents are required by Section 107, a plan review fee shall be paid at the time of submitting the submittal documents for plan review. Said plan review fee shall be 65 percent of the building permit fee. The plan review fees specified in this Section are

separate fees from the permit fees specified in Section 109.2 and are in addition to the permit fees. When submittal documents are incomplete or changed so as to require additional plan review or when the project involves deferred submittal items as defined in Section 107.3.4.1, an additional plan review fee shall be charged at the rate shown on the Building Permit Fee Schedule.

Section 109.8 is hereby added as follows:

109.8 Expiration of plan review. Applications for which no permit is issued within ninety (90) days following the date of application shall expire by limitation and 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 ninety (90) days upon written request by the applicant showing that circumstances beyond the 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 plan review fee. Said plan review fee shall be sixty-five percent (65%) of the building permit fee as shown on the Building Permit Fee Schedule.

That portion of Section 110.3.7 is hereby amended to read as follows with the remainder being unchanged:

110.3.7 Energy efficiency inspections. Inspections shall be made by an Energy Consultant to determine compliance with Chapter 13 and the most current Energy Code adapted by the Town, and shall include, but not be limited to, inspections for:

Envelope insulation R- and U- values, fenestration U- Value, duct system R- value, and HVAC and water-heating equipment efficiency.

Section 110.7 is hereby added as follows:

110.7 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 a 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 record card is not posted or otherwise available on the work site, the approved plans are not readily available to the inspector, for failure to provide access on the date for which inspection is requested, or for deviating from plans requiring the

approval of the building official. A re-inspection fee may be assessed for failure to post a readily visible address as required in Section 501.2

To obtain a re-inspection, the applicant shall pay the re-inspection fee in accordance with the Building Permit Fee Schedule. In instances where re-inspection fees have been assessed, no additional inspection of the work will be performed until the required fees have been paid.

Section 111.1 is hereby amended to read as follows:

111.1 Use and occupancy. No building or structure shall be used or occupied, and no change in the existing use or occupancy classification of a building or structure or portion thereof shall be made until the building official has issued a certificate of occupancy therefore as provided herein. Issuance of a certificate of occupancy shall not be construed as an approval of a violation of the provisions of this code or of other ordinances of the jurisdiction.

A certificate of occupancy shall not be issued until all monies owed to the Town related to the construction of the project, including utility bills, have been paid in full. In addition, any damage to Town property resulting from work done on the site shall be repaired by the owner of the site in compliance with Town standards prior to the issuance of a certificate of occupancy.

A certificate of occupancy shall not be issued until the owner establishes or re-establishes, as necessary, any lot boundary monumentation or provides an improvement survey or improvement location certificate prepared by a surveyor licensed in the State of Colorado required pursuant to Section 107.6, as amended, or C.R.S. '38-51-101 (Article 51), as amended. In addition, no certificate of occupancy will be issued unless complete compliance with the approved development application is obtained.

Exceptions:

1. Certificates of Occupancy are not required for work exempt from permits under Section 105.2.
2. For remodels or repairs that do not involve a change of use or occupancy, and that do not cause the discontinuance of the occupancy by the owners and /or general public, the building official may issue a certificate of completion in lieu of a certificate of occupancy which is a written notification to the owner that the work covered under the permit is complete and the permit is closed. Issuance of a certificate of completion shall not be construed as an approval of a violation of this code or of other ordinances of the jurisdiction.

3. For minor additions and remodels the Building Official may at his discretion waive the requirement for an improvement survey or improvement location certificate prepared by a surveyor licensed in the State of Colorado.

Section 111.3 is hereby amended to read as follows:

111.3 Temporary occupancy. If the building official finds that no substantial hazard will result from occupancy of any building or portion thereof before the same is completed, a temporary certificate of occupancy may be issued for the use of a portion or portions of a building or structure prior to the completion of the entire building or structure upon receipt of a \$1000.00 certificate of occupancy deposit for all commercial and multi-family buildings and a \$500.00 certificate of occupancy deposit on all residential buildings. Upon expiration of a temporary certificate of occupancy the certificate of occupancy deposit shall be refunded less a \$250.00 processing fee as long as the conditions of the temporary certificate of occupancy have been met and a final certificate of occupancy can be issued.

A temporary certificate of occupancy shall expire at a date deemed appropriate by the building official; however, such expiration date shall not exceed 180 days from the date of issuance. Any applicant holding a non-expired temporary certificate of occupancy may apply for a one-time extension of the time to complete required work and such extension may be granted by the building official in his or her sole discretion provided a written request is submitted by the applicant showing that circumstances beyond the control of the applicant have prevented actions from being taken. A fee of \$250.00 shall be paid for the one-time extension granted for commercial or multi-family buildings and a fee of \$100.00 shall be paid for the one-time extension granted for residential buildings.

Section 114.4 is hereby deleted. Section 15.04.050 of the Municipal Code shall govern the penalties imposed for violations of this code.

Section 708.3 is hereby amended to delete the second exception referenced in Section 708.3.

Section 1403.2.1 is hereby added as follows:

1403.2.1 Moisture Control During Construction. Under-floor spaces and building construction materials shall be protected from moisture during construction as follows:

1. Under-floor spaces shall be protected from moisture during construction such that no standing water, snow or ice is present prior to the under-floor space being enclosed.

2. Construction material shall be protected for damaging moisture in accordance with the manufacturer's specifications.

Section 1503.7 is hereby added as follows:

1503.7 Snow shed barriers. Roofs shall be designed to prevent accumulations of snow from shedding above or in front of gas utility or electric utility meters and egress doors.

Section 1503.7.1 is hereby added as follows:

1503.7.1 Mechanical barriers are required for metal roof shingles, metal roof panels or for other roofing materials with 12:12 pitch or greater to protect walkways from snow slides. Mechanical barriers for metal roof shingles and metal roof panels. Mechanical barriers installed to prevent snow shedding from the roof shall be secured to roof framing members or to solid blocking secured to framing members in accordance with the manufacturer's installation instructions. Individual devices installed in a group of devices to create a barrier to prevent snow shedding shall be installed in at least two rows with the first row no more than 24 inches from the edge of the roof or eave. The rows shall be parallel with the exterior wall line and the devices in each row shall be staggered for a spacing of no more than 24 inches on center measured parallel with the exterior wall line. Continuous snow barriers shall be secured to roof framing at no more than 48 inches on center. Continuous barriers shall be installed parallel with the exterior wall line and no more than 24 inches from the edge of the roof or eave.

