



AGENDA

Zoning Board of Appeals Regular Meeting
October 17, 2012 – 5:30 p.m.
Evans Community Complex – 1100 37th Street

Zoning Board of Appeals packets are prepared several days prior to the meetings. This information is reviewed and studied by the Board, eliminating lengthy discussions to gain basic understanding. Timely action and/or short discussion on agenda items do not reflect lack of thought or analysis. An informational packet is available for public inspection and is posted on the bulletin board adjacent to the Council Chambers as soon as it is available. It can be accessed Monday through Friday 8:00 a.m. to 5:00 p.m. excluding holidays. You may also subscribe to receive notices of meetings and agendas at www.cityofevans.org

1) CALL TO ORDER

2) ROLL CALL:

Chairman: Marty Schanwolf
Vice-Chairman: Steve Bernardo
Board Members: Ron Thaden
John Clark
Michael Buck

3) APPROVAL OF MINUTES

a. Minutes of June 26, 2012

4) APPROVAL OF THE AGENDA

5) AGENDA ITEMS:

- a. Review of Upcoming Changes to the City of Evans Adopted Building Codes. Recommendation to City Council.
- b. Review of Upcoming Changes to the Evans Fire Protection District Adopted version of the International Fire Code.

6) AUDIENCE PARTICIPATION:

(This portion of the Agenda is provided to allow members of the audience to provide comments to the Planning Commission on items that were not considered on the current Agenda.)

7) GENERAL DISCUSSION:

a. Update on Neighborhood Services

8) ADJOURNMENT

MINUTES
EVANS ZONING BOARD OF APPEALS
Regular Meeting, 5:30 pm
June 26, 2012

CALL TO ORDER

The June 26, 2012, meeting of the Zoning Board of Appeals was called to order at 5:30 p.m. by Board Chair Schanwolf.

ROLL CALL:

Present: Board Members Thaden, Schanwolf, Bernardo, Clark, Buck

Absent: None

APPROVAL OF MINUTES

Adoption of Minutes from May 3, 2012. It was moved by Board Member Thaden, seconded by Board Member Clark to approve the Minutes. Unanimous consent.

APPROVAL OF THE AGENDA

Board member Buck motioned to approve the Agenda and Board member Bernardo seconded. All voted in favor thereof.

SUBJECT: Public Hearing —Resolution No. xx-2012 – Variance Request to Section 19.48 of the Evans Municipal Code for Maximum Area Allowed for an Accessory Structure - 4705 Pendleton Avenue, Evans, Colorado - (Matteson Garage)

PRESENTED BY: N. Zach Ratkai, Building & Development Manager

ACTION: Recommendation to City Council

CITY COUNCIL DATE: Tuesday, July 17, 2012 at 7:30 pm

BACKGROUND INFORMATION		
Location:		4705 Pendleton Avenue
Applicants:		Zac and Stacy Matteson, Owner
Existing Land Use:		R-1e, Single Family Estate Residential
Proposed Land Use:		Same
Surrounding Land Use:	North	Single Family Estate Residential
	South	Single Family Estate Residential
	East	Pendleton Ave. Single Family Estate Residential
	West	Weld County Agricultural Land
Existing Zoning:		R-1e
Proposed Zoning:		Same
Surrounding Zoning:	North	R-1e
	South	R-1e
	East	R-1e
	West	County (Ag)
Future Land Use Designation:		Residential – Rural Neighborhood

PROJECT DESCRIPTION: The City has received a building permit application from Mr. and Ms. Matteson, land owners, to construct a garage. The garage, as designed, was determined to be oversized as allowed by Title 19.48.030.B. The land owners have chosen to submit a variance application.

Please see the attached vicinity map and the attached application for the property location, which is 4705 Pendleton Avenue in Evans.

The requested variance include the following:

- Permission to construct a detached garage that is 2,400 square feet (Code allows for 2,100 square feet).

RECOMMENDATION: Recommend denial to City Council.

ANALYSIS:

Background:

The owners of the property submitted for a building permit to construct a detached garage measuring 2,400 square feet. A permit through the Evans Building Department was issued

for the monolithic concrete slab for the garage support and floor, which has been poured and inspected. The garage proposed; however, will not meet the Evans City Code which limits the maximum size of a detached garage to 2,100 square feet.

The garage will meet setback requirements as outlined in Title 18.48 of the Evans City Code.

If approved, the applicants will have to be issued a building permit, and will be required to adhere to all the standards in the Evans Municipal Code.

Section 19.48 of the Evans Municipal Code (Accessory Structures):

The entire Section 19.48 has been attached for the review of the Zoning Board of Appeals. The applicable sections that are under consideration for this variance application have been pulled out as follows:

“Garage” shall mean a fully-enclosed structure accessory to a residence or residences and capable of being used for storage of one or more vehicles, i.e., having a garage door. “Garage, front-facing,” shall mean a garage with vehicular doors generally parallel to the front property line.

19.48.030 Accessory uses, structures and buildings. The following provisions shall apply to all garages, carports, accessory uses, structures and buildings:

B. Maximum area. The total footprint area of all detached accessory structures and buildings on any one lot shall not exceed the lesser of 10 percent of the total lot area or 2,100 square feet. This provision shall not apply to structures used for agricultural purposes in the AG – Agricultural – zoning district, or to structures in I – Industrial – zoning districts.

The proposed variance will NOT meet this code as it exceeds the size requirements in Section 19.48.030.

The applicant has submitted a letter to the Zoning Board of Appeals outlining the request and their situation.

Section 19.58 of the Evans Municipal Code (Variance Criteria):

Below are the Criteria for approval of a Variance:

19.58.030 Criteria for Variances.

A. The City Council must find all of the following circumstances to be true in order to approve a variance:

1. Approval of the variance would not jeopardize the health, safety, or welfare of any person;
Staff finds the proposed variance would meet this criterion of approval.
2. Denial of the variance would result in a practical difficulty and unnecessary hardship to the applicant;
Staff finds that this request could not be considered a hardship as there exists a garage on the property already and the addition of a detached garage is an option for the homeowners.

3. Such practical difficulty and unnecessary hardship are due to an irregular, narrow, or steep lot, or other physical situation or condition of the building or land;
Staff finds that this criterion cannot be met as property does not exhibit any irregular shape, size or topography that affects the placement of the proposed garage.
4. Such practical difficulty and unnecessary hardship have not been unreasonably self-imposed by the applicant.
Staff finds that the applicant could reasonably limit the size of the garage to conform to the Evans City Code and therefore cannot meet this criterion.

Issues:

The main concern with the application is that the applicant could meet the code as it stands by limiting the size of the garage.

Notice of this public hearing was provided in accordance with Chapter 19.64 of the Municipal Code.

FINDINGS OF FACT AND CONCLUSIONS

After reviewing the Matteson's variance application for construction of a garage; the following findings of fact and conclusions have been determined:

The variance criteria in Section 19.58 of the Evans Municipal Code cannot be appropriately and sufficiently met.

STAFF RECOMMENDATION:

I recommend that the Zoning Board of Appeals forward a recommendation of denial of the requested variance with the findings and conclusions listed above.

Before the Public Hearing was opened, Mr. Clark recused himself due to being a friend and neighbor of the applicant.

Zach Ratkai gave the staff report. The proposed garage will not meet code due to 2400 sq ft size.

Pictures were shown of the monolithic slab and site plan.

Chairperson Schanwolf then asked for questions of staff.

Chairperson Schanwolf first wanted to know if it met rear and side setbacks?

Mr. Ratkai indicated that it did.

Mr. Buck wanted to know if all the items were approved altogether, the structure, the slab, and the inspection.

Mr. Ratkai let them know the City made two separate Permits; one for the slab and one for the structure. The structure had not yet been through the approval process.

Mr. Thaden wanted to know if there had been approval from the HOA at Neville's Crossing. Mr. Ratkai said yes and the City was just waiting for the ARC committee to sign off.

Chairperson Schanwolf asked if the HOA had a restriction on size? Yes, the HOA does have a restriction to 2000 square feet, but on this application they granted 2400 square foot design. Approval letter was already received.

Chairperson Schanwolf wanted to know if the City had the letter available and if it indicated that 2000 square feet

was approved.

Mr. Ratkai pulled the letter and told the Board that keeping the structure at 2000 square feet is the hope of the HOA.

Chairperson Schanwolf was curious if the property to the west is all zoned Ag? Mr. Ratkai said yes, and there are no plats or annexations.

Chairperson Schanwolf asked if there were any further questions of the Board to Staff. There were none.

Chairperson Schanwolf had applicant come forth.

Zac and Stacy Matteson approached the Board.

Mr. Matteson said there was some information missing from the Staff Report.

Mr. Matteson indicated that neighbors have larger garages than the one he had proposed. Stacy said that had Evans not verbally approved the plan, then they wouldn't have spent \$12,000 to have it poured; she believes this to be a hardship. Mr. Matteson said that if they would have been told about variance he wouldn't have gone through with the concrete pour.

Chairperson Schanwolf asked the applicant if they could have got by with smaller structure.

Mr. Matteson indicated they could have, if needed, but they have a 5th wheel and truck and they need that larger size to back out safely.

Mr. Buck asked if the City inspector came out to approve the monolithic pour? Mr. Matteson responded with yes, that Dave Tilley came inspected and approved the slab.

Mr. Buck wanted to know when was concrete was poured. Mrs. Matteson said on April 14, 2012.

Mr. Thaden asked if the applicant had permission from their HOA before pouring. Mr. Matteson said yes. Mr. Thaden then asked if the applicant had a copy of the bylaws? Mr. Matteson indicated they did not have one with them presently.

City Attorney, Russ Anson said the HOA regulations would not be applicable to this hearing. HOA only applies to appearance, not planning or zoning.

Chairperson Schanwolf wanted to know if there were any more questions of the applicant. There were none.

Chairperson Schanwolf asked if there was any one in the audience in support of this item.

Donni Clark of 5101 Dry Creek Rd, Evans, CO stepped forward. She is a neighbor to the applicant.

Ms. Clark supports the construction of the structure because it isn't very visible and that it will appear nice and have good usefulness.

Chairperson Schanwolf wanted to know if there were any other audience members that wished to speak in support of this. No one else came forth.

Chairperson Schanwolf asked if there was in the audience that was in opposition. No one came forth.

Chairperson Schanwolf then asked if there was any additional information the applicant wished to share.

Mrs. Matteson said they are in an equestrian community and they are ready to spend a lot of money to make it look nice.

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City Attorney, Mr. Anson, wanted to know about the applicant's conversations with Mr. Ratkai and Ms. Trent about setbacks. The variance only has to do with the size of the building. What was the Planning Department's opinion of variance? Did they state the reasoning for the denial? Mr. Anson wanted to know the applicant's responses to meeting the four criteria to allow the variance. How did they meet each one?

Mr. Matteson agreed that it would not be a health or safety issue.

Mr. Matteson feels that when it comes to criteria number 2, denial of the variance would result in a practical difficulty and unnecessary hardship to the applicant, he feels it is a hardship because of the money they have already put into the monolithic slab. Mrs. Matteson felt that it is a physical hardship to have their assets sitting in the weather because there is no shelter without the addition of a garage.

Mr. Anson said they mentioned they needed the 2400 sq. ft. size and wanted to know why they would need on that large. Mr. Matteson stated it is because they own a 36 ft trailer (fifth wheel) with a truck.

Mr. Anson asked about the physical condition of layout of property. Mr. Matteson indicated the dirt is fine and there is no irregular shape to the property itself.

Chairperson Schanwolf wanted to know if the grade drop is steep. Mr. Matteson said it was a gradual drop and this is the only open space the garage could go on.

Mr. Anson asked about criteria 4, "Such practical difficulty and unnecessary hardship have not been unreasonably self-imposed by the applicant." Mrs. Matteson said they did not self-impose the hardship.

