

## CHAPTER 18

### Building Regulations

- Article I Residential Code**  
Sec. 18-1 International Residential Code adopted  
Sec. 18-2 Application of regulations  
Sec. 18-3 Amendments
- Article II Building Code**  
Sec. 18-11 International Building Code adopted  
Sec. 18-12 Application of regulations  
Sec. 18-13 Amendments
- Article III Mechanical Code**  
Sec. 18-21 International Mechanical Code adopted  
Sec. 18-22 Application of regulations  
Sec. 18-23 Amendments
- Article IV Plumbing Code**  
Sec. 18-31 International Plumbing Code adopted  
Sec. 18-32 Application of regulations  
Sec. 18-33 Amendments
- Article V Energy Conservation Code**  
Sec. 18-41 International Energy Conservation Code adopted  
Sec. 18-42 Application of regulations  
Sec. 18-43 Amendments
- Article VI Fuel Gas Code**  
Sec. 18-51 International Fuel Gas Code adopted  
Sec. 18-52 Application of regulations  
Sec. 18-53 Amendments
- Article VII Fire Code**  
Sec. 18-61 International Fire Code adopted  
Sec. 18-62 Application of regulations  
Sec. 18-63 Amendments
- Article VIII Dangerous Buildings Code**  
Sec. 18-71 Uniform Code for the Abatement of Dangerous Buildings adopted  
Sec. 18-72 Application of regulations  
Sec. 18-73 Amendments
- Article IX Electrical Code**  
Sec. 18-81 National Electrical Code adopted  
Sec. 18-82 Application of regulations  
Sec. 18-83 Amendments
- Article X Violation; Penalty**  
Sec. 18-91 Violation  
Sec. 18-92 Penalty
- Article XI Fees and Charges**  
Sec. 18-101 Fees and charges

## ARTICLE I

### Residential Code

#### Sec. 18-1. International Residential Code adopted.

Pursuant to Section 31-16-201, et seq., C.R.S., as amended, there is hereby adopted as the residential building code for the Town, by reference thereto, the *International Residential Code*, 2006 edition, published by the International Code Council, 4051 West Flossmoor Road, Country Club Hills, IL 60478-5795. (Ord. 2008-813 §1)

#### Sec. 18-2. Application of regulations.

Where, in any specific case, different sections of this Code, the zoning code or other ordinances of the Town specify different materials, methods of construction or other requirements, the most restrictive shall govern. (Ord. 2008-813 §1)

#### Sec. 18-3. Amendments.

The International Residential Code is amended as follows:

#### "Part I. Administrative Code Amendments.

#### "Chapter 1 – Administration.

"**R101.1 Title.** These provisions shall be known as the Residential Code for One- and Two-Family Dwellings of the Town of Johnstown, and shall be cited as such and will be referred to herein as 'this code.'

"**R104.10.1 Areas prone to flooding.** The building official shall not grant modifications to any provision related to areas prone to flooding as established by Table R301.2(1) without the granting of a variance to such provisions by the Town Floodplain Administrator.

"**R105.1.1** No person shall excavate for a foundation for a building or structure without first having obtained a permit from the building official.

#### "R105.2 Work exempt from permit.

"7. Prefabricated swimming pools, hot tubs or spas that are less than 24 inches (610 mm) deep.

"**R105.5 Expiration.** Building permits shall expire as established in Johnstown Municipal Code Section 16-45:

"Sec. 16-45. Expiration of building permit.

"(a) If the work described in any building permit has not begun within ninety (90) days from the date of issuance thereof, the permit shall expire; it shall be cancelled by the administrative official; and written notice thereof shall be given to the persons affected.

"(b) If the work described in any building permit has not been substantially completed within two (2) years of the date of issuance thereof, the permit shall expire and be cancelled by the administrative official, and written notice thereof shall be given to the persons affected, together with notice that further work as described in the cancelled permit shall not proceed unless and until a new building permit has been obtained.

**"R106.1.3 Information for construction in flood hazard areas.**

"4. If design flood elevations are not included on the community's Flood Insurance Rate Map (FIRM), the Town Floodplain Administrator and the applicant shall obtain and reasonably utilize any design flood elevation and floodway data available from other sources.

**"R108.2 Schedule of permit fees.** On buildings, structures, electrical, gas, mechanical and plumbing systems or alterations requiring a permit, a fee for each permit shall be paid as required, in accordance with the schedule as established by Article XI Fees and Charges.

**"R108.3 Building permit valuations.** Building permit valuation shall include total value of the work for which a permit is being issued, such as electrical, gas, mechanical and plumbing equipment, and other permanent systems, including materials and labor. The building official shall set final building permit valuation based on the latest valuation schedule published in *Building Safety* magazine by the International Code Council or other accepted schedule.

**"R108.5 Refunds.** The building official is authorized to establish a refund policy.

"The building official may authorize refunding of any fee paid which was erroneously paid or collected.

"The building official may authorize refunding of not more than 80 percent of the permit fee paid when no work has been done under a permit issued in accordance with this code.

"The building official may authorize refunding of not more than 80 percent of the plan review fee paid when an application for a permit for which a plan review fee has been paid is withdrawn or canceled before any plan reviewing is done.

"The building official shall not authorize the refunding of any fee paid except upon written application filed by the original permittee not later than 180 days after the date of the fee payment.

**"R108.6 Work commencing before permit issuance.** Any person who commences any work on a building, structure, gas, mechanical, electrical or plumbing system before obtaining the necessary permits shall be subject to an additional fee equal to the permit fee.

