

**ORDINANCE NO. 6**  
**Series 2017**

May 2, 2017: Introduced as Council Bill 3, Series 2017 by Councilor Dan Sheldon, seconded by Councilor Al Blum and considered in full text on first reading. Passed by a vote of 6 yes and 0 no.

July 18, 2017: Considered in full text on second reading. Passed by a vote of 6 yes and 0 no.

**A BILL FOR AN ORDINANCE OF THE CITY OF CHERRY HILLS VILLAGE  
REPEALING AND RE-ENACTING ARTICLES I THROUGH VIII OF CHAPTER 18 OF THE  
CHERRY HILLS VILLAGE MUNICIPAL CODE, CONCERNING BUILDING REGULATIONS;  
ADOPTING BY REFERENCE, WITH CERTAIN AMENDMENTS, THE 2015 INTERNATIONAL  
BUILDING CODE, THE 2015 INTERNATIONAL RESIDENTIAL CODE, THE 2015  
INTERNATIONAL MECHANICAL CODE, THE 2015 INTERNATIONAL PLUMBING CODE,  
THE 2015 INTERNATIONAL FUEL GAS CODE, THE 2015 INTERNATIONAL ENERGY  
CONSERVATION CODE, THE 2014 NATIONAL ELECTRICAL CODE, AND THE 2015  
INTERNATIONAL FIRE CODE, 2015 INTERNATIONAL EXISTING BUILDING CODE, AND  
2015 NATIONAL GREEN BUILDING STANDARDS; ENACTING A NEW ARTICLE I.5;  
REPEALING ALL ORDINANCES IN CONFLICT THEREWITH; AND PROVIDING PENALTIES  
FOR VIOLATIONS THEREOF**

**WHEREAS**, the City of Cherry Hills Village is a home rule municipal corporation organized in accordance with Article XX of the Colorado Constitution; and

**WHEREAS**, the City of Cherry Hills Village is authorized to adopt and enforce police power regulations in furtherance of the health, safety and welfare of its citizens.

**WHEREAS**, periodically it is necessary for the City to update those building codes which are adopted by reference in order to remain technically current; and

**WHEREAS**, the City Council desires to repeal the existing building codes and adopt the 2015 editions of the International Building, Existing Building, Residential, Mechanical, Plumbing, Fuel Gas, Energy Conservation and Fire Codes, the 2014 National Electric Code and the 2015 National Green Building Standards and incorporate the same into the Cherry Hills Village Municipal Code.

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF CHERRY HILLS VILLAGE, COLORADO, ORDAINS THAT:**

**Section 1.** Article I, Chapter 18, of the Cherry Hills Village Municipal Code, entitled "International Building Code," is hereby repealed and re-enacted to read as follows:

**ARTICLE I**

**International Building Code**

**Sec. 18-1-10. Adoption.**

There is hereby adopted by reference the 2015 *International Building Code*, as published by the International Code Council, 4051 West Flossmoor Road, Country Club Hills, IL 60478-5771, except that portion of the 2015 *International Building Code* entitled "2015 International Property Maintenance Code" and that portion entitled "ICC Electrical Code," which are not adopted by the ordinance codified herein. One (1) copy of such code and other codes adopted by reference in the 2015 *International Building Code*, the same being adopted as if set out at length herewith, shall be maintained at the office of the Building Department and may be inspected during regular business hours. The subject matter of this code includes comprehensive provisions and standards regulating the construction, alteration, moving, demolition, occupancy, use, height, area and maintenance of all buildings or structures within the City for the purpose of protecting the public health, safety and general welfare.

**Sec. 18-1-20. Amendments.**

The code adopted herein is hereby modified by the following amendments:

(1) Section 101.1 is hereby amended to insert "the City of Cherry Hills Village," so the section will read as follows:

**101.1 Title.** These regulations shall be known as the 'Building Code of the City of Cherry Hills Village,' hereinafter referred to as 'this code.'

(2) Section 101.4.4 is hereby deleted and specifically not adopted by the City.

(3) Section 105.2 is hereby amended to read as follows:

**105.2 Work exempt from permit.** Exemptions 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. Permits shall not be required for the following:

Building:

1. One-story detached, prefabricated storage sheds that do not exceed 120 square feet that are located within the building envelope as defined by the appropriate setbacks and bulk plane required for the zone district and meeting all other zoning requirements.
2. Fences, walls and berms three feet (3') or less in height measured from natural grade and meeting all other zoning requirements.
3. Retaining walls that are not over 4 feet in height, measured from the bottom of the footing to the top of the wall, unless supporting surcharge or impounding Class I, II or II-A liquids, and meeting all other zoning requirements.
4. Sidewalks not over six feet (6') in width and driveways. For purposes of this code the term 'driveways' shall mean an access route, paved or unpaved, that provides access to a garage structure. Permits are required for driveways if they are:
  - a. More than thirty inches (30") above grade,
  - b. Located over any basement or constructed space, or
  - c. Such as do not provide access to a garage used for the storage of automobiles.
5. Painting, papering, tiling, carpeting, cabinets, countertops and similar finish work.
6. Swings and other playground equipment accessory to single-family dwellings.
7. Movable cases, counters and partitions not over six feet (6') in height.

(4) Section 105.3 item # 6 is hereby amended to read as follows:

6. Be signed by the owner or owners representing a majority interest in the ownership of the property, or by an agent who is duly authorized by those individuals or entities that hold a majority interest in the ownership of the property. With respect to properties where deed, contract or other provisions require more than a majority interest to undertake work necessitating a building permit, such authority of the applicant shall be demonstrated with the permit application.

(5) Section 105.3.2 is hereby amended to read as follows:

**105.3.2 Time limitation of permit application.** An application for a permit for any proposed work shall be deemed to have been abandoned ninety (90) days after the date of filing, unless such application has been pursued in good faith or a permit has been issued; except that the building official is authorized to grant one extension of time for an additional period not to exceed ninety (90) days. The extension shall be requested in writing and justifiable cause demonstrated.

(6) Section 105.5 is hereby amended to read as follows:

**105.5 Expiration.** Every permit issued shall become invalid if the work on the site authorized by such permit is not commenced within ninety (90) days after its issuance

or, if so commenced, the work authorized on the site by such permit is suspended or abandoned for a period of ninety (90) days after the time the work is commenced.

In the event a permit expires under either of these conditions, a new permit will be required to complete the work. The new permit fee will be calculated using the City's then-current fee calculation methods. Should the project be abandoned, permit fees may be refunded in accordance with Section 109.6.

(7) A new Section 105.5.1 is hereby added and shall read as follows:

**105.5.1 Project completion.** If the construction described in any building permit has not been completed to the point where a certificate of occupancy may be issued – or a final building inspection performed in cases where no certificate of occupancy is required – within eighteen (18) months of the date of issuance thereof, said building permit shall expire and be deemed canceled by the building official. Written notice thereof shall be given to the applicant, together with notice that further construction as described in the canceled permit shall not proceed unless and until a new building permit has been obtained and all fees have been paid.

The building official may authorize up to two four-month extensions of a permit, provided that the applicant pays a fee calculated as follows:

1. 1<sup>st</sup> Extension: A fee equal to twenty-five percent (25%) of the original permit fee.
2. 2<sup>nd</sup> Extension: A fee equal to fifty percent (50%) of the original permit fee.

(8) Section 107.2.5 is hereby amended by adding the following to the end of the paragraph:

Two sets of construction documents shall be submitted with the application for permit. Each set shall be accompanied by a site plan, drawn to scale and in accordance with an accurate survey, including the following information:

1. The size and location of new construction and existing structures on the site noting all portions of the structure, including but not limited to eaves, overhangs and cantilevered elements.
2. Setback distances from lot lines appropriate for the parcel's zoning.
3. Existing grade contours in one-foot (1') intervals in North American Vertical Datum of 1988 (NAVD88) datum.
4. The established street grades and the proposed finished grades in NAVD88 datum.
5. Location of designated 100-year floodplain boundary.

In the case of demolition, two sets of a site plan shall be submitted with the demolition application, showing:

1. Construction to be demolished (structures and their foundations).
2. The location and size of existing structures and construction that are to remain on the site.
3. Existing contours in one-foot (1') intervals in U.S.G.S. datum.

A site plan is required for projects such as, but not limited to, the addition of new square footage or a change in the use of existing square footage. Site plans are not required in most cases for electrical, plumbing or mechanical work.

The building official may request a copy of the survey from which the site plan is based upon to verify the accuracy of the site plan and may waive or modify the requirement for a site plan when the application for permit is for alteration or repair or when otherwise warranted.

(9) Section 108.1 is hereby amended to read as follows:

**108.1 General.** The building official is authorized to issue a permit for only such temporary structures and temporary uses that are allowed by the City of Cherry Hills Village Municipal Code. Such permits shall conform to the rules and regulations adopted by the City of Cherry Hills Village regarding temporary structures and uses.