Mr. Anson asked the applicants if they understood the responses of the planning dept? Mrs. Matteson said they should have known about the building size issue from the beginning, not after the slab was poured. The applicants remarked that they tried to design it smaller, but it would not conform to their needs.

Chairperson Schanwolf asked: before closing the public hearing, does anyone have any items that have to be clarified.

Mr. Buck asked Mr. Anson: would this application and process constitute a contract? Anson replied that it would not.

Chairperson Schanwolf: Are there guidance packets for codes and buildings?

Mr. Ratkai: - yes, we have various packets that say what you need. Working on getting easier packets.

Chairperson Schanwolf: Do the packets address zoning code, sizing issues?

Mr. Ratkai: Not necessarily

Mr. Thaden: When the Mattesons applied, was it for the slab or the complete package.

Mr. Ratkai: It was for the entire building, but the permit was separated to issue the slab first. The slab covered 2,400 square feet and the building plans covered the same amount. Yes, he issued it mistakenly. The plan review has occurred and the building meets all other regulations for structural codes.

Chairperson Schanwolf asked for any other questions. There were none.

Public hearing closed at 6:12

The ZBA then commenced discussion among themselves.

Mr. Thaden: The city messed up and this would be taken to court by other people. He thinks it should be approved and that the applicants did it properly.

Mr. Buck mentioned indemnification...we need to have the parties work who make it work and resolve this. In his

opinion, they have meet all the criteria. He opposes denying this variance request.

Chairperson Schanwolf: Asked for further questions.

Mr. Buck then moved to overturn the staff recommendation and forward an approval recommendation to the City Council.

Mr. Thaden the seconded, the motion carried unanimously

Official Recommendation:

"Mr. Chairman, on the issue of the Matteson Garage Variance for construction of a garage, I move that the Zoning Board of Appeals forward a recommendation of approval because it meets the criteria outlined in Sections 19.58 of the Municipal Code."

GENERAL DISCUSSION

Sheryl Trent, Community Development Director wanted to go over what they just experienced. You've just presented us with a difficult position, the bulk of the decision was based on our error.

Mr. Bernardo says we need to do whatever takes to help the owners...it should be a win/win situation. City needs to do better job...do whatever it takes.

Mr. Buck: we need to be focusing on scope. He read the code and he said it is 2 plus acres...to him the 300 sf didn't seem unreasonable based on lot size or the ag land behind him.

Sheryl Trent this will go to City Council. ZBA can't testify, but can attend.

Russ Anson added that the staff has to stick by code. We have no choice.

Chairperson Schanwolf says the staff needs to give more info to applicants and their areas.

Russ Anson hardship refers to size and shape of lot, not the applicants financial situation.

Discussion on the matter ended

Mr. Ratkai then gave the mid-year report for NHS.

AUDIENCE PARTICIPATION:

(This portion of the Agenda is provided to allow members of the audience to provide comments to the Planning Commission on items that were not considered on the current Agenda.) There were no comments from the audience.

ADJOURNMENT

Mr. Bernardo moved to adjourn, Mr. Thaden Seconded

The June 26, 2012, meeting of the Zoning Board of Appeals was adjourned at 6:33 p.m. by Board Chair Schanwolf.

**ZONING BOARD OF APPEALS
INFORMATION SHEET**

AGENDA ITEM A

DATE: October 17, 2012

SUBJECT: Review of the Comprehensive Changes to Title 15 of the Evans Municipal Code, also known as the Building and Construction Chapter. This meeting will also include an explanation of changes from the 2006 version currently used to the 2012 version.

PRESENTED BY: N. Zach Ratkai, Building & Development Manager

ACTION: Recommendation to City Council

CITY COUNCIL DATE: Tuesday, November 20, 2012 at 7:30 pm

PROJECT DESCRIPTION: The City of Evans currently uses the 2006 family of International Building Codes in its review and inspection of construction activities within the City. In an effort to modernize our regulatory practices to keep pace with construction practices as well as other regional regulatory agencies, the Community Development Department for the City of Evans is proposing the adoption of the 2012 family of International Building Codes, subject to amendments and revisions attached to this report.

RECOMMENDATION: Recommend approval to City Council.

RECOMMENDED ZONING BOARD OF APPEALS MOTION:

“Mr. Chairman, on the issue of the amendments to Title 15 of the Evans Municipal Code, I move that the Zoning Board of Appeals forward a recommendation of approval to the Evans City Council.”

“Mr. Chairman, on the issue of the amendments to Title 15 of the Evans Municipal Code, I move that the Zoning Board of Appeals forward a recommendation of denial to the Evans City Council.”

“Mr. Chairman, on the issue of the amendments to Title 15 of the Evans Municipal Code, I move that the Zoning Board of Appeals forward a recommendation of approval with conditions to the Evans City Council.”

Conditions:

Proposed amendments to the 2012 family of International Codes and a comprehensive change to the format of Title 15 of the Evans Municipal Code.

KEY:

~~Strikethrough~~ = Text Removed, Deleted

Bold, Italicized = Text added or amended

Italicized = Explanation of Change

Chapter 15

Buildings and Construction

~~15.04 Uniform Administrative Code~~ — REVOKED

Administration standards for building and construction will now be governed by the administration sections of the adopted code versions themselves.

Chapter 15.08, International Building Code, is hereby revoked, re-located to 15.04 and re-enacted as follows:

Chapter 15.04

International Building Code

15.04.010 International Building Code adopted.

The International Building Code, 2012 Edition, is hereby adopted by reference for the City, except as amended in this Chapter, and is hereinafter referred to as the "Building Code." The Building Code is published by the International Code Council, Inc., 5360 Workman Mill Road, Whittier, CA 90601-2298. The Building Code provides the standards for the erection, construction, enlargement, alteration, repair, moving, removal, conversion, demolition, occupancy, equipment, use, height, area and maintenance of buildings or structures

15.04.020 Additions, deletions and amendments to Building Code designated.

Sections 109.3, 109.4, 109.8, 110.6, 114.1, 114.4, 406.3.4(1), 419.1.1(5), 1507.2.9.4, 1507.2.9.5, and 2701.1 of the Building Code are hereby enacted as amended, added or deleted to read as set out in Sections 15.04.030 through 15.04.130 below.

15.04.030 Section 109.3 amended; Building permit valuations.

Section 109.3 of the Building Code adopted at Section 15.04.030 above is amended to read as follows:

109.3 Building permit valuations. The applicant for a permit shall provide an estimated permit value at time of application. Permit valuations shall include total value of work, including materials and labor, for which the permit is being issued, such as electrical, gas, mechanical, plumbing equipment and permanent systems. If, in the opinion of the building official, the value listed on the application is underestimated on the application, ~~the permit shall be denied, unless the applicant can show detailed estimates that meet the approval of the building official.~~ ***the building official may use the greater of either the application value, or the square foot value from the most recent Building Valuation Data table, published in the***

Building Safety Journal, by the International Code Council. Final building permit valuation shall be set by the building official.

Conformance to existing City of Evans policy.

15.04.040 Section 109.4 amended; Work commencing before permit issuance.

Section 109.4 of the Building Code adopted at Section 15.04.010 above is amended to read as follows:

109.4 Work commencing before permit issuance. Any person who commences work on a building, ~~structure, electrical, gas, mechanical or plumbing system,~~ or **structure governed by this code** before obtaining the necessary permits shall be subject to a fee ~~established by the building official~~ 200 percent of the usual permit fee.

Correlates with previously adopted Administrative Policy of the City of Evans.

15.04.050 Section 109.8 added; Reinspections.

Section 109.8 of the Building Code adopted at Section 15.04.010 above is added to read as follows:

109.8 Reinspections. *A reinspection fee may be assessed for each inspection or reinspection 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 reinspection 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 reinspection.

Reinspection 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 reinspection, the applicant shall pay the reinspection fee in accordance with the Building Permit Fee Schedule as set forth by the jurisdiction.

In instances where reinspection fees have been assessed, no additional inspection of the work will be performed until the required fees have been paid.

Conformance to current City of Evans policy as well as the 2013 Building Department Fee Schedule.

15.04.060 Section 110.6 amended; Approval required.

Section 110.6 of the Building Code adopted at Section 15.04.010 above is amended to read as follows:

110.6 Approval required. Work shall not be done beyond the point indicated in each successive inspection without first obtaining the approval of the building official. The building official, upon notification, shall make the requested inspections and shall either indicate the portion of the construction that is satisfactory as completed, or notify the permit holder or his or her agent wherein the same fails to comply with this code. Any portions that do not comply shall be corrected and such portion shall not be covered or concealed until authorized by the building official. There shall be a final inspection and approval of all systems, buildings, and structures, when completed and ready for occupancy and/or use. ***There shall be a final inspection and approval of all systems, buildings, and structures, when completed and ready for occupancy and/or use.***

Added language to codify the requirement for final inspections.

15.04.070 Section 114.1 amended; Unlawful acts.

Section 114.1 of the Building Code adopted at Section 15.04.010 above is amended to read as follows:

114.1 Unlawful acts. It is unlawful for any person, firm or corporation to erect, construct, **enlarge**, alter, ~~extend~~, repair, move, **improve**, remove, **convert**, demolish, **equip, use, or occupy** ~~or occupy~~ **or maintain** any building, structure or equipment regulated by this code **in the City**, or cause the same to be done, in conflict with or in violation of any of the provisions of this code.

15.04.080 Section 114.4 amended; Violation penalties.

Section 114.4 of the Building Code adopted at Section 15.04.010 above is amended to read as follows:

114.4 Violation penalties. Any person violating any of the provisions of this code is guilty of a separate offense for each and every day or portion thereof during which any violation of any of the provisions of this code is committed, continued or permitted, and upon conviction of any such violation, such person shall be subject to ~~penalties as prescribed by law.~~ **punishment as provided in Chapter 1.17 of the Evans Municipal Code.**

Allows Building and Neighborhood Services staff to follow up on violations through the Administrative Penalty Citation Process as previously establish for use by Code Enforcement Staff.

15.04.090 Section 406.3.4(1) amended; Separation.

Section 406.3.4(1) of the Building Code adopted at Section 15.04.010 above is amended to read as follows:

1. The private garage shall be separated from the dwelling unit and its attic area by means of a minimum ~~½-inch (12.7mm)~~ **5/8 inch (15.9mm)** Type X gypsum board applied to the garage side. Garages beneath habitable rooms shall be separated from all habitable rooms above by not less than ⁵/₈-inch (15.9 mm) Type X gypsum board or equivalent. **Where the separation is a floor-ceiling assembly, or the ceiling is providing separation, the structure supporting the separation shall also be protected by not less than ⁵/₈-inch (15.9 mm) Type X gypsum board or equivalent.** Door openings between a private garage and the dwelling unit shall be equipped with either solid wood doors or solid or honeycomb core steel doors not less than ¹/₃ inches (34.9 mm) thick, or doors in compliance with Section 715.4.3. Openings from a private garage directly into a room used for sleeping purposes shall not be permitted. Doors shall be self-closing and self-latching.

15.04.100 Section 419.1.1(5) added; Limitations.

Section 419.1.1(5) of the Building Code adopted at Section 15.04.010 above is added to read as follows:

5. The nonresidential area is limited to a maximum occupant load of 49 as determined by Table 1004.1.1.

Limits occupancy designation to 49 persons as a designation of 50 would require an additional exit, which would be difficult in many residential structures.