**"R108.7 Re-inspections.** A re-inspection fee may be assessed when: inspections are requested before the work is ready, the permit and/or approved plans are not available, and/or if the job is not accessible for the inspector. This fee must be paid before further inspections will be conducted."

Delete Section R112 in its entirety and replace with the following:

**"Section R112 Board of Appeals.**

**"R112.1 General.** In order to hear and decide appeals of orders, decisions or determinations made by the building official relative to the application and interpretation of this code, there shall be and is hereby created a board of appeals. The board of appeals shall be appointed by the governing body and shall hold office at its pleasure. The board shall adopt rules of procedure for conducting its business.

**"R112.2 Limitations on authority.** An application for appeal shall be based on a claim that the true intent of this code or the rules legally adopted thereunder have been incorrectly interpreted, the provisions of this code do not fully apply or an adequate or superior alternative form of construction is proposed. The board shall have no authority to waive requirements of this code.

**"R112.3 Members of the board of appeals.** The board of appeals shall be comprised of the members of the Board of Adjustments.

**"R113.4 Violation penalties.** Any person who violates a provision of this code or fails to comply with any of the requirements thereof or who erects, constructs, alters or repairs a building or structure in violation of the approved construction documents or directive of the building official, or of a permit or certificate issued under the provisions of this code, shall be subject to penalties as prescribed in Article X, Section 18-92."

**"Part III. Building Planning and Construction Amendments.**

**"Chapter 3 – Building Planning.**

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

"Ground Snow Load	Wind Speed <sup>d</sup> (mph)	Seismic Design Category <sup>f</sup>	Subject to Damage From			Winter Design Temp <sup>e</sup>	Ice Barrier Underlayment Required <sup>h</sup>	Flood Hazards <sup>g</sup>	Air Freezing Index <sup>i</sup>	Mean Annual Temp <sup>j</sup>
			Weathering <sup>a</sup>	Frost line depth <sup>b</sup>	Termite <sup>c</sup>					
30	90 C	B	Severe	30"	Slight to Moderate	1	No	2003	1000	45.

<sup>d</sup> The jurisdiction shall fill in this part of the table with the wind speed from the Colorado Front Range Gust Study. Wind exposure category shall be determined on a site-specific basis in accordance with Section R301.2.1.4."

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**"R312.1.1 Area wells.** All area wells, stair wells and light wells attached to any building, when such wells are located less 36 inches (914 mm) from the nearest intended walking surface and deeper than 30 inches below the surrounding ground level, creating an opening with a horizontal dimension greater than 24 inches (610 mm) measured perpendicular from the building, with the side walls of such well having a slope steeper than 2 horizontal to 1 vertical, shall be protected with guards conforming to this section around the entire opening, or be provided with an equivalent barrier.

**"Exceptions:**

"1. The access side of stairways need not be barricaded.

"2. Area wells provided for emergency escape and rescue windows may be protected with approved grates or covers that comply with Section 310.4 of this code.

**"R312.2 Guard opening limitations.** Required guards on open sides of stairways, raised floor areas, balconies, porches and area wells protected as specified in R312.1.1 shall have intermediate rails or ornamental closures that do not allow passage of a sphere 4 inches (102 mm) in diameter.

**"R401.1.1** Footings and foundations shall be designed by a Colorado licensed architect or engineer. The engineered footing and foundation design shall be based on a soils analysis for the specific location where the foundation is to be installed.

**"Exception:** Detached accessory buildings may have a foundation system approved by the building official."

**"Part VI. Fuel Gas Code Amendments.**

**"Chapter 24 – Fuel Gas.**

**"G2417.4.1 (406.4.1) 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 10 psig, irrespective of design pressure. 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."

**"Part VII. Plumbing Code Amendments.**

**"Chapter 25 – Plumbing Administration.**

**"P2603.6.1 Sewer depth.** Building sewers that connect to private sewage disposal systems shall be a minimum of 12 inches below finished grade at the point of septic tank connection. Building sewers shall be a minimum of 12 inches below grade."

(Ord. 2008-813 §1)

**Secs. 18-4—18-10. Reserved.**

**ARTICLE II**

**Building Code**

**Sec. 18-11. International Building Code adopted.**

Pursuant to Section 31-16-201, et seq., C.R.S., as amended, there is hereby adopted as the building code for the Town, by reference thereto, the *International Building Code*, 2006 edition, published by the International Code Council, 4051 West Flossmoor Road, Country Club Hills, IL 60478-5795. (Ord. 2008-813 §1)

**Sec. 18-12. Application of regulations.**

Where, in any specific case, different sections of this Code, the zoning code or other ordinances of the Town specify different materials, methods of construction or other requirements, the most restrictive shall govern. (Ord. 2008-813 §1)

**Sec. 18-13. Amendments.**

The International Building Code is amended as follows:

**"Part I. Administrative Code Amendments.**

**"101.1 Title.** These regulations shall be known as the Building Code of the Town of Johnstown, hereinafter referred to as 'this code.'

**"R105.1.3** No person shall excavate for a foundation for a building or structure without first having obtained a permit from the building official.

**"105.5 Expiration.** Building permits shall expire as established in Johnstown Municipal Code Section 16-45:

"Sec. 16-45. Expiration of building permit.

"(a) If the work described in any building permit has not begun within ninety (90) days from the date of issuance thereof, the permit shall expire; it shall be cancelled by the administrative official; and written notice thereof shall be given to the persons affected.

