

ORDINANCE 487

AN ORDINANCE ADOPTING BY REFERENCE THE 2018 INTERNATIONAL BUILDING CODE (IBC), 2018 INTERNATIONAL PLUMBING CODE (IPC), 2018 INTERNATIONAL MECHANICAL CODE (IMC), 2018 INTERNATIONAL FIRE CODE (IFC), 2018 INTERNATIONAL FUEL GAS CODE (IFGC), 2018 INTERNATIONAL RESIDENTIAL CODE (IRC), 2018 INTERNATIONAL ENERGY CONSERVATION CODE (IECC), 2018 INTERNATIONAL PROPERTY MAINTENANCE CODE (IPMC), 2018 INTERNATIONAL EXISTING BUILDING CODE (IEBC), 2018 INTERNATIONAL SWIMMING POOL AND SPA CODE (ISpsc), AND THE CURRENT NATIONAL ELECTRIC CODE (NEC) AS ADOPTED BY THE STATE OF COLORADO

WHEREAS, the State of Colorado does not adopt a statewide building code and gives jurisdictions local control over which building code to adopt;

WHEREAS, the State of Colorado passed House Bill 19-1260 requiring local jurisdictions to adopt and enforce one of the three most recent versions of the International Energy Conservation Code (IECC), which includes the 2015, 2018 or 2021 code;

WHEREAS, the Town of Bayfield is currently using the 2015 I-Codes, with the 2009 IECC, which were adopted by Ordinance #406 in December of 2016; and

WHEREAS, the Board of Trustees wants to ensure that the Town is staying up to date with current code cycles, code changes and advancements in building techniques, energy conservation, and overall safety and performance of buildings in our community.

BE IT ORDAINED BY THE BOARD OF TRUSTEES FOR THE TOWN OF BAYFIELD, COLORADO, THAT:

Section 1 Chapter 4 of the Town of Bayfield Municipal Code is repealed and reenacted to read as follows:

ARTICLE I. General

Sec. 4-1. Fees

The Board of Trustees shall establish an appropriate fee schedule, by resolution, for building permit fees, refunds, waivers and penalties that shall replace all previously adopted fee schedules.

ARTICLE II. Building Code

Sec. 4-16. Adoption.

The International Building Code, 2018 Edition, as published by the International Code Council is hereby adopted by reference as the Town's building code, subject to the amendments contained below.

Sec. 4-17 Purpose

The purpose of this article is to establish the minimum requirements to provide a reasonable level of safety, public health and general welfare through structural strength, means of egress facilities, stability, sanitation, adequate light and ventilation, energy conservation, and safety to life and

property from fire, explosion and other hazards, and to provide a reasonable level of safety to fire fighters and emergency responders during emergency operations.

Sec. 4-18. Copy on file.

At least one certified true copy of each of the primary and secondary codes adopted by this article is hereby on file in the office of the town clerk and available for inspection during regular business hours.

Sec. 4-19. Amendments.

The 2018 International Building Code is hereby adopted with the following amendments:

1. All references to the ICC Electrical Code shall be changed to the latest edition of the National Electric Code (NEC) as adopted by the State of Colorado.
2. Sec 107.2.6.2 is hereby amended by the insertion of a new subsection as follows: Sec 107.2.6.2 (Improvement Location Certificate or Survey). Prior to the issuance of a Building Permit, the Building Official and the Land Use Administrator shall be provided with and shall review an Improvement Location Certificate or Survey prepared by a licensed Colorado surveyor for the property upon which any improvements are to be made to determine if the site plan is consistent with the Town's Land Use Code, Building Codes and other adopted development codes.
3. Sec 113.1 (General) is hereby amended to read as follows: The Bayfield Board of Trustees, or a board of appeals appointed by the Board of Trustees through a Resolution, shall hear and decide appeals of orders, decisions, or determinations made by the building official relative to the application and interpretation of this code.
4. Chapter 13 (Energy Efficiency) is hereby deleted. The provisions are replaced with the adoption of the 2018 International Energy Conservation Code.

