ORDINANCE NO. 32, SERIES 2013
INTRODUCED BY: MAYOR PRO TEM STEVE KRACHA

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LAFAYETTE COLORADO ADOPTING BY REFERENCE THE INTERNATIONAL BUILDING CODE 2012 EDITION, THE INTERNATIONAL RESIDENTIAL BUILDING CODE 2012 EDITION, THE INTERNATIONAL PLUMBING CODE 2012 EDITION, THE INTERNATIONAL MECHANICAL CODE 2012 EDITION, THE INTERNATIONAL FUEL GAS CODE 2012 EDITION, THE INTERNATIONAL ENERGY CONSERVATION CODE 2012 EDITION, THE INTERNATIONAL PROPERTY MANAGEMENT CODE 2012 EDITION, THE INTERNATIONAL EXISTING BUILDING CODE 2012 EDITION, AND IN CONNECTION THEREWITH AMENDING CHAPTER 30, BUILDINGS AND BUILDING REGULATIONS, OF THE CODE OF ORDINANCES OF THE CITY OF LAFAYETTE, COLORADO, BY REPEALING AND REENACTING SECTIONS 30-146 CONCERNING THE ADOPTION OF A BUILDING CODE, 30 -148 CONCERNING PENALTIES FOR VIOLATING THE BUILDING CODE, 30 -149 CONCERNING AMENDMENTS TO THE BUILDING CODE, 30-176 CONCERNING THE ADOPTION OF A PLUMBING CODE, 30-178 CONCERNING PENALTIES FOR VIOLATING THE PLUMBING CODE, 30-181 CONCERNING AMENDMENTS TO THE PLUMBING CODE, 30-191 CONCERNING THE ADOPTION OF A MECHANICAL AND FUEL GAS CODE, 30-193 CONCERNING PENALTIES FOR VIOLATING THE MECHANICAL AND FUEL GAS CODE, 30-194 CONCERNING AMENDMENTS TO THE MECHANICAL AND FUEL GAS CODE, 30-206 CONCERNING THE ADOPTION OF THE EXISTING BUILDING CODE, 30-208 CONCERNING PENALTIES FOR VIOLATING THE EXISTING BUILDING CODE,30-221 CONCERNING THE ADOPTION OF AN ENERGY CODE, 30-223 CONCERNING PENALTIES FOR VIOLATING THE ENERGY CODE, 30-224 CONCERNING AMENDMENTS TO THE ENERGY CODE, 30-266 CONCERNING THE ADOPTION OF THE PROPERTY MAINTENANCE CODE, AND 30-268 CONCERNING PENALTIES FOR THE VIOLATION OF THE PROPERTY MAINTENANCE CODE.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LAFAYETTE, COLORADO, AS FOLLOWS:

SECTION 1. That Section 30-146, Adoption, of Article II, BUILDING CODE, of Chapter 30, BUILDINGS AND BUILDING REGULATIONS, of the Code of Ordinances of the City of Lafayette, Colorado, is hereby repealed and reenacted to read as follows:

Sec. 30-146. Adoption.

Pursuant to Title 31, Article 16, Part 2, Colorado Revised Statutes, as amended, there is hereby adopted as the building code of the City of Lafayette, Colorado, by reference thereto, the following:

(a) International Building Code 2012 Edition, International Residential Code, 2012 edition, published by the International Code Council, Inc., 5360 S. Workman Mill Road, Whittier, California 90601, all to have the same force and effect as if set forth herein in every particular. The subject matter of the adopted codes includes comprehensive provisions and standards regulating the erection, construction, enlargement, alteration, repair, moving, removal, conversion, demolition, occupancy, equipment, use, height, area and maintenance of all residential buildings and structures for the purpose of protecting the public health, safety and general welfare.

SECTION 2. That Section 30-148, Penalties, of Article II, BUILDING CODE, of Chapter 30, BUILDINGS AND BUILDING REGULATIONS, of the Code of Ordinances of the City of Lafayette, Colorado, is hereby repealed and reenacted to read as follows:

Sec. 30-148. Penalties.

(a) The following penalty clause as contained in the International Building Code 2012 Edition and International Residential Code, 2012 Edition, is hereby set forth in full and adopted:

Any person who violates a provision of this code or fails to comply with any of the requirements thereof or who erects, constructs, alters or repairs 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 this code, shall be subject to penalties as prescribed by law.

