

ORDINANCE NO. 3.51

AN ORDINANCE ADOPTING BY REFERENCE THE UNIFORM BUILDING CODE OF 1991, THE UNIFORM BUILDING CODE STANDARDS OF 1991, THE UNIFORM MECHANICAL CODE OF 1991, THE NATIONAL ELECTRICAL CODE OF 1990, AND THE UNIFORM PLUMBING CODE OF 1991, FOR THE TOWN OF LARKSPUR, COLORADO

(This Ordinance hereby repeals and supercedes Ordinance No. 3.40, passed and adopted on March 18, 1987, Ordinance No. 3.42, passed and adopted on April 1, 1987, Ordinance No. 3.50, passed and adopted on February 13, 1991, and all other ordinances or parts of ordinances in conflict herewith)

BE IT ORDAINED by the Town Council of the Town of Larkspur, Colorado as follows:

Section 1. This Ordinance is authorized by Section 3.17 of the Town Charter and is hereby declared to be in accordance with the provisions thereof.

Section 2. This Ordinance hereby repeals and supercedes Ordinance No. 3.40, passed and adopted on March 18, 1987, and Ordinance No. 3.42, passed and adopted on April 1, 1987, Ordinance No. 3.50, passed and adopted on February 13, 1991, and all other ordinances or parts of ordinances in conflict herewith. The repeal of these ordinances shall not affect or prevent the prosecution or punishment of any person for the violation of any ordinance repealed hereby for any offense committed prior to the repeal.

Section 3. This Ordinance is adopted to promote the health, safety, convenience, order, prosperity and general welfare of the present and future inhabitants of the Town of Larkspur, Colorado by regulating the materials, designs, and construct methods used in the construction of buildings within the Town of Larkspur, Colorado.

Section 4. The Town Council shall, from time to time, by resolution, appoint a Town Building Inspector, for the purposes of implementing and enforcing the Uniform Building Code of 1991, the Uniform Building Code Standards of 1991, the Uniform Mechanical Code of 1991, the Uniform Plumbing Code of 1991, and the National Electrical Code of 1990.

Section 5. The following Codes are hereby adopted by reference, and made a part hereof as if fully set out in this Ordinance:

- (a) The Uniform Building Code, 1991 Edition, with the amendments specified on Exhibit "A" attached hereto and incorporated herein. The Uniform Building Code, 1991 Edition, is published by the International Conference of Building Officials, 5360 South Workman Mill Road, Whittier, California 90601.
- (b) The Uniform Building Code Standards, 1991 Edition, which is published by the International Conference

of Building Officials, 5360 South Workman Mill Road, Whittier, California 90601.

- (c) The Uniform Mechanical Code, 1991 Edition, with the amendments specified on Exhibit "A" attached hereto and incorporated herein. The Uniform Mechanical Code, 1991 Edition, is published by the International Conference of Building Officials, 5360 South Workman Mill Road, Whittier, California 90601.
- (d) The Uniform Plumbing Code, 1991 Edition, with the amendments specified on Exhibit "A" attached hereto and incorporated herein. The Uniform Plumbing Code, 1991 Edition, is published by the International Association of Plumbing and Mechanical Officials, 20001 Walnut Drive South, Walnut, California 91789.
- (e) The National Electrical Code, 1990 Edition, with the amendments specified on Exhibit "A" attached hereto and incorporated herein. The National Electrical Code, 1990 Edition is published by the National Fire Protection Association, Batterymarch Park, Quincy, Massachusetts 02269.

Section 6. 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 or cause or permit the same to be done in violation of any of the Codes adopted herein by reference.

Section 7. Violations and Penalties. Any person, firm or corporation violating any provision of the Uniform Mechanical Code of 1991, the National Electrical Code of 1990, the Uniform Plumbing Code of 1991, the Uniform Building Code, 1991 Edition, or the Uniform Building Code Standards, 1991 Edition, shall be deemed guilty of an ordinance violation and, upon conviction thereof, shall be punishable by a fine not to exceed \$300.00 or by imprisonment not to exceed 90 days, or both fine and imprisonment. Each separate day, or any portion thereof, during which any violation occurs or continues shall be deemed to constitute a separate offense and, upon conviction thereof, shall be punishable as herein provided. The issuance or granting of a permit or approval of plans and specifications shall not be deemed or construed to be a permit for or an approval of, any violation of any provisions of the Uniform Building Code, 1991 Edition, the Uniform Building Code Standards, 1991 Edition, the Uniform Mechanical Code of 1991, the National Electrical Code of 1990, and the Uniform Plumbing Code of 1991, as amended by Douglas County. No permit presuming to give authority to violate or cancel the provisions of the Uniform Building Code, 1991

Edition, the Uniform Building Code Standards, 1991 Edition, the Uniform Mechanical Code of 1991, the National Electrical Code of 1990 or the Uniform Plumbing Code of 1991 shall be valid, except insofar as the work or use which it authorizes is lawful.