"(b) If the work described in any building permit has not been substantially completed within two (2) years of the date of issuance thereof, the permit shall expire and be cancelled by the administrative official, and written notice thereof shall be given to the persons affected, together with notice that further work as described in the cancelled permit shall not proceed unless and until a new building permit has been obtained.

**"108.2 Schedule of permit fees.** On buildings, structures, electrical, gas, mechanical and plumbing systems or alterations requiring a permit, a fee for each permit shall be paid as required, in accordance with the schedule as established by Article XI, Fees and Charges.

**"108.6 Refunds.** The building official may authorize refunding of any fee paid which was erroneously paid or collected.

"The building official may authorize refunding of not more than 80 percent of the permit fee paid when no work has been done under a permit issued in accordance with this code.

"The building official may authorize refunding of not more than 80 percent of the plan review fee paid when an application for a permit for which a plan review fee has been paid is withdrawn or canceled before any plan reviewing is done.

"The building official shall not authorize the refunding of any fee paid except upon written application filed by the original permittee not later than 180 days after the date of the fee payment.

**"108.7 Re-inspections.** A re-inspection fee may be assessed when: inspections are requested before the work is ready, the permit and/or approved plans are not available, and/or if the job is not accessible for the inspector. This fee must be paid before further inspections will be conducted.

**"112.2 Limitations on authority.** An application for appeal shall be based on a claim that the true intent of this code or the rules legally adopted thereunder have been incorrectly interpreted, the provisions of this code do not fully apply or an adequate or superior alternative form of construction is proposed. The board shall have no authority to waive requirements of this code.

**"112.3 Members of the board of appeals.** The board of appeals shall be comprised of the members of the Board of Adjustments.

**"113.4 Violation penalties.** Any person who violates a provision of this code or fails to comply with any of the requirements thereof or who erects, constructs, alters or repairs a building or structure in violation of the approved construction documents or directive of the building official, or of a permit or certificate issued under the provisions of this code, shall be subject to penalties as prescribed in Article X, Section 18-92.

**"1013.1.1 Area wells.** All area wells, stair wells and light wells attached to any building, when such wells are located less 36 inches (914 mm) from the nearest intended walking surface and deeper than 30 inches below the surrounding ground level, creating an opening with a horizontal dimension greater than 24 inches (610 mm) measured perpendicular from the building, with the side walls of such well having a slope steeper than 2 horizontal to 1 vertical, shall be protected with guards conforming to this section around the entire opening, or be provided with an equivalent barrier.

**"Exceptions:**

"1. The access side of stairways need not be barricaded.

"2. Area wells provided for emergency escape and rescue windows may be protected with approved grates or covers that comply with Section 1025.4 of this code.

**"1612.3 Establishment of flood hazard areas.** To establish flood hazard areas, the governing body shall adopt a flood hazard map and supporting data. The flood hazard map shall include, at a minimum, areas of special flood hazard as identified by the Federal Emergency Management Agency in an engineering report entitled "The Flood Insurance Study for the Town of Johnstown," dated August 22, 2003, as amended or revised with the accompanying Flood Insurance Rate Map (FIRM) and Flood Boundary and Floodway Map (FBFM) and related supporting data along with any revisions thereto. The adopted flood hazard map and supporting data are hereby adopted by reference and declared to be part of this section.

**"3410.2 Applicability.** Structures existing prior to the 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 section or the provisions of Sections 3403 through 3407. The provisions in Sections 3410.2.1 through 3410.2.5 shall apply to existing occupancies that will continue to be, or

are proposed to be, in Groups A, B, E, F, M, R, S and U. These provisions shall not apply to buildings with occupancies in Group H or I."

(Ord. 2008-813 §1)

**Secs. 18-14—18-20. Reserved.**

### **ARTICLE III**

#### **Mechanical Code**

**Sec. 18-21. International Mechanical Code adopted.**

Pursuant to Section 31-16-201, et seq., C.R.S., as amended, there is hereby adopted as the mechanical code for the Town, by reference thereto, the *International Mechanical Code*, 2006 edition, published by the International Code Council, 4051 West Flossmoor Road, Country Club Hills, IL 60478-5795. (Ord. 2008-813 §1)

**Sec. 18-22. Application of regulations.**

Where, in any specific case, different sections of this Code, the zoning code or other ordinances of the Town specify different materials, methods of construction or other requirements, the most restrictive shall govern. (Ord. 2008-813 §1)

**Sec. 18-23. Amendments.**

The International Mechanical Code is amended as follows:

**"101.1 Title.** These regulations shall be known as the Mechanical Code of the Town of Johnstown, hereinafter referred to as 'this code.'

**"106.4.3 Expiration.** Permits shall expire as established in Johnstown Municipal Code Section 16-45:

"Sec. 16-45. Expiration of building permit.

"(a) If the work described in any building permit has not begun within ninety (90) days from the date of issuance thereof, the permit shall expire; it shall be cancelled by the administrative official; and written notice thereof shall be given to the persons affected.

"(b) If the work described in any building permit has not been substantially completed within two (2) years of the date of issuance thereof, the permit shall expire and be cancelled by the administrative official, and written notice thereof shall be given to the persons affected, together with notice that further work as described in the cancelled permit shall not proceed unless and until a new building permit has been obtained.

**"106.5.2 Fee schedule.** A fee for each permit shall be paid as required, in accordance with the schedule as established by Article XI, Fees and Charges.

