

BY AUTHORITY

ORDINANCE NO. _____
SERIES OF 2012

COUNCIL BILL NO. 33
INTRODUCED BY COUNCIL
MEMBER JEFFERSON

AN ORDINANCE AMENDING TITLE 8, CHAPTER 2, ARTICLE G, OF THE ENGLEWOOD MUNICIPAL CODE 2000, PERTAINING TO THE RESIDENTIAL CODE OF THE CITY OF ENGLEWOOD, COLORADO.

WHEREAS, the City of Englewood has used the Uniform Codes as model construction codes since 1971; and

WHEREAS, these Codes are updated periodically to keep pace with changing construction technology; and

WHEREAS, the City of Englewood Division of Building and Safety staff has thoroughly reviewed the International Residential Code 2012 and recommends adoption thereof subject to certain exceptions, modifications and amendment;

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

Section 1. The City Council of the City of Englewood, Colorado hereby authorizes the repeal of Title 8, Chapter 2, Article G, of the Englewood Municipal Code 2000, in its entirety.

Section 2. The City Council of the City of Englewood, Colorado hereby adopts the International Residential Code 2012 as Title 8, Chapter 2, Article G, of the Englewood Municipal Code 2000, to read as follows:

CHAPTER 2

CONSTRUCTION AND SAFETY CODES

ARTICLE G

RESIDENTIAL CODE

APPENDIX H – PATIO COVERS

APPENDIX M – HOME DAY CARE – R-3 OCCUPANCY

8-2G-1: CODE ADOPTED:

There is hereby adopted, by reference thereto, the International Residential Code 2012 Edition, in its entirety including errata updates, published as part of this Code, by the International Code Council, Inc., 4051 West Flossmoor Road, Country Club Hills, Illinois 60478-5795, subject to the exceptions, modifications and amendments set forth in Section 8-2G-2 of this Article. The

City Clerk shall maintain a copy of the Code and errata updates which will be available for inspection during regular business hours.

8-2G-2: SPECIFIC MODIFICATIONS TO ADOPTED CODE:

The following specific changes, modifications and amendments are hereby made in the provisions of the International Residential Code 2012, hereinabove adopted:

A. CHAPTER 1. ADMINISTRATION.

1. R101.1 Title.

These regulations shall be known as the Residential Code of the City of Englewood, hereinafter referred to as “this Code”.

2. R105.2 Work exempt from permit.

2. (Deleted in its entirety and substitute the following)

Title 16 of the Englewood Municipal Code shall replace the fence requirements of this Section.

3. (Deleted in its entirety and substitute the following)

Title 16 of the Englewood Municipal Code shall replace the wall requirements of this Section.

5. (Deleted in its entirety and substitute the following)

Title 16 of the Englewood Municipal Code shall replace the driveway and sidewalk requirements of this Section.

3. R108.2 Schedule of permit fees. (Delete in its entirety and substitute the following)

These fees shall be determined by City Council and set by resolution.

4. R108.3 Building permit valuations. (Delete in its entirety and substitute the following)

Section 109.3 of the amended Building Code of the City of Englewood shall replace the requirements of this Section.

5. R108.5 Fee Refunds. (Delete in its entirety and substitute the following)

Section 109.6 of the amended Building Code of the City of Englewood shall replace the requirements of this Section.

6. R110.4.1 Temporary Occupancy Fee. (Add new section)

Section 111.3.1 of the amended Building Code of the City of Englewood shall replace the requirements of this Section.

7. **R112 Board of Appeals.** *(Delete in its entirety and substitute the following)*
Section 8-1-7 of the Englewood Municipal Code shall replace the requirements of this Section.
8. **R113.1 Unlawful acts.** *(Delete in its entirety and substitute the following)*
Section 8-1-8 of the Englewood Municipal Code shall replace the requirements of this Section.
9. **R113.4 Violation penalties.** *(Delete in its entirety and substitute the following)*
Sections 8-1-9 and 8-1-10 of the Englewood Municipal Code shall replace the requirements of this Section.