(10) A new Section 109.2.1 is hereby added and shall read as follows:

**109.2.1 Fee schedules.** Permit fees shall be as outlined in Tables 1-A through 1-E below.

**Table 1-A**  
**Building Permit Fees**

<b><u>"TOTAL VALUATION</u></b>	<b><u>FEES</u></b>
\$1.00 to \$2,000.00	\$20.00
\$2,001.00 and up	1% of valuation

**Table 1-B**  
**Electrical Permit Fees for Nonresidential Buildings**  
**and Residential Alteration or Additions**

<b><u>PROJECT VALUATION</u></b>	<b><u>FEES</u></b>
Up to \$300.00	\$50.00
To \$2,000.00	\$55.00
To \$50,000.00	\$21.75 per \$1,000.00 or fraction thereof of the total valuation
To \$500,000.00	\$20.50 per \$1,000.00 or fraction thereof of the total valuation plus \$57.50
Over \$500,000.00	\$19.50 per \$1,000.00 or fraction thereof of the total valuation plus \$632.50

**Table 1-C**  
**Electrical Permit Fees for New Residential Buildings**

<b><u>BUILDING AREA</u></b>	<b><u>FEES</u></b>
Not more than 1,000 sq. ft.	\$51.75
Over 1,000 sq. ft. and not more than 1,500 sq. ft.	\$69.00
Over 1,500 sq. ft. and not more than 2,000 sq. ft.	\$86.25
Over 2,000 sq. ft.	\$4.60 per 100 sq. ft. in excess of 2,000 sq. ft.

**Table 1-D**  
**Building, Electrical Plan Review and Other Fees**

PROJECT TYPE	FEES
Nonresidential Structures Including: Churches, Schools, Nonprofit Recreational and Commercial Facilities	\$1,600 minimum – review beyond 10 hours charged at per hour rate
Nonresidential Remodels	\$320.00 minimum – review beyond 2 hours charged at hourly rate
New Home/Scrape and Rebuild – more than 50% of Existing Square Footage	\$1,280.00 minimum – review beyond 8 hours charged at hourly rate
Additions– less than 50% of Existing Square Footage	\$640.00 minimum – review beyond 4 hours charged at hourly rate
Remodel With No New Square Footage	\$320.00 minimum – review beyond 2 hours charged at hourly rate
Accessory and Recreational Structures	\$320.00 minimum – review beyond 2 hours charged at hourly rate
Additional Plan Review beyond hours noted above	\$160.00 per hour, minimum 1 hour
Investigation Fee	Same fee as building permit fee or \$160.00, whichever is more
Reinspection Fee	\$110.00
Duplicate Inspection Record Card	\$50.00
Drainage Review	\$160.00 per hour
Electrical Reviews: All New & Remodels for Commercial Residential 400 Amp. Services & Greater	\$320.00 minimum - review beyond 2 hours charged at hourly rate
Engineering Review — for review of all lots located within the designated 100-year floodplain and for review of drainage plans as required for all new structures and additions that increase square footage by more than 50%	\$160.00 per hour, minimum 1 hour

**Table 1-E**  
**Elevator Inspection Fees**

ANNUAL CERTIFICATES OF INSPECTION	FEES
For each elevator, dumbwaiter or lift	\$220
For each escalator or moving walk	\$1,200
Special Inspection not otherwise covered, eg. Construction use, temporary use, minor modernization and safety test witnessing	\$ 130.00 per hour
<b>"5 YR. WITNESSED SAFETY TEST"</b>	
5 Year Hydraulic Witnessed Test	\$220.00
5 Year Traction Witnessed Test	\$450.00
<b>"Plan Review Fees"</b>	
Commercial Elevator or Escalator – including plan review, progress inspections and final acceptance inspection (New Installation or Major Modernization/ Alteration)	\$ 900.00
Residential Elevator, Platform lift, or dumbwaiter – including plan review, 1 progress inspection, and final acceptance inspection	\$ 600.00

(11) Section 109.3 is hereby 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 the total value of the work, including materials and labor, for which the permit is being issued, such as electrical, gas, mechanical, plumbing equipment and permanent systems. For the purpose of determining the valuation for new construction, the building official for the City of Cherry Hills Village will use the value provided by the permit applicant or the most

recent Building Valuation Data table in the Building Standards Magazine as published by the International Code Council, whichever is higher. No regional modifier will be used in calculating the valuation of construction.

(12) Section 109.4 is hereby amended to read as follows:

**109.4 Work commencing before permit issuance.** Any person who commences work before obtaining any necessary permits shall be subject to penalties and enforcement set forth in Chapter 18, Article IX of the Cherry Hills Village Municipal Code."

(13) Section 109.6 is hereby amended to read as follows:

**109.6 Fee refunds.** The City of Cherry Hills Village shall authorize the refunding of fees as follows:

1. The full amount of any building permit fee paid hereunder which was erroneously paid or collected;
2. The full amount of any building permit fee paid hereunder less a fifty-dollar administrative fee when no work has been done under a permit issued in accordance with this code;
3. For permits where work has occurred, the refund will be calculated by City staff. Staff will consider all cost factors involved in administration of the permit, including but not limited to inspection and reinspection fees, mileage, staff time, supplies and building overhead.
4. The full amount of the plan review fee paid hereunder less a fifty-dollar administrative fee for a permit for which a plan review fee has been paid but is withdrawn or canceled before any plan review effort has been expended.

(14) Section 113.3 is hereby amended to read as follows:

**113.3 Qualifications.** The Board of Appeals shall consist of the same members as the Board of Adjustment and Appeals outlined in Section 8.2 of the Charter for the City of Cherry Hills Village. The rules of procedure set forth in Section 16-3-30 of the Cherry Hills Village Municipal Code shall apply to all appeals brought under this code.

(15) Section 114 is hereby amended to read in its entirety as follows:

**114.1 General.** Violations of this code shall be governed by Chapter 18, Article IX of the Cherry Hills Village Municipal Code.

(16) Section 115 is hereby amended to read in its entirety as follows:

**115.1 General.** The issuance of stop work orders and notices for violations of this code shall be governed by Section 18-9-30 of the Cherry Hills Village Municipal Code.

(17) Section 1612.3 is hereby amended to read as follows:

**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 in Subsection 16-17-40(b) of the Cherry Hills Village Municipal Code. Said areas of special flood hazard are hereby adopted by reference and declared to be part of this section.

(18) A new Section 3009 is hereby added and shall read as follows:

### **Section 3009** **Existing Elevators and Escalators**

**3009.1 Scope.** This section shall apply to existing installations of elevators, dumbwaiters, escalators and moving walks and provides for the inspection and maintenance of such conveyances.

**Exception:** Conveyances located within a dwelling unit.

**3009.2 Certificates of inspection required.** It shall be unlawful to operate any elevator, dumbwaiter, escalator, moving walk, LULA, stair chair, material lift or vertical /

inclined wheelchair lift without a current certificate of inspection issued by the building official. Such certificate shall be issued upon payment of prescribed fees and a valid inspection report indicating that the conveyance is safe and that the inspections and tests have been performed in accordance with Part X of the ASME code. Certificates shall not be issued when the conveyance is posted as unsafe pursuant to Section 3015.

**Exception:** Certificates of inspection shall not be required for conveyances within a dwelling unit.

**3009.3 Application for certificates of inspection.** The owner of any lift referenced in Section 3009.2 shall make application for an annual certificate of inspection. Fees for certificates of inspection shall be as specified in this section.

**3009.3.1 Fees.** A fee for each permit or certificate of inspection shall be paid to the Building Department as contained in Table 1-E in Appendix A to the Cherry Hills Village Municipal Code.

(Each escalator or moving walk unit powered by one motor shall be considered as a separate escalator or moving walk.)

**3009.4 Referenced standards.** Elevators and escalators shall conform to ASME A17.1-2007. Vertical and Inclined platform lifts shall comply with ASME A18.1-2005 published by the American Society of Mechanical Engineers.

**3009.5 Requirements for operation and maintenance.** The owner shall be responsible for the safe operation and maintenance of each elevator, dumbwaiter, escalator or moving walk installation and shall cause periodic inspections, tests and maintenance to be made on such conveyances as required in this section.

**3009.5.1 Periodic inspections and tests.** Routine and periodic inspections and tests (including 5-yr. witnessed tests) shall be made as required by Part X of the ASME A17.1 Elevator and Escalator Safety Code and the State of Colorado Elevator and Escalator Certification Act. The owner shall pay all costs of such inspections and tests. A full and correct report of such inspection shall be filed with the building official after each required inspection."

(19) Section 3412.2 is hereby amended by inserting the effective date of the ordinance codified herein.

(20) Only the following Appendix Chapters are hereby adopted:

Appendix C — Group U - Agricultural Buildings  
Appendix I — Patio Covers

**Section 2.** Article II, Chapter 18, of the Cherry Hills Village Municipal Code, entitled "International Residential Code," is hereby repealed and re-enacted to read as follows:

## ARTICLE II

### International Residential Code and National Green Building Standard

#### Sec. 18-2-10. Adoption of International Residential Code.

There is hereby adopted by reference the *2015 International Residential Code*, as published by the International Code Council, Publications, 4051 West Flossmoor Road, Country Club Hills, IL 60478-5795. One (1) copy of such code and other codes adopted by reference in the *2015 International Residential Code*, the same being adopted as if set out at length herewith, shall be maintained at the office of the Building Department and may be inspected during regular business hours. The subject matter of this code includes the design and construction of one- and two-family dwellings and townhomes in the City for the purpose of protecting the public health, safety and general welfare.