Sec. 4-20. - Penalty.

Any person who violates any of the provisions of this article shall be guilty of a misdemeanor and, upon conviction thereof, shall be fined the sum of not more than the amount set forth in section 1-5 of this Code or by imprisonment for not more than 90 days, or by both such fine and imprisonment for each such violation. Each day that a violation continues shall be deemed a separate offense.

Sec. 4-21 - 4.30 Reserved.

ARTICLE III. Plumbing Code

Sec. 4-31. - Adoption.

The International Plumbing Code, 2018 Edition, as published by the International Code Council is hereby adopted by reference as the Town's plumbing code, subject to the amendments contained herein.

Sec. 4-32. - Purpose.

The purpose of this article is to establish minimum standards to provide a reasonable level of safety, health, property protection and public welfare by regulating and controlling the design, construction, installation, quality of materials, location, operation and maintenance or use of plumbing equipment and systems.

Sec. 4-33. - Copy on file.

At least one certified true copy of each of the primary and secondary codes adopted by this article is hereby on file in the office of the town clerk and available for inspection during regular business hours.

Sec. 4-34. - Amendments.

The 2018 International Plumbing Code is hereby adopted with the following amendments:

1. Sec 109.2 (Membership of board) is hereby amended to read as follows: The Bayfield Board of Trustees, or a board of appeals appointed by the Board of Trustees through a Resolution, shall hear and decide appeals of orders, decisions, or determinations made by the building official relative to the application and interpretation of this code.
2. Sec 305.4 (Freezing) is hereby amended to read as follows: Water, soil and waste pipes shall not be installed outside of a building, in attics or crawl spaces, concealed in outside walls, or in any other place subjected to freezing temperatures unless adequate provision is made to protect such pipes from freezing by insulation or heat or both. Exterior water supply system piping shall be installed not less than 48 inches below the frost line.
3. Sec 305.4.1 (Sewer Depth) is hereby amended to read as follows: Building sewers shall be installed not less than 36 inches below grade.
4. Sec 403.1.2 (Single-user toilet and bathing room fixtures) is hereby amended to read as follows: The plumbing fixtures located in single-user toilet and bathing rooms, including family or assisted-use toilet and bathing rooms that are required by Section 1109.2.1 of the International Building Code, shall contribute toward the total number of required plumbing fixtures for a building or tenant space. Single-user toilet and bathing rooms, and family or assisted-use toilet rooms and bathing rooms shall be identified as being available for use by all persons regardless of their sex. The total number of fixtures shall be permitted to be based on the required number of separate facilities or based on the aggregate of any combination of single-user or separate facilities.
5. Sec 403.2 (Separate facilities) is hereby amended by the insertion of Exception 5 to read as follows: 5. Separate facilities shall not be required to be designated by sex where single-user toilet and bathing rooms are provided in accordance with Sec 403.1.2.

Sec. 4-20. - Penalty.

Any person who violates any of the provisions of this article shall be guilty of a misdemeanor and, upon conviction thereof, shall be fined the sum of not more than the amount set forth in section 1-5 of this Code or by imprisonment for not more than 90 days, or by both such fine and imprisonment for each such violation. Each day that a violation continues shall be deemed a separate offense.

Sec. 4-36 - 4.45. Reserved.

ARTICLE IV. Mechanical Code

Sec. 4-46. - Adoption.

The International Mechanical Code, 2018 Edition, as published by the International Code Council is hereby adopted by reference as the Town's mechanical code, subject to the amendments contained herein.

Sec. 4-47. - Purpose.

The purpose of this article is to establish minimum standards to provide a reasonable level of safety, health, property protection and public welfare by regulating and controlling the design,

construction, installation, quality of materials, location, operation and maintenance or use of mechanical systems.

Sec. 4-48. - Copy on file.

At least one certified true copy of each of the primary and secondary codes adopted by this article is hereby on file in the office of the town clerk and available for inspection during regular business hours.

Sec. 4-49. - Amendments.