**"106.5.3 Fee refunds.** The building official may authorize refunding of any fee paid which was erroneously paid or collected.

"The building official may authorize refunding of not more than 80 percent of the permit fee paid when no work has been done under a permit issued in accordance with this code.

"The building official may authorize refunding of not more than 80 percent of the plan review fee paid when an application for a permit for which a plan review fee has been paid is withdrawn or canceled before any plan reviewing is done.

"The building official shall not authorize the refunding of any fee paid except upon written application filed by the original permittee not later than 180 days after the date of the fee payment.

**"108.4 Violation penalties.** Persons who shall violate a provision of this code or shall fail to comply with any of the requirements thereof or who shall erect, install, alter or repair mechanical work in violation of the approved construction documents or directive of the code official, or of a permit or certificate issued under the provisions of this code, shall be subject to penalties as prescribed in Article X, Section 18-92.

**"108.5 Stop work orders.** Upon notice from the code official that work is being done contrary to the provisions of this code or in a dangerous or unsafe manner, such work shall immediately cease. Such notice shall be in writing and shall be given to the owner of the property, the owner's agent or 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 subject to penalties as prescribed in Article X, Section 18-92."

Delete Section 109 in its entirety and replace with the following:

**"Section 109 Means of Appeal.**

**"109.1 General.** In order to hear and decide appeals of orders, decisions or determinations made by the building official relative to the application and interpretation of this code, there shall be and is hereby created a board of appeals. The board of appeals shall be appointed by the governing body and shall hold office at its pleasure. The board shall adopt rules of procedure for conducting its business.

**"109.2 Limitations on authority.** An application for appeal shall be based on a claim that the true intent of this code or the rules legally adopted thereunder have been incorrectly interpreted, the provisions of this code do not fully apply or an adequate or superior alternative form of construction is proposed. The board shall have no authority to waive requirements of this code.

**"109.3 Members of the board of appeals.** The board of appeals shall be comprised of the members of the Board of Adjustments."

(Ord. 2008-813 §1)

**Secs. 18-24—18-30. Reserved.**

## ARTICLE IV

### Plumbing Code

**Sec. 18-31. International Plumbing Code adopted.**

Pursuant to Section 31-16-201, et seq., C.R.S., as amended, there is hereby adopted as the plumbing code of the Town, by reference thereto, the *International Plumbing Code*, 2006 edition, published by the International Code Council, 4051 West Flossmoor Road, Country Club Hills, IL, 60478-5795. (Ord. 2008-813 §1)

**Sec. 18-32. Application of regulations.**

Where, in any specific case, different sections of this Code, the zoning code or other ordinances of the Town specify different materials, methods of construction or other requirements, the most restrictive shall govern. (Ord. 2008-813 §1)

**Sec. 18-33. Amendments.**

The International Plumbing Code is amended as follows:

"**101.1 Title.** These regulations shall be known as the International Plumbing Code of the Town of Johnstown hereinafter referred to as 'this code.'

"**106.5.3 Expiration.** Permits shall expire as established in Johnstown Municipal Code Section 16-45:

"Sec. 16-45. Expiration of building permit.

"(a) If the work described in any building permit has not begun within ninety (90) days from the date of issuance thereof, the permit shall expire; it shall be cancelled by the administrative official; and written notice thereof shall be given to the persons affected.

"(b) If the work described in any building permit has not been substantially completed within two (2) years of the date of issuance thereof, the permit shall expire and be cancelled by the administrative official, and written notice thereof shall be given to the persons affected, together with notice that further work as described in the cancelled permit shall not proceed unless and until a new building permit has been obtained.

"**106.6.2 Fee schedule.** A fee for each permit shall be paid as required, in accordance with the schedule as established by Article XI, Fees and Charges.

"**106.6.3 Fee refunds.** The building official may authorize refunding of any fee paid which was erroneously paid or collected.

"The building official may authorize refunding of not more than 80 percent of the permit fee paid when no work has been done under a permit issued in accordance with this code.

"The building official may authorize refunding of not more than 80 percent of the plan review fee paid when an application for a permit for which a plan review fee has been paid is withdrawn or canceled before any plan reviewing is done.

"The building official shall not authorize the refunding of any fee paid except upon written application filed by the original permittee not later than 180 days after the date of the fee payment.

**"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 subject to penalties as prescribed in Article X, Section 18-92."

Delete Section 109 in its entirety and replace with the following:

**"Section 109 Means of Appeal.**

**"109.1 General.** In order to hear and decide appeals of orders, decisions or determinations made by the building official relative to the application and interpretation of this code, there shall be and is hereby created a board of appeals. The board of appeals shall be appointed by the governing body and shall hold office at its pleasure. The board shall adopt rules of procedure for conducting its business.

**"109.2 Limitations on authority.** An application for appeal shall be based on a claim that the true intent of this code or the rules legally adopted thereunder have been incorrectly interpreted, the provisions of this code do not fully apply or an adequate or superior alternative form of construction is proposed. The board shall have no authority to waive requirements of this code.

**"109.3 Members of the board of appeals.** The board of appeals shall be comprised of the members of the Board of Adjustments.

**"305.6.1 Sewer depth.** Building sewers that connect to private sewage disposal systems shall be a minimum of 12 inches below finished grade at the point of septic tank connection. Building sewers shall be a minimum of 12 inches below grade.

**"904.1 Roof extension.** All open vent pipes that extend through a roof shall be terminated at least 6 inches above the roof, except that where a roof is to be used for any purpose other than weather protection, the vent extensions shall be run at least 7 feet (2134 mm) above the roof."