#### Sec. 18-2-20. Amendments to International Residential Code.

The code adopted herein is hereby modified by the following amendments:

(1) Section R101.1 is hereby amended by inserting "City of Cherry Hills Village," to read as follows:

**R101.1 Title.** These regulations shall be known as the *International Residential Code for One- and Two-Family Dwellings of the City of Cherry Hills Village*, hereinafter referred to as 'this code.'

(2) Section 101.2 is hereby amended to read as follows:

**R101.2 Scope.** The provisions of the International Residential Code for One- and Two-family Dwellings shall apply to the construction, alteration, movement, enlargement, replacement, repair, equipment, use and occupancy, location, removal and demolition of detached one- and two-family dwellings and townhouses not more than three stories above grade plane in height with a separate means of egress and their accessory structures.

(3) Section R105.2 is hereby amended to read as follows:

**R105.2 Work exempt from permit.** Exemptions 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. Permits shall not be required for the following:

Building:

1. One-story detached, prefabricated storage sheds that do not exceed 120 square feet that are located within the building envelope as defined by the appropriate setbacks and bulk plane required for the zone district and meeting all other zoning requirements.
2. Fences, walls and berms three feet (3') or less in height, measured from natural grade and meeting all other zoning requirements.
3. Retaining walls that are not over 4 feet in height measured from the bottom of the footing to the top of the wall, unless supporting surcharge or impounding Class I, II or II-A liquids, and meeting all other zoning requirements.
4. Sidewalks not over six feet (6') in width and driveways. For purposes of this code, the term 'driveways' shall mean an access route, paved or unpaved, that provides access to a garage structure. Permits are required for driveways if they are:
  - a. More than thirty inches (30") above grade,
  - b. Located over any basement or constructed space, or
  - c. Such as do not provide access to a garage used for the storage of automobiles.
5. Painting, papering, tiling, carpeting, cabinets, countertops and similar finish work.
6. Swings and other playground equipment accessory to single-family dwellings.
7. Movable cases, counters and partitions not over six feet (6') in height.

(4) Section 105.3(6) is hereby amended to read as follows:

6. Be signed by the owner or owners representing a majority interest in the ownership of the property, or by an agent who is duly authorized by those individuals or entities that hold a majority interest in the ownership of the property. With respect to properties where deed, contract or other provisions require more than a majority interest to undertake work necessitating a building permit, such authority of the applicant shall be demonstrated with the permit application.

(5) Section R105.3.2 is hereby amended to read as follows:

**R105.3.2 Time limitation of permit application.** An application for a permit for any proposed work shall be deemed to have been abandoned ninety (90) days after the date of filing, unless such application has been pursued in good faith or a permit has been issued; except that the building official is authorized to grant one extension of time for an

additional period not to exceed ninety (90) days. The extension shall be requested in writing and justifiable cause demonstrated.

(6) Section R105.5 is hereby amended to read as follows:

**R105.5 Expiration of permits.** Every permit issued shall become invalid if the work on the site authorized by such permit is not commenced within ninety (90) days after its issuance or, if so commenced, if the work authorized on the site by such permit is suspended or abandoned for a period of ninety (90) days after the time the work is commenced. In the event a permit expires under either of these conditions, a new permit will be required to complete the work. The new permit fee will be calculated using the City's then-current fee calculation methods. Should the project be abandoned, permit fees may be refunded in accordance with Section 109.6 of the *International Building Code*, as adopted herein.

(7) A new Section R105.5.1 is hereby added and shall read as follows:

**R105.5.1 Project completion.** If the construction described in any building permit has not been completed to the point where a certificate of occupancy may be issued – or a final building inspection performed in cases where no certificate of occupancy is required – within eighteen (18) months of the date of issuance thereof, said building permit shall expire and be deemed canceled by the building official. Written notice thereof shall be given to the applicant, together with notice that further construction as described in the canceled permit shall not proceed unless and until a new building permit has been obtained and all fees have been paid.

The building official may authorize up to two four-month extensions of a permit, provided that the applicant pays a fee calculated as follows:

1. 1<sup>st</sup> Extension: A fee equal to twenty-five percent (25%) of the original permit fee.
2. 2<sup>nd</sup> Extension: A fee equal to fifty percent (50%) of the original permit fee.

(8) Section R106.2 is hereby amended by adding the following to the end of the section:

Two sets of construction documents shall be submitted with the application for permit. Each set shall be accompanied by a site plan, drawn to scale and in accordance with an accurate survey including the following information:

1. The size and location of new construction and existing structures on the site noting all portions of the structure, including but not limited to eaves, overhangs and cantilevered elements.
2. Setback distances from lot lines appropriate for the parcel's zoning.
3. Existing grade contours in one-foot (1') intervals in North American Vertical Datum of 1988 (NAVD88) datum.
4. The established street grades and the proposed finished grades in NAVD88 datum.
5. Location of designated 100-year floodplain boundary on subject property.
6. For all new residences and proposals to increase the square footage of a residence by 50% or more, the proposed contours and drainage plan required by the Arapahoe County Stormwater Management Manual, as the same may be amended from time to time. A copy of the manual is on file in the Community Development Department.
7. For all new residences and proposals to increase the square footage of a residence by 50% or more, a site plan showing the proposed location of all outdoor light fixtures, a light fixture schedule and lumen output of each fixture.

In the case of demolition, two sets of a site plan shall be submitted with the demolition application, showing:

1. Construction to be demolished (structures and their foundations).
2. The location and size of existing structures and construction that are to remain on the site.

3. Existing contours in one-foot (1') intervals in U.S.G.S. datum.

A site plan is required for projects such as, but not limited to, the addition of new square footage or a change in the use of existing square footage. Site plans are not required in most cases for electrical, plumbing or mechanical work.

The building official may request a copy of the survey from which the site plan is based upon to verify the accuracy of the site plan and may waive or modify the requirement for a site plan when the application for permit is for alteration or repair or when otherwise warranted.

(9) A new Section R106.1.5 is hereby added and shall read as follows:

**R106.1.5 Electrical Drawings.** Electrical drawings showing compliance with part VIII of this code and NFPA 70, National Electrical Code shall be provided. The documents shall provide the following information.

1. Provide a one-line diagram that includes all of the electrical service equipment, all of the conduit and conductor sizes, all of the feeder panels, the entire grounding electrode system, and the grounding electrode conductor sizes, in order to verify compliance with NEC 310.15(B), NEC 250.66 and NEC 250.122.
2. Provide a floor plan with the location of all of the electrical service equipment, service disconnect(s), and panel(s) in order to verify compliance with NEC 110.26.
3. Provide fault current calculations. Provide the short circuit current rating of all of the service equipment and the feeder panel(s), in order to verify compliance with NEC 110.9.
4. Provide the load calculations for the service, each service disconnect, each feeder panel, and each branch circuit to demonstrate compliance with NEC 220.
5. Provide a complete mechanical schedule.
6. Provide the location of all of the electrical outlets and switching devices.
7. All GFCI protected receptacles and weather-proof receptacles shall be identified on the floor plans. NEC 210.8(A).
8. Identify each branch circuit that is AFCI protected on the panel schedules in order to verify compliance with NEC 210.12(A).

(10) Section R107.1 is hereby amended to read as follows:

**R107.1 General.** The building official is authorized to issue a permit for only such temporary structures and temporary uses that are allowed by the City of Cherry Hills Village Municipal Code. Such permits shall conform to the rules and regulations adopted by the City of Cherry Hills Village regarding temporary structures and uses.

(11) A new Section R108.2.1, which inserts Tables 1-A through 1-E of the *International Building Code*, as amended herein, is hereby added and shall read as follows:

**R108.2.1 Fee schedule.** The fees for residential work shall be as indicated in Tables 1-A through 1-E located in Section 18-1-20(10) of the Cherry Hills Village Municipal Code.

(12) Section R108.3 is hereby 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 the total value of the work, including materials and labor, for which the permit is being issued, such as electrical, gas, mechanical, plumbing equipment and permanent systems. For the purpose of determining the valuation for new construction, the building official for the City of Cherry Hills Village will use the value provided by the permit applicant or the most recent Building Valuation Data table in the *Building Standards Magazine* as published by the International Conference of Building Officials, whichever is higher. No regional modifier will be used in calculating the valuation of construction.