Section 1608.2 is hereby amended to read as follows:

1608.2 Ground Snow Loads. The minimum ground snow load for buildings or structures within the Town of New Castle shall be fifty-seven (57) pounds per square foot. Potential accumulation of snow at valleys, parapets, roof structures, and offsets of roofs in of uneven configuration shall be considered. The following criteria for climatic and geographic design shall apply, as may be amended by resolution of the Town.

Section 1801.3 is hereby added as follows:

1801.3 Permits Required. Due to the non-isolated nature of properties lying within the Town boundaries, no grading shall be permitted anywhere within the Town without first obtaining a grading permit. It shall be the obligation of the owner or person in charge of the property

and the person(s) who will actually perform the grading to jointly obtain a grading permit. Engineered grading plans shall be submitted unless waived by the Building Official.

Section 1807.2.1 is hereby amended to read as follows:

1807.2.1 Retaining Walls. Retaining walls shall be designed to ensure stability against overturning, sliding, excessive foundation pressure and water uplift. Retaining walls over 5 feet in height measure from bottom of footing to the top of wall shall be engineered by a Colorado licensed professional engineer or architect.

Section 1810.1 is hereby amended to read as follows:

1810.1 General. Deep foundations shall be analyzed, designed, detailed and installed in accordance with Sections 1810.1 through 1810.4 and designed by a Colorado licensed architect or engineer. The Town of New Castle will not inspect the drilling, reinforcement and placement of piers, piles or shafts. The engineer of record shall perform all inspections of the installation and provide the Town with a sealed letter approving the work prior to the final inspection of the building or structure.

Section 3001.5 is added as follows:

Section 3001.5 Permits required. Elevator permits and inspections are required through the Northwest Colorado Council of Governments (NWCCOG). As required by the division of Oil and Public Safety (OPS), the following codes and standards shall apply to all conveyance equipment and conveyance equipment installations.

ASME A17.1 – 2013 Safety Code for Elevators and Escalators

ASME A18.1 – 2011 Safety Standard for Platform Lifts and Stairway Chair Lifts

Section 3301.3 is hereby added as follows:

3301.3 Site Maintenance. All construction sites including but not limited to residential construction, commercial construction, remodeling, additions and any other construction shall be required to be kept clean and free of debris, specifically:

(1) All dirt and other materials tracked or deposited onto any public rights-of-way shall be removed at the end of each day;

(2) All loose material on the construction site shall be secured to keep from being carried off the site;

(3) An adequate trash receptacle shall be kept on site at all times, not on public property without permission of the Building Official, and used to dispose of all construction and personal trash. The receptacle is to be removed to a landfill site in an appropriate and timely manner and is to be covered in transit;

(4) Adequate sanitary facilities shall be maintained and available for all workers;

(5) Adequate signage and pedestrian protection shall be provided and maintained as required by this Section; and

(6) The site shall be posted and secured to discourage trespassers.

15.08.030 Copy on file and available for sale.

At least one copy of the International Building Code, 2015 Edition, and the appendices thereto, together with the ordinances codified in this chapter, shall be kept on file in the office of the town clerk or town building official. Copies of the code and appendices shall be available for sale to the public at a moderate price, as required by C.R.S. Section 31-16-206.

15.08.040 International Building Code Commentary.

The Commentary to the International Building Code, 2015 Edition, published by the International Code Council, 4051 West Flossmoor Road, Country Club Road, Illinois 60478-5795 is hereby adopted as an enforcement and interpretive guide. The building official, or any authorized representative, shall have the discretion to apply the contents of the commentary and handbook referenced in this section in a given circumstance, but the building official is not required to strictly apply such contents in every conceivably relevant circumstance.

Chapter 15.10
INTERNATIONAL RESIDENTIAL CODE

15.10.010 Adoption by Reference.

Pursuant to the power and authority conferred by the Town Charter and C.R.S. §§ 31-16-201, *et seq.*, there is adopted by reference thereto the International Residential Code, 2015 Edition, and Appendices H, J, & S thereto, promulgated by the International Code Council, Inc., 4051 West Flossmoor Road, Country Club Hills, Illinois 60478-5795. The purpose and subject matter of this code is to regulate and govern the construction, alteration, movement, enlargement, replacement, repair, equipment, location, removal, and demolition of detached one and two-family dwellings and multiple single-family dwellings (townhouses) not more than three stories in height with separate means of egress in the Town.

Section 15.10.020 Amendments.

The International Residential Code, 2015 Edition, is hereby amended as follows:

Section R101.1 Title. insert the "Town of New Castle"

Section R104.8 is hereby deleted. See Section 15.04.030 of the Municipal Code.

That portion of Section R105.2 set forth below is amended to read as follows, with added language in bold and removed language stricken. All other portions of Section R105.2 not set forth below will remain unchanged and in full force and effect:

R105.2 Work exempt from permit.

Building:

1. One-story detached accessory structures, provided the floor area does not exceed 120 square feet (11.15 m²) **and the height does not exceed 10 feet. There shall a limit of one non-permitted detached accessory structures per dwelling unit.**

~~2. Fences not over 4' high.~~

Section R105.3 is amended to include the following language:

A survey of the building lot may be required by the Building Official to verify that the structure is located in accordance with the approved site plans. A site development plan shall be submitted with any building permit application which involves the construction of a new building or the expansion of an existing building. The site development plan shall be submitted in duplicate, shall be drawn to scale, and shall show the actual dimensions of the lot to be built upon, the size of the building to be erected,

the location of the building on the lot with reference to legally established property lines, and such other information as may be necessary to provide of the enforcement of the Municipal Code. Prior to issuance of a building permit, the Building Official may require monumentation of property boundaries and corners in accordance with the standards set forth in C.R.S. '38-51-101 et seq., as amended, in order to fulfill the purposes of this section. A record of all site development plans and other survey information shall be kept in the office of the Building Official.