B. CHAPTER 3 – BUILDING AND PLANNING.

1. Table R301.2(1)

CLIMATIC AND GEOGRAPHIC DESIGN CRITERIA

<u>Ground Snow Load</u>	<u>Wind Speed (mph)</u>	<u>Seismic Design Category</u>	<u>SUBJECT TO DAMAGE FROM</u>			
			<u>Weathering</u>	<u>Frost Line Depth</u>	<u>Termite</u>	<u>Decay</u>
<u>30 psf</u>	<u>90 mph</u>	<u>B</u>	<u>Severe</u>	<u>36 inches</u>	<u>Slight to Moderate</u>	<u>None to Slight</u>
<u>Roof 30 psf Non-Reducible</u>	<u>Exposure B</u>					
<u>Winter Design Temp</u>	<u>Ice Shield Underlayment Required</u>	<u>Flood Hazard</u>	<u>Air Freezing Index</u>	<u>Mean Annual Temp</u>		
<u>1 Degree F</u>	<u>Yes</u>	<u>EMC 16-4</u>				

2. **R314.3.1 Alterations repairs and additions.** *(Amend as follows)*
When alterations, repairs or additions requiring a permit occur, or when one or more sleeping rooms are added or created in existing dwellings, the individual dwelling unit shall be equipped with smoke alarms as required for new dwellings.
- Exceptions:** *(Amend exception No. 2 as follows)*
2. Installation, alteration or repairs of plumbing, electrical or mechanical systems are exempt from the requirements of this Section.

C. CHAPTER 10– CHIMINEYS AND FIREPLACES *(Add the following new Sections)*

1. **R1001.1.1 Fireplace Restrictions.** Fireplaces shall comply with 6-1-11 and 6-1-12 of the Englewood Municipal Code.

2. **R1004.1.1 Fireplace restrictions.** Fireplaces shall comply with 6-1-11 and 6-1-12 of the Englewood Municipal Code.

D. CHAPTER 26 – GENERAL PLUMBING REQUIREMENTS

1. **P2603.6.1 Sewer depth.** *(Insert the following)* Building sewers that connect to private sewage disposal systems shall be a minimum of twelve inches (12”) below finished grade at the point of septic tank connection. Building sewers shall be a minimum of twelve inches (12”) below grade.

E. CHAPTER 30 – SANITARY DRAINAGE

1. **P3009 Gray Water Recycling Systems** *(Deleted in entirety)*

F. APPENDICES. *(Deleted in its entirety except and insert the following)*

1. Appendix H Patio Covers and Appendix M Home Day Care R-3 Occupancy are hereby adopted.

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

Section 4. Severability. If any clause, sentence, paragraph, or part of this Ordinance or the application thereof to any person or circumstances shall for any reason be adjudged by a court of competent jurisdiction invalid, such judgment shall not affect, impair or invalidate the remainder of this Ordinance or its application to other persons or circumstances.

Section 5. Inconsistent Ordinances. All other Ordinances or portions thereof inconsistent or conflicting with this Ordinance or any portion hereof are hereby repealed to the extent of such inconsistency or conflict.

Section 6. Effect of repeal or modification. The repeal or modification of any provision of the Code of the City of Englewood by this Ordinance shall not release, extinguish, alter, modify, or change in whole or in part any penalty, forfeiture, or liability, either civil or criminal, which shall have been incurred under such provision, and each provision shall be treated and held as still remaining in force for the purposes of sustaining any and all proper actions, suits, proceedings, and prosecutions for the enforcement of the penalty, forfeiture, or liability, as well as for the purpose of sustaining any judgment, decree, or order which can or may be rendered, entered, or made in such actions, suits, proceedings, or prosecutions.

Section 7. Choice of Code. Any party who has a pending application, where the permit application and final site plan have been submitted to the City before the date of final adoption of this Ordinance, shall make an election to proceed under either the current Code or the 2006 Code but not a combination thereof.

Section 8. Penalty. The Penalty Provision of E.M.C. Section 1-4-1 shall apply to each and every violation of this Ordinance.

Introduced, read in full, and passed on first reading on the 21ST day of May, 2012.

Published by Title as a Bill for an Ordinance in the City's official newspaper on the 25th day of May, 2012.

Published as a Bill for an Ordinance on the City's official website beginning on the 23rd day of May, 2012 for thirty (30) days.

Read by title and passed on final reading on the 4th day of June, 2012.

Published by title in the City's official newspaper as Ordinance No. ____, Series of 2012, on the 8th day of June, 2012.

Published by title on the City's official website beginning on the 6th day of June, 2012 for thirty (30) days.

Randy P. Penn, Mayor

ATTEST:

Loucrishia A. Ellis, City Clerk

I, Loucrishia A. Ellis, City Clerk of the City of Englewood, Colorado, hereby certify that the above and foregoing is a true copy of the Ordinance passed on final reading and published by title as Ordinance No. ____, Series of 2012.

Loucrishia A. Ellis