(13) Section R108.5 is hereby amended to read as follows:

**R108.5 Fee refunds.** The City of Cherry Hills Village shall authorize the refunding of fees as follows:

1. The full amount of any building permit fee paid hereunder which was erroneously paid or collected;
- "2. The full amount of any building permit fee paid hereunder less a fifty-dollar administrative fee when no work has been done under a permit issued in accordance with this code;
- "3. For permits where work has occurred, the refund will be calculated by City staff. Staff will consider all cost factors involved in administration of the permit, including but not limited to inspection and reinspection fees, mileage, staff time, supplies and building overhead.
- "4. The full amount of the plan review fee paid hereunder less a fifty-dollar administrative fee for a permit for which a plan review fee has been paid but is withdrawn or canceled before any plan review effort has been expended.

(14) Section R112.3 is hereby amended to read as follows:

**R112.3 Qualifications.** The Board of Appeals shall consist of the same members as the Board of Adjustment and Appeals outlined in Section 8.2 of the Charter for the City of Cherry Hills Village. The rules of procedure set forth in Section 16-3-30 of the Cherry Hills Village Municipal Code shall apply to all appeals brought under this code.

(15) Section R113 is hereby amended to read in its entirety as follows:

**R113.1 General.** Violations of this code shall be governed by Chapter 18, Article IX of the Cherry Hills Village Municipal Code.

(16) Section R114 is hereby amended to read in its entirety as follows:

**R114.1 General.** The issuance of stop work orders and notices for violations of this code shall be governed by Section 18-9-30 of the Cherry Hills Village Municipal Code.

(17) The definition of *accessory structure* in Section R202 is hereby amended to read as follows:

**ACCESSORY STRUCTURE.** A structure not over two stories in height, the use of which is customarily accessory to and incidental to that of the dwelling(s) and which is located on the same lot.

(18) Section 301.1 is hereby amended to add an exception as follows:

Exception: Greenhouse structures having a floor area of 200 square feet or less shall not be required to comply with the wind and snow load requirements of this code.

(19) Table R301.2 (1) is hereby amended to read as follows:

GROUND SNOW LOAD	"WIND DESIGN				SEISMIC DESIGN CATEGORY	SUBJECT TO DAMAGE FROM		
	Speed (mph)	Topographic effects	Special wind region	Wind-borne debris zone		Weathering	Frost Line Depth	Termites
30 psf	115	No	No	No	B	Severe	36 in.	Slight/ Moderate

WINTER DESIGN TEMP	ICE BARRIER UNDERLayment REQUIRED	FLOOD HAZARDS	AIR FREEZING INDEX	MEAN ANNUAL TEMP
1 degree	Yes	8/95	726	49.5° F"

(20) A new Section R324.7 is hereby added and shall read as follows:

**R324.7 Access and pathways.** Roof access, pathways and spacing requirements shall be provided in accordance with Sections R324.7.1 through R324.7.2.5.

## Exceptions:

1. Detached garages and accessory structures to one-and two-family dwellings and townhouses, such as parking shade structures, carports, solar trellises and similar structures.

2. Roof access, pathways and spacing requirements need not be provided where an alternative ventilation method approved by the building official has been provided or where the building official has determined that vertical ventilation techniques will not be employed.

**R324.7.1 Roof access points.** Roof access points shall be located in areas that do not require the placement of ground ladders over openings such as windows or doors, and located at strong points of building construction in locations where the access point does not conflict with overhead obstructions such as tree limbs, wires or signs.

**R324.7.2 Solar photovoltaic systems.** Solar photovoltaic systems shall comply with Sections R324.7.2.1 through R324.7.2.5.

**R324.7.2.1 Size of solar photovoltaic array.** Each photovoltaic array shall be limited to 150 feet by 150 feet (45 720 by 45 720 mm). Multiple arrays shall be separated by a clear access pathway not less than 3 feet (914 mm) in width.

**R324.7.2.2 Hip roof layouts.** Panels and modules installed on dwellings with hip roof layouts shall be located in a manner that provides a clear access pathway not less than 3 feet (914 mm) in width from the eave to the ridge on each roof slope where panels and modules are located. The access pathway shall be located at a structurally strong location on the building capable of supporting the live load of fire fighters accessing the roof.

Exception: These requirements shall not apply to roofs with slopes of 2 units vertical in 12 units horizontal (16.6 percent) and less.

**R324.7.2.3 Single ridge roofs.** Panels and modules installed on dwellings with a single ridge shall be located in a manner that provides two, 3-foot-wide (914 mm) access pathways from the eave to the ridge on each roof slope where panels or modules are located.

Exception: This requirement shall not apply to roofs with slopes of 2 units vertical in 12 units horizontal (16.6 percent) and less.

**R324.7.2.4 Roofs with hips and valleys.** Panels and modules installed on dwellings with roof hips or valleys shall not be located less than 18 inches (457 mm) from a hip or valley where panels or modules are to be placed on both sides of a hip or valley. Where panels are to be located on one side only of a hip or valley that is of equal length, the 18-inch (457 mm) clearance does not apply.

Exception: These requirements shall not apply to roofs with slopes of 2 units vertical in 12 units horizontal (16.6 percent) and less.

**R324.7.2.5 Allowance for smoke ventilation operations.** Panels and modules installed on dwellings shall not be located less than 3 feet (914 mm) below the roof ridge to allow for fire department smoke ventilation operations.

Exception: Where an alternative ventilation method approved by the building official has been provided or where the building official has determined that vertical ventilation techniques will not be employed, clearance from the roof ridge is not required.

(21) A new Section R1007 is hereby added and shall read as follows:

**Section R1007**  
**Pollution Control**

**R1007.1. Fireplace pollution control.** Any new or remodeled fireplace installed in any dwelling shall be one of the following:

1. A gas appliance;
2. An electric device; or

3. A fireplace or fireplace insert that meets the most stringent emission standards for wood stoves established by the State of Colorado Regional Air Quality Control Commission; or
4. Any other clean-burning device approved by the State of Colorado Regional Air Quality Control Commission.

(22) A new Section G2432.3.1 (602.3.1) is hereby added and shall read as follows:

**G2432.3.1 Unvented decorative appliances.** Unvented decorative appliances shall not be installed within a dwelling unit.

(23) Only the following Appendix Chapters of the *International Residential Code* are hereby adopted:

- a. Appendix H — Patio Covers.
- b. Appendix O – Automatic Vehicular Gates

#### **Sec. 18-2-30. Adoption of National Green Building Standard.**

There is hereby adopted by reference the *National Green Building Standard ICC/ASHRAE 700-2015*, including Appendix Chapters, as published by the National Association of Home Builders of the United States, 1201 15<sup>th</sup> Street NW, Washington, DC 20005-2800. One (1) copy of such code and other codes adopted by reference in the *National Green Building Standard ICC/ASHRAE 700-2015*, the same being adopted as if set out at length herewith, shall be maintained at the office of the Building Department and may be inspected during regular business hours. The subject matter of this Standard relates to criteria for rating the environmental impact of design and construction practices to achieve voluntary conformance with specified performance levels for green residential buildings in the City of Cherry Hills Village. The National Green Building Standard shall be referred to herein as the "Standard."

#### **Sec. 18-2-40. Amendments to National Green Building Standard.**

The Standard adopted herein is modified by the following amendments:

(1) Section 103.1 shall be amended by the addition of new sub-sections 103.1.1 and 103.1.2 to read as follows:

- 103.1.1 The Bronze level shall be the minimum performance level to insure compliance with the standard.
- 103.1.2 Verification for compliance shall be determined by the adopting entity or an approved third party agency.

(2) Section 305 shall be deleted in its entirety.

(3) The first sentence of Section 503.4 shall be amended to read as follows:

**503.4 Stormwater management.** Stormwater management shall be deemed to comply with section 503.4 (2) and (5) to receive 13 points when the stormwater requirements of Cherry Hills Village have been achieved. Further points maybe obtained in this section by following low-impact development techniques:

(4) The first sentence of Section 605.2 shall be amended to read as follows:

**605.2 On-site recycling.** On-site recycling measures are mandatory and will receive 7 points following applicable regulations and codes are implemented, such as the following:

(5) Section 605.3 shall be amended to read as follows:

**605.3 Recycled construction materials.** Construction materials (e.g., wood, cardboard, metals, drywall, plastic, asphalt roofing shingles, or concrete) are recycled offsite.

- (1) a minimum of two types of materials are recycled - Mandatory 3 points

(6) Section 701.1.1 shall be amended to read as follows:

**701.1.1 Bronze level compliance.** Any building that qualifies as an ENERGY STAR Version 3.0 Quality Home or demonstrates compliance with the 2015 IECC or Chapter 11 of the 2015 IRC is deemed to meet all mandatory practices of Chapter 7 and achieves the bronze level for Chapter 7 and receives 10 points for compliance. Additional points maybe awarded for practices above mandatory practices.