Section R105.5 is amended to read as follows:

R105.5 Expiration. Every permit issued shall become invalid unless the work on the site authorized by such permit is commenced within one hundred eighty (180) days after its issuance, or if the work authorized on the site by such permit is suspended or abandoned for a period of 180 days after the time the work is commenced. The building official is authorized to grant, in writing, 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.

Every permit issued by the building official under the provisions of this code shall expire by limitation and become null and void eighteen (18) months from the date of issuance of such permit. The building official may extend the time for completion by the applicant for a period not exceeding 18 months upon written request by the applicant showing the circumstances beyond the control of the applicant that prevented completion of the permitted work. No permit shall be extended more than once nor beyond three (3) years from the date of issuance of such permit.

Section R106.1 is amended to read as follows, with the existing subsections of Section R106.1 to remain in full force and effect:

R106.1 Submittal documents. Construction documents, special inspection and structural programs, and other data shall be submitted in one or more sets with each application for a permit. All such plans and specifications for such proposed erection, construction, reconstruction, structural alteration, or remodeling shall bear the seal of an architect or engineer licensed by the State of Colorado, unless the preparation of plans and specifications is exempted by C.R.S. § 12-25-303. Such plans and specifications prepared by architectural or engineering sub disciplines shall be so designated and shall bear the seal and signature of the architect or engineer for that sub-discipline

Geotechnical reports prepared by an approved agency shall be submitted for all new construction. Foundation plans for all new construction shall be

prepared and stamped an architect or engineer licensed and registered in the State of Colorado.

Exception: The building official may waive the requirements for geotechnical reports and foundation plans prepared and sealed by an architect or engineer licensed in the State of Colorado for additions to existing buildings if the soils report and stamped plans for the original construction are available for use as a reference. The building official may waive the requirements for geotechnical reports and foundation plans prepared and sealed by an architect or engineer licensed in the State of Colorado for minor interior remodels totally within the limits of an existing building or structure.

Section R106.2.1 is hereby added as follows:

R106.2.1 Additional site plan requirements. A survey of the building lot may be required by the Building Official to verify that the structure is located in accordance with the approved site plans. A site development plan shall be submitted with any building permit application which involves the construction of a new building or the expansion of an existing building. The site development plan shall be submitted in duplicate, shall be drawn to scale, and shall show the actual dimensions of the lot to be built upon, the size of the building to be erected, the location of the building on the lot with reference to legally established property lines, building envelope, setbacks, easements, and such other information as may be necessary to provide for the enforcement of the Municipal Code. The building official may accept a copy of the recorded subdivision plat showing the property lines building envelope, setbacks, easements, and such other information as may be necessary to provide for the enforcement of the Municipal Code in lieu of a survey. Prior to issuance of a building permit, the Building Official may require monumentation of property boundaries and corners, or a foundation location certificate within 7 days of completion of the foundation, in accordance with the standards set forth in C.R.S. 38-51-101 et seq., as amended, in order to fulfill the purposes of this section. A record of all site development plans and other survey information shall be kept in the office of the Building Official.

Section R106.6 is hereby added as follows:

R106.6 Building Lot Survey: A survey of the building lot may be required by the building official to verify that the structure is located in accordance with the approved site plans. Prior to issuance of a building permit, the building official may require monumentation of property boundaries and corners in accordance with the standards set forth in C.R.S. §§ 38-51-101 et seq., as amended, in order to fulfill the purposes of this section. The owner and/or contractor shall sign a waiver absolving the Town of all responsibility regarding building location prior to commencing

work. A foundation location or improvement location certificate prepared by licensed surveyor shall be provided within 7 days of the approval of the foundation inspection. Work may be stopped if a foundation location or improvement location certificate is not provided within 7 days of the approval of the foundation inspection. A record of all site plans and other survey information shall be kept in the office of the building official.

Exception: For additions to existing buildings the building official may authorize the use of an existing improvement location certificate prepared by licensed surveyor to verify that the addition is properly located on the site.

Section R108.2 is hereby amended to read as follows:

R108.2 Schedule of permit fees. A fee for each building permit shall be paid to the building department as set forth in the Building Permit Fee Schedule adopted by the Town, as may be amended. The determination of value or valuation under any of the provisions of this Code shall be made by the building official based on the Valuation Schedule published in the most current edition of the "Building Safety Journal" magazine by the International Code Council. The value to be used in computing the building permit and building plan review fees shall be the total value of all construction work for which the permit is issued. The building official may waive the building permit fee for any public entity when such entity is applying for a building permit for a governmental use or a proprietary purpose.

Section R108.3 is amended to read as follows:

R108.3 Building permit valuations. The applicant for a permit shall provide an estimated permit valuation at the time of application. The value to be used in computing the building permit and building plan review fees shall be the total value of all construction work for which the permit is issued. Permit valuations shall include total value of work, including materials and labor, for which the permit is being issued, such work including but not limited to, excavation, utility service line installation, foundations, framing, interior and exterior finish, decks and porches, gas, mechanical, plumbing, and other permanent systems. The building official shall also make a determination of permit value or valuation based on the Valuation Schedule published in the most current edition of the Building Safety Journal magazine published by the International Code Council. The building official shall at his discretion use the value most applicable to the work proposed. If, in the opinion of the building official, the valuation stated on the application is underestimated, the building official shall use the calculated valuation to determine the permit fees, unless the applicant

can show detailed estimates supporting the valuation stated on the application to meet the approval of the building official.

Section R108.5 is amended to read as follows:

R108.5 Refunds. The building official may authorize the refunding of any fee paid hereunder which was erroneously paid or collected.

Section R108.5.1 is hereby added as follows:

R108.5.1 Processing fee. There shall be a minimum \$60.00 fee for processing refunds.

Section R108.5.2 is added as follows:

R108.5.2 Refund of Permit fee. The building official may authorize the refunding of not more than 80 percent of the permit fee paid when no work has been done under a permit issued in accordance with this code.

Section R108.5.3 is added as follows:

R108.5.3 Plan review fee refunds. The building official may authorize the refunding of not more than 80 percent of the plan review fee paid when an application for a permit for which a plan review fee has been paid is withdrawn or cancelled before any plan reviewing is done.