(b) Any violation of the provisions of the International Building Code 2012 Edition and International Residential Code, 2012 edition, adopted hereby shall be punishable by a fine not to exceed one thousand dollars ($1,000.00) or imprisonment not to exceed ninety (90) days or both such fine and imprisonment. Each and every day, or any portion thereof, during which any violation is committed, continued or permitted shall be considered as a separate offense.

SECTION 3. That Section 30-149, Amendments to International Building Code of Article II, BUILDING CODE, of Chapter 30, BUILDINGS AND BUILDING REGULATIONS, of the Code of Ordinances of the City of Lafayette, Colorado, is hereby repealed and reenacted to read as follows:

Sec. 30-149. Amendments.

(a) The International Residential Code, 2012 edition, Section R108.2, is hereby amended to read as follows:

The building permit fees under the International Building Code shall be set forth pursuant to resolution of the City Council.

(b) The International Residential Code, 2012 Edition, Section R313 is hereby deleted entirely.

(c) The International Residential Code, 2012 Edition, Section R302.2 is hereby amended to read as follows:

Sec. R302.2 Townhouses. Each townhouse shall be considered a separate building and shall be separated by a 2-hour fire-resistance rated wall assembly.

(d) The International Residential Code, 2012 Edition Section R302.3 is hereby amended to read as follows:

Sec. R302.3 Two-family dwellings. Dwelling units in two-family dwellings shall be separated from each other by wall and/or floor assemblies having not less than a 2-hour fire resistance rating. Fire-resistance rated floor-ceiling and wall assemblies shall extend to and be tight against the exterior wall, and wall assemblies shall extend from the foundation to the underside of the roof sheathing.

SECTION 4. That Section 30-176, Adoption, of Article V, PLUMBING REGULATIONS, of Chapter 30, BUILDINGS AND BUILDING REGULATIONS, of the Code of Ordinances of Lafayette, Colorado, is hereby repealed and reenacted to read as follows:

Sec. 30-176. Adoption.

Pursuant to Title 31, Article 16, Part 2, Colorado Revised Statutes, as amended, there is hereby adopted as the plumbing code of the City of Lafayette, Colorado, by reference thereto, the International Plumbing Code, 2012 edition, published by the International Code Council, Inc., 5360 Workman Mill Road,– Whittier, California 90601, all to have the same force and effect as if set forth herein in every particular. The subject matter of the adopted codes includes comprehensive provisions and standards regulating the erection, installation, alteration, addition, repair, relocation, replacement, maintenance and use of

plumbing systems within the City of Lafayette, Colorado, for the purpose of protecting the public health, safety and general welfare.

SECTION 5. That Section 30-178, Penalties, of Article V, PLUMBING REGULATIONS, of Chapter 30, BUILDINGS AND BUILDING REGULATIONS, of the Code of Ordinances of the City of Lafayette, Colorado, is hereby repealed and reenacted to read as follows:

Sec. 30-178. Penalties.

(a) The following penalty clause as contained in the International Plumbing Code, 2012 edition, is hereby set forth in full and adopted:

> Any person who violates a provision of this code or fails to comply with any of the requirements thereof or who erects, constructs, alters or repairs 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 this code, shall be subject to penalties as prescribed by law.

(b) Any violation of the provisions of the International Plumbing Code, 2012 edition, adopted hereby shall be punishable by a fine not to exceed one thousand dollars ($1,000.00) or imprisonment not to exceed ninety (90) days or both such fine and imprisonment. Each and every day, or any portion thereof, during which any violation is committed, continued or permitted shall be considered as a separate offense.

SECTION 6. That Section 30-181, Amendments to the International Plumbing Code, of Article V, PLUMBING REGULATIONS, of Chapter 30, BUILDINGS AND BUILDING REGULATIONS, of the Code of Ordinances of Lafayette, Colorado, is hereby repealed and reenacted to read as follows:

Sec. 30-181. Amendments

The International Plumbing Code, 2012 edition, Section 106.6.2, is hereby amended to read as follows:

(a) The plumbing permit fees shall be set forth pursuant to resolution of the City Council.

SECTION 7. That Section 30-191, Adoption, of Article IV, MECHANICAL CODE, of Chapter 30, BUILDINGS AND BUILDING REGULATIONS, of the Code of Ordinances of the City of Lafayette, Colorado, is hereby repealed and reenacted to read as follows:

Sec. 30-191. Adoption.