Section 8. The issuance or granting of a permit or approval of plans shall not prevent the Building Inspector of the Town of Larkspur from thereafter requiring the corrections of errors in said plans and specifications or from preventing construction operations being carried on thereunder when in violation of the Uniform Mechanical Code of 1991, the National Electrical Code of 1990, the Uniform Plumbing Code of 1991, the Uniform Building Code, 1991 Edition, and the Uniform Building Code Standards, 1991 Edition, or of any other ordinance, or from revoking any certificate of approval when issued in error.

Section 9. That if any section, subsection, sentence, clause or phrase of this ordinance is, for any reason, held to be invalid or unconstitutional, such decision shall not affect the validity or constitutionality of the remaining portions of this ordinance. The Town Council of the Town of Larkspur, Colorado hereby declares that it would have passed this ordinance, and each section, subsection, clause or phrase hereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses and phrases be declared unconstitutional.

Section 10. This ordinance shall take effect five (5) days after it is posted, in accordance with Section 3.20 of the Town Charter.

Introduced as an ordinance at a regular meeting of the Town Council of the Town of Larkspur, Colorado, on the 9th day of April, 1992, and passed by a vote of 5 for, 0 against, and 1 abstentions, and ordered ^{posted} published.

Thomas Bush
Mayor

ATTEST:

Brenda J. Anderson
Town Clerk

I hereby certify that the within Ordinance No. 3.51 was posted on the bulletin board at the Town Hall of the Town of Larkspur from April 13, 1992 to April 18, 1992.

Brenda J. Anderson
Town Clerk

EXHIBIT "A" TO ORDINANCE NO. 3.51
TOWN OF LARKSPUR, COLORADO

AMENDMENT TO THE 1991 UNIFORM BUILDING CODE:

1. DELETION AND SUBSTITUTION (Moved Buildings and Temporary Buildings):

Section 104 (e) Moved Buildings and Temporary Buildings is hereby deleted in its entirety and the following substituted in its stead:

(e) Moved Buildings and Temporary Buildings.

- (1) Complete plans and specifications shall be prepared on buildings or structures moved into or within the Town of Larkspur. These plans and specifications shall be submitted to the Town Building Inspector with a completed application for permit, as required for new construction and with color photographs of all elevations.
- (2) Before acting on such application, the Town Building Inspector shall make an inspection of the structure to be moved, unless it is a Mobile Home or Modular Home that has been approved by the Colorado Housing Authority. A pre-permit inspection fee in the amount of \$30.00 per hour (2 hours minimum) plus two-way mileage at the rate of twenty-eight cents per mile (estimated) shall be paid to the Town Building Inspector prior to the inspection.
- (3) If, after the inspection, the structure does not meet the code requirements, the applicant shall be notified in writing, listing the corrections necessary to bring the building into compliance with the code.
- (4) The building permit fee shall be the same as for new construction with no credit allowable for pre-permit fees already paid.
- (5) The use of mobile homes for temporary living facilities is permitted while a permanent residence is being constructed. The homeowner must receive a building permit for the temporary use and further must post a \$2,000.00 with the Town as recipient. The permit granted by the Town Building Inspector shall expire six (6) months from the date of issuance. This permit may be renewed one (1) time for an additional six (6) months. All temporary structures must be removed at the expiration of the permit. The maximum time limit for temporary structures pursuant to this section shall not exceed one (1) year.
- (6) Temporary structures, such as reviewing stands and other miscellaneous structures, sheds, canopies, or fences

used for the protection of the public around and in conjunction with construction work may be erected by special permit from the Town Building Inspector for a limited period of time. Such buildings or structures need not comply with the type of construction or fire-resistive time periods required by this code. Temporary buildings or structures shall be completely removed upon the expiration of the time limit stated in the permit.

2. ADDITION (Occupancy Violations)

Section 202 (e) Occupancy Violations. Add a paragraph to UBC Sec. 202 (e) to read as follows:

The Town Building Inspector, acting under the authority of the code may cause the electrical meter to be removed from a structure when the building is occupied without a Certificate of Occupancy or when in violation of this section.