(Ord. 2008-813 §1)

**Secs. 18-34—18-40. Reserved.**

## ARTICLE V

### Energy Conservation Code

#### **Sec. 18-41. International Energy Conservation Code adopted.**

Pursuant to Section 31-16-201, et seq., C.R.S., as amended, there is hereby adopted as the energy code of the Town, by reference thereto, the *International Energy Conservation Code*, 2006 edition, published by the International Code Council, 4051 West Flossmoor Road, Country Club Hills, IL 60478-5795. (Ord. 2008-813 §1)

#### **Sec. 18-42. Application of regulations.**

Where, in any specific case, different sections of this Code, the zoning code or other ordinances of the Town specify different materials, methods of construction or other requirements, the most restrictive shall govern. (Ord. 2008-813 §1)

#### **Sec. 18-43. Amendments.**

The International Energy Conservation Code is amended as follows:

**"101.1 Title.** These regulations shall be known as the Energy Conservation Code of the Town of Johnstown, hereinafter referred to as 'this code.'

#### **"Section 108 Permits, Fees and Violations.**

**"108.1 Permits, when required.** Residential buildings shall meet the permit requirements of International Residential Code Section R105. Commercial buildings shall meet the requirements of International Building Code Section 105.

**"108.2 Fees.** A permit shall not be issued until the fees prescribed in Section 108.2.1 have been paid.

**"108.2.1 Fee schedule.** A fee for each permit shall be paid as required, in accordance with the schedule as established by Article XI, Fees and Charges.

**"108.2.2 Fee refunds.** The building official may authorize refunding of any fee paid which was erroneously paid or collected.

"The building official may authorize refunding of not more than 80 percent of the permit fee paid when no work has been done under a permit issued in accordance with this code.

"The building official may authorize refunding of not more than 80 percent of the plan review fee paid when an application for a permit for which a plan review fee has been paid is withdrawn or canceled before any plan reviewing is done.

"The building official shall not authorize the refunding of any fee paid except upon written application filed by the original permittee not later than 180 days after the date of the fee payment.

**"108.3 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 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 subject to penalties as prescribed in Article X, Section 18-92."

(Ord. 2008-813 §1)

**Secs. 18-44—18-50. Reserved.**

## ARTICLE VI

### Fuel Gas Code

**Sec. 18-51. International Fuel Gas Code adopted.**

Pursuant to Section 31-16-201, et seq., C.R.S., as amended, there is hereby adopted as the fuel gas code of the Town, by reference thereto, the *International Fuel Gas Code*, 2006 edition, published by the International Code Council, 4051 West Flossmoor Road, Country Club Hills, IL 60478-5795. (Ord. 2008-813 §1)

**Sec. 18-52. Application of regulations.**

Where, in any specific case, different sections of this Code, the zoning code or other ordinances of the Town specify different materials, methods of construction or other requirements, the most restrictive shall govern. (Ord. 2008-813 §1)

**Sec. 18-53. Amendments.**

The International Fuel Gas Code is amended as follows:

**"101.1 Title.** These regulations shall be known as the Fuel Gas Code of Town of Johnstown, hereinafter referred to as 'this code.'

**"106.4.3 Expiration.** Permits shall expire as established in Johnstown Municipal Code Section 16-45:

"Sec. 16-45. Expiration of building permit.

"(a) If the work described in any building permit has not begun within ninety (90) days from the date of issuance thereof, the permit shall expire; it shall be cancelled by the administrative official; and written notice thereof shall be given to the persons affected.

"(b) If the work described in any building permit has not been substantially completed within two (2) years of the date of issuance thereof, the permit shall expire and be cancelled by the administrative official, and written notice thereof shall be given to the persons affected, together with notice that further work as described in the cancelled permit shall not proceed unless and until a new building permit has been obtained.

**"106.5.2 Fee schedule.** A fee for each permit shall be paid as required, in accordance with the schedule as established by Article XI, Fees and Charges.

**"106.5.3 Fee refunds.** The building official may authorize refunding of any fee paid which was erroneously paid or collected.

"The building official may authorize refunding of not more than 80 percent of the permit fee paid when no work has been done under a permit issued in accordance with this code.

"The building official may authorize refunding of not more than 80 percent of the plan review fee paid when an application for a permit for which a plan review fee has been paid is withdrawn or canceled before any plan reviewing is done.

"The building official shall not authorize the refunding of any fee paid except upon written application filed by the original permittee not later than 180 days after the date of the fee payment.

**"108.4 Violation penalties.** Persons who shall violate a provision of this code, fail to comply with any of the requirements thereof or erect, install, alter or repair 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 subject to penalties as prescribed in Article X, Section 18-92.

**"108.5 Stop work orders.** Upon notice from the code official that work is being done contrary to the provisions of this code or in a dangerous or unsafe manner, such work shall immediately cease. Such notice shall be in writing and shall be given to the owner of the property, the owner's agent or 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 subject to penalties as prescribed in Article X, Section 18-92."

Delete Section 109 in its entirety and replace with the following:

**"Section 109 (IFGC) Means of Appeal.**

**"109.1 General.** In order to hear and decide appeals of orders, decisions or determinations made by the building official relative to the application and interpretation of this code, there shall be and is hereby created a board of appeals. The board of appeals shall be appointed by the governing body and shall hold office at its pleasure. The board shall adopt rules of procedure for conducting its business.