Pursuant to Title 31, Article 16, Part 2, Colorado Revised Statutes, as amended, there is hereby adopted as the mechanical code of the City of Lafayette, Colorado, by reference thereto, the following:

(a) The International Mechanical Code, 2012 edition, published by the International Code Council, 5360 S. Workman Mill Road, Whittier, California 90601, all to have the same force and effect as if set forth herein in every particular. The subject matter of the adopted code includes minimum standards to safeguard life, limb, health, property and construction, installation, quality of materials, location, operation and maintenance or use of heating, ventilating, cooling, refrigeration systems, incinerators and other miscellaneous heat-producing appliances within the City of Lafayette, Colorado, for the purpose of protecting the public health, safety and general welfare.

(b) The International Fuel Gas Code, 2012 edition, published by the International Code Council, 5360 S. Workman Mill Road, Whittier, California 90601, all to have the same force and effect as if set forth herein in every particular. The subject matter of the adopted code includes the regulation of the design, construction, installation, location, operation, materials and maintenance and use of fuel gas systems, fuel gas appliances and other miscellaneous heat producing appliances within the City of Lafayette, Colorado, for the purpose of protecting the public health, safety and general welfare.

SECTION 8. That Section 30-193, Penalties, of Article IV, MECHANICAL CODE, of Chapter 30, BUILDINGS AND BUILDING REGULATIONS, of the Code of Ordinances of the City of Lafayette, Colorado, is hereby repealed and reenacted to read as follows:

Sec. 30-193. Penalties.

(a) The penalty clause as contained in Section 108.4 of the International Mechanical Code, 2012 edition, is hereby amended to read as follows:

Persons who shall violate a provision of this code or shall fail to comply with any of the requirements thereof or who shall erect, install, alter or repair mechanical work in violation of the approved construction documents or directive of the code official, or of a permit or certificate issued under the provisions of this code, shall be guilty of violating the code punishable by a fine of not more than one thousand dollars ($1,000)

or by imprisonment not exceeding ninety (90) days, or both such fine and imprisonment. Each day that a violation continues after due notice has been served shall be deemed a separate offense.

(b) The penalty clause as contained in Section 108.4 of the International Fuel Gas Code, 2012 edition, is hereby set forth, amended and adopted as follows:

Persons who shall violate a provision of this code or shall fail to comply with any of the requirements thereof or who shall erect, install, alter or repair mechanical work in violation of the approved construction documents or directive of the code official, or of a permit or certificate issued under the provisions of this code, shall be guilty of violating the code punishable by a fine of not more than one thousand dollars ($1,000) or by imprisonment not exceeding ninety (90) days, or both such fine and imprisonment. Each day that a violation continues after due notice has been served shall be deemed a separate offense.

SECTION 9. That Section 30-194, Amendment to the International Mechanical Code and the International Fuel Gas Code, of Article IV, MECHANICAL CODE, of Chapter 30, BUILDINGS AND BUILDING REGULATIONS, of the Code of Ordinances of the City of Lafayette, Colorado, is hereby repealed and reenacted to read as follows:

Sec. 30-194. Amendments.

(a) The International Mechanical Code, 2012 edition, Section 106.5.2, is hereby amended to read as follows:

The permit fees for mechanical work shall be set forth pursuant to resolution of the City Council.

(b) The International Fuel Gas Code, 2012 edition, Section 106.5.2, is hereby amended to read as follows:

The permit fees for mechanical work shall be set forth pursuant to resolution of the City Council.

SECTION 10. That Section 30-206, Adoption, of Article VII, Existing Building Code, of Chapter 30, BUILDING AND BUILDING REGULATIONS, of the Code of Ordinances of the City of Lafayette, Colorado is hereby repealed and reenacted to read as follows:

Sec. 30-206. Adoption.

Pursuant to Title 31, Article 16 Part 2, Colorado Revised Statues, as amended, there is hereby adopted by reference thereto the Existing Building Code, 2012 edition, published by the International Code Council, Inc. 5360 Workman Mill Road, Whittier, California, 90601, all to have the same force and effect as if set forth herein in every particular. The subject matter of the adopted code includes regulating and governing the repair, alteration, change of occupancy, addition, and relocation of existing buildings, including historic buildings in the City of Lafayette, Colorado.