The 2018 International Mechanical Code is hereby adopted with the following amendments:

1. Sec 109.2 (Membership of board) is hereby amended to read as follows: The Bayfield Board of Trustees, or a board of appeals appointed by the Board of Trustees through a Resolution, shall hear and decide appeals of orders, decisions, or determinations made by the building official relative to the application and interpretation of this code.

Sec. 4-50. - Penalty.

Any person who violates any of the provisions of this article shall be guilty of a misdemeanor and, upon conviction thereof, shall be fined the sum of not more than the amount set forth in section 1-5 of this Code or by imprisonment for not more than 90 days, or by both such fine and imprisonment for each such violation. Each day that a violation continues shall be deemed a separate offense.

Sec. 4-51 - 4.60. Reserved.

ARTICLE V. Fire Code

Sec. 4-61. - Adoption.

The International Fire Code, 2018 Edition, as published by the International Code Council is hereby adopted by reference as the Town's fire code, subject to the amendments contained herein.

Sec. 4-62. - Purpose.

The purpose of this article is to establish the minimum requirements consistent with nationally recognized good practice for providing a reasonable level of life safety and property protection from the hazards of fire, explosion or dangerous conditions in new and existing buildings, structures and premises, and to provide a reasonable level of safety to fire fighters and emergency responders during emergency operations.

Sec. 4-63. - Copy on file.

At least one certified true copy of each of the primary and secondary codes adopted by this article is hereby on file in the office of the town clerk and available for inspection during regular business hours.

Sec. 4-64. - Amendments.

The 2018 International Fire Code is hereby adopted with the following amendments:

1. Sec 109.1 (Board of Appeals established) is hereby amended to read as follows: The Bayfield Board of Trustees, or a board of appeals appointed by the Board of Trustees through a Resolution, shall hear and decide appeals of orders, decisions, or determinations made by the fire code official relative to the application and interpretation of this code.
2. Sec 903.2.8 (Group R) is hereby amended to read as follows: Automatic Fire Sprinkler Systems are not mandatory for one and two-family dwellings (including Townhouses) under 5,000 square feet of total building envelope, unless they are otherwise required by

special conditions such as plat notes, conditions of approval of a specific development, or by other Codes.

Sec. 4-65. - Penalty.

Any person who violates any of the provisions of this article shall be guilty of a misdemeanor and, upon conviction thereof, shall be fined the sum of not more than the amount set forth in section 1-5 of this Code or by imprisonment for not more than 90 days, or by both such fine and imprisonment for each such violation. Each day that a violation continues shall be deemed a separate offense.

Sec. 4-66 - 4.75 Reserved.

ARTICLE VI. Fuel Gas Code

Sec. 4-76. - Adoption.

The International Fuel Gas Code, 2018 Edition, as published by the International Code Council is hereby adopted by reference as the Town's fuel gas code, subject to the amendments contained herein.

Sec. 4-77. - Purpose.

The purpose of this article is to establish minimum standards to provide a reasonable level of safety, health, property protection and public welfare by regulating and controlling the design, construction, installation, quality of materials, location, operation and maintenance or use of fuel gas systems.

Sec. 4-78. - Copy on file.

At least one certified true copy of each of the primary and secondary codes adopted by this article is hereby on file in the office of the town clerk and available for inspection during regular business hours.

Sec. 4-79. - Amendments.

The 2018 International Fuel Gas Code is hereby adopted with the following amendments:

1. Sec 109.2 (Membership of board) is hereby amended to read as follows: The Bayfield Board of Trustees, or a board of appeals appointed by the Board of Trustees through a Resolution, shall hear and decide appeals of orders, decisions, or determinations made by the building official relative to the application and interpretation of this code.

Sec. 4-80. - Penalty.

Any person who violates any of the provisions of this article shall be guilty of a misdemeanor and, upon conviction thereof, shall be fined the sum of not more than the amount set forth in section 1-5 of this Code or by imprisonment for not more than 90 days, or by both such fine and imprisonment for each such violation. Each day that a violation continues shall be deemed a separate offense.

Sec. 4-81 - 4.85 Reserved.