3. ADDITION (Trash and Sanitation Facilities)

Section 206 Trash and Sanitation Facilities. Add a new section to read as follows:

Every building site shall be furnished with approved sanitary facilities for workmen and an appropriate enclosure or other means to contain construction trash and debris. Sanitary facilities and trash enclosures must be located within 300 feet of the building site. Sanitary facilities and trash enclosures shall not be located within the public right-of-way.

4. ADDITION (Board of Appeals)

Section 204 Board of Appeals. Add new sections as follows:

(c) Special Exceptions. The Board of Appeals may, in appropriate cases, and subject to determination as to the suitability of alternate materials and methods of construction, make special exceptions to the terms of the Building Code in harmony with its purpose and intent.

(d) Code Amendment. The Board of Appeals is authorized to formulate suggested amendments to the Building Code for consideration by the Town Council.

(e) Fees. The fee for a hearing before the Board of Appeals shall be Two Hundred Fifty Dollars (\$250).

ADDITION (Application for a Permit)

Section 302 (a) 2. Application. Add to section 302 (a) 2 to read as follows:

Proof of ownership of the property shall be submitted with the building permit application. When access to the property is from other than a public road, proof of legal and physical access shall be submitted with

the permit application. If legal access is questioned, the Town Building Inspector may confer with the Town Attorney to determine the legality of the access proposed. If physical access is questioned, referral comments may be sought from the Larkspur Fire Protection District. The Town Building Inspector will then determine if access is safe and reasonable. If the Town Building Inspector determines that physical access is not adequate, he may state whatever improvements would be necessary, if possible, to assure safe and reasonable access.

6. ADDITION (Application for a Permit)

Section 302 (a) 4. Application. Add to Sec. 302 (a) 4 to read as follows:

A soils test of the building site prepared by a professional engineer registered by the State of Colorado shall be required to be submitted with the application for a building permit. The foundation shall be designed by a professional engineer registered by the State of Colorado and designed in accordance with the soils report. When the building site is located in a hillside area, or in the opinion of the Town Building Inspector, is located in an area subject to geologic hazards or steep slopes, the Town Building Inspector may require an engineering geologist, working within their field of expertise, to submit specific recommendations regarding the building site and the proposed building location and design. Such recommendations shall include, but not be limited to, the relationships of site grading, structural integrity, site vegetation characteristics (or potential), location of septic drain fields and protection of adjacent properties.

7. DELETION AND SUBSTITUTION (Fees)

Section 304 (c). Permit Fees. Delete the first paragraph of Sec. 304 (c) and revise to read as follows:

Plan review fees for commercial buildings shall be 65 percent of the building permit fee as shown in Table 3-A. The plan review fee for residential buildings shall be 30 percent of the building permit fee as shown in Table 3-A for up to \$250,000.00 valuation and 65 percent for over \$250,000.00 in valuation. Residential plans on master file shall be charged a first-time plan review fee of 65 percent of the building permit fee as shown in Table 3-A, and for every subsequent permit issued using the master plan, the plan review fee shall be 10 percent of the building permit fee as shown in Table 3-A. Master plans shall remain effective until new codes are adopted or changes made in the Resolution adopting such codes.

8. DELETION AND SUBSTITUTION (Inspections)

Section 305 (3)1. Foundation Inspection. Delete Sec. 305 (e)1 in its entirety and substitute to read as follows:

To be made by a professional engineer registered in the State of Colorado. After inspection of the caissons or footings and the reinforcing steel the engineer shall provide to the Town Building Inspector a typed, stamped report of the results of the inspection. Reports for the caisson inspection shall clearly state that the drilling, pouring and reinforcement of the caissons was observed to be in compliance with the soils report and the engineered design.

9. DELETION AND SUBSTITUTION (Certificate of Occupancy)

Section 308(a). Use and Occupancy. Delete the first paragraph and exception to Sec. 308(a) and revise to read as follows:

No building or structure shall be used or occupied, and no change in the existing occupancy of a building or portion thereof shall be made until the Town Building Inspector has issued a Certificate of Occupancy therefor as provided herein.
EXCEPTION: Group M Occupancies.

10. DELETION AND SUBSTITUTION (Room Dimensions)

Section 1207(a). Ceiling Heights. Delete the first sentence of Sec. 1207 (a) and revise to read as follows:

Habitable space shall have a ceiling height of not less than 7 feet 6 inches except as otherwise permitted in this section. Basements in Group R, Division 3 Occupancies shall have a ceiling height of not less than 7 feet, nor less than 6 feet 8 inches measured from beams, ducts, girders or other projections extending from the ceiling.