Section R108.5.4 is added as follows:

R108.5.4 Fee refund application. The building official shall not authorize the refunding of any fee paid except upon written application filed by the original permittee not later than 90 days after the date of the fee payment.

Section R108.7 is hereby added as follows:

R108.7 Plan review fee. When submittal documents are required by Section R106.1, a plan review fee shall be paid at the time of submitting the submittal documents for plan review. Said plan review fee shall be 65 percent of the building permit fee. The plan review fees specified in this Section are separate fees from the permit fees specified in Section R108.2 and are in addition to the permit fees. When submittal documents are incomplete or changed so as to require additional plan review, an additional plan review fee shall be charged at the rate shown on the Building Permit Fee Schedule.

Section R108.8 is hereby added as follows:

R108.8 Expiration of plan review. Applications for which no permit is issued within one hundred eighty (180) days following the date of application shall expire by limitation and 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 one hundred eighty (180) days upon written request by the applicant showing that circumstances beyond the 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 plan review fee. Said plan review fee shall be sixty-five percent (65%) of the building permit fee as shown on the Building Permit Fee Schedule.

Section R108.9 is hereby added as follows:

R108.9 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 a 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 record card is not posted or otherwise available on the work site, the approved plans are not readily available to the inspector, for failure to provide access on the date for which inspection is requested, or for deviating from plans requiring the approval of the building official.

To obtain a re-inspection, the applicant shall pay the re-inspection fee in accordance with the Building Permit Fee Schedule. In instances where re-inspection fees have been assessed, no additional inspection of the work will be performed until the required fees have been paid.

Section R108.10 is hereby added as follows:

R108.10 Investigation fees. 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 shall be equal to the amount of the permit fee required by this Code. The minimum investigation fee shall be the same as the minimum fee set forth in the Building Permit Fee Schedule. The payment of such investigation fee shall not exempt any person from compliance with all other provisions of this code nor from any penalty prescribed by law.

Section R114.4 is hereby deleted. Section 15.04.050 of the Municipal Code shall govern the penalties imposed for violations of this code.

Section R115 is hereby added as follows:

R115 Unsafe Structures and Equipment. Section 116 of the 2015 edition of the International Building Code shall also apply to this part of the 2015 edition of the International Residential Code

TABLE 301.2(1) shall provide as follows:

GROUND SNOW LOAD	WIND SPEED (mph)	SEISMIC DESIGN CATEGORY	SUBJECT TO DAMAGE FROM				WINTER DESIGN TEMP	ICE SHIELD UNDERLAYMENT REQUIRED	FLOOD HAZARDS	AIR FREEZING INDEX	MEAN ANNUAL TEMPT
			WEATHERING	FROST LINE DEPTH	TERMITE	DECAY					
57 PSF	90 mph	C	Severe	36"	Slight to moderate	Slight	-2 F	Yes	Yes/10-15-85	2500	48 F

Those provisions of TABLE R301.5 set forth below are amended as follows, with the remainder of the table remaining unchanged and in full force and effect:

Habitable attics and attics served with fixed stairs	40 psf.
Sleeping rooms	40 sf.

Table R302.6 is amended to provide that all the materials identified therein shall be changed to 5/8" Type X gypsum board. All other provisions in Table R302.6 shall remain in full force and effect.

Section 302.7 is hereby amended to read as follows:

R302.7 Under stair protection. Enclosed accessible space under stairs shall have walls, under-stair surface and soffits protected on the enclosed side with fire taped 5/8" gypsum board.

Section R306.5 is hereby added as follows:

R306.5 Sanitation at construction sites. Toilet facilities shall be provided for construction workers. The facilities shall be available from the start of the project to the completion of the project.

Section R313 is hereby deleted in its entirety.

Section R313.2 is deleted in its entirety. Automatic fire sprinkler systems for all IRC buildings are optional unless required by the subdivision or PUD zoning. If installed,

the systems must be designed and installed in accordance with Section P2904 or NFPA 13D.

Section R317.1.6 is hereby added as follows:

R317.1.6 Moisture During Construction. Under-floor spaces and building construction materials shall be protected from moisture during construction as follows:

1. Under-floor spaces shall be protected from moisture during construction such that no standing water, snow or ice is present prior to the under-floor space being enclosed.
2. Construction material shall be protected from damaging moisture in accordance with the manufacturer's specifications.

Section R401.4 is hereby amended to read as follows:

R401.4 Soils tests. Soil tests prepared by an approved agency shall be submitted for all new construction.

Exceptions:

1. The building official may waive the requirements for soil tests for additions to existing buildings if the soils report and sealed plans for the original construction are available for use as a reference. The building official may waive the requirements for geotechnical reports and foundation plans prepared and sealed by an architect or engineer licensed and registered in the State of Colorado for minor interior remodels totally within the limits of an existing building or structure.
2. Soils reports are not required for freestanding accessory structures and decks constructed in accordance with Section R403.

Section R903.4.2 Shall be added to read as follows:

R903.4.2 Gutters and Downspouts. Any Group R or U occupancy with roof edges less than three (3) feet to any lot line shall be provided with gutters and downspouts to direct water away from adjacent property. For zero-lot-line developments where roof projects are allowed by deed convent or ingress/egress easements, gutters and downspouts shall be provided to direct water away from adjacent lot. Roof projections shall not exceed eighteen (18) inches.

Section R903.5 is hereby added as follows:

R903.5 Snow shed barriers. Roofs shall be designed to prevent accumulations of snow from shedding above or in front of gas utility or electric utility meters and egress doors.

Section 903.5.1 is hereby added as follows:

R903.5.1 Mechanical barriers are required for metal roof shingles, metal roof panels or for other roofing materials with 12:12 pitch or greater to protect walkways from snow slides. Mechanical barriers for metal roof shingles and metal roof panels. Mechanical barriers installed to prevent snow shedding from the roof shall be secured to roof framing members or to solid blocking secured to framing members in accordance with the manufacturer's installation instructions. Individual devices installed in a group of devices to create a barrier to prevent snow shedding shall be installed in at least two rows with the first row no more than 24 inches from the edge of the roof or eave. The rows shall be parallel with the exterior wall line and the devices in each row shall be staggered for a spacing of no more than 24 inches on center measured parallel with the exterior wall line. Continuous snow barriers shall be secured to roof framing at no more than 48 inches on center. Continuous barriers shall be installed parallel with the exterior wall line and no more than 24 inches from the edge of the roof or eave.