**"109.2 Limitations on authority.** An application for appeal shall be based on a claim that the true intent of this code or the rules legally adopted thereunder have been incorrectly interpreted, the provisions of this code do not fully apply or an adequate or superior alternative form of construction is proposed. The board shall have no authority to waive requirements of this code.

**"109.3 Members of the board of appeals.** The board of appeals shall be comprised of the members of the Board of Adjustments.

**"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, irrespective of design pressure. 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."

(Ord. 2008-813 §1)

**Secs. 18-54—18-60. Reserved.**

## ARTICLE VII

### Fire Code

**Sec. 18-61. International Fire Code adopted.**

Pursuant to Section 31-16-201, et seq., C.R.S., as amended, there is hereby adopted as the fire code of the Town, by reference thereto, the *International Fire Code*, published by the International Code Council, 4051 West Flossmoor Road, Country Club Hills, IL 60478-5795. (Ord. 2008-813 §1)

**Sec. 18-62. Application of regulations.**

Where, in any specific case, different sections of this Code, the zoning code or other ordinances of the Town specify different materials, methods of construction or other requirements, the most restrictive shall govern. (Ord. 2008-813 §1)

**Sec. 18-63. Amendments.**

(a) The International Fire Code is amended as follows:

**"101.1 Title.** These regulations shall be known as the Fire Code of the Town of Johnstown, hereinafter referred to as 'this code.'

**"105.1.1 Permits required.** Permits required by this code shall be obtained from the fire code official. Permit fees shall be paid prior to issuance of the permit. Issued permits shall be kept on the premises designated therein at all times and shall be readily available for inspection by the fire code official."

Delete Section 108 in its entirety and replace with the following:

**"Section 108 Board of Appeals.**

**"108.1 General.** In order to hear and decide appeals of orders, decisions or determinations made by the fire code official relative to the application and interpretation of this code, there shall be and is hereby created a board of appeals. The board of appeals shall be appointed by

the governing body and shall hold office at its pleasure. The board shall adopt rules of procedure for conducting its business.

**"108.3 Members of the board of appeals.** The board of appeals shall be comprised of the members of the Board of Adjustments.

**"109.3 Violation penalties.** Persons who shall violate a provision of this code or shall fail to comply with any of the requirements thereof or who shall erect, install, alter, repair or do work in violation of the approved construction documents or directive of the fire code official, or of a permit or certificate used under provisions of this code, shall be subject to penalties as prescribed in Article X, Section 18-92.

**"111.4 Failure to comply.** Any person who shall continue any work 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 subject to penalties as prescribed in Article X, Section 18-92."

A new Subsection 112 is hereby enacted to read as follows:

**"Section 112 Fees.**

**"112.1 General.** The fees for the permits, inspections, and services authorized by this code shall be assessed in accordance with the fee schedule established by resolution of the Johnstown Fire Protection District Board or the Loveland Rural Fire Protection District Board with approval of Town of Johnstown.

**"315.4 Storage under stairways.** Storage is prohibited under exit stairways.

**"Exception:** Storage is allowed under interior stairways when such stairways are not within exit enclosures and such spaces are protected on the enclosed side by one-hour fire resistive construction as specified in the Building Code.

**"503.2.5 Dead ends.** Dead-end fire apparatus access roads in excess of 150 feet in length shall be provided with an approved area for turning around fire apparatus. Dead-ends in excess of 1,000 feet are not allowed.

**"Exception:** Within the Town's boundary where fire apparatus access roads cannot be installed because of location on property, topography, waterways, nonnegotiable grades or other similar conditions the fire code official is authorized to increase the dead-end distance.

**"503.6 Controlled access gates.** The installation of a controlled access gate or barrier in the path of a fire apparatus access road shall be approved by the fire code official and be designed and installed in accordance with the criteria established by the fire code official and this section.

**"Exception:** Private driveways serving a single-family residence.

**"503.6.1 Permits.** Permits shall be required to install, modify or operate controlled access gates and barriers.

**"503.6.2 Maintenance.** All gates or barriers shall be maintained operable at all times and shall be inspected at least annually. The annual inspection and maintenance shall be the responsibility of the property owner, homeowners' association or the occupants of a gated community.

**"503.6.3 Inoperable gates and barriers.** Gates or barriers that are inoperable shall be locked open or removed at the owner's expense.

**"503.6.4 Unpermitted gates and barriers.** Gates or barriers that have been installed without a permit shall be chained open or removed at the owner's expense until a permit and final approval have been obtained from the fire department.

**"508.3 Fire flow.** Fire flow requirements for buildings or portions of buildings and facilities shall be determined in accordance with Appendix B.

**"508.5 Fire hydrant systems.** Fire hydrant systems shall comply with Sections 508.5.1 through 508.5.8.

**"508.5.7 Fire hydrant spacing.** Fire hydrants shall be spaced 600 feet apart for Group R-3 occupancies and 350 feet apart for all other occupancies.

**"508.5.8 Fire Department Connections.** A fire hydrant shall be located within 150 feet of a fire department connection.

## **"Section 512 Public Safety Radio Amplification Systems.**

**"512.1 General.** Public safety radio amplification systems for the enhancement of emergency services communications within buildings shall be designed, installed and maintained in accordance with this section.

**"512.2 Where required.** Where adequate radio coverage cannot be established within a building, as defined by the fire code official, public safety radio amplification systems shall be installed in the following locations:

"1. New buildings with a total building area greater than 50,000 square feet or building additions that cause the building to be greater than 50,000 square feet. For the purposes of this section, fire walls shall not be used to define separate buildings.

