

**TOWN OF SILVER PLUME
Clear Creek County, Colorado**

Ordinance No. 345

AN ORDINANCE ADOPTING BY REFERENCE THE 2018 EDITIONS OF THE FOLLOWING CODES: 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, AND; ADOPTING AMENDMENTS THERETO; REPEALING ALL ORDINANCES IN CONFLICT THEREWITH; PROVIDING PENALTIES FOR VIOLATING THE SAME

WHEREAS, pursuant to Part 2, Article 16, Title 31 of the Colorado Revised Statutes, the Town of Silver Plume ("Town") possesses the authority to adopt uniform codes by reference; and

WHEREAS, pursuant to this authority, the Town previously adopted the 1991 editions of various building and technical codes by reference in Ordinance 302 of the Town of Silver Plume; and

WHEREAS, pursuant to this authority, the Town amended Ordinance 302; and

WHEREAS, pursuant to this authority, the Town desires to repeal these and any other previously adopted ordinance in conflict with the provisions of this ordinance, in their entirety and replace them with this the provisions of this Ordinance; and

WHEREAS, in furtherance of the public health, safety and welfare of Town residents, guests and visitors, the Town Board desires to update its ordinances to include the latest versions of the International Codes Council's I-Codes ("Codes"); and

WHEREAS, after due and proper notice in accordance with C.R.S. § 31-16-203, the Town Board conducted a public hearing on the adoption of the Codes by reference, at which time all interested parties were given the opportunity to be heard; and

WHEREAS, copies of the Codes adopted by reference herein were filed in the office of the Town Clerk at least fifteen (15) days preceding the hearing and remain there for public inspection at Silver Plume Town Hall, 710 Main Street, Silver Plume, Colorado 80476; and

WHEREAS, based upon its review of the Codes referenced herein and all evidence and testimony presented on the matter, the Town Board finds and determines that the Codes adopted hereby, as amended herein, will further the health, safety, and welfare of the inhabitants of the Town.

NOW THEREFORE, BE IT ORDAINED BY THE TOWN BOARD OF THE TOWN OF SILVER PLUME, COLORADO, AS FOLLOWS:

Section 1. Adoption.

The following Codes, one (1) copy of each of which is on file in the office of the Town Clerk, are hereby adopted by reference, subject to the deletions and amendments herein specified:

- (A) International Building Code, 2018 Edition as published by the International Code Council, 500 New Jersey Avenue, NW, 6th Floor, Washington, DC 20001, Chapters 1 through 35 inclusive and Appendix I.
- (B) International Residential Code for One- and Two-Family Dwellings, 2018 Edition as published by the International Code Council, 500 New Jersey Avenue, NW, 6th Floor, Washington, DC 20001, Chapters 1 through 44 inclusive and Appendices H, O, Q, R and S.
- (C) International Mechanical Code, 2018 Edition as published by the International Code Council, 500 New Jersey Avenue, NW, 6th Floor, Washington, DC 20001, Chapters 1 through 15 inclusive.
- (D) International Fuel Gas Code, 2018 Edition as published by the International Code Council, 500 New Jersey Avenue, NW, 6th Floor, Washington, DC 20001, Chapters 1 through 8 inclusive.
- (E) International Plumbing Code, 2018 Edition as published by the International Code Council, 500 New Jersey Avenue, NW, 6th Floor, Washington, DC 20001, Chapters 1 through 15 inclusive.
- (F) International Existing Building Code, 2018 Edition as published by the International Code Council, 500 New Jersey Avenue, NW, 6th Floor, Washington, DC 20001, Chapters 1 through 16 inclusive.
- (G) The International Fire Code, 2018 Edition, as published by the International Code Council, 500 New Jersey Avenue, NW, 6th Floor, Washington, DC 20001, Chapters 1 through 80 inclusive and Appendices B, C and D, are hereby adopted by reference as if set out verbatim in this Article, subject to the deletions and amendments herein specified.

Section 2. Amendments to the International Building Code.

The following amendments to the 2018 Edition of the International Building Code (“IBC”) are hereby adopted:

- (A) **IBC Section 101.1** IBC Section 101.1 (Title) is amended by the addition of the term “Town of Silver Plume” where indicated.
- (B) **IBC Section 101.4.3** IBC Section 101.4.3 (Plumbing) is amended by deletion of the last sentence.
- (C) **IBC Section 104.10.1** IBC Section 104.10.1 (Flood Hazard Areas) is amended by replacing the words “building official” with “Town.”