Section R1004.4 is hereby amended to read as follows:

R1004.4 Unvented gas log heaters. Installation of un-vented gas log heaters is prohibited.

Chapter 11 is hereby deleted in its entirety and replaced with the following:

Chapter 11 - Energy Efficiency. Minimum R values of structural elements are R-19 walls, R-29 roofs, and R-11 floors over unheated space.

Energy Efficiency shall comply with the 2009 International Energy Conservation Code.

Section M1308.3 is hereby added as follows:

M1308.3 LPG (liquid petroleum gas) appliances. LPG appliances shall not be installed in a pit, basement or similar location where heavier than air gases collect unless such location is provided with an approved means for removal of unburned gas.

Section M1401 is amended to add the following subsection:

M1401.6 LPG (liquid petroleum gas) appliances. LPG appliances shall not be installed in a pit, basement or similar location where heavier than air

gases collect unless such location is provided with an approved means for removal of unburned gas.

Section G2445, Unvented Room Heaters, is hereby amended prohibit unvented room heaters.

Section P2904.1.1 shall be amended to read as follows:

Section P2904.1. No residential automatic fire sprinkler systems shall be required for one-family, two-family and three-family residential dwellings; however, if a residential automatic fire sprinkler system is proposed, such a system shall be designed in accordance with Section P2904 (IRC) or NFPA 13D.

Chapters 34 – 43 Part VIII, Electrical are hereby deleted in their entirety. Electrical requirements for residential structures shall be governed by applicable statutes and regulations of the State of Colorado.

15.10.030 - Copy on file and available for sale.

At least one copy of the International Residential Code, 2015 Edition, and the appendices thereto, together with the ordinances codified in this chapter, shall be kept on file in the office of the town clerk or town building official. Copies of the code and appendices shall be available for sale to the public at a moderate price, as required by C.R.S. Section 31-16-206.

15.10.040 International Residential Code Commentary.

The Commentary to the International Residential Code, 2015 Edition, published by the International Code Council, 4051 West Flossmoor Road, Country Club Road, Illinois 60478-5795 is hereby adopted as an enforcement and interpretive guide. The building official, or any authorized representative, shall have the discretion to apply the contents of the handbook referenced in this section in a given circumstance, but the building official is not required to strictly apply such contents in every conceivably relevant circumstance.

Chapter 15.12
INTERNATIONAL MECHANICAL CODE

Section 15.12.10 Adoption by Reference.

Pursuant to the power and authority conferred by the Town Charter and C.R.S. §§ 31-16-201 *et seq.*, there is adopted by reference thereto the International Mechanical Code, 2015 Edition, and appendices thereto, promulgated by the International Code Council, Inc., 4051 West Flossmoor Road, Country Club Hills, Illinois 60478-5795. The purpose of this code is to regulate and control the design, construction, quality of materials, erection, replacement, addition to, use, or maintenance of mechanical systems in the town.

15.12.020 Amendments

The International Mechanical Code, 2015 Edition, is hereby amended as follows:

Section 101.1 Title: insert "Town of New Castle" for (Name of Jurisdiction).

Section 103.4. is hereby deleted. See Section 15.04.030 of the Municipal Code.

Section 106.5.2: insert "as established by the Town of New Castle." for (Jurisdiction to insert appropriate schedule).

Section 106.5.3 is hereby added as follows:

106.5.3 Fee refunds. Fee refunds may be authorized by the building official per Sec. 109.6 of the International Building Code 2015 as amended by the Town of New Castle.

Section 106.5.4 is hereby added as follows:

106.5.4 Re-inspection fee. A re-inspection fee may be assessed per Sec. 110.7 of the International Building Code 2015 as amended by the Town of New Castle.

Section 108.4 is hereby deleted. Section 15.04.050 of the Municipal Code shall govern the penalties imposed for violations of this code.

Section 108.5 is hereby amended so that the last sentence reads as follows:

Section 108.5 Stop Work Orders. Any person who shall continue to work on the system after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be liable for a fine as prescribed in Section 15.04.050 of the Town of New Castle Municipal Code.

Section 109 is hereby amended to read as follows:

109 Means of appeal. Orders, decisions, or determinations of the building official may be appealed per Section 113 of the 2015 edition of the International Building Code, as amended and adopted by the town.

Section 303 is amended by adding the following subsection:

303.9 LPG Appliances. Appliances burning LPG (Liquid Petroleum Gas) shall not be installed in a pit basement or similar location where heavier-than-air gases may collect unless such location is provided with an approved means for removal of unburned gas.

Section 805 is amended by adding a new section to read as follows:

805.7.1 Factory-built chimneys shall be effectively fire blocked within any chase at each floor-ceiling level and at the roof. The vertical distance between adjacent fire blocking shall not exceed 10 feet. See IBC for additional requirements.

Section 903.3 is hereby amended to read as follows:

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

Section 15.12.030 Copies on file and available for sale.

At least one copy of the International Mechanical Code, 2015 Edition, and the appendices thereto, together with the ordinances codified in this chapter, shall be kept on file in the office of the town clerk or building official. Copies of said code and appendices shall be available for sale to the public at a moderate price, as required by C.R.S. § 31-16-206.

Section 15.12.040 International Mechanical Code Commentary.

The Commentary to the International Mechanical Code, 2015 edition, published by the International Code Council, 4051 West Flossmoor Road, Country Club Road, Illinois 60478-5795 is hereby adopted as an enforcement and interpretive guide. The building official, or any authorized representative, shall have the discretion to apply the contents of the handbook referenced in this Section in a given circumstance, but the building official is not required to strictly apply such contents in every conceivably relevant circumstance.

Chapter 15.14
INTERNATIONAL FUEL GAS CODE

Section 15.14.10 Adoption by Reference

Pursuant to the power and authority conferred by C.R.S. § 31-16-201 *et seq.*, there is adopted by reference thereto the International Fuel Gas Code, 2015 Edition, and appendices thereto, promulgated by the International Code Council, Inc., 4051 West Flossmoor Road, Country Club Hills, Illinois 60478-5795. The purpose of this code is to establish minimum regulations governing the conditions and maintenance of all property, buildings, and structures by providing the standards for supplied utilities and the design and installation of gas systems and gas-fired appliances.