SECTION 11. That Section 30-208, Penalties, of Article VII, Existing Building Code, of Chapter 30, BUILDINGS AND BUILDING REGULATIONS, of the Code of Ordinances of the City of Lafayette, Colorado, is hereby repealed and reenacted to read as follows:

Sec. 30-208. Penalties.

It shall be unlawful for any person to repair, alter, change occupancy, add to, and relocate any existing building in Lafayette, Colorado contrary to or in violation of any of the provisions of the Existing Building Code, 2012 edition. Any person violating any provision of the Existing Building Code, 2012 edition, adopted hereby shall be punished by a fine not exceeding one thousand dollars ($1,000.00) or imprisonment not exceeding ninety (90) days or by both such fine and imprisonment. Each and every day, or any portion thereof, during which any violation is committed, continued or permitted shall be considered as a separate offense.

SECTION 12. That Section 30-221, Adoption, of Article VIII, ENERGY CONSERVATION, of Chapter 30, BUILDINGS AND BUILDING REGULATIONS, of the Code of Ordinances of the City of Lafayette, Colorado, is hereby repealed and reenacted to read as follows:

Sec. 30-221. Adoption.

Pursuant to Title 31, Article 16, Part 2, Colorado Revised Statutes, as amended, there is hereby adopted as the energy code of the City of Lafayette, Colorado, by reference thereto, the International Energy Conservation Code, 2012 edition, published by the International Code Council, Inc., 5360 Workman Mill Road, Whittier, California 90601, all to have the same force and effect as if set forth herein in every particular. The subject matter of the adopted code includes the regulation of the design of building envelopes for adequate thermal resistance and low air leakage and the design and selection of mechanical, electrical service, water heating and illumination systems and equipment which will enable effective use of energy in new building construction in the City of Lafayette, Colorado.

SECTION 13. That Section 30-223, Penalties, of Article VIII, ENERGY CONSERVATION, of Chapter 30, BUILDINGS AND BUILDING REGULATIONS, of the Code of Ordinances of the City of Lafayette, Colorado, is hereby repealed and reenacted to read as follows:

Sec. 30-223. Penalties.

It shall be unlawful for any person to erect, construct, renovate, enlarge, alter, repair, improve, convert, equip, use, occupy or maintain any building or structure in Lafayette, Colorado, or cause or permit the same to be done, contrary to or in violation of any of the provisions of the International Energy Conservation Code, 2012 edition. Any person violating any provision of the International Energy Conservation Code, 2012 edition, adopted hereby shall be punished by a fine not exceeding one thousand dollars ($1,000.00) or imprisonment not exceeding ninety (90) days or by both such fine and imprisonment. Each and every day, or any portion thereof, during which any violation is committed, continued or permitted shall be considered as a separate offense.

SECTION 14. That Section 30-224, Amendments to International Energy Conservation Code, of Article VIII, ENERGY CONSERVATION, of Chapter 30, BUILDINGS AND BUILDING REGULATIONS, of the Code of Ordinances of the City of Lafayette, Colorado, is hereby repealed and reenacted to read as follows:

Sec. 30-224. Amendments.

No amendments have been adopted to the International Energy Conservation Code, 2012 edition.

SECTION 15. That Section 30-266, Adoption, of Article X, Property Maintenance Code, of Chapter 30, BUILDING AND BUILDING REGULATIONS, of the code of ordinances of the City of Lafayette, Colorado is hereby repealed and reenacted to read as follows:

Sec. 30-266. Adoption.

Pursuant to Title 31, Article 16 Part 2, Colorado Revised Statutes, as amended, there is hereby adopted as the Property Maintenance Code of the City of Lafayette, Colorado, by reference thereto the Property Maintenance Code, 2012 edition, published by the International Code Council, Inc. 5360 Workman Mill Road, Whittier, California, 90601, all to have the same force and effect as if set forth herein in every particular. The subject matter of the adopted code includes the minimum standards for existing buildings for light, ventilation, space heating, sanitation, protection from the elements, life safety, safety from fire and other hazards, and for the safe and sanitary maintenance in the City of Lafayette, Colorado.

SECTION 16. That Section 30-268, Penalties, of Article X, Property Maintenance Code, of Chapter 30, BUILDINGS AND BUILDING REGULATIONS, of the Code of Ordinances of the City of Lafayette, Colorado, is hereby repealed and reenacted to read as follows:

Sec. 30-268. Penalties.