ARTICLE VII. Residential Code

Sec. 4-86. - Adoption.

The International Residential Code, 2018 Edition, as published by the International Code Council is hereby adopted by reference as the Town's residential code, subject to the amendments contained herein.

Sec. 4-87. - Purpose.

The purpose of this article is to establish minimum requirements to safeguard the public safety, health and general welfare through affordability, structural strength, means of egress facilities, stability, sanitation, light and ventilation, energy conservation and safety to life and property from fire and other hazards attributed to the built environment, and to provide safety to fire fighters and emergency responders during emergency operations.

Sec. 4-88. - Copy on file.

At least one certified true copy of each of the primary and secondary codes adopted by this article is hereby on file in the office of the town clerk and available for inspection during regular business hours.

Sec. 4-89. - Amendments.

The 2018 International Residential Code is hereby adopted with the following amendments:

1. All references to the ICC Electrical Code shall be changed to the latest edition of the National Electric Code (NEC) as adopted by the State of Colorado.
2. Sec 106.2.1 is hereby amended by the insertion of a new subsection as follows: Sec 106.2.1 (Improvement Location Certificate or Survey). Prior to the issuance of a Building Permit, the Building Official and the Land Use Administrator shall be provided with and shall review an Improvement Location Certificate or Survey prepared by a licensed Colorado surveyor for the property upon which any improvements are to be made to determine if the site plan is consistent with the Town’s Land Use Code, Building Codes and other adopted development codes.
3. Sec R113.1 (General) is hereby amended to read as follows: The Bayfield Board of Trustees, or a board of appeals appointed by the Board of Trustees through a Resolution, shall hear and decide appeals of orders, decisions, or determinations made by the building official relative to the application and interpretation of this code.
4. Table R301.2(1) (Climatic and Geographic Design Criteria) is hereby amended as follows:

Ground Snow Load (Pounds)	Roof Snow Load (Pounds)	Wind Design		Seismic Design Category	Subject to Damage From			Winter Design Temp	Ice Shield Underlayment Required	Flood Hazard	Air Freezing Index	Mean Annual Temp
		Wind Speed (mph)	Topographic Effect		Weathering	Frost Line Depth	Termite					
73	51	110	Yes	B	Severe	32	Slight to Moderate	1	Yes	Per Town Ordinance	2500	45°

5. Sec R313 (Automatic Fire Sprinkler Systems) is hereby amended to read as follows: Automatic Fire Sprinkler Systems are not mandatory for one and two-family dwellings (including Townhouses) under 5,000 square feet of total building envelope, unless they are otherwise required by special conditions such as plat notes, conditions of approval of a specific development, or by other Codes.
6. Chapter 11 (Energy Efficiency) is hereby deleted. The provisions are replaced with the adoption of the 2018 International Energy Conservation Code.
7. Sec 2603.5 (Freezing) is hereby amended to read as follows: In localities having a winter design temperature of 32°F (0°C) or lower as shown in Table R301.2(1) of this code, a water, soil or waste pipe shall not be installed outside of a building, in exterior walls, in attics or crawl spaces, or in any other place subjected to freezing temperature unless

adequate provision is made to protect it from freezing by insulation or heat or both. Water service pipe shall be installed not less than 48 inches below the frost line.

8. Sec 2603.5.1 (Sewer Depth) is hereby amended to read as follows: Building sewers shall be not less than 36 inches below grade.

Sec. 4-90. - Penalty.

Any person who violates any of the provisions of this article shall be guilty of a misdemeanor and, upon conviction thereof, shall be fined the sum of not more than the amount set forth in section 1-5 of this Code or by imprisonment for not more than 90 days, or by both such fine and imprisonment for each such violation. Each day that a violation continues shall be deemed a separate offense.

Sec. 4-91 - 4.100 Reserved.

ARTICLE VIII. Energy Conservation Code

Sec. 4-101. - Adoption.

The International Energy Conservation Code, 2018 Edition, as published by the International Code Council is hereby adopted by reference as the Town's energy conservation code, subject to the amendments contained herein.