Section 15.14.020 Amendments

The International Fuel Gas Code, 2015 Edition, is hereby amended as follows:

Section 101.1 Insert: Town of New Castle

Section 103.4 is hereby deleted. See Section 15.04.030 of the Municipal Code.

Section 106.5.2 Insert: As established by the Town of New Castle

Section 106.5.3 Insert: As established by the Town of New Castle

Section 108.4 is hereby deleted. Section 15.04.050 of the Municipal Code shall govern the penalties imposed for violations of this code.

Section 108.5 is hereby amended so that the last sentence reads as follows:

Section 108.5 Stop Work Orders. Any person who shall continue to work on the system after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be liable for a fine as prescribed in Section 15.04.050 of the Town of New Castle Municipal Code.

Section 406.4.1 is hereby amended to read as follows:

406.4.1 Test pressure. The test pressure to be used shall be no less than 1 ½ times the proposed maximum working pressure, but not less than ten (10) psig, irrespective of design pressure. Where the test pressure exceeds one hundred twenty-five (125) psig, the test pressure shall not exceed a value that produces a hoop stress in the piping greater than fifty percent (50%) of the specified minimum yield strength of the pipe.

Subsection 501.8(8) is hereby deleted

Section 621 is hereby amended to provide that unvented room heaters are prohibited and to delete all remaining sections of Section 621

Section 15.14.030 Copies on file and available for sale.

At least one copy of the International Fuel Gas Code, 2015 Edition, and all appendices thereto, together with the ordinances codified in this chapter, shall be kept on file in the office of the town clerk or building official. Copies of said code and appendices shall be available for sale to the public at a moderate price, as required by C.R.S. Section 31-16-206.

**Chapter 15.16
INTERNATIONAL PLUMBING CODE**

Section 15.16.10 Adoption by Reference

Pursuant to the power and authority conferred by the Town Charter and C.R.S. §§ 31-16-201 *et seq.*, there is adopted by reference thereto the International Plumbing Code, 2015 Edition, and appendices thereto, promulgated by the International Code Council, Inc., 4051 West Flossmoor Road, Country Club Hills, Illinois 60478-5795. The purpose of this code is to regulate and control the design, construction, quality of materials, erection, installation, alteration, repair, location, relocation, replacement, addition to, use or maintenance of plumbing systems in the town.

Section 15.16.020 Amendments

The International Plumbing Code, 2015 edition, is hereby amended as follows:

Section 101.1 Insert: Town of New Castle

Section 103.4 is hereby deleted. See Section 15.04.030 of the Municipal Code.

Section 106.6.2 Insert: As established by the Town of New Castle

Section 106.6.3 is hereby amended to read as follows:

106.6.3 Fee refunds. The building 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 eighty percent (80%) of the permit fee paid when no work has been done under a permit issued in accordance with this code.
3. Not more than eighty percent (80%) of the plan review fee paid when an application for a permit for which a plan review fee has been paid is withdrawn or canceled before any plan reviewing is expanded. The building official shall not authorize refunding of any fee paid except on written application filed by the original permittee not later than 180 days after the date of fee payment.
4. There will be a minimum \$30.00 fee for processing refunds.

Section 107.8 is hereby added to read as follows:

107.8 Concealing work before inspection. Any person having charge of the construction, alteration or repair of the plumbing work in any building where a test is required on such work or any person or workman who covers, conceals or causes to be covered or concealed any of the work for which a permit has been issued before the same shall have been inspected, tested or approved by the building official shall be subject to penalties pursuant to Section 15.04.050. In addition, such work may be ordered uncovered by the building official so that inspection of the same may be made.

Section 107.9 is hereby added as follows:

107.9 Notice of defective plumbing; correction required. The building official shall notify in writing the owner or his agent of any premises where any existing defective plumbing is found and order him to forthwith cause the same to be changed and made to comply with the rules and regulations of this Section and such agent or owner is hereby required within ten (10) days after receiving such notification to comply therewith. Every person who fails or neglects to remedy such defects within ten (10) days, or a longer period when the same is granted by the building official, after receipt of notice, shall be subject to penalties pursuant to Section 15.04.050.

Section 107.10 is hereby added as follows:

107.10 Authority of building official to stop work. All plumbing work in the process of construction, alteration or repair shall be under the supervision of the building official who is hereby empowered to stop such work when it is being done contrary to the provisions of this Section, and it shall be unlawful for any person to proceed further with such work.

Section 108.4 is hereby deleted. Section 15.04.050 of the Municipal Code shall govern the penalties imposed for violations of this code

Section 108.5 shall be amended so that the last part of the last sentence shall read: "shall be liable to a fine of not less than \$100.00."

Section 202, Definitions, is hereby amended to include the following definition:

CERTIFIED BACKFLOW ASSEMBLY TESTER. A person who has shown competence to test and maintain backflow assemblies to the satisfaction of the administrative authority having jurisdiction.

Subsection 305.6.1 is hereby added as follows:

305.6.1 Sewer depth. Building sewers shall be a minimum of fifty-four inches (54") below grade.

Exceptions 2 and 4 as found in Section 403.2 are hereby amended to read as follows:

2. Separate facilities shall not be required in structures or tenant spaces with a total occupant load, including both employees and customers, of twenty-five (25) or less.
4. Two (2) single-use unisex restrooms (one accessible/one non-accessible) are allowed when the occupant load is less than fifty (50).

Section 903.1 is hereby amended to read as follows:

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

Section 15.16.030 Copies on file and available for sale.

At least one copy of the International Plumbing Code, 2015 Edition, and all appendices thereto, together with the ordinances codified in this chapter, shall be kept on file in the office of the town clerk or building official. Copies of said code and appendices shall be available for sale to the public at a moderate price, as required by C.R.S. Section 31-16-206.

Section 15.16.040 International Plumbing Code Commentary.

The International Plumbing Code Commentary, 2015 Edition, published by the International Code Council, 4051 West Flossmoor Road, Country Club Hills, Illinois 60478-5795 is hereby adopted as an enforcement guide. The building official, or any authorized representative, shall have the discretion to apply the contents of the commentary referenced in this Title in a given circumstance, but the building official is not required to strictly apply such contents in every conceivably relevant circumstance.