(7) Green Plan Review Fees for All New Residence shall be as follows:

<b>"GREEN BUILDING PLAN REVIEW"</b>	<b>FEES</b>
1,400 sq. ft. up to 6,000 sq. ft.	\$ 450.00 minimum for 3 hours review
6,001 sq. ft. up to 8,000 sq. ft.	\$ 600.00 minimum for 4 hours review
8,001 sq. ft. up to 10,000 sq. ft.	\$ 750.00 minimum for 5 hours review
10,001 sq. ft. and up	\$ 900.00 minimum for 6 hours review
Additional Plan Review beyond hours noted above	\$150.00 per hour, minimum 1 hour

**Sec. 18-2-50. Incentive Rebate Program.**

To encourage the construction of Dwelling Units to the Standard, the City authorizes the following rebates for Dwelling Units that achieve specified rating levels defined in Section 303 of the Standard, as evidenced by a "Home Innovation NGBS Green Certified" certificate issued by the National Association of Home Builders Research Center:

<b>RATING LEVEL</b>	<b>BUILDING PERMIT FEE REBATE (% of Fee Paid Pursuant to Table 1A – Building Permit Fees)</b>
Bronze	10%
Silver	15%
Gold	20%
Emerald	25%

The rebate shall be paid to the owner of the Dwelling Unit within ninety (90) days following (i) the building official's receipt of a "Home Innovation NGBS Green Certified" certificate issued by the National Association of Home Builders Research Center specifying the level of certification achieved and (ii) the City's issuance of a certificate of occupancy for the Dwelling Unit.

Section 3. Article III, Chapter 18, of the Cherry Hills Village Municipal Code, entitled "International Mechanical Code," is hereby repealed and re-enacted to read as follows:

**ARTICLE III**

**International Mechanical Code**

**Sec. 18-3-10. Adoption.**

There is hereby adopted by reference the *2015 International Mechanical Code*, as published by the International Code Council, Publications, 4051 West Flossmoor Road, Country Club Hills, IL 60478-5795. One (1) copy of such code and other codes adopted by reference in the *2015 International Mechanical Code*, the same being adopted as if set out at length herewith, shall be maintained at the office of the Building Department and may be inspected during regular business hours. The subject matter of this code includes comprehensive provisions and safety standards for the regulation and control of the design, construction, installation, quality of materials, location, operation and maintenance of heating, ventilating, comfort cooling and refrigeration systems, incinerators and other miscellaneous heat-producing appliances; construction, enlargement, alteration, repair, removal, demolition, equipment and use of buildings and structures and the standards for design and installation of heating, ventilation and air conditioning units; plumbing systems and fuel gas systems within buildings and structures within the City for the purpose of protecting the public health, safety and general welfare.

**Sec. 18-3-20. Amendments.**

The code adopted herein is hereby modified by the following amendments:

(1) Section 101.1 is hereby amended by inserting "the City of Cherry Hills Village," so the section will read as follows:

**101.1 Title.** These regulations shall be known as the *International Mechanical Code of the City of Cherry Hills Village*, hereinafter referred to as 'this code.'

(2) Section 106.3 is hereby amended to read as follows:

**106.3 Application for Permit.** Each application for a permit, with the required fee, shall be filed with the building official on a form furnished for that purpose and shall contain a general description of the proposed work and its location. The application shall be signed by the owner or owners representing a majority interest in the ownership of the property, or by an agent who is duly authorized by those individuals or entities that hold a majority interest in the ownership of the property. With respect to properties where deed, contract or other provisions require more than a majority interest to undertake work necessitating a building permit, such authority of the applicant shall be demonstrated with the permit application. The permit application shall indicate the proposed occupancy of all parts of the building and of that portion of the site or lot, if any, not covered by the building or structure and shall contain such other information required by the building official.

(3) Section 106.4.3 is hereby amended to read as follows:

**106.4.3 Expiration.** Every permit issued shall become invalid if the work on the site authorized by such permit is not commenced within ninety (90) days after its issuance or, if commenced, the work authorized on the site by such permit is suspended or abandoned for a period of ninety (90) days after the time the work is commenced. In the event a permit expires under either of these conditions, a new permit will be required to complete the work. The new permit fee will be calculated using the City's then-current fee calculation methods. Should the project be abandoned, permit fees may be refunded in accordance with Section 109.6 of the *International Building Code*, as adopted herein.

(4) Section 106.5.2 is hereby amended as follows:

**106.5.2 Fee schedule.** The fees for mechanical work shall be as indicated in Tables 1-A through 1-E located in Section 18-1-20(10) of the Cherry Hills Village Municipal Code.

(5) Section 106.5.3 is hereby amended to read as follows:

**106.5.3 Fee refunds.** The City of Cherry Hills Village shall authorize the refunding of fees as follows:

1. The full amount of any building permit fee paid hereunder which was erroneously paid or collected;
2. The full amount of any building permit fee paid hereunder less a fifty-dollar administrative fee when no work has been done under a permit issued in accordance with this code;
3. For permits where work has occurred, the refund will be calculated by City staff. Staff will consider all cost factors involved in administration of the permit, including but not limited to inspection and reinspection fees, mileage, staff time, supplies and building overhead.
4. The full amount of the plan review fee paid hereunder less a fifty-dollar administrative fee for a permit for which a plan review fee has been paid but is withdrawn or canceled before any plan review effort has been expended.

(6) Section 108 is hereby amended to read in its entirety as follows:

**108.1 General.** Violations of this code shall be governed by Section 18-9-20 of the Cherry Hills Village Municipal Code.

(7) Section 109.2 is hereby amended to read as follows:

**109.2 Membership of Board.** The Board of Appeals shall consist of the same members as the Board of Adjustment and Appeals outlined in Section 8.2 of the Charter for the City of Cherry Hills Village. The rules of procedure set forth in Section 16-3-30 of the Cherry Hills Village Municipal Code shall apply to all appeals brought under this code.

(8) Section 109.2.1 through 109.2.6 and 109.3 through 109.7 are here by deleted.

**Section 4.** Article IV, Chapter 18, of the Cherry Hills Village Municipal Code, entitled "International Plumbing Code," is hereby repealed and re-enacted to read as follows:

## ARTICLE IV

### International Plumbing Code

#### Sec. 18-4-10. Adoption.

There is hereby adopted by reference the *2015 International Plumbing Code*, as published by the International Code Council, Publications, 4051 West Flossmoor Road, Country Club Hills, IL 60478-5795. One (1) copy of such code and other codes adopted by reference in the *2015 International Plumbing Code*, the same being adopted as if set out at length herewith, shall be maintained at the office of the Building Department and may be inspected during regular business hours. The subject matter of this code includes minimum provisions and standards for the installation, alteration or repair of plumbing and drainage systems and equipment within or on public or private buildings or other structures in the City, and provides for the inspection thereof within the City for the purpose of protecting the public health, safety and general welfare.

#### Sec. 18-4-20. Amendments.

The code adopted herein is hereby modified by the following amendments:

(1) Section 101.1 is hereby amended by inserting "the City of Cherry Hills Village," so the section will read as follows:

**101.1 Title.** These regulations shall be known as the *International Plumbing Code of the City of Cherry Hills Village*, hereinafter referred to as 'this code.'

(2) Section 106.3 is hereby amended to read as follows:

**106.3 Application for Permit.** Each application for a permit, with the required fee, shall be filed with the building official on a form furnished for that purpose and shall contain a general description of the proposed work and its location. The application shall be signed by the owner or owners representing a majority interest in the ownership of the property, or by an agent who is duly authorized by those individuals or entities that hold a majority interest in the ownership of the property. With respect to properties where deed, contract or other provisions require more than a majority interest to undertake work necessitating a building permit, such authority of the applicant shall be demonstrated with the permit application. The permit application shall indicate the proposed occupancy of all parts of the building and of that portion of the site or lot, if any, not covered by the building or structure and shall contain such other information required by the building official.

(3) Section 106.5.3 is hereby amended to read as follows:

**106.5.3 Expiration of permits.** Every permit issued shall become invalid unless the work on the site authorized by such permit is commenced within ninety (90) days after its issuance, or if the work authorized on the site by such permit is suspended or abandoned for a period of ninety (90) days after the time the work is commenced. In no event shall a permit remain active longer than two (2) years. In the event a permit expires under either of these conditions, a new permit will be required to complete the work. The new permit fee will be calculated using the City's then-current fee calculation methods. Should the project be abandoned, permit fees may be refunded in accordance with Section 109.6 of the *International Building Code*, as adopted herein.

(4) Section 106.6.2 is hereby amended to read as follows:

**106.6.2 Fee schedule.** The fees for plumbing work shall be as indicated in Tables 1-A through 1-E located in Section 18-1-20(10) of the Cherry Hills Village Municipal Code.

(5) Section 106.6.3 is hereby amended to read as follows:

**106.6.3 Fee refunds.** The building official shall authorize the refunding of fees as follows:

1. The full amount of any building permit fee paid hereunder which was erroneously paid or collected;
2. The full amount of any building permit fee paid hereunder less a fifty-dollar administrative fee when no work has been done under a permit issued in accordance with this code;
3. For permits where work has occurred, the refund will be calculated by City staff. Staff will consider all cost factors involved in administration of the permit, including but not limited to inspection and reinspection fees, mileage, staff time, supplies and building overhead;
4. The full amount of the plan review fee paid hereunder less a fifty-dollar administrative fee for a permit for which a plan review fee has been paid but is withdrawn or canceled before any plan review effort has been expended.