11. ADDITION (Snow Load)

Section 2305 (d). Snow Loads. Add a second sentence to the first paragraph of Sec. 2305 (d) to read as follows:

Snow load in the Town of Larkspur shall be 30 pounds per square foot except in areas where the Structural Engineers Association of Colorado has found that the snow loads should be increased due to altitude and/or mountainous terrain.

12. ADDITION (Wind Speed)

Section 2314. Basic Wind Speed. Add a second paragraph to Sec. 2314 to read as follows:

The basic wind speed for the Town of Larkspur shall be 85 miles per hour with consideration given for the "Special Wind Region" along the front range where wind gusts may exceed 100 miles per hour.

13. ADDITION (Footings)

Section 2907 (a). General. Add a sentence to the first paragraph of Sec. 2907(a) to read as follows:

Frost depth for all areas of the Town of Larkspur shall be thirty-six (36) inches minimum.

14. ADDITION (Roof Covering Classification)

Section 3204 (d). Non-rated Roof Covering. Add a sentence to Sec. 3204(d) 5 & 6 to read as follows:

5. Wood Shingles. Only #1 grade wood shingles shall be allowed for use in the Town of Larkspur.

6. Only #1 grade wood shakes shall be allowed for use in the Town of Larkspur.

15. ADDITION (Stairways)

Section 3306 (c). Rise and Run. Add an exception No. 3 to Sec. 3306 (c) to read as follows:

3. The height of riser from finished floor to finished tread at the top or bottom of stairs in Group R, Division 3 occupancies may not exceed the height of the nearest adjacent riser by more than 3/4 of an inch.

16. ADDITION (Appendices)

The Uniform Building Code Appendix Chapter 11, Chapter 12, Division II, Chapter 23, Division I, Chapter 32, Chapter 35, and Chapter 70 are hereby specifically adopted in their entirety.

AMENDMENTS TO THE UNIFORM MECHANICAL CODE

17. DELETION AND ADDITION (Fees)

Section 304 (b). Delete Sec. 304 (b) and revise to read as follows:

Fees for mechanical permits shall be established on valuation or contract price of work being done in accordance with UBC Table 3-A.

18. ADDITION

Appendix Chapter "B" is hereby specifically adopted.

19. DELETION (Material for Gas Piping)

Section 2212. Material for Gas Piping. Delete the word "galvanized" in the second sentence of the first paragraph of Sec. 2212.

AMENDMENTS TO THE UNIFORM PLUMBING CODE

20. DELETION AND ADDITION (Fees)

Section 20.7. Delete Sec. 20.7 and revise to read as follows:

Fees for plumbing permits shall be established on valuation or contract price of work being done in accordance with UBC Table 3-A.

22. DELETION (Materials for Gas Piping)

Section 1212. Material for Gas Piping. Delete the word "galvanized" from the third sentence of the first paragraph of Sec. 1212.

AMENDMENTS TO THE NATIONAL ELECTRICAL CODE

23. DELETION (Multi-wire Branch Circuits)

Article 210-4. Delete the words "on the same yoke" from Art. 210-4.

24. ADDITION (Branch Circuits Required)

Article 220-4 (b). Add a sentence to read as follows:

For dwelling units the total number of loads on a fifteen amp circuit shall not exceed eight, nor more than ten loads on a twenty amp circuit, nor more than four loads on a small appliance branch circuit.

25. ADDITION (Service Equipment Disconnecting Means)

Article 230-70. Add sentences to read as follows:

The disconnecting means shall be readily accessible. Basements or cellars may be used only with specific prior approval.

26. ADDITION

Articles 230-70 (d); 384-16 (a) 1; 430-12 (b) 1; and 440-11 (a). Add to the preceding articles a sentence to read as follows:

Only magnetic breakers shall be allowed for use in Group R, Division 3 occupancies.

27. ADDITION (Wiring Methods)

Article 300-1. Add sentences to read as follows:

Wiring methods for other than Group R, Division 1 townhomes and condominiums 2 stories or less in height and Group R, Division 3 occupancies shall be in an approved conduit. Concealed knob and tube and aluminum wire smaller than #6 AWG shall not be allowed in any occupancy.

28. ADDITION (Nonmetallic Sheathed Cable)

Article 336. Add the following to Art. 336, to read as follows:

Prior to the installation of NM cable, structures must be completely enclosed and sealed to be protected from the weather. Protection of NM cable shall be required where in contact with any metal, piping, ducting systems or metal truss plates.

29. ADDITION (Hydro-Massage Tubs)

Article 680-70. Add a sentence to read as follows:

All associated electrical equipment shall be readily accessible.