15.04.110 Section 1507.2.9.4 added; Sidewall flashing.

Section 1507.2.9.4 of the Building Code adopted at Section 15.04.010 above is added to read as follows:

1507.2.9.4 Sidewall flashing. *Flashing against a vertical sidewall shall be by the step-flashing method. The flashing shall be a minimum of 4 inches (102 mm) high and 4 inches (102 mm) wide. At the end of the vertical sidewall the step flashing shall be turned out in a manner that directs water away from the wall and onto the roof and/or gutter.*

15.04.120 Section 1507.2.9.5 added; Other flashing.

Section 1507.2.9.5 of the Building Code adopted at Section 15.04.010 above is added to read as follows:

1507.2.9.5 Other flashing. *Flashing against a vertical front wall, as well as soil stack, vent pipe and chimney flashing, shall be applied according to the asphalt shingle manufacturer's printed instructions.*

Previous two additions add regulations governing asphalt shingle to the IBC, correlating it to the requirements of the IRC.

15.04.130 Section 2701.1 amended; Scope.

Section 2701.1 of the Building Code adopted at Section 15.04.010 above is amended to read as follows:

2701.1 Scope. This chapter governs the electrical components, equipment and systems used in buildings and structures covered by this code. Electrical components, equipment and systems shall be designed and constructed in accordance with the provisions of the adopted ~~ICC Electrical Code~~ *National Electrical Code*. Other references within this code regarding electrical shall be considered amended to read "the adopted *National Electrical Code*".

Eliminates confusion as the City of Evans has adopted the 2011 National Electric Code as its governing document per State of Colorado Regulations.

Previous adoption as 15.08 of the Evans Municipal Code.

Chapter 15.08, Residential Code, is hereby revoked, re-located and re-enacted as follows:

Chapter 15.06

International Residential Code

15.06.010 International Residential Code adopted.

The International Residential Code, 2012 Edition, is hereby adopted by reference for the City, except as amended in this Chapter, and is hereinafter referred to as the "Residential Code." The Residential Code is published by the International Code Council, Inc., 5360 Workman Mill Road, Whittier, CA 90601-2298. The Residential Code provides the standards for the design, erection, construction, enlargement, alteration, repair, moving, removal, conversion, demolition, occupancy, equipment, use, height, area and maintenance of one- and two-family dwellings and townhouses.

15.06.020 Additions, deletions and amendments to Residential Code designated.

Sections R105.2 (1), R108.3, R108.6, R108.7, R109.4, R113.1, R113.4, R202, TR301.2(1), R302.3ex(2), Table R302.6, R302.7, R310.1, R310.5, R311.3.2, R313.2, R315.3, R405.2.3, R405.2.3.1, M1801.1, G2412.9, G2412.10, G2415.9, G2415.12, G2417.4.1, G2417.4.2, G2425.8(7), G2445, P2603.5, P2705.1(5), P2708.1, P2708.1(2), P2718.1, P2904.3.1, P2904.8.1, P2904.8.1(6), Table 3005.4.1, P3005.4.2, Table 3005.4.2, 3007.6, Table P3105.1, P3107.3, Table P3107.3, P3108.3, Table P3108.3, P3109.4, Table P3109.4, P3110.1, P3114.3, Table P3201.7 and Part VIII of the Residential Code are hereby enacted as amended, added or deleted to read as set out in Sections 15.06.025 through 15.06.500 below.

15.06.030 Section R105.2 (1) amended; Work exempt from permit.

Section R.105.2 (1) of the Residential Code adopted at Section 15.06.010 above is amended to read as follows:

R105.2 Work exempt from permit. Permits shall not be required for the following. Exemption from permit requirements of this Code shall not be deemed to grant authorization for any work to be done in any manner in violation of the provisions of this Code or any other laws or ordinances of this jurisdiction.

Building:

1. One-story detached accessory structures used as tool and storage sheds, playhouses and similar uses, provided the floor area does not exceed ~~200 square feet (18.58 m²)~~ **120 square feet (11.15 m²)**.

Provides conformance to the limitations outlined in the Evans Zoning Code.

15.06.040 Section R108.3 amended; Building permit valuations.

Section R108.3 of the Residential Code adopted at Section 15.06.010 above is amended to read as follows:

R108.3 Building permit valuations. The applicant for a permit shall provide an estimated permit value at time of application. Permit valuations shall include total value of work, including materials and labor, for which the permit is being issued, such as electrical, gas, mechanical, plumbing equipment and permanent systems. If, in the opinion of the building official, the value listed on the application is underestimated on the application, ~~the permit shall be denied, unless the applicant can show detailed estimates that meet the approval of the building official.~~ **the**

building official may use the greater of either the application value, or the square foot value from the most recent Building Valuation Data table, published in the Building Safety Journal, by the International Code Council. Final building permit valuation shall be set by the building official.

Conformance to existing City of Evans policy.

15.06.050 Section R108.6 amended; Work commencing before permit issuance.

Section R108.6 of the Residential Code adopted at Section 15.06.010 above is amended to read as follows:

R108.6 Work commencing before permit issuance. Any person who commences work on a building, ~~structure, electrical, gas, mechanical or plumbing system,~~ or ***structure governed by this code*** before obtaining the necessary permits shall be subject to a fee ~~established by the building official~~ 200 percent of the usual permit fee.

Correlates with previously adopted Administrative Policy of the City of Evans.

15.06.060 Section R108.7 added; Reinspections.

Section R108.7 of the Residential Code adopted at Section 15.06.010 above is added to read as follows:

R108.7 Reinspections. ***A reinspection fee may be assessed for each inspection or reinspection 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 reinspection 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 reinspection.

Reinspection 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 reinspection, the applicant shall pay the reinspection fee in accordance with the Building Permit Fee Schedule as set forth by the jurisdiction.

In instances where reinspection fees have been assessed, no additional inspection of the work will be performed until the required fees have been paid.

Conformance to current City of Evans policy as well as the 2013 Building Department Fee Schedule.

15.06.070 Section R109.4 amended; Approval required.

Section R109.4 of the Residential Code adopted at Section 15.06.010 above is amended to read as follows:

R109.4 Approval required. Work shall not be done beyond the point indicated in each successive inspection without first obtaining the approval of the building official. The building official, upon notification, shall make the requested inspections and shall either indicate the portion of the construction that is satisfactory as completed, or notify the permit holder or his or her agent wherein the same fails to comply with this code. Any portions that do not comply shall be corrected and such portion shall not be covered or concealed until authorized by the building official. There shall be a final inspection and approval of all systems, buildings, and structures, when completed and ready for occupancy and/or use. ***There shall be a final inspection and***

approval of all systems, buildings, and structures, when completed and ready for occupancy and/or use.

Added language to codify the requirement for final inspections.

15.06.080 Section R113.1 amended; Unlawful acts.

Section R113.1 of the Residential Code adopted at Section 15.06.080 above is amended to read as follows:

R113.1 Unlawful acts. It is unlawful for any person, firm or corporation to erect, construct, **enlarge**, alter, ~~extend~~, repair, move, **improve**, remove, **convert**, demolish, **equip, use, or occupy** or **maintain** any building, structure or equipment regulated by this code **in the City**, or cause the same to be done, in conflict with or in violation of any of the provisions of this code.

15.04.090 Section R113.4 amended; Violation penalties.

Section R113.4 of the Residential Code adopted at Section 15.06.090 above is amended to read as follows:

R113.4 Violation penalties. Any person violating any of the provisions of this code is guilty of a separate offense for each and every day or portion thereof during which any violation of any of the provisions of this code is committed, continued or permitted, and upon conviction of any such violation, such person shall be subject to ~~penalties as prescribed by law.~~ **punishment as provided in Chapter 1.17 of the Evans Municipal Code.**

Allows Building and Neighborhood Services staff to follow up on violations through the Administrative Penalty Citation Process as previously establish for use by Code Enforcement Staff.

15.06.100 Section R202 amended; Definitions.

Section R202 of the Residential Code adopted at Section 15.06.100 above is amended to read as follows:

ATTIC, HABITABLE. A finished ~~or unfinished~~ area, not considered a story, complying with all the following requirements:

1. The occupiable floor area is at least 70 square feet (17m²) in accordance with Section R304;
2. The occupiable floor area has a ceiling height in accordance with Section R305; and
3. The occupiable floor space is enclosed by the roof assembly above, knee walls (if applicable) and the sides and the floor-ceiling below.

Removes "or unfinished" from the definition in to order avoid confusion as to whether attic space had to meet finished room standards regarding energy code, HVAC, etc.

15.06.110 Table R301.2(1) Adopted in Specificity

GROUND SNOW LOAD	WIND DESIGN		SEISMIC DESIGN CATEGORY	SUBJECT TO DAMAGE FROM			WINTER DESIGN TEMP	ICE BARRIER UNDERLAYMENT REQUIRED	FLOOD HAZARDS	AIR FREEZING INDEX	MEAN ANNUAL TEMP.
	Speed (mph)	Topographic Effects		Weathering	Frost Line Depth	Termite					
20 PSI	90	NO	B	SEVERE	36"	SLIGHT TO MODERATE	2	NO	ON FILE W/ CITY ENGINEER	≤1500	50.1

15.06.120 Section R302.3 Exception (2) deleted; Two-family dwellings.

Section R302.3 Exception (2) of the Residential Code adopted at Section 15.06.010 above is deleted in its entirety.

Removes section allowing non-fire rated assemblies in the attics of two-family dwellings. Opinions of the industry are that allowing this could potential allow fire to more easily spread from one unit to the other.

15.06.130 Table R302.6 amended; Separation required.

Table R302.6 of the Residential Code adopted at Section 15.06.010 above is amended to read as follows:

**"Table R302.6
Dwelling/Garage Separation**

"Separation	Material
From the residence and attics	Not less than 5/8-inch Type X gypsum board or equivalent applied to the garage side
From all habitable rooms above garage	Not less than 5/8-inch Type X gypsum board or equivalent
Structures supporting floor/ceiling assemblies used for separation required by this section	Not less than 5/8-inch Type X gypsum board or equivalent
Garages less than 3 feet from a dwelling unit on same lot	Not less than 5/8-inch Type X gypsum board or equivalent applied to the interior side of exterior walls that are within this area"

Similar to the amendment to the IBC, placed in a table for easier reference and Evans changed all to require 5/8" drywall instead of 1/2 ".

15.06.140 Section R302.7 amended; Under stair protection.

Section R302.7 of the Residential Code adopted at Section 15.06.010 above is amended to read as follows:

R302.7 Under stair protection. Enclosed accessible space under stairs shall have walls, under stair surface and any soffits protected on the enclosed side with ~~1/2-inch (13mm)~~ 5/8-inch (15.9 mm) Type X gypsum board.

15.06.150 Section R310.1 amended; Emergency escape and rescue required.

Section R310.1 of the Residential Code adopted at Section 15.06.010 above is amended to read as follows:

R310.1 Emergency escape and rescue required. Basements, habitable attics and every sleeping room shall have at least one operable emergency and rescue opening. Where basements contain one or more sleeping rooms, emergency egress and rescue openings shall be required in each sleeping room. ***Unfinished basements shall have at least one emergency escape and rescue opening provided for each 500 square feet of basement area for a maximum of 1,500 square feet of basement area.*** Where emergency escape and rescue openings are provided they shall have a sill height of not more than 44 inches (1,118 mm) above the floor. Where a door opening having a threshold below the adjacent ground elevation serves as an emergency escape and rescue opening and is provided with a bulkhead enclosure, the bulkhead enclosure shall comply with Section R310.3. The net clear opening dimensions required by this section shall be obtained by the normal operation of the emergency escape and rescue opening from the inside. Emergency escape and rescue openings with a finished sill height below the adjacent ground

elevation shall be provided with a window well in accordance with Section R310.2. Emergency escape and rescue openings shall open directly into a public way or to a yard or court that opens to a public way.

Considers the future "habitability" of the basement.

15.06.160 Section R310.5 amended; Emergency escape windows under decks and porches.

Section R310.5 of the Residential Code adopted at Section 15.06.010 above is amended to read as follows:

R310.5 Emergency escape windows under decks, porches and cantilevers. Emergency escape windows are allowed to be installed under decks, porches **and cantilevers** provided the location allows the emergency escape window to be fully opened and provides a path not less than 36 inches (914 mm) in height to a yard or court.