(6) Section 108.1 is hereby amended to read as follows, and Sections 108.2 through 108.6 are hereby deleted:

**108.1 General.** Violations of this code shall be governed by Chapter 18, Article IX of the Cherry Hills Village Municipal Code.

(7) Section 109.2 is hereby amended to read as follows:

**109.2 Membership of Board.** The Board of Appeals shall consist of the same members as the Board of Adjustment and Appeals outlined in Section 8.2 of the Charter for the City of Cherry Hills Village. The rules of procedure set forth in Section 16-3-30 of the Cherry Hills Village Municipal Code shall apply to all appeals brought under this code.

(8) Sections 109.2.1 through 109.2.6 and 109.3 through 109.7 are hereby deleted.

(9) Section 305.4.1 is hereby amended to read as follows:

**305.4.1 Sewer depth.** Building sewers that connect to private sewage disposal systems shall be a minimum of sixty inches (60") below finished grade at the point of septic tank connection. Building sewers shall be a minimum of sixty inches (60") below grade.

(10) Section 903.1 is hereby amended to read as follows:

**903.1 Roof extension.** All open vent pipes that extend through a roof shall be terminated at least twelve inches (12") 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 seven feet (7') above the roof.

(11) A new exception to Section 2904.3.2

Exception: The sprinkler system piping shall be permitted to have additional control valves installed when supervised by one of the following methods:

1. Central station, proprietary, or remote station alarm service.
2. Local alarm service that causes the sounding of an audible signal at a constantly attended location.
3. Valves that are locked open or other approved method of securing the valve.

**Section 5.** Article V, Chapter 18, of the Cherry Hills Village Municipal Code, entitled "International Fuel Gas Code," is hereby repealed and re-enacted to read as follows:

## ARTICLE V

## International Fuel Gas Code

**Sec. 18-5-10. Adoption.**

There is hereby adopted by reference the 2015 *International Fuel Gas Code*, as published by the International Code Council, Publications, 4051 West Flossmoor Road, Country Club Hills, IL 60478-5795. One (1) copy of such code and other codes adopted by reference in the 2015 *International Fuel Gas Code*, the same being adopted as if set out at length herewith, shall be maintained at the office of the Building Department and may be inspected during regular business hours. The subject matter of this code includes minimum provisions and safety standards for the regulations of fuel gas systems and gas-fired appliances within buildings and structures in the City for the purpose of protecting the public health, safety and general welfare.

**Sec. 18-5-20. Amendments.**

The code adopted herein is hereby modified by the following amendments:

(1) Section 101.1 is hereby amended by inserting "the City of Cherry Hills Village," so the section will read as follows:

**101.1 Title.** These regulations shall be known as the *Fuel Gas Code of the City of Cherry Hills Village*, hereinafter referred to as 'this code.'

(2) Section 106.3 is hereby amended to read as follows:

**106.3 Application for Permit.** Each application for a permit, with the required fee, shall be filed with the building official on a form furnished for that purpose and shall contain a general description of the proposed work and its location. The application shall be signed by the owner or owners representing a majority interest in the ownership of the property, or by an agent who is duly authorized by those individuals or entities that hold a majority interest in the ownership of the property. With respect to properties where deed, contract or other provisions require more than a majority interest to undertake work necessitating a building permit, such authority of the applicant shall be demonstrated with the permit application. The permit application shall indicate the proposed occupancy of all parts of the building and of that portion of the site or lot, if any, not covered by the building or structure and shall contain such other information required by the building official.

(3) Section 106.5.3 is hereby amended to read as follows:

**106.5.3 Expiration of permits.** Every permit issued shall become invalid unless the work on the site authorized by such permit is commenced within ninety (90) days after its issuance or if the work authorized on the site by such permit is suspended or abandoned for a period of ninety (90) days after the time the work is commenced. In no event shall a permit remain active longer than two (2) years. In the event a permit expires under either of these conditions, a new permit will be required to complete the work. The new permit fee will be calculated using the City's then-current fee calculation methods. Should the project be abandoned, permit fees may be refunded in accordance with Section 109.6 of the *International Building Code*, as adopted herein.

(4) Section 106.6.2 is hereby amended to read as follows:

**106.6.2 Fee schedule.** The fees for work performed under this code shall be as indicated in Tables 1-A through 1-E located in Section 18-1-20(10) of the Cherry Hills Village Municipal Code.

(5) Section 106.6.3 is hereby amended to read as follows:

**106.6.3 Fee refunds.** The building official shall authorize the refunding of fees as follows:

1. The full amount of any building permit fee paid hereunder which was erroneously paid or collected;
2. The full amount of any building permit fee paid hereunder less a fifty-dollar administrative fee when no work has been done under a permit issued in accordance with this code;

3. For permits where work has occurred, the refund will be calculated by City staff. Staff will consider all cost factors involved in administration of the permit, including but not limited to inspection and reinspection fees, mileage, staff time, supplies and building overhead;

4. The full amount of the plan review fee paid hereunder less a fifty-dollar administrative fee for a permit for which a plan review fee has been paid but is withdrawn or canceled before any plan review effort has been expended.

(6) Section 108.1 is hereby amended to read as follows, and Sections 108.2 through 108.6 are hereby deleted:

**108.1 General.** Violations of this code shall be governed by Chapter 18, Article IX of the Cherry Hills Village Municipal Code.

(7) Section 109.2 is hereby amended to read as follows:

**109.2 Membership of Board.** The Board of Appeals shall consist of the same members as the Board of Adjustment and Appeals outlined in Section 8.2 of the Charter for the City of Cherry Hills Village. The rules of procedure set forth in Section 16-3-30 of the Cherry Hills Village Municipal Code shall apply to all appeals brought under this code.

(8) Sections 109.2.1 through 109.2.6 and 109.3 through 109.7 are hereby deleted

(9) A new Section 2432.3.1 (602.3.1) is hereby added and shall read as follows:

**2432.3.1 Unvented decorative appliances.** Unvented decorative appliances shall not be installed.

**Section 6.** Article VI, Chapter 18, of the Cherry Hills Village Municipal Code, entitled "International Energy Conservation Code," is hereby repealed and re-enacted to read as follows:

## ARTICLE VI

### International Energy Conservation Code

#### Sec. 18-6-10. Adoption.

There is hereby adopted by reference the 2015 *International Energy Conservation Code*, as published by the International Code Council, Publications, 4051 West Flossmoor Road, Country Club Hills, IL 60478-5795. One (1) copy of such code and other codes adopted by reference in the 2015 *International Energy Conservation Code*, the same being adopted as if set out at length herewith, shall be maintained at the office of the Building Department and may be inspected during regular business hours. The subject matter of this code includes comprehensive provisions and safety standards for the design of energy-efficient buildings and energy-efficient mechanical, lighting and power systems within buildings and structures in the City for the purpose of protecting the public health, safety and general welfare.

#### Sec. 18-6-20. Amendment.

The code adopted herein is hereby modified by the following amendment:

(1) Section 101.1 is hereby amended by inserting "the City of Cherry Hills Village," so the section will read as follows:

**101.1 Title.** These regulations shall be known as the *International Energy Conservation Code of the City of Cherry Hills Village*, hereinafter referred to as 'this code.'

**Section 7.** Article VII, Chapter 18, of the Cherry Hills Village Municipal Code, entitled "National Electrical Code," is hereby repealed and re-enacted to read as follows:

## ARTICLE VII

## National Electrical Code

**Sec. 18-7-10. Adoption.**

There is hereby adopted by reference the *2014 National Electrical Code*, as published by the National Fire Protection Association, One Batterymarch Park, Quincy, Massachusetts, 02269, or any other electrical code revision approved by the State. One (1) copy of such code and other codes adopted by reference in the *2014 National Electrical Code*, the same being adopted as if set out at length herewith, shall be maintained at the office of the City Clerk and may be inspected during regular business hours. The subject matter of this code includes comprehensive provisions and safety standards for the electrical construction, alteration, repair, removal and demolition of equipment within buildings and structures in the City for the purpose of protecting the public health, safety and general welfare.

**Sec. 18-7-20. Amendments.**

The code adopted herein is hereby modified by the following amendments:

(1) Annex H of the *2014 National Electric Code* is hereby adopted.

(2) Annex H, Section 80.13(13), is hereby amended to read as follows:

"(13) Whenever any installation subject to inspection prior to use is covered or concealed without having first been inspected, the authority having jurisdiction shall be permitted to require that such work be exposed for inspection. The authority having jurisdiction shall be notified when the installation is ready for inspection and shall conduct the inspection within three (3) days of such notification."

(3) Annex H, Section 80.15, is hereby amended to read as follows:

"(a) Board of Appeals. The Board of Appeals shall consist of the same members as the Board of Adjustment and Appeals outlined in Section 8.2 of the Charter for the City of Cherry Hills Village. The rules of procedure set forth in Section 16-3-30 of the Cherry Hills Village Municipal Code shall apply to all appeals brought under this code."

