

**TOWN OF MT. CRESTED BUTTE
ORDINANCE NO. 6
SERIES 2024
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AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF MT. CRESTED BUTTE ADOPTING THE 2021 INTERNATIONAL BUILDING CODE, THE 2021 INTERNATIONAL RESIDENTIAL CODE, THE 2021 INTERNATIONAL MECHANICAL CODE, THE 2021 INTERNATIONAL ENERGY CONSERVATION CODE, THE 2021 INTERNATIONAL PROPERTY MAINTENANCE CODE, THE 2021 INTERNATIONAL EXISTING BUILDINGS CODE, THE 2021 INTERNATIONAL FIRE CODE, THE 2021 INTERNATIONAL SWIMMING POOL AND SPA CODE, THE 2023 COLORADO MODEL ELECTRIC READY AND SOLAR READY CODE, AND ESTABLISHING ALL NECESSARY AMENDMENTS TO SAID ADOPTED CODES

WHEREAS, the Community Development Department of the Town of Mt. Crested Butte, Colorado, has made a thorough study of the 2021 editions of the International Building Code, the International Residential Code, the International Mechanical Code, the International Fire Code, the International Fuel Gas Code, the International Property Maintenance Code, the International Existing Buildings Code, the International Energy Conservation Code, the 2023 Colorado Model Electric Ready and Solar Ready Code and recommend adoption of same along with the recommended additions and deletions thereto, to the Town Council of the Town of Mt. Crested Butte, Colorado; and

WHEREAS, the Town Council finds that the safety, health, and general welfare of the public is best served by the most up to date and modern building codes; and

WHEREAS, the Town Council desires that the same should be adopted.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF MT. CRESTED BUTTE, COLORADO, AS FOLLOWS:

Section 1. Chapter 6 of the Code of the Town of Mt. Crested Butte, Colorado is hereby repealed and replaced in its entirety to read as follows:

CHAPTER 6

ARTICLE I. IN GENERAL

Sec. 6-1: Violations; penalties

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

- a) Any person, firm, or corporation violating any of the provisions of this chapter shall be deemed guilty of a separate offense for each and every day, or portion thereof, during which any violation of any of the provisions of this chapter is committed, continued or permitted, and upon conviction of any such violation such person, firm or corporation shall be punishable by a fine of not more than two thousand six hundred and fifty dollars (\$2,650.00). Further, the use of any land, building or structure that is constructed, operated or maintained, contrary to the provisions of this chapter shall be unlawful, and the Town of Mt. Crested Butte, Colorado, may institute injunction, abatement, or other appropriate action to prevent, enjoin, abate or remove such violation.

Sec. 6-2: Parking

Parking between the dates of April 16 and November 14 by contractors, subcontractors or any other persons may be allowed on the street within the Town's rights of way if permission is granted by the building official. This parking shall be on one side only of the street. This on street parking will be allowed only in the event that parking on the property under construction is not possible, with an explanation submitted to the Building Official detailing the inability to park on the property. Access through the street must be maintained at all times. Under no circumstances will construction materials or equipment, including tool containers, portable toilets or dumpsters, be allowed within the public right-of-way unless permission is granted by the Building Official. On street parking within the town's rights of way is prohibited between the dates of November 15 and April 15. Special permission may be granted by the Building Official for temporary loading and unloading on a case-by-case basis and shall get approval prior to scheduled time.

Sec. 6-3: Maintenance

Contractors, builders and/or building permit holders are required to clean all construction mud, gravel and other debris from all public rights-of-ways, that the construction site is responsible for, at least every forty-eight (48) hours. If the Town determines it necessary to do the work on the behalf of the contractor, builder, and/or permit holder the Town shall charge the contractor, builder, and/or permit holder the fee for such service as set forth by the Town Council.

Secs. 6-4 – 6-15: Reserved

ARTICLE II. BUILDING CODE

Sec. 6-16: Adoption

- a) Pursuant to Title 31, Article 16, Part 2, C.R.S., there are hereby adopted by reference the following International Codes:
 1. The International Building Code 2021 edition, Chapters 1 through 35, Appendix Chapters B, C, E,F, I, and J. Published by the International Code Council Inc, 4051 West Flossmoor Road, Country Club Hills, IL 60478-5771, subject to such additions, deletions, and amendments as are set forth in this article.
- b) One (1) copy of the code is available for inspection or purchase in the office of the town building inspector during regular business hours.

Sec. 6-17: Title

Section 101.1, Title, of the International Building Code adopted in this article is hereby amended by substituting “Town of Mt. Crested Butte” for (NAME OF JURISDICTION) in the first sentence.

Sec. 6-18: Referenced Codes

Section 101.4, General, Referenced Codes, of the International Building Code adopted in this article is hereby deleted.