Covers potential design for egress under a cantilevered projection.

15.06.170 Section R311.3.2 Exception amended.

Section R311.3.2 Exception of the Residential Code adopted at Section 15.06.010 above is amended to read as follows:

Exception: A landing is not required where a stairway ~~of two or fewer risers~~ is located on the exterior side of a door, provided the door does not swing over the stairway, **and is sufficiently glazed so as to afford a view of the stairway from the interior of the structure.**

Allows for correlation with the IBC and a previous tenet of the IRC.

15.06.180 Section R313.2 deleted; One- and two-family dwellings automatic fire sprinkler systems.

Section R313.2 of the Residential Code, adopted at Section 15.06.010 is deleted in its entirety.

15.06.190 Section R315.3 Exception added; carbon monoxide alarms.

Section R315.1 Exception of the Residential Code adopted at Section 15.06.010 above is added to read as follows:

Exception: *Work involving the exterior surfaces of dwellings, such as the replacement of roofing or siding, or the addition or replacement of windows or doors, or the addition of a porch or deck, are exempt from the requirements of this section.*

Reduces burden on existing homeowners.

15.06.200 Section R405.2.3 amended; Drainage system.

Section R405.1.2 of the Residential Code adopted at Section 15.06.010 above is amended to read as follows:

~~R405.2.3 In other the Group I soils, a sump shall be provided to drain the porous layer and footings. The sump shall be at least 24 inches (610mm) in diameter or 20 inches square (0.0129m²), shall extend at least 24 inches (610mm) below the bottom of the basement floor and shall be capable of positive gravity or mechanical drainage to remove any accumulated water. The drainage system shall discharge to an approved sewer system or to daylight.~~

R405.2.3 Sump pit. *Where it is not possible to convey the drainage by gravity, subsoil drains shall discharge to an accessible sump pit. A sump pit shall be at least eighteen (18) inches (457 mm) in diameter, twenty-four (24) inches (610 mm) in depth, and provided with a fitted cover*

including rough-in discharge piping. The sump pump, if provided, shall have an adequate capacity to discharge all water coming into the sump as it accumulates to the required discharge point, and the capacity of the pump shall not be less than fifteen (15) gpm (1.0 L/s).

The discharge piping for the sump pump shall include the following:

- (1) Be one and one-half (1½) inches in diameter;**
- (2) Terminate within five (5) feet of the sump pit;**
- (3) Extend a minimum of twelve (12) inches below the floor joists above;**
- (4) Terminate at the exterior of the structure with a removable cap."**

Included to conform to more specific, regional conditions and jurisdictions.

15.06.210 Section R405.2.3.1 added; Electrical.

Section R405.2.3.1 of the Residential Code adopted at Section 15.06.010 above is added to read as follows:

R405.1.2.1 Electrical. A 125-volt, 15-ampere, GFCI-protected, electrical receptacle outlet shall be installed within five (5) feet of the sump pit location. The branch circuit feeding this outlet shall be a dedicated circuit.

15.06.220 Section M1801.1 amended; Venting required.

Section M1801.1 of the Residential Code adopted at Section 15.06.010 above is amended to read as follows:

M1801.1 Venting required. Fuel-burning appliances shall be vented to the outside in accordance with their listing and label and manufacturer's installation instructions ~~except appliances listed and labeled for unvented use~~. Venting systems shall consist of approved chimneys or vents, or venting assemblies that are integral parts of labeled appliances. Gas-fired appliances shall be vented in accordance with Chapter 24.

Requires that all gas fired appliances be vented, specifically does not allow a "vent-less" gas fireplace.

15.06.230 Section G2412.9 deleted; Identification.

Section G2412.9 of the Residential Code adopted at Section 15.06.010 above is deleted in its entirety.

15.06.240 Section G2412.10 deleted; Third Party testing and certification.

Section G2412.10 of the Residential Code adopted at Section 15.06.010 above is deleted in its entirety.

Removed as redundant because City of Evans field inspects and air-tests gas piping for defective piping and fittings.

15.06.250 Section G2415.9 amended; Aboveground piping outdoors.

Section G2415.9 of the Residential Code adopted at Section 15.06.010 above is amended to read as follows:

G2415.9 Aboveground piping outdoors. All piping installed outdoors shall be elevated not less than ~~3 ½ inches~~ **6 inches (152 mm)** above ground and where installed across roof surfaces, shall be elevated not less than ~~3 ½ inches~~ **6 inches (152 mm)** above the roof surface. Piping installed aboveground, outdoors, and installed across the surface of roofs shall be securely supported and located where it will be protected from physical damage. Where passing through an outside wall, the piping shall also be protected against corrosion by coating or wrapping with an inert

material. Where piping is encased in a protective pipe sleeve, the annular space between the piping and the sleeve shall be sealed.

Conforms to the adopted Plumbing Code

15.06.260 Section G2415.12 amended; Minimum burial depth.

Section G2415.12 of the Residential Code adopted at Section 15.06.010 above is amended to read as follows:

G2415.12 Minimum burial depth. ~~Underground piping systems shall be installed a minimum depth of 12 inches (305mm) below grade, except as provided for in Section G2415.9.1~~ ***Metallic underground piping systems shall be installed a minimum depth of 18 inches (458 mm) below grade and plastic piping systems shall be 24 inches (710 mm), except as provided for in Section G2415.12.1.***

Conforms to the adopted Plumbing Code

15.06.270 Section G2417.4.1 amended; Test pressure.

Section G2417.4.1 of the Residential Code adopted at Section 15.06.010 above is amended to read as follows:

G2417.4.1 Test pressure. The test pressure to be used shall be not less than one and one-half times the proposed maximum working pressure, but not less than ~~3~~10 psig (20 kPa gauge), ***for a minimum of 15 minutes***, irrespective of design pressure. ***For medium pressure gas and welded gas lines, the minimum test pressure shall be 60 psig for a minimum of 30 minutes.*** Where the test pressure exceeds 125 psig (862 kPa gauge), the test pressure shall not exceed a value that produces a hoop stress in the piping greater than 50 percent of the specified minimum yield strength of the pipe.

Conforms to the adopted Plumbing Code

15.06.280 Section G2417.4.2 deleted; Test duration.

Section G2417.4.2 of the Residential Code adopted at Section 15.06.010 above is deleted in its entirety.

Not needed, addressed in 15.06.270

15.06.290 Section G2425.8(7) deleted; Equipment not required to be vented.

Section G2425.8(7) of the Residential Code adopted at Section 15.06.010 above is deleted in its entirety.

Not needed, addressed in 15.06.240

15.06.300 Section G2445 deleted; Unvented room heaters.

Section G2445 of the Residential Code adopted at Section 15.06.010 above is deleted in its entirety

Not needed, addressed in 15.06.240

15.06.310 Section P2603.5 amended; Freezing.

Section P2603.5 of the Residential Code adopted at Section 15.06.010 above is amended to read as follows:

P2603.5 Freezing. 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 12 inches (305 mm) deep and not less than ~~6~~ **12 inches (152 mm)** below the frost line."

Conforms to the adopted Plumbing Code

15.06.320 Section P2705.1(5) amended; General.

Section P2705.1(5) of the Residential Code adopted at Section 15.06.010 above is amended to read as follows:

P2705.1 General.

5. Water closets, lavatories and bidets. A water closet, lavatory or bidet shall not be set closer than 15 inches (381 mm) from its center to any side wall, partition or vanity or closet, or not less than 15 inches (381 mm) from the centerline of a bidet to the outermost rim of an adjacent water closet, or closer than thirty (30) inches (762 mm) center-to-center between adjacent fixtures. There shall be at least a ~~24~~ **24 inch (533 mm)** clearance in front of the water closet, lavatory or bidet to any wall, fixture or door.

15.06.330 Section P2708.1 amended; General.

Section P2708.1 of the Residential Code adopted at Section 15.06.010 above is amended to read as follows:

P2708.1 General. Shower compartments shall have at least ~~900~~ **1,024 square inches (0.6 m²)** of interior cross-sectional area. Shower compartments shall be not less than 32 inches (762 mm) in minimum dimension measured from the finished interior dimension of the shower compartment, exclusive of fixture valves, showerheads, soap dishes and safety grab bars or rails. The minimum required area and dimension shall be measured from the finished interior dimension at a height equal to the top of the threshold and at a point tangent to its centerline and shall be continued to a height of not less than 70 inches (1,778 mm) above the shower drain outlet. Hinged shower doors shall open outward. The wall area above built-in tubs having installed showerheads and in shower compartments shall be constructed in accordance with Section R702.4. Such walls shall form a water-tight joint with each other and with either the tub, receptor or shower floor.

Exceptions:

1. Fold-down seats shall be permitted in the shower, provided the required ~~900-1,024-square-inch~~ **(0.6 m²)** dimension is maintained when the seat is in the folded-up position.

Conforms to the adopted Plumbing Code

15.06.340 Section P2708.1 Exception (2) deleted; General.

Section P2708.1 Exception (2) of the Residential Code adopted at Section 15.06.010 above is deleted in its entirety.

15.06.350 Section P2718.1 amended; Waste connection.

Section P2718.1 of the Residential Code adopted at Section 15.06.010 above is amended to read as follows:

P2718.1 Waste connection. The waste from an automatic clothes washer shall discharge through an air break into a standpipe in accordance with Section P2706.2 or into a laundry sink. The trap and fixture drain for an automatic clothes washer standpipe shall be a minimum of 2 inches (51 mm) in diameter. The automatic clothes washer fixture drain shall connect to a branch drain or drainage stack a minimum of 2 inches (51 mm) in diameter.

Conforms to the adopted Plumbing Code

15.06.360 Section P2904.3.1 deleted; Nonmetallic pipe and tubing.

Section P2904.3.1 of the Residential Code, adopted at Section 15.06.010 is deleted in its entirety.

Pertains to residential fire-sprinkler systems, a section of the IRC the City of Evans will amend out.

15.06.370 Section P2904.8.1(6) deleted; Preconcealment inspection.

Section P2904.8.1(6) of the Residential Code, adopted at Section 15.06.010 is deleted in its entirety.

Pertains to residential fire-sprinkler systems, a section of the IRC the City of Evans will amend out.

15.06.380 P2904.8.1 amended; Preconcealment inspection.

Section P2708.1 of the Residential Code adopted at Section 15.06.010 above is amended to read as follows:

P2904.8.1 Preconcealment inspection.

7-6. Piping is supported in accordance with the pipe manufacturer's and sprinkler manufacturer's installation instructions.

& 7. The piping system is tested in accordance with Section P2503.7.

Changes numbering to section to correct sequence.

15.06.390 Table P3005.4.1 amended; Maximum fixture units allowed to be connected to branches and stacks.

Table P3005.4.1 of the Residential Code adopted at Section 16.06.010 above is amended to read as follows:

**Table P3005.4.1
Maximum Unit Loading and Maximum Length of Drainage and Vent Piping**

"Size of Pipe, inches (mm)	1¼ (32)	1½ (40)	2 (50)	2½ (65)	3 (80)	4 (100)	5 (125)	6 (150)	8 (200)	10 (250)	12 (300)
Maximum Units											
Drainage piping ¹											
Vertical	1	2 ²	16 ³	32 ³	48 ⁴	256	600	1,380	3,600	5,600	8,400
Horizontal	1	1	8 ³	14 ³	35 ⁴	216 ⁵	428 ⁵	720 ⁵	2,640 ⁵	4,680 ⁵	8,200 ⁵
Maximum Length											
Drainage piping											
Vertical, feet (m)	45 (14)	65 (20)	85 (26)	148 (45)	212 (65)	300 (91)	390 (119)	510 (155)	750 (228)	— —	— —
Horizontal (unlimited)											
Vent Piping (See note)											
Horizontal and Vertical											
Maximum units	1	8 ³	24	48	84	256	600	1,380	3,600	—	—
Maximum lengths, feet (m)	45 (14)	60 (18)	120 (37)	180 (55)	212 (65)	300 (91)	390 (119)	510 (155)	750 (228)	— —	— —

¹ Excluding trap arm.