(4) Annex H, Section 80.19(F)3., is hereby amended to read as follows:

"3. When any portion of the electrical installation within the jurisdiction of the Electrical Inspector is to be hidden from view by the permanent placement of parts of the building, the person, firm or corporation installing the equipment shall notify the Electrical Inspector, and such equipment shall not be concealed until it has been approved by the Electrical Inspector, provided that on large installations, where the concealment of equipment proceeds continuously, the person, firm or corporation installing the equipment shall give the Electrical Inspector due notice in advance, and inspections shall be made periodically during the progress of the work."

(5) Annex H, Section 80.19(H), is hereby amended to read as follows:

1. Applications for permits shall be made to the City on forms provided by the City and shall include the applicant's answers in full to inquiries set forth on such forms. Applications for permits shall be accompanied by such data as required by the City, such as plans and specifications, location and so forth. The fees for work performed under this code shall be as indicated in Tables 1-A through 1-E located in Section 18-1-20(10) of the Cherry Hills Village Municipal Code.

2. An application for a permit for any proposed work shall be deemed to have been abandoned ninety (90) days after the date of filing, unless such application has been pursued in good faith or a permit has been issued; except that the building official is authorized to grant one extension of time for an additional period not to exceed 90 days. The extension shall be requested in writing and justifiable cause demonstrated.

3. The City shall review all applications submitted and issue permits as required. If an application for a permit is rejected by the City, the applicant shall be advised of the reasons for such rejection. Permits for activities requiring evidence of financial responsibility by the City shall not be issued unless proof of required financial responsibility is furnished.

4. Every permit issued shall become invalid unless the work on the site authorized by such permit is commenced within ninety (90) days after its issuance, or if the work authorized on the site by such permit is suspended or abandoned for a period of ninety (90) days after the time the work is commenced. In the event a permit expires under either of these conditions, a new permit will be required to complete the work. The new permit fee will be calculated using the City's then-current fee calculation methods. Should the project be abandoned, permit fees may be refunded in accordance with Section 108.6 of the *International Building Code*, as adopted herein.

(6) Annex H, Section 80.23(B), is hereby deleted, and Section 80.23(A) is hereby amended to read as follows:

**80.23(A) Violations.** Violations of this code shall be governed by Chapter 18, Article IX of the Cherry Hills Village Municipal Code.

(7) Annex H, Section 80.27, is hereby deleted in its entirety.

(8) Annex H, Section 80.29, is hereby amended to read as follows:

**80.29 Liability for damages.** Article 80 shall not be construed to affect the responsibility or liability of any party owning, designing, operating, controlling or installing any electric equipment for damages to persons or property caused by a defect therein, nor shall the City of Cherry Hills Village or any of its employees be held as assuming any such liability by reason of the inspection, re-inspection or other examination authorized.

**Section 8.** Article VIII, Chapter 18, of the Cherry Hills Village Municipal Code, entitled "International Fire Code," is hereby repealed and re-enacted to read as follows:

## ARTICLE VIII

### International Fire Code

#### **Sec. 18-8-10. - Adoption.**

There is hereby adopted by reference the 2015 International Fire Code, as published by the International Code Council, Publications, 4051 West Flossmoor Road, Country Club Hills, IL 60478-5795. One (1) copy of such code and other codes adopted by reference in the 2015 International Fire Code, the same being adopted as if set out at length herewith, shall be maintained at the office of the Building Department and may be inspected during regular business hours. The subject matter of this code includes comprehensive provisions and safety standards for fire prevention generally and, specifically, the regulation of conditions hazardous to life and property from fire or explosion; and to provide for the issuance of permits for hazardous uses or operations within buildings and structures in the City for the purpose of protecting the public health, safety and general welfare.

#### **Sec. 18-8-20. - Amendments.**

The code adopted herein is hereby modified by the following amendments:

(1) Section 101.1 is hereby amended as follows:

**101.1 Title.** These regulations shall be known as the *Fire Code of the City of Cherry Hills Village*, hereinafter referred to as 'this code.'

(2) Section 103 is amended to read in its entirety as follows:

**103.1 General.** South Metro Fire Rescue provides fire protection services for the City. It operates under the direction of its fire chief. South Metro Fire Rescue (the 'fire department'), working in conjunction with the City, is charged with the implementation, administration and enforcement of the provisions of this code.

(3) Section 108 is hereby amended by amending Section 108.1 to read as follows and by deleting Section 108.3:

**108.1 Board of Appeals.** The board of appeals shall hear and decide appeals or orders, decisions or determinations made by the fire code official or the City Manager or his or her designee relative to the application and interpretation of this code. The board of appeals shall consist of the same members as the Board of Adjustment and Appeals outlined in Section 8.2 of the Charter for the City of Cherry Hills Village. The rules of procedure set forth in Section 16-3-30 of the Cherry Hills Village Municipal Code shall apply to all appeals brought under this code.

(4) Section 109 is hereby amended to read in its entirety as follows:

**109.1 Violations.** Violations of this code shall be governed by Chapter 18, Article IX of the Cherry Hills Village Municipal Code.

(5) Section 111 is hereby amended to read in its entirety as follows:

**111.1 General.** The issuance of stop work orders and notices for violations of this code shall be governed by Section 18-9-30 of the Cherry Hills Village Municipal Code.

(6) Section 503.2 is hereby amended to read as follows:

**503.2 Specifications.** Fire apparatus access roads shall be installed and arranged in accordance with Sections 503.2.1 through 503.2.8 and Appendix D and/or the City of Cherry Hills Village roadway design provisions, as approved by the fire code official.

(7) Section 503.4.1 is hereby amended to read as follows:

**503.4.1 Traffic calming devices.** Fire Code Official approval is required before traffic calming devices can be constructed.

(8) Section 507.3 is hereby amended to read as follows:

**507.3 Fire flow.** Fire flow requirements for buildings or portions of buildings and facilities shall be determined in accordance with Appendix B or by an approved method.

(9) Section 507.5 is hereby amended to read as follows:

**507.5 Fire hydrant systems.** Fire hydrant systems shall comply with Sections 507.5.1 through 507.5.6 and Appendix C.

(10) Section 903.2.9 is hereby amended to read as follows:

**903.2.9 Group S-1.** An automatic sprinkler system shall be provided throughout all buildings containing a Group S-1 occupancy where one of the following conditions exists:

1. [No Change]
2. [No Change]
3. [No Change]
4. [No Change]
5. A Group S-1 fire area used for the storage of upholstered furniture or mattresses exceeds 2,500 square feet (232 m<sup>2</sup>).

(11) Section 1103.7.6 is hereby amended to read in its entirety as follows:

**1103.7.6 Group R-2.** A manual and automatic fire alarm system that activates the occupant notification system in accordance with Section 907.5 shall be installed in Group R-2 occupancies more than three stories in height or with more than 16 dwelling or sleeping units.

**Exceptions:**

1. [No Change]
2. [No Change]
3. A fire alarm system is not required in buildings that do not have interior corridors serving dwelling units, provided that dwelling units either have a means of egress door opening directly to an exterior exit access that leads directly to the exists or are served by open-ended corridors designed in accordance with Section 1027.6, Exception 3, items 3.2 to 3.5.
4. [No Change]

(12) Section 5601.1.3 is hereby amended to read in its entirety as follows:

**5601.1.3 Fireworks.** The possession, manufacture, storage, sale, handling and use of fireworks are prohibited.

**Exceptions:**

1. The possession, storage, handling, and use of fireworks as allowed in Section 5608.

(13) Section 5704.2.9.6.1 is hereby amended to read as follows:

**5704.2.9.6.1 Locations of aboveground tanks.** Aboveground tanks shall be located in accordance with this section.

(14) Section 5706.2.4.4 is hereby deleted in its entirety.

(15) Section 5806.2 is hereby deleted in its entirety.

(16) Section 6104.2 is hereby deleted in its entirety.

(17) Only the following Appendix Chapters of this code are hereby adopted and amended as follows:

- a. APPENDIX B - Fire-Flow Requirements for Buildings.

Appendix B is hereby amended to read as follows:

1. **Table B105.1(1) REQUIRED FIRE-FLOW FOR ONE- AND TWO-FAMILY DWELLINGS, GROUP R-3 AND R-4 BUILDINGS AND TOWNHOUSES** shall read as follows:

**TABLE B105.1(1)**  
**REQUIRED FIRE-FLOW FOR ONE- AND TWO-FAMILY DWELLINGS, GROUP R-3 AND R-4 BUILDINGS AND TOWNHOUSES**

FIRE-FLOW CALCULATION AREA (square feet)	AUTOMATIC SPRINKLER SYSTEM (Design Standard)	MINIMUM FIRE-FLOW (gallons per minute)	FLOW DURATION (hours)
0-3,600	No automatic sprinkler system	1,000	1
3,601 and greater	No automatic sprinkler system	Value in Table B105.1(2)	Duration in Table B105.1(2) at the required fire-flow rate

For SI: 1 square foot = 0.0929 m<sup>2</sup>, 1 gallon per minute = 3.785 L/m.