It shall be unlawful for a person, firm, or corporation to be in conflict with or in violation of any of the provisions of the Property Maintenance Code, 2012 edition. Any person, firm, or corporation violating any provision of the Property Maintenance Code, 2012 edition, adopted hereby shall be punished by a fine not exceeding one thousand dollars ($1,000.00) or imprisonment not exceeding ninety (90) days or by both such fine and imprisonment. Each and every day, or any portion thereof, during which any violation is committed, continued or permitted shall be considered as a separate offense.

SECTION 17**.** If any part, section, subsection, sentence, clause or phrase of this ordinance or of the International Building Code, 2012 edition, the International Residential Code, 2012 edition, the International Plumbing Code, 2012 edition, the International Mechanical Code, 2012 edition, the International Fuel Gas Code, 2012 edition, the International Energy Conservation Code, 2012 edition, International Existing Building code 2012 edition, International Property Maintenance Code 2012 edition, adopted hereby is for any reason held to be invalid, such decision shall not affect the validity of the remaining sections of this ordinance or of said code; the City Council hereby declares that it would have passed this ordinance and adopted said code in each part, section, subsection, sentence, clause or phrase thereof, irrespective of the fact that any one or more parts, sections, subsections, sentences, clauses or phrases be declared invalid.

SECTION 18. All references in the Lafayette Code or other ordinances to the “International Building Code” or to the "Uniform Building Code" or to the "building code", shall be interpreted to refer to the International Building Code, 2012 edition, and the International Residential Code, 2012 edition, as adopted by this ordinance. All references in the Lafayette Code or other ordinances to the “International Plumbing Code” or to the "Uniform Plumbing Code" or to the "plumbing code", shall be interpreted to refer to the International Plumbing Code, 2012 edition, as adopted by this ordinance. All references in the Lafayette Code or other ordinances to the “International Mechanical Code” or to the "Uniform Mechanical Code" or to the "mechanical code", shall be interpreted to refer to the International Mechanical Code, 2012 edition, and the International Fuel Gas Code, 2012 edition, both as adopted by this ordinance. All references in the Lafayette Code or other ordinances to the "International Energy Conservation Code" or to the "energy code", shall be interpreted to refer to the International Energy Conservation Code, 2012 edition, as adopted by this ordinance. All references in the Lafayette Code or other ordinances to the “International Existing Building Code” or to the “existing building code”, shall be interpreted to refer to the

International Existing Building Code, 2012 edition. All references in the Lafayette Code or other ordinances to the "International Property Maintenance Code" or "property maintenance code", shall be interpreted to refer to the International Property Maintenance Code 2012 edition.

Section 19. If any article, section, paragraph, sentence, clause or phrase of this ordinance is held to be unconstitutional or invalid for any reason, such decision shall not affect the validity or constitutionality of the remaining portions of this ordinance. The City Council hereby declares that it would have passed this ordinance and each part or parts hereof irrespective of the fact that any one part or parts be declared unconstitutional or invalid.

SECTION 20. All other ordinances or portions thereof inconsistent or conflicting with this ordinance or any portion hereof is hereby repealed to the extent of such inconsistency or conflict.

SECTION 21. The repeal or modification of any provision of the Code of Ordinances of Lafayette, Colorado by this ordinance shall not release, extinguish, alter, modify or change in whole or in part any penalty, forfeiture or liability, either civil or criminal, which shall have been incurred under such provision. Each provision shall be treated and held as still remaining in force for the purpose of sustaining any and all proper actions, suits, proceedings and prosecutions for enforcement of the penalty, forfeiture or liability, as well as for the purpose of sustaining any judgment, decree or order which can or may be rendered, entered or made in such actions, suits, proceedings or prosecutions.

SECTION 22. This ordinance shall become effective upon the latter of (i) the 10th day following enactment, (ii) the day following the final publication of the ordinance, or (iii) January 1, 2014.

INTRODUCED AND PASSED ON FIRST READING THIS 19TH DAY OF NOVEMBER, 2013.

PASSED ON SECOND AND FINAL READING AND PUBLIC NOTICE ORDERED THIS 3RD DAY OF DECEMBER, 2013.

CITY OF LAFAYETTE, COLORADO

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Mayor

ATTEST:

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Susan Koster, CMC
City Clerk

APPROVED AS TO FORM:

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David S. Williamson,
City Attorney