² Except sinks, urinals and dishwashers.

³ Except six-unit traps or water closets.

⁴ Only 4 water closets or 6-unit traps allowed on any vertical pipe or stack; and not to exceed 3 water closets or 6-unit traps on any horizontal branch or drain.

⁵ Based on ¼ inch per foot (20.9 mm/m) slope. For ⅜ inch per foot (10.4 mm/m) slope, multiply horizontal fixture units by a factor of 0.8.

Note: The diameter of an individual vent shall not be less than 1¼ inches (31.8 mm) nor less than ½ the diameter of the drain to which it is connected. Fixture unit load values for drainage and vent piping shall be computed from Table P3004.1. Not to exceed ⅓ of the total permitted length of any vent may be installed in a horizontal position. When vents are increased 1 pipe size for their entire length, the maximum length limitations specified in this table do not apply.

15.06.400 Section P3005.4.2 amended; Building drain and sewer size and slope.

Section P3005.4.2 of the Residential Code adopted at Section 16.06.010 above is amended to read as follows:

P3005.4.2 Building drain and sewer size and slope. Pipe sizes and slope shall be determined from Table P3005.4.1 on the basis of drainage load in fixture units (d.f.u.) computed from Table P3005.4.1.

15.06.410 Table P3005.4.2 deleted;

Maximum number of fixture units allowed to be connected to the building drain, building drain branches or the building sewer.

15.06.420 Section P3007.6 amended; sewage ejectors or sewage pumps.

Section P3007.6 of the Residential Code adopted at Section 16.06.010 above is amended to read as follows:

P3007.6 Capacity. A sewage ejector, sewage pump or grinder pump receiving discharge from a water closet shall have minimum discharge velocity of 1.9 feet per second (0.579 m/s) throughout the discharge piping to the point of connection with a gravity building drain, gravity sewer or pressure sewer system. A nongrinding pump or ejector shall be capable of passing a 2-inch-diameter (38 mm) solid ball, and the discharge piping shall be not less than 2 inches (51 mm) in diameter. The discharge piping of grinding pumps shall be not less than 1¼ inches (32 mm) in diameter. A check valve and a gate valve located on the discharge side of the check valve shall be installed in the pump or ejector discharge piping between the pump or ejector and the drainage system. Access shall be provided to such valves. Such valves shall be located above the sump cover or, where the discharge pipe from the ejector is below grade, the valves shall be accessibly located outside the sump below grade in an access pit with a removable access cover.

Exception: Macerating toilet systems shall be permitted to have the discharge pipe sized in accordance with manufacturer's instructions, but not less than 0.75 inch (19 mm) in diameter.

15.06.430 Table P3105.1 amended; Distance of fixture trap from vent.

Table P3105.1 of the Residential Code adopted at Section 16.06.010 above is amended to read as follows:

**Table P3105.1
Maximum Distance of Fixture Trap From Vent**

<i>Size of Trap (inches)</i>	<i>Slope (inch per foot)</i>	<i>Distance From Trap (feet)</i>
1¼	¼	2'6"
1½	¼	3'6"
2	¼	5'
3	¼	6'
4 & up	¼	10'

15.06.440 Section P3107.3 amended; Connection at different levels.

Section P3107.3 of the Residential Code adopted at Section 16.06.010 above is amended to read as follows:

P3107.3 Connection at different levels. Where the fixture drains connect at different levels, the vent shall connect as a vertical extension of the vertical drain. The vertical drain pipe connecting the two fixture drains shall be considered the vent for the lower fixture drain, and shall be sized in accordance with Table P3005.4.1. The upper fixture shall not be a water closet.

15.06.450 Table P3107.3 deleted; Common vent sizes.

Table P3107.3 of the Residential Code adopted at Section 16.06.010 above is deleted in its entirety.

15.06.460 Section P3108.3 amended; Size.

Section P3108.3 of the Residential Code, adopted at Section 16.06.010 is amended to read as follows:

P3108.3 Size. Horizontal and vertical wet vents shall be of a minimum size as specified in Table P3005.4.1, based on the fixture unit discharge to the wet vent. The dry vent serving the wet vent shall be sized based on the largest required diameter of pipe within the wet-vent system served by the dry vent.

15.06.470 Table P3108.3 deleted; Wet vent size.

Table P3108.3 of the Residential Code adopted at Section 16.06.010 above is deleted in its entirety.

15.06.480 Section P3109.4 amended; Waste stack size.

Section P3109.4 of the Residential Code adopted at Section 16.06.010 above is amended to read as follows:

P3109.4 Waste stack size. The waste stack shall be sized based on the total discharge to the stack and the discharge within a branch interval in accordance with Table P3005.4.1. The waste stack shall be the same size throughout the length of the waste stack.

15.06.490 Table P3109.4 deleted; Waste stack vent size.

Table P3109.4 of the Residential Code adopted at Section 16.06.010 above is deleted in its entirety.

15.06.500 Section P3110.1 amended; Circuit vent permitted.

Section P3110.1 of the Residential Code adopted at Section 16.06.010 above is amended to read as follows:

P3110.1 Circuit vent permitted. When approved by the Authority Having Jurisdiction, a maximum of eight fixtures connected to a horizontal branch drain shall be permitted to be circuit vented. Each fixture drain shall connect horizontally to the horizontal branch being circuit vented. The horizontal branch drain shall be classified as a vent from the most downstream fixture drain connection to the most upstream fixture drain connection to the horizontal branch."

15.06.510 Section P3114.3 amended; Where permitted.

Section P3114.3 of the Residential Code adopted at Section 16.06.010 above is amended to read as follows:

P3114.3 Where permitted. Individual vents, branch vents, circuit vents and stack vents serving a sink under a bearing wall, island sink installation, basement bar sink installation or locations approved by the building official shall be permitted to terminate with a connection to an air admittance valve. The air admittance valve shall only vent fixtures that are on the same floor level and connect to a horizontal branch drain."

15.06.520 Table P3201.7 amended; Size of traps and trap arms for plumbing fixtures.

Table P3201.7 of the Residential Code adopted at Section 16.06.010 above is amended to read as follows:

**Table P3201.7
Size of Traps and Trap Arms for Plumbing Fixtures**

<i>Plumbing Fixture</i>	<i>Trap Size Minimum (inches)</i>
Bathtub (with or without showerhead and/or whirlpool attachments)	1½
Bidet	1¼
Clothes washer standpipe	2
Dishwasher (on separate trap)	1½
Floor drain	2
Kitchen sink (one or two traps, with or without dishwasher and garbage grinder)	1½
Laundry tub (one or more compartments)	1½
Lavatory	1¼
Shower (based on the total flow rate through showerheads and bodysprays) Flow rate: 12.3 gpm or less More than 12.3 gpm up to 25.8 gpm More than 25.8 gpm up to 55.6 gpm	2 3 4
Water closet	Note a

For SI: 1 inch = 25.4 mm.

^a Consult fixture standards for trap dimensions of specific bowls.

15.06.530 Part VIII amended; Electrical.

Part VIII of the Residential Code adopted at Section 15.06.010 above is amended to read as follows:

Part VIII – Electrical. This chapter governs the electrical components, equipment and systems used in buildings and structures covered by this code. Electrical components, equipment and systems shall be designed and constructed in accordance with the provisions of the adopted *National Electrical Code*. Other references within this code regarding electrical shall be considered amended to read “the adopted *National Electrical Code*.”

15.06.540 Appendix M _ Home Day Care, R-3 Occupancy (Adopted in its entirety)

Chapter 15.12, International Mechanical Code, is hereby revoked, re-located and re-enacted as follows:

Chapter 15.08

International Mechanical Code

15.08.010 International Mechanical Code adopted.

The International Mechanical Code, 2012 Edition, is hereby adopted by reference for the City, except as amended in this Chapter, and is hereinafter referred to as the "Mechanical Code." The Mechanical Code is published by the International Code Council, Inc., 5360 Workman Mill Road, Whittier, CA 90601-2298. The Mechanical Code provides the standards for the design, installation, alteration and inspection of mechanical systems within this jurisdiction.

15.08.020 Additions, deletions and amendments to Mechanical Code designated.

Sections , 108.4, 108.5, 109, 202, 312.1, and 506.3.11.4 of the Mechanical Code are hereby enacted as amended, added or deleted to read as set out in Sections 15.08.030 through 15.08.090 below.

15.08.030 Section 108.4 amended; Violation penalties.

Section 108.4 of the Mechanical Code adopted at Section 15.08.030 above is amended to read as follows:

108.4 Violation penalties. Any person 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 a ~~[SPECIFY OFFENSE], punishable by a fine of not more than [AMOUNT] dollars or by imprisonment not exceeding [NUMBER OF DAYS], or both such fine and imprisonment.~~ **code violation, punishable as per Chapter 1.17 of the Evans Municipal Code.** Each day that a violation continues after due notice has been served shall be deemed a separate offense.

15.08.040 Section 108.5 amended; Stop work orders.

Section 108.5 of the Mechanical Code adopted at Section 15.08.040 above is amended to read as follows:

108.5 Stop work orders. Upon notice from the code official, work on any mechanical system that is being done contrary to the provisions of this code or in a dangerous or unsafe manner shall immediately cease. Such notice shall be in writing and shall be given to the owner of the property, or to the owner's agent or to the person doing the work. The notice shall state the conditions under which work is authorized to resume. Where an emergency exists, the code official shall not be required to give a written notice prior to stopping the work. ~~Any person who shall continue any 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 of not less than [AMOUNT] dollars.~~

15.08.050 Section 202 amended; General definitions.

Section 202 of the Mechanical Code adopted at Section 15.08.050 above is amended to read as follows:

LIGHT-DUTY COOKING APPLIANCE. Light-duty cooking appliances include gas and electric ovens (including standard, bake, roasting, revolving, retherm, convection, combination convection/steamer ~~deck, or deck-style pizza~~ and pastry), electric and gas steam-jacketed kettles, electric and gas compartment steamers (both pressure and atmospheric) and electric and gas cheese-melters.

MEDIUM-DUTY COOKING APPLIANCE. Medium-duty cooking appliances include electric discrete element ranges (with or without oven), electric and gas hot-top ranges, electric and gas griddles, electric and gas double-sided griddles, electric and gas fryers (including open deep fat fryers, donut fryers, kettle fryers and pressure fryers), electric and gas pasta cookers, electric and gas conveyor, *deck or deck-style pizza ovens*, electric and gas tilting skillets (braising pans) and electric and gas rotisseries.

15.08.060 Section 312.1 amended; Load calculations.

Section 312.1 of the Mechanical Code adopted at Section 15.08.060 above is amended to read as follows:

312.1 Load calculations. Heating and cooling system design loads for the purpose of sizing systems, appliances and *equipment* shall be determined in accordance with the procedures described in the ASHRAE/ACCA Standard 183. Alternatively, design loads shall be determined by an *approved* equivalent computation procedure, using the design parameters specified in Chapter 3 of the *International Energy Conservation Code*. ***Any load calculations submitted to the jurisdiction shall bear the seal of a State of Colorado registered mechanical engineer.***

15.08.070 Section 506.3.11.4 deleted; Duct enclosure not required.

Section 506.3.11.4 of the Mechanical Code adopted at Section 15.08.010 above is deleted in its entirety.