Sec. 6-19: Permits

Section 105.3, Permits, Application for Permit, of the International Building Code adopted in this article is hereby amended with the addition of the following subparagraphs:

Section 105.3.

1. In the event land other than that specified in subparagraph (2) above is to be utilized by the contractor or applicant for storage of construction materials or for the parking of vehicles, office trailers or other equipment, applicant shall provide written authorization from the owner of such other land for such use, specifying the type and term of the use being authorized.
2. Be accompanied by a recent site survey or plat, and legal description of the proposed building site or property, prepared by a registered land surveyor, licensed to practice in the state of Colorado at the time of application for a building permit. The plat or survey shall show all existing features, improvements, landscaping, water features, wetlands, topographic lines spaced no greater than 2 two feet, etc. The surveyor making the plat shall certify thereon that it is correct and that the perimeter monuments described therein have been placed as described, and affix his name and seal. The plat submitted shall reflect the type of monument set on the property corners and the location and dimension of all easements or right-of-ways of record or known to exist, except when a building permit is sought to reconstruct or remodel totally within the limits of an existing building or structure.
3. Be accompanied by a letter from the Crested Butte Fire Protection District (CBFPD) stating that the proposed project is in conformance with the provisions of Chapter 8, Article I, of the Mt. Crested Butte Code and that access roads, water supply and any other fire prevention and fire suppression requirements have been provided.
4. Be accompanied by a Construction Management Plan (CMP) demonstrating how the impacts of the proposed project to the community will be minimized. The CMP shall include a site plan and narrative demonstrating compliance with the following requirements:
 - a.) Parking: The site plan must show the location of all job site related vehicles, including number and location of requested street parking spaces, locations for material storage, and construction equipment. If parking is permitted in the right-of-way, all parking must be on the same side of the street and approved by the Town. No parking will be allowed on driveways other than the project lot without the expressed written consent of said property owner. The plan must demonstrate parking for employees, equipment and delivery vehicles, and must also include the maximum number of vehicles expected to be on site at any given time. On street parking within the town’s rights of way

is prohibited between the dates of November 15 and April 15.

- b.) Staging of Materials: The plan shall specify construction staging area locations. All staging must be onsite unless expressed written consent is given to stage elsewhere. Loose job material storage is not permitted in public right-of-way under any circumstances.
- c.) Cleaning of Roads: Mud tracking ramps and tire washout stations are required. Location and operation procedures shall be described in plans. At the end of the workday, all public roads must be clear of dust, mud, water, etc., which is due to construction. Failure to do so will result in the Town of Mt. Crested Butte sweeping the roads at the contractor's expense.
- d.) Trash, Toilet Facilities, and Temporary Office Trailer: All food-related trash on site must be stored in a bear-proof dumpster pursuant to Ordinance 6 Series 2007 in the Mt Crested Butte Town Code. All sites must be free of trash and refuse at all times. Construction trailers, portable restrooms, and dumpster locations shall be clearly designated on the project's site plan. All temporary structures must be stored on private property and not in the public right-of-way. The Town may approve a written request for the temporary placement of construction trailers, portable restrooms, dumpster and other similar items associated with construction.
- e.) Temporary Safety Fencing: The Town may require construction areas to have a non-removable construction fence of other approved device securely placed around the areas to be protected.
- f.) Hours of Construction: A person commits the crime of disturbing the peace if in a public or private place he/she performs any construction work, including but not limited to pile drivers, chainsaws, and other loud equipment: between the hours of 7:00 p.m. and 7:00 a.m., Monday through Friday, 6:00 p.m. to 7:00 a.m. Saturday, and 5:00 p.m. to 10:00 a.m. on Sundays.
- g.) Pets: All pets must be controlled and securely tied up at all times. Under no circumstances shall pets be allowed to move about freely on a site.
- h.) Adjoining Properties: No person shall excavate on land close enough to a property line to endanger any adjacent public street, sidewalk, other public or private property, or easement, without supporting and protecting the property from any damage that might result from construction operations.
- i.) Traffic Control: Any temporary blockage of traffic due to construction must be first approved by the Town of Mt. Crested Butte's Police and Maintenance departments. If traffic is to be blocked, certified flaggers must be used to control traffic.
- j.) Concrete washout stations: On-site concrete washout stations are required and locations and procedures shall be described in the Construction Management Plan (CMP).
- k.) Temporary Lighting Plan: Any temporary lighting used on site must be approved by Town staff.
- l.) Snow storage and snow removal plan: Snow should be generally stored on site. If stored off-site the CMP must identify the location of the off-site snow storage and include approval of the property owner on which the snow is stored. Snow is not permitted to be stored in the Town right-of-way. The

general contractor is responsible for clean-up and drainage control.