Sec. 4-102. - Purpose.

The purpose of this article is to regulate the design and construction of buildings for the effective use and conservation of energy over the useful life of each building. This code is intended to provide flexibility to permit the use of innovative approaches and techniques to achieve this objective. This code is not intended to abridge safety, health or environmental requirements contained in other applicable codes or ordinances.

Sec. 4-103. - Copy on file.

At least one certified true copy of each of the primary and secondary codes adopted by this article is hereby on file in the office of the town clerk and available for inspection during regular business hours.

Sec. 4-104. - Amendments.

The 2018 International Energy Conservation Code is hereby adopted with the following amendments:

1. All references to the ICC Electrical Code shall be changed to the latest edition of the National Electric Code (NEC) as adopted by the State of Colorado.
2. Sec C109.1 (General) is hereby amended to read as follows: The Bayfield Board of Trustees, or a board of appeals appointed by the Board of Trustees through a Resolution, shall hear and decide appeals of orders, decisions, or determinations made by the building official relative to the application and interpretation of this code.

Sec. 4-80. - Penalty.

Any person who violates any of the provisions of this article shall be guilty of a misdemeanor and, upon conviction thereof, shall be fined the sum of not more than the amount set forth in section 1-5 of this Code or by imprisonment for not more than 90 days, or by both such fine and imprisonment for each such violation. Each day that a violation continues shall be deemed a separate offense.

Sec. 4-106 - 4.115 Reserved.

ARTICLE IX. Property Maintenance Code

Sec. 4-116. - Adoption.

The International Property Maintenance Code, 2018 Edition, as published by the International Code Council is hereby adopted by reference as the Town's property maintenance code, subject to the amendments contained herein.

Sec. 4-117. - Purpose.

The purpose of this article is to ensure public health, safety and welfare insofar as they are affected by the continued occupancy and maintenance of structures and premises. Existing structures and premises that do not comply with these provisions shall be altered or repaired to provide a minimum level of health and safety as required herein.

Sec. 4-118. - Copy on file.

At least one certified true copy of each of the primary and secondary codes adopted by this article is hereby on file in the office of the town clerk and available for inspection during regular business hours.

Sec. 4-119. - Amendments.

The 2018 International Energy Conservation Code is hereby adopted with the following amendments:

1. Sec 111.2 (Membership of board) is hereby amended to read as follows: The Bayfield Board of Trustees, or a board of appeals appointed by the Board of Trustees through a Resolution, shall hear and decide appeals of orders, decisions, or determinations made by the building official relative to the application and interpretation of this code.

Sec. 4-120. - Penalty.

Any person who violates any of the provisions of this article shall be guilty of a misdemeanor and, upon conviction thereof, shall be fined the sum of not more than the amount set forth in section 1-5 of this Code or by imprisonment for not more than 90 days, or by both such fine and imprisonment for each such violation. Each day that a violation continues shall be deemed a separate offense.

Sec. 4-121 - 4.135. Reserved.

ARTICLE X. Electrical Code

Sec. 4-135. - Adoption.

The latest edition of the National Electric Code (NEC) as adopted by the State of Colorado and published by the National Fire Protection Association is hereby adopted by reference as the Town's electric code.

Sec. 4-136. - Purpose.

The purpose of this Article is to adopt comprehensive provisions and standards regulating the installation of electrical conductors and equipment within or on public or private buildings or other structures and the installation of electrical conductors and equipment to a supply of electricity and other outside conductors on public or private property to protect the public health, safety and general welfare.

Sec. 4-137. - Copy on file.

At least one certified true copy of each of the primary and secondary codes adopted by this article is hereby on file in the office of the town clerk and available for inspection during regular business hours.

Sec. 4-138. - Amendments.

The latest edition of the National Electric Code (NEC) is hereby adopted with no amendments.

Sec. 4-139. - Penalty.

Any person who violates any of the provisions of this article shall be guilty of a misdemeanor and, upon conviction thereof, shall be fined the sum of not more than the amount set forth in section 1-5 of this Code or by imprisonment for not more than 90 days, or by both such fine and imprisonment for each such violation. Each day that a violation continues shall be deemed a separate offense.