Chapter 15.16, International Plumbing Code, is hereby revoked, re-located and re-enacted as follows:

Chapter 15.10

International Plumbing Code

15.10.010 International Plumbing Code adopted.

The International Plumbing Code, 2012 Edition, is hereby adopted by reference for the City, except as amended in this Chapter, and is hereinafter referred to as the "Plumbing Code." The Plumbing Code is published by the International Code Council, Inc., 5360 Workman Mill Road, Whittier, CA 90601-2298. The Plumbing Code provides the standards for erection, installation, alteration, repairs, relocation, replacement, addition to, use or maintenance of plumbing systems within this jurisdiction.

15.10.020 Additions, deletions and amendments to Plumbing Code designated.

Sections 108.4, 108.5, 109, 305.4, 405.3.1, 405.5, 406.2, 414.2, 417.4, 712.4.2, 712.4.3, Table 906.1, Table 909.1, 914.1, 915.4, 918.3, 1003.3.4.1, 1103.1, 1114.1.2, and 1114.1.3 of the Plumbing Code are hereby enacted as amended, added or deleted to read as set out in Sections 15.10.030 through 15.10.240 of this Chapter.

15.10.030 Section 108.4 amended; Violation penalties.

Section 108.4 of the Plumbing Code adopted at Section 15.10.010 above is amended to read as follows:

108.4 Violation penalties. Any person 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 plumbing 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 ~~[SPECIFY OFFENSE], punishable by a fine of not more than [AMOUNT] dollars or by imprisonment not exceeding [NUMBER OF DAYS], or both such fine and imprisonment.~~ **code violation, punishable as per Chapter 1.17 of the Evans Municipal Code.** Each day that a violation continues after due notice has been served shall be deemed a separate offense.

15.10.040 Section 108.5 amended; Stop work orders.

Section 108.5 of the Plumbing Code adopted at Section 15.10.010 above is amended to read as follows:

108.5 Stop work orders. Upon notice from the code official, work on any mechanical system that is being done contrary to the provisions of this code or in a dangerous or unsafe manner shall immediately cease. Such notice shall be in writing and shall be given to the owner of the property, or to the owner's agent or to the person doing the work. The notice shall state the conditions under which work is authorized to resume. Where an emergency exists, the code official shall not be required to give a written notice prior to stopping the work. ~~Any person who shall continue any 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 of not less than [AMOUNT] dollars.~~

15.10.050 Section 305.4 amended; Freezing.

Section 305.4 of the Plumbing Code adopted at Section 15.10.010 above is amended to read as follows:

305.4 Freezing. 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 temperature 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 12 inches (305 mm) below the frost line and not less than 12 inches (305 mm) below grade.

15.10.060 Section 405.3.1 amended; Water closets, urinals, lavatories and bidets.

Section 405.3.1 of the Plumbing Code adopted at Section 15.10.010 above is amended to read as follows:

405.3.1 Water closets, urinals, lavatories and bidets. A water closet, urinal, lavatory or bidet shall not be set closer than 15 inches (381 mm) from its center to any sidewall, partition, vanity or other obstruction, or closer than 30 inches (762 mm) center-to-center between adjacent fixtures. There shall be at least a 24-inch (609 mm) clearance in front of the water closet, urinal or bidet to any wall, fixture or door. Water closet compartments shall not be less than 30 inches (762 mm) wide or 60 inches (1,524 mm) deep. There shall be at least a 24-inch (609 mm) clearance in front of a lavatory to any wall, fixture or door.

15.10.070 Section 405.5 amended; Water-tight joints.

Section 405.5 of the Plumbing Code adopted at Section 15.10.010 above is amended to read as follows:

405.5 Water-tight joints. *In facilities designed for public use*, joints formed where fixtures come in contact with walls or floors shall be sealed.

15.10.080 Section 406.2 amended; Waste connection.

Section 406.3 of the Plumbing Code adopted at Section 15.10.010 above is amended to read as follows:

406.2 Waste connection. The waste from an automatic clothes washer shall discharge through an air break into a standpipe in accordance with Section 802.4 or into a laundry sink. The trap and fixture drain for an automatic clothes washer standpipe shall be a minimum of 2 inches (51 mm) in diameter. The automatic clothes washer fixture drain shall connect to a branch drain or drainage stack a minimum of 2 inches (51 mm) in diameter.

15.10.090 Section 414.2 amended; Waste connection.

Section 414.2 of the Plumbing Code adopted at Section 15.10.010 above is amended to read as follows:

414.2 Waste connection. Garbage can washers shall be located only in weather-tight enclosures and shall be trapped separately. The receptacle receiving the waste from the washer shall have a removable basket or strainer to prevent the discharge of large particles into the drainage system.

15.10.100 Section 417.4 amended; Shower compartments.

Section 417.4 of the Plumbing Code adopted at Section 15.10.010 above is amended to read as follows:

417.4 Shower compartments. All shower compartments shall have a minimum of 1,024 square inches (.66 m²) of interior cross-sectional area. Shower compartments shall not be less than 32 inches (813 mm) in minimum dimension measured from the finished interior dimension of the compartment, exclusive of fixture valves, showerheads, soap dishes, and safety grab bars or rails. Except as required in Section 404, the minimum required area and dimension shall be measured from the finished interior dimension at a height equal to the top of the threshold and at a point tangent to its centerline and shall be continued to a height not less than 70 inches (1,778 mm) above the shower drain outlet.

15.10.110 Section 417.4 deleted; Exception, Shower compartments.

Section 417.4, Exception, of the Plumbing Code adopted at Section 15.10.010 above is deleted in its entirety.

15.10.120 Section 712.4.2 amended; Capacity.

Section 712.4.2 of the Plumbing Code adopted at Section 15.10.010 above is amended to read as follows:

712.4.2 Capacity. A sewage pump or sewage ejector shall have the capacity and head for the application requirements. Pumps or ejectors that receive the discharge of water closets shall be capable of handling spherical solids with a diameter of up to and including **2 inches (51 mm)**. Other pumps or ejectors shall be capable of handling spherical solids with a diameter of up to and including 1 inch (25.4 mm). The minimum capacity of a pump or ejector based on the diameter of the discharge pipe shall be in accordance with Table 712.4.2.

Exceptions:

1. Grinder pumps or grinder ejectors that receive the discharge of water closets shall have a minimum discharge opening of 2 inches (51 mm).

15.10.130 Section 712.4.3 added; Public use.

Section 712.4.3 of the Plumbing Code adopted at Section 15.10.010 above shall be added to read as follows:

712.4.3 Public use. *Sumps and receiving tanks in occupancies for public use shall be provided with dual pumps or ejectors arranged to function independently in case of overload or mechanical failure. The lowest inlet shall have a minimum clearance of 2 inches (51 mm) from the high water or 'starting' level of the sump.*

15.10.140 Table 906.1 amended; Size and developed length of stack vents and vent stacks.

Table 916.1 of the Plumbing Code adopted at Section 15.10.010 above shall be amended to read as follows:

**Table 906.1
Maximum Unit Loading and Maximum Length of Drainage and Vent Piping**

Size of Pipe, inches (mm)	1¼ (32)	1½ (40)	2 (50)	2½ (65)	3 (80)	4 (100)	5 (125)	6 (150)	8 (200)	10 (250)	12 (300)
Maximum Units											
Drainage piping ¹											
Vertical	1	2 ²	16 ³	32 ³	48 ⁴	256	600	1,380	3,600	5,600	8,400
Horizontal	1	1	8 ³	14 ³	35 ⁴	216 ⁵	428 ⁵	720 ⁵	2,640 ⁵	4,680 ⁵	8,200 ⁵
Maximum Length											
Drainage piping											
Vertical, feet (m)	45 (14)	65 (20)	85 (26)	148 (45)	212 (65)	300 (91)	390 (119)	510 (155)	750 (228)	—	—
Horizontal (unlimited)										—	—
Vent Piping (See note)											
Horizontal and Vertical											
Maximum units	1	8 ³	24	48	84	256	600	1,380	3,600	—	—
Maximum lengths, feet (m)	45 (14)	60 (18)	120 (37)	180 (55)	212 (65)	300 (91)	390 (119)	510 (155)	750 (228)	—	—

¹ Excluding trap arm.

² Except sinks, urinals and dishwashers.

³ Except 6-unit traps or water closets.

⁴ Only 4 water closets or 6-unit traps allowed on any vertical pipe or stack; and not to exceed 3 water closets or 6-unit traps on any horizontal branch or drain.

⁵ Based on ¼ inch per foot (20.9 mm/m) slope. For ⅛ inch per foot (10.4 mm/m) slope, multiply horizontal fixture units by a factor of 0.8.

Note: The diameter of an individual vent shall not be less than 1¼ inches (31.8 mm) nor less than ½ the diameter of the drain to which it is connected. Fixture unit load values for drainage and vent piping shall be computed from Table P3004.1. Not to exceed ⅓ of the total permitted length of any vent may be installed in a horizontal position. When vents are increased 1 pipe size for their entire length, the maximum length limitations specified in this table do not apply.

15.10.150 Table 909.1 amended; Maximum distance of fixture trap from vent.

Table 906.1 of the Plumbing Code adopted at Section 15.10.010 above shall be amended as follows:

**Table 909.1
Maximum Distance of Fixture Trap From Vent ***

<i>"Trap Arm</i>	<i>Distance Trap to Vent</i>		<i>Trap Arm</i>	<i>Distance Trap to Vent</i>
Inches	Feet	Inches	mm	mm
1¼	2	6	32	762
1½	3	6	38	1,067
2	5	0	51	1,524
3	6	0	76	1,829
4 & larger	10	0	102 & larger	3,048

Slope = ¼ inch per foot (20.9 mm/m)

* The developed length between the trap of a water closet or similar fixture (measured from the top of the closet ring [closet flange] to the inner edge of the vent) and its vent shall not exceed 6 feet.

15.10.160 Section 914.1 amended; Circuit vent permitted.

Section 914.1 of the Plumbing Code adopted at Section 15.10.010 above shall be amended to read as follows:

914.1 Circuit vent permitted. When approved by the authority having jurisdiction, a maximum of eight fixtures connected to a horizontal branch drain shall be permitted to be circuit vented. Each fixture drain shall connect horizontally to the horizontal branch being circuit vented. The horizontal branch drain shall be classified as a vent from the most downstream fixture drain connection to the most upstream fixture drain connection to the horizontal branch.

15.10.170 Section 915.4 added; Grease introduction.

Section 915.4 of the Plumbing Code adopted at Section 15.10.010 above shall be added to read as follows:

915.4 Grease introduction. No water closet, urinal or any fixture where grease may be introduced shall dump into a combination waste and vent system.

15.10.180 Section 918.3 amended; Where permitted.

Section 918.3 of the Plumbing Code adopted at Section 15.10.010 above shall be amended to read as follows:

918.3 Where permitted. Individual, branch and circuit vents serving a sink under a bearing wall, island sink installation, basement bar sink installation or locations approved by the building official shall be permitted to terminate with a connection to an air admittance valve. The air admittance valve shall only vent fixtures that are on the same floor level and connect to a horizontal branch drain. The horizontal branch drain shall conform to Section 918.3.1 or Section 918.3.2.