(D) **IBC Section 105.1** IBC Section 105.1 (Required) is amended by replacing the words “building official” with “Town.”

(E) **IBC Section 109.6** IBC Section 109.6 (Refunds) is amended by deleting the Section in its entirety and replacing the Section with the following:

The Town may authorize refunding of any fee paid hereunder which was erroneously paid or collected. The Town may authorize refunding of not more than 75 percent (75%) of the permit fee paid when no work has been done under a permit issued in accordance with this Code. The Town may authorize refunding of not more than 75 percent (75%) 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 review is commenced. The Town 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.

(F) **IBC Section 113.** IBC Section 113 (Board of Appeals) is amended by deleting the Section in its entirety and replacing it with the following:

113.1 General. The Town’s Board of Adjustment appointed by the Town Board shall serve as the Board of Appeals to hear and decide appeals of orders, decisions or determinations made by the building official relative to the application and interpretation of this code.

113.2 Limitations on authority. An application for appeal shall be based on a claim that the true intent of this code or the rules legally adopted thereunder have been incorrectly interpreted, the provision of this code do not fully apply, or an equally good or better form of construction is proposed. The Board of Appeals shall not have the authority to waive requirements of this code.

(G) **IBC Section 202.** IBC Section 202 (Definitions) is amended by addition of the following:

“Sleeping Room” (Bedroom) Any enclosed habitable space within a dwelling unit, which complies with the minimum room dimension requirements of IBC Section 1207 and contains a closet, an area that is useable as a closet, or an area that is readily convertible for use as a closet. Living rooms, family rooms and other similar habitable areas that are so situated and designed so as to clearly indicate these intended uses, shall not be interpreted as sleeping rooms.

(H) **IBC Section 1612.3** IBC Section 1612.3 (Establishment of flood hazard areas) is amended by the insertion of “Clear Creek County, Colorado (including the Town of Silver Plume)” where indicated and the date of “December 20, 2019” where indicated.

Section 3. Amendments to the International Mechanical Code.

The following amendments to the 2018 Edition of the International Mechanical Code (“IMC”) are hereby adopted:

- (A) **IMC Section 101.1.** IMC Section 101.1 (Title) is amended by the addition of the term “Town of Silver Plume” where indicated.

Section 4. Amendments to the International Plumbing Code.

The following amendments to the 2018 Edition of the International Plumbing Code (“IPC”) are hereby adopted:

- (A) **IPC Section 101.1.** IPC Section 101.1 (Title) is amended by the addition of the term “Town of Silver Plume” where indicated.
- (B) **IPC Section 305.4.1.** IPC Section 305.4.1 (Sewer depth) is amended by filling in both areas where indicated to read “12 inches (305 mm).”
- (C) **IPC Section 903.1.** IPC Section 904.1 (Roof extension) is amended by inserting the number “6 inches, (152.4 mm)” where indicated in the second sentence.

Section 5. Amendments to the International Residential Code.

The following amendments to the 2018 Edition of the International Residential Code (“IRC”) are hereby adopted:

- (A) **IRC Section R101.1.** IRC Section R101.1 (Title) is amended by the addition of the term “Town of Silver Plume” where indicated.
- (B) **IRC Section R104.10.1** IRC Section R104.10.1 (Flood Hazard Areas) is amended by replacing the words “building official” with “Town.”
- (C) **IRC Section R105.1.** IRC Section R105.1 (Required) is amended by replacing the words “building official” with “Town.”
- (D) **IRC Section R108.5.** IRC Section R108.5 (Refunds) is amended by deleting the section in its entirety and replacing the section with the following:

The Town may authorize refunding of any fee paid hereunder which was erroneously paid or collected. The Town may authorize refunding of not more than 75 percent (75%) of the permit fee paid when no work has been done under a permit issued in accordance with this Code. The Town may authorize refunding of not more than 75 percent (75%) 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. The Town 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.

(E) **IRC Section R112.** IRC Section R112 (Board of Appeals) is amended by deleting the section in its entirety and replacing it with the following:

R112.1 General. The Town’s Board of Adjustment appointed by the Town Board shall serve as the Board of Appeals to hear and decide appeals of orders, decisions or determinations made by the building official relative to the application and interpretation of this code.

112.2 Limitations on authority. An application for appeal shall be based on a claim that the true intent of this code or the rules legally adopted thereunder have been incorrectly interpreted, the provision of this code do not fully apply, or an equally good or better form of construction is proposed. The Board of Appeals shall not have the authority to waive requirements of this code.