"2. All new basements over 10,000 square feet.

"3. Existing buildings meeting the criteria of Item #1 or #2 of this section undergoing alterations exceeding 50% of the aggregate area of the building.

**"Exception:** One- and two-family dwellings and townhouses.

**"512.3 Design and installation standard.** Public safety radio amplification systems shall be designed and installed in accordance with the criteria established by the fire code official based on the capabilities and communication features of emergency services.

**"512.4 Maintenance.** Public safety radio amplification systems shall be maintained in an operative condition at all times and shall be replaced or repaired where defective.

**"903.2.14 Dead-end roadways.** An automatic fire sprinkler shall be installed in all Group R fire areas (other than single family detached residences) on a dead-end roadway when the dead-end is in excess of 400 feet.

**"903.4.3 Floor control valves.** Approved supervised indicating control valves shall be provided at the point of connection to the riser on each floor in all multistory structures.

**"2403.2 Approval required.** Tents and membrane structures having an area in excess of 600 square feet and canopies in excess of 900 square feet shall not be erected, operated or maintained for any purpose without first obtaining a permit and approval from the fire code official.

**"3301.1.3 Fireworks.** The possession, manufacture, storage, sale, handling and use of fireworks are prohibited unless permitted by state or local laws.

**"Exceptions:**

"4. The possession, storage, sale, handling and use of Permissible Fireworks in accordance with the criteria established by the fire code official.

**"3302 Permissible fireworks.** As defined in the Colorado Revised Statutes 12-28-101, and the provisions of the Johnstown Municipal Code concerning fireworks.

**"Section 3309 Permissible fireworks.**

**"3309.1 General.** Permissible fireworks use shall be as detailed in this section and in accordance with state and local laws.

**"3309.2 Use of fireworks.** The use of permissible fireworks shall be in accordance with subsections 3309.2.1 through 3309.2.4.

**"3309.2.1** It shall be unlawful for any person to possess, store, offer for sale, expose for sale, sell at retail or use or discharge any fireworks, other than permissible fireworks.

**"3309.2.2** It shall be unlawful for any person to knowingly furnish to any person who is under sixteen years of age, by gift, sale or any other means, any fireworks or permissible fireworks.

**"3309.2.3** It shall be unlawful for any person under sixteen years of age to purchase any fireworks including permissible fireworks.

**"3309.2.4** It shall be lawful for a person under the age of sixteen years to possess and discharge permissible fireworks if such person is under adult supervision throughout the act of possession and discharge."

3404.2.13.1.4 is hereby repealed in its entirety.

**"3404.2.9.5.1 Locations where aboveground tanks are prohibited.** Storage of Class I and II liquids in aboveground tanks outside of buildings is prohibited.

**"Exceptions:**

"1. Protected aboveground tank storage (UL 2085) not exceeding 1000 gallons in size per tank or more than 2000 gallons per site.

"2. Aboveground storage tanks not exceeding 500 gallons for supply of emergency generators or fire pumps when approved by the fire code official."

Subsection 3404.2.13.1.4 is hereby repealed in its entirety.

**"3406.2.4 Permanent and temporary tanks.** The capacity of permanent aboveground tanks containing Class I or II liquids shall not exceed 500 gallons. The capacity of temporary aboveground tanks containing Class I or II liquids shall not exceed 2,000 gallons unless a larger amount is approved in writing by the fire code official. Tanks shall be of the single-compartment design."

Subsection 3406.2.4.4 is hereby repealed in its entirety.

**"3804.2 Maximum capacity within established limits.** Within the limits established by law restricting the storage of liquefied petroleum gas for the protection of heavily populated or congested areas, the aggregate capacity of any one installation shall not exceed a water capacity of 500 gallons.

**"Exception:** The aggregate capacity of any one installation shall not exceed a water capacity of 2,000 gallons."

(b) Only those appendix chapters of the International Fire Code listed herein are adopted as follows:

APPENDIX B, Fire-Flow Requirements for Buildings.

APPENDIX C, Fire Hydrant Locations and Distribution.

APPENDIX D, Fire Apparatus Access Road. (Johnstown Fire Protection District only). (Ord. 2008-813 §1)

**Secs. 18-64—18-70. Reserved.**

## ARTICLE VIII

### Dangerous Buildings Code

#### **Sec. 18-71. Uniform Code for the Abatement of Dangerous Buildings adopted.**

Pursuant to Section 31-16-201, et seq., C.R.S., as amended, there is hereby adopted, by reference thereto, the *Uniform Code for the Abatement of Dangerous Buildings*, 1997 edition, published by the International Conference of Building Officials, 5360 South Workman Mill Road, Whittier, CA 90601. (Ord. 2008-813 §1)

#### **Sec. 18-72. Application of regulations.**

Where, in any specific case, different sections of this Code, the zoning code or other ordinances of the Town specify different materials, methods of construction or other requirements, the most restrictive shall govern. (Ord. 2008-813 §1)

#### **Sec. 18-73. Amendments.**

The Uniform Code for the Abatement of Dangerous Buildings is amended as follows:

##### **"Section 202 Abatement of Dangerous Buildings.**

**"202.1 General.** All buildings or portions thereof which are determined after inspection by the building official to be dangerous as defined in this code are hereby declared to be public nuisances and shall be abated by repair, rehabilitation, demolition or removal in accordance with the procedure specified in Section 401 of this code.