15.10.190 Section 1003.3.4.1 amended; Grease interceptor capacity.

Section 1003.3.4.1 of the Plumbing Code adopted at Section 15.10.010 above shall be amended to read as follows:

1003.3.4.1 Grease interceptor capacity. Grease interceptors shall be sized as per Table 1003.3.4.1.

**Table 1003.3.4.1
Grease Interceptor Sizing**

Number of meals per peak hour	X	Waste flow rate	X	Retention time	X	Storage factor	=	Interceptor size (liquid capacity)
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1. Meals served at peak hour
2. Waste flow rate
 - a. With dishwashing machine 6 gallon (22.7L) flow
 - b. Without dishwashing machine 5 gallon (18.9L) flow
 - c. Single service kitchen 2 gallon (7.6L) flow
 - d. Food waste dispenser 1 gallon (3.8L) flow
3. Retention Times

Commercial kitchen waste

Dishwasher 2.5 hours

Single service kitchen

Single serving 1.5 hours
4. Storage Factors

Fully equipped commercial kitchen 8-hour operation: 1
 15-hour operation: 2
 24-hour operation: 3

Single service kitchen 1.5

15.10.200 Section 1103.1 amended; Main trap.

Section 1103.1 of the Plumbing Code adopted at Section 15.10.010 above shall be amended to read as follows:

1103.1 Main trap. Leaders and storm drains shall not be connected to the sanitary sewer system.

15.10.210 Section 1114.1.2 amended; Sump pit.

Section 1114.1.2 of the Plumbing Code adopted at Section 15.10.010 above shall be amended to read as follows:

1114.1.2 Sump pit. Where it is not possible to convey the drainage by gravity, subsoil drains shall discharge to an accessible sump pit. A sump pit shall be at least eighteen (18) inches (457 mm) in diameter, twenty-four (24) inches (610 mm) in depth, and provided with a fitted cover including rough-in discharge piping and 110v GFI electrical power supply. The sump pump, if provided, shall have an adequate capacity to discharge all water coming into the sump as it accumulates to the required discharge point, and the capacity of the pump shall not be less than fifteen (15) gpm (1.0 L/s).

The discharge piping for the sump pump shall include the following:

- (1) Be 1½" (one and one-half) inches in diameter;
- (2) Terminate within 5' (five feet) of the sump pit;
- (3) Extend a minimum of 12" (twelve inches) below the floor joists above;
- (4) Terminate at the exterior of the structure with a removable cap.

15.10.220 Section 1114.1.3 amended; Electrical.

Section 1114.1.3 of the Plumbing Code adopted at Section 15.10.010 above is amended to read as follows:

1114.1.3 Electrical. A 125-volt, 15-ampere, GFCI-protected, electrical receptacle outlet shall be installed within five (5) feet of the sump pit location. The branch circuit feeding this outlet shall be a dedicated circuit.

Chapter 15.18, International Fuel Gas Code, is hereby revoked, re-located and re-enacted as follows:

Chapter 15.12

International Fuel Gas Code

15.12.010 International Fuel Gas Code adopted.

The International Fuel Gas Code, 2012 Edition, is hereby adopted by reference for the City, except as amended in this Chapter, and is hereinafter referred to as the "Fuel Gas Code." The Fuel Gas Code is published by the International Code Council, Inc., 5360 Workman Mill Road, Whittier, CA 90601-2298. The Fuel Gas Code shall apply to the installation of fuel-gas piping systems, fuel-gas utilization equipment and related accessories.

15.12.020 Additions, deletions and amendments to Fuel Gas Code designated.

Sections 106.6.3, 108.4, 108.5, 109, 401.9, 401.10, 404.9, 404.12, 406.4.1, 406.4.2, and 621 of the Fuel Gas Code are hereby enacted as amended, added, or deleted to read as set out in Sections 15.12.060 through 15.12.110 of this Chapter.

15.12.030 Section 108.4 amended; Violation penalties.

Section 108.4 of the Fuel Gas Code adopted at Section 15.12.010 above is amended to read as follows:

108.4 Violation penalties. Any person 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 a ~~[SPECIFY OFFENSE], punishable by a fine of not more than [AMOUNT] dollars or by imprisonment not exceeding [NUMBER OF DAYS], or both such fine and imprisonment.~~ **code violation, punishable as per Chapter 1.17 of the Evans Municipal Code.** Each day that a violation continues after due notice has been served shall be deemed a separate offense.

15.12.040 Section 108.5 amended; Stop work orders.

Section 108.5 of the Fuel Gas Code adopted at Section 15.12.010 above is amended to read as follows:

108.5 Stop work orders. Upon notice from the code official, work on any mechanical system that is being done contrary to the provisions of this code or in a dangerous or unsafe manner shall immediately cease. Such notice shall be in writing and shall be given to the owner of the property, or to the owner's agent or to the person doing the work. The notice shall state the conditions under which work is authorized to resume. Where an emergency exists, the code official shall not be required to give a written notice prior to stopping the work. ~~Any person who shall continue any 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 of not less than [AMOUNT] dollars.~~

15.12.050 Section 109 amended; Means of appeal.

Section 109 of the Fuel Gas Code adopted at Section 15.12.010 above shall be as described in Sections 15.04.100 and 15.04.110 of this Title.

15.12.060 Section 401.9 deleted; Identification.

Section 401.9 of the Fuel Gas Code adopted at Section 15.12.010 above is deleted in its entirety.

15.12.070 Section 401.10 deleted; Third Party testing and certification.

Section 401.10 of the Fuel Gas Code adopted at Section 15.12.010 above is deleted in its entirety.

15.12.080 Section 404.9 amended; Aboveground outdoor piping.

Section 404.9 of the Fuel Gas Code adopted at Section 15.12.010 is amended to read as follows:

404.9 Aboveground outdoor piping. All piping installed out doors shall be elevated not less than 6 inches (152 mm) above ground and where installed across roof surfaces, shall be elevated not less than 6 inches (152 mm) above the roof surface. Piping installed above ground, outdoors, and installed across the surface of roofs shall be securely supported and located where it will be protected from physical damage. Where passing through an outside wall, the piping shall also be protected against corrosion by coating or wrapping with an inert material. Where piping is encased in a protective pipe sleeve, the annular space between the piping and the sleeve shall be sealed.

15.12.090 Section 404.12 amended; Minimum burial depth.

Section 404.12 of the Fuel Gas Code adopted at Section 15.12.010 above is amended to read as follows:

404.12 Minimum burial depth. Metallic underground piping systems shall be installed a minimum depth of 18 inches (458 mm) below grade and plastic piping systems shall be 24 inches (710 mm), except as provided for in Section 404.9.1.

15.12.100 Section 406.4.1 amended; Test pressure.

Section 406.4.1 of the Fuel Gas Code adopted at Section 15.12.010 above is amended to read as follows:

406.4.1 Test pressure. The test pressure to be used shall be no less than 1½ times the proposed maximum working pressure, but not less than 10 psig (20 kPa gauge) for a minimum of 15 minutes, irrespective of design pressure. For medium pressure gas and welded gas lines, the minimum test pressure shall be 60 psig for a minimum of 30 minutes. Where the test pressure exceeds 125 psig (862 kPa gauge), the test pressure shall not exceed a value that produces a hoop stress in the piping greater than 50 percent of the specified minimum yield strength of the pipe.

15.12.110 Section 406.4.2 deleted; test duration.

Section 406.4.2 of the Fuel Gas Code adopted at Section 15.12.010 above is deleted in its entirety.

15.12.120 Section 621 deleted; unvented room heaters.

Section 621 of the Fuel Gas Code adopted at Section 15.12.010 above shall be deleted in its entirety.

Chapter 15.24, International Property Maintenance Code, is hereby revoked, re-located and re-enacted as follows:

Chapter 15.14
International Property Maintenance Code

15.14.010 International Property Maintenance Code adopted.

The International Property Maintenance Code, 2012 Edition, is hereby adopted by reference for the City, except as amended in this Chapter, and is hereinafter referred to as the "Property Maintenance Code." The Property Maintenance Code is published by the International Code Council, Inc., 5360 Workman Mill Road, Whittier, CA 90601-2298. The Property Maintenance Code shall apply to all existing residential and nonresidential structures and all existing premises and constitute minimum requirements and standards for premises, structures, equipment and facilities for light, ventilation, space, heating, sanitation, protection from the elements, life safety, safety from fire and other hazards, and for safe and sanitary maintenance; the responsibility of owners, operators and occupants; the occupancy of existing structures and premises, and for administration, enforcement and penalties.

15.14.020 Additions, deletions and amendments to Property Maintenance Code designated.

Sections 106.4, 107.3, 108.1, 111.2, 202, 302.4, 302.8, 304.7, 304.14, 306.2, 308, 602.3 and 602.4 of the Property Maintenance Code are hereby enacted as amended, added or deleted to read as set out in Sections 15.14.030 through 15.14.150 of this Chapter.

15.14.012 Section 106.4 amended; Violation penalties.

Section 106.4 of the Property Maintenance Code adopted at Section 15.14.010 above is amended to read as follows:

106.4 Violation penalties. Any person 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 a ~~{SPECIFY OFFENSE}, punishable by a fine of not more than [AMOUNT] dollars or by imprisonment not exceeding [NUMBER OF DAYS], or both such fine and imprisonment.~~ **code violation, punishable as per Chapter 1.17 of the Evans Municipal Code.** Each day that a violation continues after due notice has been served shall be deemed a separate offense.

15.14.040 Section 107.3 amended; Method of service.

Section 107.3 of the Property Maintenance Code adopted at Section 15.14.010 above is amended to read as follows:

107.3 Method of service. Such notice shall be deemed to be properly served if a copy thereof is:

1. Delivered personally; or
2. Sent by certified or first-class mail addressed to the last known address and a copy thereof shall be posted in a conspicuous place in or about the structure affected by such notice; or
3. If the notice is returned showing that the letter was not delivered, a copy thereof shall be posted in a conspicuous place in or about the structure affected by such notice.

15.14.050 Section 108.1.1 amended; Unsafe structures.

Section 108.1.1 of the Property Maintenance Code adopted at Section 15.10.010 above is amended to read as follows:

108.1.1.1 Preliminary assessment. Following written notice and posting of the property declared as 'Condemned' in accordance with Section 108.1 of the Property Maintenance Code, and as a result of suspected contamination as a result of the discovery of chemicals, equipment or supplies indicative of an Illegal Drug Laboratory or when such a laboratory used to manufacture methamphetamine is otherwise discovered by and reported to the City by a law enforcement official, the property owner has 21 calendar days in which to have a Preliminary Assessment of the property conducted by an Industrial Hygienist ("consultant"). If the results of the Preliminary Assessment exceed the limits set forth in 6 CCR 1014-3, a written plan must be provided by an approved remediation company of the planned actions to decontaminate the subject property.

108.1.1.2 Time to commence remediation or demolition. Based upon the findings of the consultant, and the review and approval of the decontamination plan by the Building Official, the property owner has 30 calendar days from the date of the Building Official's approval to commence remediation or demolition of the structure.

108.1.1.3 Permits required – time to complete remediation and/or demolition. The property owner shall obtain all necessary permits for the decontamination, remediation and/or demolition of the structure, which work shall in any event not be completed any later than 120 calendar days from the date of the initial posting and condemnation of the property by the Building Official.

108.1.1.4 Appeals. Appeals by persons directed by the Building Official to take actions as described in this section are entitled to a hearing and review as described in Sections 15.04.100 and 15.04.110 of the Evans Municipal Code.

Any violation of this Section shall be punishable as provided in Chapter 1.17 of this Code.

15.14.060 Section 111.2 amended; Membership of board.

Section 111.2 of the Property Maintenance Code adopted at Section 15.14.010 above shall be as described in Sections 15.04.100 and 15.04.110 of this Title.

15.14.070 Section 202 amended; General definitions.

Section 202 of the Property Maintenance Code adopted at Section 15.14.010 above is amended to read as follows:

BUILDING OFFICIAL. The officer or other designated authority charged with the administration and enforcement of this code. Any reference to the *code official* throughout this code shall be deemed to have the same meaning as building official.

HABITABLE SPACE. Space in a structure with permanent walls for living, sleeping, eating or cooking. Bathrooms, toilet rooms, closets, halls, storage, unfinished basements, or utility spaces, and similar areas are not considered habitable spaces.

ILLEGAL DRUG LABORATORY. Areas where controlled substances, as defined by Section 18-18-102, C.R.S., have been manufactured, processed, cooked, disposed of, used or stored and all proximate areas that are likely to be contaminated as a result of such manufacturing, processing, cooking, disposal, use or storing.