**Chapter 15.18
INTERNATIONAL EXISTING BUILDING CODE**

15.18.010 Adoption by Reference.

Pursuant to the power and authority conferred by the Town Charter and C.R.S. §§ 31-16-201, *et seq.*, there is adopted by reference thereto the International Existing Building Code, 2015 Edition, and all appendices thereto, promulgated by the International Code Council, Inc., 4051 West Flossmoor Road, Country Club Hills, Illinois 60478-5795. The purpose and subject matter of this code is to regulate and govern the repair, alteration, change of occupancy, addition, and relocation of existing buildings, including historic buildings in the town.

15.18.020 Amendments.

The International Existing Building Code, 2015 Edition, is hereby amended as follows:

Section 101.1 Insert: "Town of New Castle" for the (Name of Jurisdiction)

Section 104.8 is hereby deleted. See Section 15.04.030 of the Municipal Code.

Section 113.4 is hereby deleted. Section 15.04.050 of the Municipal Code shall govern the penalties imposed for violations of this code

15.18.030 Copies on file and available for sale.

At least one copy of the International Existing Building Code, 2015 Edition, and all appendices thereto, together with the ordinances codified in this chapter, shall be kept on file in the office of the town clerk or building official. Copies of said code and appendices shall be available for sale to the public at a moderate price, as required by C.R.S. Section 31-16-206.

**Chapter 15.24
INTERNATIONAL FIRE CODE**

15.24.010 Adoption by Reference.

Pursuant to the power and authority conferred by the Town Charter and C.R.S. §§ 31-16-201 *et seq.*, there is adopted by reference thereto the International Fire Code, 2015 Edition, and all appendices thereto, promulgated by the International Code Council, Inc., 4051 West Flossmoor Road, Country Club Hills, Illinois 60478-5795. The purpose and subject matter of this code is to regulate and govern the safeguarding of life and property from conditions hazardous to life or property in the occupancy of buildings and premises in the town and provide for the issuance of permits and collection of fees therefor.

15.24.020 Amendments.

The International Fire Code, 2015 edition, is hereby amended as follows:

Section 101.1 Insert: Town of New Castle

Section 102.5 is hereby deleted

Subsection 105.4.1 is hereby amended to read as follows:

105.4.1 Submittals. Construction documents shall be submitted in one or more sets and in such form and detail as required by the fire code official. The construction documents shall be prepared by a registered design professional. All plans for fire alarms systems submitted for approval shall have affixed the signature of a NICET Level III or higher in fire alarm design.

Exception: Where the fire alarm system designer has the equivalent of NICET Level III training, all certificates and documentation shall be presented for compliance.

Section 108.4 is hereby amended to read as follows:

108.4 Timing of appeal. The applicants requesting to appeal a decision shall make their request to the board of appeals within (10) days of the decision they are appealing.

Subsection 109.2.2 is hereby amended to read as follows:

109.2.2 Compliance with orders and notices. A notice of violation issued or served as provided by this code shall be complied with by the owner, operator, occupant, or other person responsible for the condition or violation to which the notice of violation pertains.

1. If the building or other premises is owned by one person and occupied by another, under lease or otherwise, and the notice of violation requires additions to or changes in the building or premises such as would be considered real estate and become the property of the owner, said notice and order shall be directed to such owner of the building or premises.
2. Except for cases where immediate compliance is required, violations pursuant to this chapter may be appealed as set forth in Section 108.1.
3. In cases where immediate compliance is required, the notice of violation so stating shall be final and conclusive.

Section 109.4 is hereby deleted. Section 15.04.050 of the Municipal Code shall govern the penalties imposed for violations of this code.

Subsection 308.3.2 is hereby amended to read as follows:

308.3.2 Theatrical performances. The use of indoor pyrotechnic displays is prohibited.

Subsection 308.3 is hereby amended to read as follows with the stated exceptions remaining in full force and effect.

308.3 Group A occupancies. Open-flame devices shall not be used in a Group A occupancy. The use of indoor pyrotechnic displays in a Group A occupancy is prohibited.

Subsection 507.5.4 is hereby amended to change the name of the subsection and to add a new last sentence to read as set forth below. All other provisions of 507.5.4. shall remain in full force and effect:

507.5.4. Obstruction: Snow removal operations shall not prevent fire hydrants from being immediately discernible or hinder gaining immediate access.

Section 903.2 is hereby amended to read as follows:

903.2 Where required. Approved automatic sprinkler systems in all buildings and structures shall be provided in the locations described in this section and in the following locations:

1. In every story of all non-IRC regulated buildings that are three stories or more in height.
2. Existing structures and facilities. When in any twenty-four (24) month period the floor area of an alteration, remodel or modification to any existing building exceeds forty percent (40%) of the floor area of the building being improved, the entire building shall be made to comply with the requirements of Chapter 9 in the International Building Code, 2015 Edition, as amended and adopted by the Town. When the regulations set forth in the International Existing Building Code, 2015 Edition, apply to the renovation, remodel or modification of an existing building, the more restrictive shall apply to the building.
3. All occupancies to be built in a location that is difficult to access or has limited fire flow water supply as determined by the fire code official, will be reviewed by the fire code official for the need to be equipped with an approved automatic fire suppression system.

Section 903.2.8, Group R, is amended to add the following Exceptions:

Exceptions:

1. Group R-3 and boarding house occupancies
2. Group R-2 with occupancy of 5 or less (1000 sq. ft. floor area Table 1004.1.2 IBC)

Section 907.1.2 is amended to add the following two comments:

15. Shop drawings for fire alarms must bear the seal and signature of a graduate Fire Protection Engineer or a qualified State of Colorado licensed engineer practicing in their respective field of expertise or a NICET Level III or higher in fire alarm design.

16. A sealed set of these shop drawings, complete with review comments, shall be made available at all times at the work site for fire department inspection. An identical set of shop drawings shall be given to the owner.

Section 907.1 is amended to add 907.1.4 as follows:

907.1.4 Installation. All fire alarm systems installations shall be supervised by a NICET level II or higher in fire alarm installations.