(F) **IRC Section R202.** IRC Section R202 (Definitions) is amended by addition of the following:

“Sleeping Room” (Bedroom) Any enclosed habitable space within a dwelling unit, which complies with the minimum room dimension requirements of IRC Sections R304 and R305 and contains a closet, an area that is useable as a closet, or an area that is readily convertible for use as a closet. Living rooms, family rooms and other similar habitable areas that are so situated and designed so as to clearly indicate these intended uses, shall not be interpreted as sleeping rooms.

(G) **IRC Table R301.2 (1).** IRC Table R301.2 (1) is filled to provide the following:

Table R301.2(1)
Climatic and Geographic Design Criteria

Ground Snow Load	Wind Speed (mph)	Seismic Design Category	Subject to Damage From			Winter Design Temp	Ice Shield Underlayment Required	Flood Hazard	Air Freezing Index	Mean Annual Temp
			Weathering	Frost Line Depth	Termite					
100 lb.	100 mph	B	Severe	40 in.	Slight to Moderate	1	YES	Per Town Ordinance No. 340	2500	45°F

(H) **IRC Section R401.2.** IRC Section R401.2 (Requirements) is amended by the addition of the following:

Where soils reports show the need for it, foundations shall be designed by and the construction drawings stamped by a Colorado registered design professional. The foundation design must be based on an engineer’s soils report. The drawings must be noted with the engineering firm name, specific location for design and soils report number. A site certification prepared by State of Colorado registered design professional is required for setback verification on all new Group R Division 3 occupancies.

(I) **IRC Section R405.1.** IRC Section R405.1 (Concrete or masonry foundations) is amended with the addition of the following after the first sentence: All foundation drains shall be designed and inspected by a State of Colorado registered design professional.

(J) **IRC Section G2415.12.** IRC Section G2415.12 (Minimum burial depth) is amended by the addition of the following: All plastic fuel gas piping shall be installed a minimum of 18 inches (457 mm) below grade.

(K) **IRC Section G2417.4.1.** IRC Section G2417.4.1 (Test pressure) is amended by changing “3 psig” to “10 psig.”

(L) **IRC Section P2603.5.1.** IRC Section P2603.5.1 (Sewer depth) is amended by filling in both areas where indicated to read “36 inches (914.4 mm).”

Section 6. Amendments to the International Fuel Gas Code.

The following amendments to the 2018 Edition of the International Fuel Gas Code (“IFGC”) are hereby adopted:

(A) **IFGC Section 101.1.** IFGC Section 101.1 (Title) is amended by the addition of the term “Town of Silver Plume” where indicated.

(B) **IFGC Section 404.12.** IFGC Section 404.12 (Minimum burial depth) is amended by the addition of the following: All plastic fuel gas piping shall be installed a minimum of 18 inches (457 mm) below grade.

(C) **IFGC Section 406.4.1.** IFGC Section 406.4.1 (Test pressure) is amended by changing 3 psig to 10 psig.

Section 7. Amendments to the International Fire Code.

The following amendments to the 2018 Edition of the International Fire Code (“IFC”) are hereby adopted:

(A) A new **IFC subsection 102.13** is hereby enacted to read as follows:

102.13 Application of Residential Code. Where structures are designed and constructed in accordance with the *International Residential Code*, the provisions of this Code shall apply as follows:

1. Construction and design provisions: Provisions of this Code pertaining to the exterior of the structure shall apply including, but not limited to, premises identification, fire apparatus access, and water supplies. Construction permits for systems and equipment utilized in the interior or exterior of the structure shall also apply.

2. Administrative, operational, and maintenance provisions: All such provisions of this Code shall apply.
3. References in this Code to Group R-3 or U occupancies or one- and two-family dwellings and townhouses shall apply to structures under the scope of the *International Residential Code* except as limited by this section.

(B) **IFC Section 109.** IFC Section 109 (Board of Appeals) is amended by deleting the Section in its entirety and replacing it with the following:

113.1 General. The Town's Board of Adjustment appointed by the Town Board shall serve as the Board of Appeals to hear and decide appeals of orders, decisions or determinations made by the fire code official relative to the application and interpretation of this code.

113.2 Limitations on authority. An application for appeal shall be based on a claim that the true intent of this code or the rules legally adopted thereunder have been incorrectly interpreted, the provision of this code do not fully apply, or an equally good or better form of construction is proposed. The Board of Appeals shall not have the authority to waive requirements of this code.