Sec. 4-140 - 4.150. Reserved.

ARTICLE XI. Existing Building Code

Sec. 4-151. - Adoption.

The International Existing Building Code, 2018 Edition, as published by the International Code Council is hereby adopted by reference as the Town's existing building code, subject to the amendments contained herein.

Sec. 4-152. - Purpose.

The purpose of this article is to provide flexibility to permit the use of alternative approaches to achieve compliance with minimum requirements to safeguard the public health, safety and welfare insofar as they are affected by the repair, alteration, change of occupancy, addition and relocation of existing buildings.

Sec. 4-153. - Copy on file.

At least one certified true copy of each of the primary and secondary codes adopted by this article is hereby on file in the office of the town clerk and available for inspection during regular business hours.

Sec. 4-154. - Amendments.

The 2018 International Existing Building Code is hereby adopted with the following amendments:

1. Sec 112.1 (General) is hereby amended to read as follows: The Bayfield Board of Trustees, or a board of appeals appointed by the Board of Trustees through a Resolution, shall hear and decide appeals of orders, decisions, or determinations made by the building official relative to the application and interpretation of this code.

Sec. 4-155. - Penalty.

Any person who violates any of the provisions of this article shall be guilty of a misdemeanor and, upon conviction thereof, shall be fined the sum of not more than the amount set forth in section 1-5 of this Code or by imprisonment for not more than 90 days, or by both such fine and imprisonment for each such violation. Each day that a violation continues shall be deemed a separate offense.

Sec. 4-156 - 4.165. Reserved.

ARTICLE XII. Swimming Pool and Spa Code

Sec. 4-166. - Adoption.

The International Swimming Pool and Spa Code, 2018 Edition, as published by the International Code Council is hereby adopted by reference as the Town's swimming pool and spa code, subject to the amendments contained herein.

Sec. 4-167. - Purpose.

The purpose of this article is to establish minimum standards to provide a reasonable level of safety and protection of health, property and public welfare by regulating and controlling the design, construction, installation, quality of materials, location and maintenance or use of pools and spas.

Sec. 4-168. - Copy on file.

At least one certified true copy of each of the primary and secondary codes adopted by this article is hereby on file in the office of the town clerk and available for inspection during regular business hours.

Sec. 4-169. - Amendments.

The 2018 International Swimming Pool and Spa Code is hereby adopted with the following amendments:

1. Sec 108.2 (Membership of board) is hereby amended to read as follows: The Bayfield Board of Trustees, or a board of appeals appointed by the Board of Trustees through a Resolution, shall hear and decide appeals of orders, decisions, or determinations made by the building official relative to the application and interpretation of this code.

Sec. 4-170. - Penalty.

Any person who violates any of the provisions of this article shall be guilty of a misdemeanor and, upon conviction thereof, shall be fined the sum of not more than the amount set forth in section 1-5 of this Code or by imprisonment for not more than 90 days, or by both such fine and imprisonment for each such violation. Each day that a violation continues shall be deemed a separate offense.

Section 2. Severability. If any section, paragraph clause, or provision of this Ordinance shall for any reason be held to be invalid or unenforceable, the invalidity or enforceability of such section, paragraph, clause or provision shall not affect any of the remaining provisions of this Ordinance, the intent being that the same are severable.

Section 3. The Board of Trustees hereby finds, determines and declares that this Ordinance is promulgated under the general police power of the Town, that it is promulgated for the health, safety and welfare of the public, and that this Ordinance is necessary for the preservation of health and safety and for the protection of public convenience and welfare. The Board of Trustees further determines that the Ordinance bears a rational relation to the proper legislative object sought to be attained.

Section 4. This Ordinance shall become effective thirty (30) days after publication.

ADOPTED AND ORDERED PUBLISHED THIS 16th DAY OF May 2023.

MAYOR PRO-TEM:



Brenna Morlan

ATTEST:



Kathleen S. Cathcart, Town Clerk