Chapter 11 is hereby deleted in its entirety.

A new Exception 5 is hereby added to Subsection 5601.1.3:

5601.1.3 Fireworks.

5. The storage, sale, use and handling of toy caps, sparklers and smoke snakes shall be permitted.

Subsection 5604.10.8 is hereby added as follows:

5604.10.8 Certification. The handling and firing of explosives shall only be performed by the person possessing a valid explosives certificate issued by the State of Colorado.

Section 5608.1 is hereby amended by adding a new last sentence to read as set forth below, with all other provisions of said section remaining in full force and effect:

5608.1 General. . . . The use of indoor pyrotechnic displays shall be prohibited.

Subsection 5706.2.4 is hereby amended to read as follows:

5706.2.4 Permanent and temporary tanks. The capacity of permanent above ground tanks containing Class I or II liquids shall not exceed 1,100 gallons (4164 L). The capacity of temporary above-ground tanks containing Class I or II liquids shall not exceed 500 gallons (1892 L). Tanks shall be of the single-compartment design.

15.24.030 Copy on file and available for sale.

At least one copy of the International Fire Code, 2015 Edition, and all appendices thereto, together with the ordinances codified in this chapter, shall be kept on file in the office of the town clerk or building official. Copies of said code and appendices shall be available for sale to the public at a moderate price, as required by C.R.S. Section 31-16-206.

**Chapter 15.28
NATIONAL ELECTRIC CODE**

15.28.010 Adoption by Reference.

Pursuant to the power and authority conferred by the Town Charter and C.R.S. §§ 31-16-201 *et seq.*, there is adopted by reference thereto that edition of the National Electric Code ("NEC"), and all appendices thereto, that is adopted and enforced by the State of Colorado Electrical Board from time to time pursuant to Article 23 of Title 12 C.R.S. The NEC is promulgated by the National Fire Protection Association, 1 Batterymarch Park, Quincy, Massachusetts 02269-9101. The NEC is adopted by reference with the sole intent to be utilized by the town as a special reference resource material for specific items and used with and for clarification of items in the International Building Code, International Residential Code, International Mechanical Code, International Fuel Gas Code, International Plumbing Code, International Existing Building Code, Uniform Code for the

Abatement of Dangerous Buildings, and International Fire Code, as well as for all electrical wiring, fixtures, and appliances installed, altered, or repaired within the town, or in connection with any building therein. It is not the intention of the town to enforce the provisions or requirements of the NEC, but to recognize the authority of any Colorado state official who reviews matters covered in the NEC within the town to do so. The NEC is adopted as if set out in full for the purposes as stated herein. The purpose of this code is to provide guidance in being consistent with nationally recognized good practices for protecting the safety of life and property in electrical installations.

15.28.020 Work permit.

A. Required. No alterations or additions shall be made in the wiring of any building, nor shall any building be wired for electric lights, motors or heating or cooling devices, nor shall any electrical apparatus be installed, without first securing a permit therefore from the State Electrical Inspector.

B. Application. Applications for permits required by this section shall be in writing, filed before the work is started, upon forms describing the work contemplated and providing such information as may be required by the State Electrical Inspector.

C. Permit Fees—Administrative and Appeal Procedures. The permit fees and the administrative and appeal procedures for electrical work performed pursuant to this article shall be as set forth in C.R.S. Section 12-23-101 et seq., as amended.

15.28.030 - Inspectors.

The State Electrical Inspector shall serve as electrical inspector for the town.

15.28.040 Inspections.

A. Inspection Generally. Electric current shall not be turned on until the electrical installation shall have been inspected, approved and marked in a conspicuous place by the electrical inspector. The electrical inspector shall carefully inspect all electrical installations prior to and after completion, and he is hereby authorized and empowered to remove any and all obstructions such as lath, plastering, boarding, partitions or any other obstruction which interferes with a thorough and complete inspection. Inspections may be made at any time during the installation that the inspector deems is expedient or necessary.

B. Issuance of Certificate of Inspection. Upon final inspection of an electrical installation, the electrical inspector shall issue his certificate of compliance or prescribe changes necessary for such compliance. Upon such changes being made to the satisfaction of the inspector, he shall issue the certificate of inspection, which shall authorize the commencement of the electrical service. After issuance of any such certificate, no change shall be made either by way of addition, alteration or taking from the same without the written consent of the inspector.

C. Notice and Discontinuance of Service When Defect Discovered Through Inspection.

1. Whenever the electrical inspector, during an electrical installation, shall find any wire or wires or equipment in a dangerous condition or so placed as to interfere with the work of the fire department, he shall notify the owner or the person using or operating such wires or equipment to remedy the defect. Every person who fails or refuses to remedy such defects within ten (10) days, or a longer period when the same is granted by the inspector, after receipt of notice shall be subject to penalties set forth in Section 1.20.010 of this code.

2. The electrical inspector is hereby authorized and empowered to enforce a discontinuance of electrical service in every case where wiring or equipment is found to be defective or in noncompliance with this chapter; and, when service has been ordered discontinued, electrical service shall not be restored or reconnected until the defect has been remedied.

Section 4. Severability. Each section of this Ordinance is an independent section and a holding of any section or part thereof to be unconstitutional, void, or ineffective for any cause shall not be deemed to affect the validity or constitutionality of any other section or part thereof.


Section 5. Effective Date. This Ordinance shall be effective fourteen days after final publication pursuant to section 4.3 of the Town Charter.

INTRODUCED on August 7, 2018, at which time copies were available to the Council and to those persons in attendance at the meeting, read by title, passed on first reading, and ordered published in full and posted in at least two public places within the Town as required by the Charter.

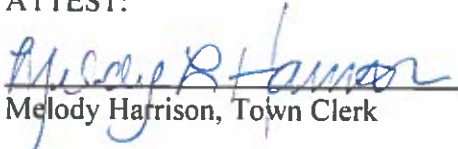
INTRODUCED a second time at a regular meeting of the Council of the Town of New Castle, Colorado on August 21, 2018, read by title and number, passed with amendments, approved, and ordered published as required by the Charter.

TOWN OF NEW CASTLE, COLORADO
TOWN COUNCIL

By:


Art Riddile, Mayor

ATTEST:


Melody Harrison, Town Clerk