(C) **IFC Subsection 5601.1.3** is hereby amended to read as follows:

5601.1.3 Fireworks. The possession, manufacture, storage, sale, handling and use of fireworks are prohibited.

Exceptions:

1. The use of fireworks for fireworks displays as allowed in Section 5608.

(D) **IFC Subsection 5704.2.9.6.1** is hereby amended to read as follows:

5704.2.9.6.1. (Title) is amended by the addition of the term "Town of Silver Plume" where indicated.

(E) **IFC Subsection 5706.2.4.4** (Title) is amended by the addition of the term "Town of Silver Plume" where indicated.

(F) **Appeals.** Appeals of orders, decisions or determinations made by the Fire Code Official relative to the application and interpretation of the Fire Code adopted by this Chapter shall be heard and decided upon by the Board of Adjustment as specified in Section 109 of the 2018 Edition of the International Fire Code, as amended.

Section 8. Roofing Inspections.

(A) The Town of Silver Plume has established additional roofing inspections within the Town. For roofing permits within the Town of Silver Plume, the following inspections shall be required:

1. Tear off inspections (sheathing).
2. Mid-roof inspection of ice and snow shield required 4' up from exterior walls.
3. Final inspection prior to issuance of Certificate of Occupancy.

Additional information on these inspections may be obtained by contacting Silver Plume Town Hall.

(B) Any violation of this process shall be considered a violation of this Ordinance and all penalties and remedies established or referenced by this Ordinance shall be applicable.

Section 9. Violations, Penalties, and Enforcement.

(A) Silver Plume Ordinance 340 Land Use Code ("Land Use Code"), Division 12 Permit Administration and Enforcement, which sets forth penalty provisions applicable to particular violations of the Land Use Code, shall also apply to any violation of this ordinance which is not otherwise referenced in the adopted codes.

(B) Any person, firm or corporation who commences to erect, construct, enlarge, alter or change the use of any building or other structure within the Town without first obtaining all permits required by any of the primary or secondary codes as adopted hereby shall, in addition to all other applicable penalties, be liable for two (2) times the applicable permit fee for any such required permit(s).

(C) Violations of any provision of this Ordinance are non-criminal offenses and are civil matters. This Section shall control over any Town Ordinance that provides for imprisonment but does not expressly state that the offense is criminal. Trial of non-criminal offenses shall be by the court. No defendant found civilly liable for a non-criminal offense shall be punished by imprisonment for such offense, but may be fined an amount not to exceed one thousand dollars (\$1,000.00). Any person convicted of a criminal violation of any Section of this Ordinance shall be imprisoned for a period not to exceed one (1) year or fined an amount not to exceed one thousand dollars (\$1,000.00), or both. With respect to violations of this Ordinance which are continuous, a separate offense shall be deemed committed for each day the violation occurs or continues.

Section 10. Severability. Should any one or more sections or provisions of this Ordinance or of any of the primary or secondary codes adopted by reference be judicially determined invalid or unenforceable, such judgment shall not affect, impair or invalidate the remaining provisions of this Ordinance or the codes adopted by reference hereby, the intention being that the various sections and provisions are severable.

Section 11. Repeal. Any and all ordinances or codes or parts thereof in conflict or inconsistent herewith are, to the extent of such conflict or inconsistency, hereby repealed; provided, however, that the repeal of any such ordinance or code or part thereof shall not revive any other section or part of any ordinance or code heretofore repealed or superseded and this repeal shall not affect or prevent the prosecution or punishment of any person for any act done or committed in violation of any ordinance hereby repealed


prior to the effective date of this Ordinance.

INTRODUCED, READ, AND ORDERED PUBLISHED at a Regular Meeting of the Town Board of the Town of Silver Plume, Colorado, held on the 8th day of March 2021.



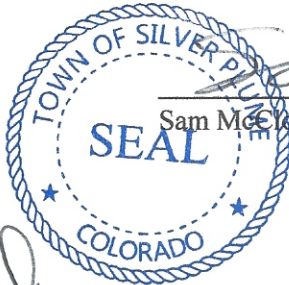
Sam McCloskey, Mayor

ATTESTED AND CERTIFIED:



Tammy Sanford, Town Clerk

PASSED, ADOPTED AND APPROVED, AS AMENDED, after publication at a Regular Meeting of the Town Board of the Town of Silver Plume, Colorado, held on the 22nd day of March 2021.



Sam McCloskey, Mayor

ATTESTED AND CERTIFIED:



Tammy Sanford, Town Clerk