- b. APPENDIX C - Fire Hydrant Locations and Distribution

Appendix C is hereby amended to read as follows:

1. Section C103.2 is hereby amended to read as follows:

**C103.2 Average spacing.** The average spacing between fire hydrants shall be in accordance with Table C102.1.

**Exception:** The average spacing may be permitted to be increased by 10 percent where existing fire hydrants provide all or a portion of the required number of fire hydrants."

2. Table C102.1 is hereby amended to:

Delete all references to footnote f and footnote g in their entirety.

- c. APPENDIX D – Fire Apparatus Access Roads.

Appendix D is hereby amended to read as follows:

1. Section D103.1 is hereby deleted in its entirety.

2. Section D103.4 is hereby amended to read as follows:

**D103.4 Dead ends.** Dead-end fire apparatus access roads in excess of 150 feet (45 720 mm) shall be provided with width and turnaround provisions in accordance with Table D103.4 and/or the City of Cherry Hills Village roadway design provisions, as approved by the fire code official.

3. IFC Section D105.3 is hereby amended to read as follows:

**D105.3 Proximity to building.** At least one of the required access routes meeting this condition shall be located within a minimum of 15 feet (4572 mm) and a maximum of 30 feet (9144 mm) from the building, and shall be positioned parallel to one entire side of the building. The side of the building on which the aerial fire apparatus access road is positioned shall be approved by the fire code official.

**Exception:**

The proximity of an aerial fire apparatus access road may be altered by the fire code official based on the specifications and capabilities of the fire protection district's apparatus.

**Section 9.** Chapter 18, of the Cherry Hills Village Municipal Code, is hereby amended to add a new Article I.5 to follow Article I to be entitled "International Existing Building Code," to read as follows:

## ARTICLE I.5

### International Existing Building Code

**Sec. 18-1.5-10. Adoption.**

There is hereby adopted by reference the 2015 *International Existing Building Code*, as published by the International Code Council, 4051 West Flossmoor Road, Country Club Hills, IL 60478-5771, One (1) copy of such code and other codes adopted by reference in the 2015 *International Existing Building Code*, the same being adopted as if set out at length herewith, shall be maintained at the office of the Building Department and may be inspected during regular business hours. The subject matter of this code includes comprehensive provisions and standards regulating the repair, alteration, change of occupancy, addition to and relocation of existing buildings within the City for the purpose of protecting the public health, safety and general welfare.

## Sec. 18-1.5-20. Amendments.

The code adopted herein is hereby modified by the following amendments:

(1) Section 101.1 is hereby amended to insert "the City of Cherry Hills Village," so the section will read as follows:

**101.1 Title.** These regulations shall be known as the 'Existing Building Code of the City of Cherry Hills Village,' hereinafter referred to as 'this code.'

(2) Section 1401.2 is hereby amended to insert "January 1, 1970" so the first sentence of the section will read as follows:

**1401.2 Applicability.** Structures existing prior to January 1, 1970, 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 5 through 13.

(3) Section 105 is hereby deleted and replaced with the following language.

**1501.1. Permits.** Any owner or owner's authorized agent who intends to repair, add to, alter, relocate, demolish, or change the occupancy of a building or to repair, install, add, alter, remove, convert, or replace any electrical, gas, mechanical, or plumbing system, the installation of which is regulated by this code, or to cause any such work to be performed, shall first make application to the building official and obtain the required permit in accordance with the applicable code for the work. This includes the International Building Code, International Residential Code, International Mechanical Code, International Fuel Gas Code, International Plumbing Code, International Energy Conservation Code and the National Electrical Code as adopted and amended herein.

**Section 10. Penalties.** In conformance with Colorado Revised Statutes, Section 31-16-204, the following penalty provisions shall be applicable to violations of any provision of this Ordinance, as are currently existing and codified in Sections 18-9-20, 18-9-30 and 18-9-40 of the Municipal Code:

## Sec. 18-9-20. Violations.

Persons who violate a provision of this Chapter or any provision of any code adopted within this Chapter, or who erect, install, alter or repair a 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 guilty of a misdemeanor. Misdemeanors are punishable by:

- (1) A fine of not more than the maximum fine authorized in Section 1-4-20 of this Code for any one (1) offense, each day after a ticket is given constituting a separate offense, or
- (2) By imprisonment in the County jail for a period of not more than ninety (90) days or by both such fine and imprisonment.

## Sec. 18-9-30. Stop work orders and notices.

The building official is authorized to issue a notice, order and demand to immediately cease work or any other action found by the building official to be in violation of this Chapter or any code or codes either currently adopted or subsequently adopted by the City.

(1) A stop work order or other notice shall be made in writing and signed by the building official. The stop work order shall identify with reasonable specificity the activity found by the building official to be in violation of this Code or conducted in an unsafe or dangerous manner. Whenever possible, the order shall cite the applicable provisions of the code. The order shall identify the conditions necessary to remedy the violation and permit the continuation of the work authorized under the permit.

(2) A stop work order shall be deemed issued and effective when posted in a conspicuous place at the site described in the application for permit. The building official shall endeavor to mail or otherwise deliver a copy of the stop work order to the permit holder, the owner of the property and/or to persons engaged in the performance of the work authorized by the permit. Provided that the stop work order is properly posted in accordance with this Section, failure to deliver a copy of the order to the permit holder,

the property owner or any other person shall not invalidate or render ineffective the order.

(3) Upon correction or remedy of the violations cited in a stop work order, the building official shall issue a written order rescinding the stop work order.

(4) Upon issuance of a stop work order, the applicant shall submit for a building permit in accordance with this Chapter. The review of such building permit shall be subject to the normal permit fees for such work outlined in Section 108.2.1, Tables 1-A through 1-E, of the 2000 International Building Code, as amended, in addition to an investigation fee as outlined in Table 1-D of said section.

**Sec. 18-9-40. Abatement of violations.**

The imposition of the penalties herein prescribed shall not preclude the City Attorney from instituting appropriate action to prevent unlawful construction or to restrain, correct or abate a violation, to prevent illegal occupancy of a building, structure or premises, or to stop an illegal act, conduct, business or utilization of the property, the structure or any mechanical, plumbing or other system on or about any premises.

Section 11. **Repeal.** Existing ordinances or parts thereof covering the same matters as embraced in this ordinance are hereby repealed and any and all ordinances or parts of ordinances in conflict or inconsistent with the provisions of this ordinance are hereby repealed provided, however, that the repeal of any ordinance or parts of ordinances of the City of Cherry Hills Village shall not revive any other section of any ordinance or ordinances hereto before repealed or superseded, and further provided that this repeal shall not affect or prevent the prosecution or punishment of any person for any act done or committed in violation of any ordinance hereby repealed prior to the taking effect of this ordinance.

Section 12. **Severability.** If any provision of this Ordinance should be found by a court of competent jurisdiction to be invalid, such invalidity shall not affect the remaining portions or applications of this ordinance that can be given effect without the invalid portion, provided that such remaining portions or applications of this ordinance are not determined by the court to be inoperable. The City Council declares that it would have adopted this Ordinance and each section, subsection, sentence, clause, phrase, or portion thereof, despite the fact that any one or more section, subsection, sentence, clause, phrase, or portion be declared invalid.

Section 13. **Codification Amendments.** The codifier of the City's Municipal Code, Colorado Code Publishing, is hereby authorized to make such numerical and formatting changes as may be necessary to incorporate the provisions of this Ordinance within the Cherry Hills Village Municipal Code.

Section 14. **Effective date and time.** This Ordinance shall become effective ten days after publication after second reading in accordance with Section 4.5 of the Charter for the City of Cherry Hills Village.

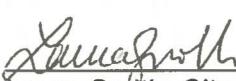
Adopted as Ordinance No. 6, Series 2017, by the City Council of the City of Cherry Hills Village, Colorado, on the 18<sup>th</sup> day of July, 2017.

(SEAL)



Laura Christman, Mayor

ATTEST:

  
Laura Smith, City Clerk

Published in *The Villager*  
Published: 7-27-17  
Legal #: 7573

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**City of Cherry Hills Village  
Adoption of Ordinance  
Ordinance 6, Series 2017**

A bill for an Ordinance of the City of Cherry Hills Village Repealing and Re-Enacting Articles I through VIII of Chapter 18 of the Cherry Hills Village Municipal Code, concerning Building Regulations; adopting by reference, with certain amendments, the 2015 International Building Code, the 2015 International Residential Code, the 2015 International Mechanical Code, the 2015 International Plumbing Code, the 2015 International Fuel Gas Code, the 2015 International Energy Conservation Code, the 2014 National Electrical Code, and the 2015 International Fire Code, 2015 International Existing Building Code, and 2015 National Green Building Standards; enacting a new Article I.5; Repealing all ordinances in conflict therewith; and providing penalties for violations thereof

Copies of the Ordinances are on file at the office of the City Clerk and may be inspected during regular business hours.

Published in *The Villager*  
Published: July 27, 2017  
Legal # 7573

APPROVED AS TO FORM:

  
Linda Michow, City Attorney