

BY AUTHORITY

ORDINANCE NO. \_\_\_\_\_  
SERIES OF 2012

COUNCIL BILL NO. 34  
INTRODUCED BY COUNCIL  
MEMBER JEFFERSON

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

WHEREAS, the City of Englewood has used the Uniform Codes as a model construction codes since 1972; 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 Fuel Gas 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 H, of the Englewood Municipal Code 2000, in its entirety.

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

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**CHAPTER 2**

**CONSTRUCTION AND SAFETY CODES**

**ARTICLE H**  
**FUEL GAS CODE**

**8-2H-1: CODE ADOPTED:**

There is hereby adopted, by reference thereto, the International Fuel Gas Code 2012 Edition, in its entirety including errata updates, published as part of the 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.

**8-2H-2: SPECIFIC MODIFICATIONS TO ADOPTED CODE:**

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

**A. CHAPTER 1. ADMINISTRATION. (Insert the following)**

**1. 101.1 Title**

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

**2. 106.6.2 Fee schedule. (Insert the following.)**

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

**3. 106.6.3 Fee refunds. (Delete in its entirety and substitute the following).**

Section 110.7 of the amended Building Code of the City of Englewood shall replace the requirements of this Section.

**4. 108.1 Unlawful acts. (Delete in its entirety and substitute the following)**

Section 8-1-8 and 8-1-9 of the Englewood Municipal Code shall replace the requirements of this Section.

**5. 108.4 Violation penalties. (Delete in its entirety and substitute the following)**

Section 8-1-10 of the Englewood Municipal Code shall replace the requirements of this Section.

**6. 108.5 Stop work orders. (Amend and add the following sentence)**

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 liable for penalties as prescribed in 108.4 as amended.

**7. 109 MEANS OF APPEAL. (Delete in its entirety and substitute the following)**

Section 8-1-7 of the Englewood Municipal Code shall replace the requirements of this Section.

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 21<sup>ST</sup> day of May, 2012.

Published by Title as a Bill for an Ordinance in the City's official newspaper on the 25<sup>th</sup> 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.

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Randy P. Penn, Mayor

ATTEST:

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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.

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Loucrishia A. Ellis