**"202.2 Permits, when required.** An owner, authorized agent or contractor who desires to repair, rehabilitate, demolish or remove as regulated by this code, or to cause such work to be done, shall first make application to the code official and obtain the required permit for the work as provided in sections 105.3 through 105.7 of the International Building Code.

**"202.3 Fees.** A fee for each permit shall be paid as required, in accordance with the schedule as established by Article XI, Fees and Charges.

**"203.1 General.** It shall be unlawful for any person, firm or corporation to erect, construct, enlarge, alter, repair, move, improve, remove, convert or demolish, equip, use, occupy or maintain any building or structure or cause or permit the same to be done in violation of this code.

**"203.2 Violation penalties.** Persons who shall violate a provision of this code or shall fail to comply with any of the requirements thereof or who shall erect, install, alter, repair or do work in violation of the approved construction documents or directive of the fire code official, or of a permit or certificate used under provisions of this code, shall be subject to penalties as prescribed in Article X, Section 18-92.

**"204 Inspection of work.** All buildings or structures within the scope of this code and all construction or work for which a permit is required shall be subject to inspection by the building

official in accordance with and in the manner provided by this code and Section 109 and Chapter 17 of the Building Code."

Delete Section 205 in its entirety and replace with the following:

**"Section 205 Board of Appeals.**

**"205.1 General.** In order to hear and decide appeals of orders, decisions or determinations made by the building official relative to the application and interpretation of this code, there shall be and is hereby created a board of appeals. The board of appeals shall be appointed by the governing body and shall hold office at its pleasure. The board shall adopt rules of procedure for conducting its business.

**"205.2 Limitations on authority.** An application for appeal shall be based on a claim that the true intent of this code or the rules legally adopted thereunder have been incorrectly interpreted, the provisions of this code do not fully apply or an equally good or better form of construction is proposed. The board shall have no authority to waive requirements of this code.

**"205.3 Members of the board of appeals.** The board of appeals shall be comprised of the members of the Board of Adjustments."

(Ord. 2008-813 §1)

**Secs. 18-74—18-80. Reserved.**

**ARTICLE IX**

**Electrical Code**

**Sec. 18-81. National Electric Code adopted.**

Pursuant to Section 31-16-201, et seq., C.R.S., as amended, there is hereby adopted as the electrical code of the Town, by reference thereto, the National Electrical Code, 2008 edition, published by the National Fire Protection Association, Inc., One Batterymarch Park, Quincy, MA 02169-7471, and the *International Code Council Electrical Code Administrative Provisions*, 2006 edition, published by the International Code Council, 4051 West Flossmoor Road, Country Club Hills, IL 60478-5795. (Ord. 2008-813 §1)

**Sec. 18-82. Application of regulations.**

Where, in any specific case, different sections of this Code, the zoning code, other ordinances of the Town or the electric code adopted by the Colorado State Electric Board specify different materials, methods of construction or other requirements, the most restrictive shall govern. (Ord. 2008-813 §1)

**Sec. 18-83. Amendments.**

The International Code Council Electrical Code Administrative Provisions are amended as follows:

**"101.1 Title.** These regulations shall be known as the Electrical Code Administrative Provisions of the Town of Johnstown and shall be cited as such and will be referred to herein as 'this code.'

**"404.2 Schedule of permit fees.** A fee for each permit shall be paid as required, in accordance with the schedule as established by Article XI, Fees and Charges.

**"1003.1 Penalties.** Any person who fails to comply with the provisions of this code or who fails to carry out an order made pursuant to this code or violates any condition attached to a permit, approval or certificate shall be subject to penalties as prescribed in Article X, Section 18-92."

Delete Section 1101 in its entirety and replace with the following:

**"Section 1101 General.**

**"1101.1 General.** In order to hear and decide appeals of orders, decisions or determinations made by the building official relative to the application and interpretation of this code, there shall be and is hereby created a board of appeals. The board of appeals shall be appointed by the governing body and shall hold office at its pleasure. The board shall adopt rules of procedure for conducting its business.

**"1101.2 Limitations on authority.** An application for appeal shall be based on a claim that the true intent of this code or the rules legally adopted thereunder have been incorrectly interpreted, the provisions of this code do not fully apply or an equally good or better form of construction is proposed. The board shall have no authority to waive requirements of this code.

**"1101.3 Members of the board of appeals.** The board of appeals shall be comprised of the members of the Board of Adjustments."

(Ord. 2008-813 §1)

**Secs. 18-84—18-90. Reserved.**

**ARTICLE X**

**Violation; Penalty**

**Sec. 18-91. Violation.**

It is unlawful for any person, firm or corporation to erect, construct, enlarge, alter, repair, move, improve, remove, convert or demolish, equip, use, occupy or maintain any building or structure in the

Town, or cause the same to be done, contrary to or in violation of the provisions of the codes adopted in this Chapter. (Ord. 2008-813 §1)

**Sec. 18-92. Penalty.**

Penalties for violations of any of the codes referred to under this Chapter shall be prosecuted pursuant to the procedures and penalties expressed under Article IV, Chapter 1 of this Code. (Ord. 2008-813 §1)

**Secs. 18-93—18-100. Reserved.**

**ARTICLE XI**

**Fees and Charges**

**Sec. 18-101. Fees and charges.**

Any fees and charges provided for in this Chapter may be amended by resolution adopted by the Town Council. (Ord. 2008-813 §1)

**Secs. 18-102—18-110. Reserved.**