15.14.080 Section 302.4 deleted; Weeds.

Section 302.4 of the Property Maintenance Code adopted at Section 15.14.010 above is deleted in its entirety.

15.14.090 Section 302.8 deleted; Motor vehicles.

Section 302.8 of the Property Maintenance Code adopted at Section 15.14.010 above is deleted in its entirety.

15.14.100 Section 304.7 amended; Roofs and drainage.

Section 304.7 of the Property Maintenance Code adopted at Section 15.14.010 above is amended to read as follows:

Section 304.7 Roofs and drainage. The roof and flashing shall be sound, tight and not have defects that could admit rain. Roof drainage shall be adequate to prevent the possibility of dampness or deterioration in the walls or interior portion of the structure. Roof drains, gutters and downspouts shall be maintained in good repair and free from obstructions. Roofwater shall not be discharged in a manner that creates a public nuisance.

15.14.110 Section 304.14 amended; Insect screens.

Section 304.14 of the Property Maintenance Code adopted at Section 15.14.010 above is amended to read as follows:

304.14 Insect screens. Every door, window and other outside opening required for ventilation of habitable rooms, food preparation areas, food service areas or any areas where products to be included or utilized in food for human consumption are processed, manufactured, packaged or stored, shall be supplied with approved tightly fitting screens of not less than 16 mesh per inch (16 mesh per 25 mm) and every swinging screened door shall have a self-closing device in good working condition.

Exception: Screens shall not be required where other approved means, such as air curtains or insect repellent fans, are employed.

15.14.120 Section 306.2 added; Demolition.

Section 306.2 of the Property Maintenance Code adopted at Section 15.14.010 above is added to read as follows:

306.2 Demolition. All structures completely or partially demolished within the City of Evans shall comply with the requirements of this section.

306.2.1 Approvals. A permit is required for all demolition. Permits shall not be issued until approval and any supporting documents are obtained from the following, as required by the building official.

- (1) Building Inspection Division.
- (2) Planning Division.
- (3) The Colorado Historical Preservation Division.
- (4) The Colorado Department of Public Health and Education.

306.2.2 Demolition. All building and accessory building components including the foundation walls, footings and concrete floors, walks and driveways shall be completely removed, unless

previously approved by the *building official* to be incorporated into a future structure. All demolition material shall be removed from the site including wiring, plumbing, lumber, concrete, waste or other material. Material shall be disposed in an approved manner and location. During demolition, fugitive dust shall be controlled through the use of water to reduce the impact on adjacent properties.

306.2.3 Water service line. Water service lines shall be removed and terminated at the water meter pit shutoff valve or other location approved by the *building official*.

306.2.4 Sewer service line. Sewer service lines shall be removed and terminated within 5' of the property line or other location approved by the *building official*. Termination shall be by listed cap or concrete encasement.

306.2.5 Other utilities. All other utilities shall be removed and terminated within 5' of the property line, other location approved by the *building official*, or as determined by the utility.

306.2.6 Site grading. Clean backfill material with aggregate no larger than 2" shall be used to backfill the entire site to grade. Backfill shall occur in lifts not exceeding 12", with compaction of each successive lift. The site shall be final graded so that water ponding will not occur and will have adequate drainage. Grading elevations shall conform to existing adjacent grades on all sides of the lot. The site shall be left in a clean and safe condition.

306.2.7 Inspections. The demolition site shall remain accessible and exposed for inspection purposes until *approved*. Neither the *building official* nor the jurisdiction shall be liable for expense entailed in the removal or replacement of any material required to allow inspection.

306.2.7.1 Preliminary inspection. Before issuing a *permit*, the *building official* is authorized to examine or cause to be examined buildings, structures and sites for which an application has been filed.

306.2.7.2 Required inspections. The *building official*, upon notification, shall make the inspections set forth in Sections 306.2.7.2(1) through 306.2.7.2(4):

1) Clean excavation. A clean excavation inspection shall be made after all concrete, construction and all other materials are removed from the excavation prior to backfill.

2) Water service. A water service inspection shall be performed after the service line is removed and terminated in the meter pit.

3) Sewer service. A sewer service inspection shall be performed after the service line has been removed or destroyed in place, the cap or concrete is in place, prior to backfilling the termination location.

4) Final inspection. A final inspection shall be made when all backfilling is complete, the final grade established and all debris has been removed from the site.

306.2.8 Safety requirements. If demolition occurs in areas where pedestrians may be present, suitable barriers and other protective measures must be provided and approved by the *building official*. In the event the demolition will interfere with traffic flow on a street or public way, signs and traffic controls must be provided and approved by the City of Evans's Public Works Department.

15.14.130 Section 308 deleted; Rubbish and garbage.

Section 307 of the Property Maintenance Code adopted at Section 15.14.010 above is deleted in its entirety.

15.14.140 Section 602.3 amended; heat supply.

Section 602.3 of the Property Maintenance Code adopted at Section 15.14.010 above is amended to read as follows:

602.3 Heat supply. Every owner and operator of any building who rents, leases or lets one (1) or more dwelling unit, rooming unit, dormitory or guestroom on terms, either expressed or implied, to furnish heat to the occupants thereof shall supply heat to maintain a temperature of not less than 68°F (20°C) in all habitable rooms, bathrooms and toilet rooms.

Exceptions:

1. When the outdoor temperature is below the winter outdoor design temperature for the City, maintenance of the minimum room temperature shall not be required, provided that the heating system is operating at its full design capacity. The winter outdoor design temperature for the locality shall be as indicated in Appendix D of the *International Plumbing Code*.

15.14.150 Section 602.4 amended; occupiable work spaces.

Section 602.4 of the Property Maintenance Code adopted at Section 15.14.010 above is amended to read as follows:

602.4 Occupiable work spaces. Indoor occupiable work spaces shall be supplied with heat to maintain a temperature of not less than 65°F (18°C) during the period the spaces are occupied.

Exceptions:

1. Processing, storage and operation areas that require cooling or special temperature conditions.
2. Areas in which persons are primarily engaged in vigorous physical activities.

Chapter 15.16, International Existing Building Code, is hereby enacted as follows:

Chapter 15.16

Existing Building Code

15.16.010 International Existing Building Code adopted.

The International Existing Building Code, 2012 Edition, is hereby adopted by reference for the City, except as amended in this Chapter, and is hereinafter referred to as the "Existing Building Code." The Existing Building Code is published by the International Code Council, Inc., 5360 Workman Mill Road, Whittier, CA 90601-2298. The Existing Building Code provides the standards for the alteration, repair, addition, moving, change of occupancy and relocation of existing buildings.

15.16.020 Additions, deletions and amendments to Existing Building Code designated.

Sections 108.4, 113.4 and 1401.2 of the Existing Building Code are hereby enacted as amended, added or deleted to read as set out in Sections 15.16.040 through 15.16.070 below.

15.16.040 Section 108.4 amended; Work commencing before permit issuance.

Section 108.4 of the Existing Building Code adopted at Section 15.16.010 above is amended to read as follows:

108.4 Work commencing before permit issuance. Any person who commences work on a building or structure governed by this code before obtaining the necessary permits shall be subject to 200 percent of the usual permit fee.

15.16.060 Section 113.4 amended; Violation penalties.

113.4 Violation penalties. Any person 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 a ~~{SPECIFY OFFENSE}, punishable by a fine of not more than [AMOUNT] dollars or by imprisonment not exceeding [NUMBER OF DAYS], or both such fine and imprisonment.~~ **code violation, punishable as per Chapter 1.17 of the Evans Municipal Code.** Each day that a violation continues after due notice has been served shall be deemed a separate offense.

15.16.070 Section 1401.2 amended; applicability.

Section 1401.2 of the Existing Building Code adopted at Section 15.16.010 above is amended to read as follows:

1401.2 Applicability. Structures existing at the time of adoption of this code in which there is work involving additions, alterations or changes of occupancy shall be made to conform to the requirements of this chapter or the provisions of Chapters 4 through 10. The provisions of Sections 1301.2.1 through 1301.2.5 shall apply to existing occupancies that will continue to be, or are proposed to be, in Groups A, B, E, F, M, R and S. These provisions shall not apply to buildings with occupancies in Group H or Group I.

Chapter 15.10, Guidelines for Manufactured Housing Installation is hereby re-located and re-enacted as follows:

15.18.010 Guidelines for Manufactured Housing Installation.

Chapter 15.28, Uniform Code for the Abatement of Dangerous Buildings, is hereby re-located and re-enacted as follows:

15.20.010 Uniform Code for the Abatement of Dangerous Buildings

Chapter 15.36, Colorado Model Energy Efficiency Construction and Renovation Code, is hereby re-located and re-enacted as follows:

15.22.010 Colorado Model Energy Efficiency Construction and Renovation Standards

Chapter 15.50, Fire Rescue Impact Fees, is hereby re-located and re-enacted as follows:

15.24.010 Fire Rescue Impact Fees

Chapter 15.52, Park Development Impact Fees, is hereby re-located and re-enacted as follows:

15.26.010 Park Development Impact Fees

Chapter 15.56, Pools and Enclosures, is hereby re-located and re-enacted as follows:

15.28.010 Pools and Enclosures

Chapter 15.58, Site Distance, is hereby re-located and re-enacted as follows:

15.30.010 Site Distance

Chapter 15.48, International Fire Code, is hereby revoked:

~~**15.18.010 International Fire Code**~~

To be adopted by the Evans Fire Protection District with a reference by the City of Evans to its adoption.



Evans Fire Protection District

EST. 2011

Adoption of the 2012 International Fire Code by the Evans Fire Protection District

In 2011 the voters of the City of Evans established the Evans Fire Protection District to provide all fire and emergency services to the residents and businesses in Evans. This new district was organized in accordance with Article 32 of the Colorado Revised Statutes and operates the same as any other fire protection district within the state. However, unlike many other fire districts the Evans Fire Protection District is fully contained within the municipal boundaries of the City of Evans. Under the Service Plan adopted by the Evans City Council the fire code adopted in the past by the City will be adopted and enforced by the District. In keeping with the service plan the District will coordinate the adoption and enforcement of the fire code with the adoption and enforcement of the other model codes used in the City. In this regard the District will adopt the 2012 edition of the International Fire Code within the same process and time frames of the City adopting the 2012 editions of the International Building Code, International Residential Code and other model codes adopted by the City.

Fire Code changes between the 2006 IFC and 2012 IFC

There are two substantive additions to the 2012 IFC over the 2006 IFC. The first is new requirements for the installation of solar photovoltaic power systems. These requirements ensure that proper marking is provided; solar panels are placed so that they don't obstruct access for firefighting, adequate access space is provided around solar panels and solar panels don't obstruct built-in smoke removal equipment.

The second new requirement is for special equipment to provide emergency responder radio coverage in buildings that due to size or construction type impair interior public safety radio operation. This includes not only fire radios but police and ambulance radios. This equipment is already commonly provided in large new buildings. Recent examples are the new Anadarko building and the new Union Colony School.

Local amendments

The Fire District will not seek new local amendments that are not already adopted in the current fire code in the City. However, up until the adoption of the 2006 edition in 2010 the City did have a local amendment prohibiting all fireworks within the city limits, including those that are legal under state law. In the 2006 edition the local amendment was discontinued. City Council members have indicated that they would like to consider reinstating this total fireworks prohibition.



Evans Fire Protection District

EST. 2011

Residential fire sprinklers

The 2012 editions of the International Building and Residential Codes require fire sprinklers be installed in all new residential buildings including single family dwellings. For a variety of reasons many local jurisdictions have delayed the implementation of these requirements or amended them out of the codes entirely. The Evans Fire District supports the increased use of fire sprinklers as an important method of risk and cost control. However, the District will support the City's position if the City pursues an option other than adoption of the residential sprinklers as they exist in the 2012 editions of the codes. In any case the District will work with the City in all aspects of implementing a wider use of residential sprinklers now or in the future.