- m.) Dust Mitigation: Cover material shall be required for piles of dirt and areas where the groundcover has been disturbed and not yet re-vegetated unless such piles of dirt and disturbed areas are actively used in ongoing construction activities.
 - n.) Dust Control: Dust control for the project site and any staging or parking areas shall be required. On any disturbed areas determined by the building official to be causing significant fugitive dust to go into the atmosphere, the dust control procedures will be used to control fugitive dust from entering the atmosphere. Procedures may include, but not be limited to the application of water, magnesium chloride, or other dust inhibitor, and the cleaning of streets or paved surfaces where dirt and mud were deposited by vehicles or equipment from the project site or staging area.
 - o.) Sediment and Erosion Control: The main objective of the stormwater management plan shall be to identify Best Management Practices which will minimize erosion and sediment transport. The following apply:
 - i. Stock Piles must be protected with erosion control devices.
 - ii. City inlets, gutters, swales, and irrigation ditches shall be protected with erosion control devices and such protection shall be maintained for the duration of the project.
 - iii. A description of procedures used to protect and maintain in good and effective operating condition the erosion/sediment control measures until final stabilization is required.
 - iv. Temporary Drainage Plan- As site conditions change during the construction process, temporary drainage and erosion control will be required. The contractor is responsible for outlining what kind of drainage and erosion control is warranted for various stages of the work such as excavation, foundation, driveway access, grading, etc.
 - p.) Topsoil Retention: must be retained and protected to use after development of the site.
5. Gunnison County Building Contractor License.
- a.) All building permit applications for new construction shall include proof of a current Gunnison County Building Contractor license. The license shall be the type (Class A, Class B, or Class C) associated with the scope of work for the building permit application.
 - b.) All building permit applications for additions and level 2 and level 3 alterations governed by the International Existing Building Code (IEBC) and International Building Code (IBC) shall include proof of a current Gunnison County Building Contractor license. The license shall be the type (Class A, Class B or Class C) associated with the scope of work for the building permit application. The building official shall have the discretion to waive this requirement.

Exception: Property owners of an individual R1, R2, or R3 unit acting as their own contractor who provide proof of passing the contractor test associated with the Gunnison County contractor license.

6. Evidence of tap fee payment required. The building official shall not issue any building permit which would approve a building project that requires new or additional facilities to be tapped into the Mt. Crested Butte Water and Sanitation District's water and/or sewage system without first receiving satisfactory evidence from the Mt. Crested Butte Water and Sanitation District that all required tap fees have been paid or a written waiver, signed by the district's superintendent or his duly authorized representative, stating the reasons for the applicant's tap fee waiver.

Section 105.5, Permits, Expiration, of the International Building Code adopted in this article is hereby amended with the addition of the following paragraphs:

Section 105.5, Expiration.

Before work on an expired permit can be recommenced, a new permit shall be obtained to do so, and the required permit fees (building permit and plan-check) shall be one half the amount required for a new permit for such work, provided no changes have been made or will be made in the original plans and specifications for such work; and provided further that such suspension or abandonment has not exceeded 270 days. In order to renew action on a permit after work has been suspended or abandoned for more than 270 days, the permittee shall pay a new full permit fee.

All buildings, structures or work whose permit has expired and for which no application for renewal has been made, are to be considered dangerous buildings. All such unsafe buildings are hereby declared to be public nuisances and shall be abated by repair, rehabilitation, demolition or removal in accordance with the procedure specified in this chapter providing for the abatement of dangerous buildings.

In consideration of the short building season and the resort aspect of the community in Mt. Crested Butte, contractors are encouraged to complete the exterior portion of buildings before the winter season.

Section 105.6, Permits, Suspension or revocation, of the International Building Code adopted in this article is hereby amended in its entirety to read as follows:

Section 105.6, Permits, Suspension or revocation.

The building official is authorized to suspend or revoke a permit issued under the provisions of this code wherever the permit is issued in error, or on the basis of incorrect, inaccurate or incomplete information, or where the work being performed authorized under the permit is found to be in violation of any terms or conditions placed upon issuance of the permit by the building official, or in violation of any ordinance or regulation or any of the provisions of this building code.

Sec. 6-20: Phased Approval

Section 107.3.3, Phased Approval, Construction documents, of the International Building Code adopted in this article is hereby deleted in its entirety.

Sec. 6-21: Fees

Section 109.2, Fees, Schedule of permit fees, of the International Building Code adopted in this article is hereby amended in its entirety to read as follows:

Section 109.2 Fees, Schedule of permit fees. On construction of new buildings or structures requiring a permit, a fee for each permit shall be paid as required in accordance with Table 1-A.

TABLE 1-A – BUILDING PERMIT FEES	
TOTAL VALUATION	FEE
\$1.00 to \$500.00	\$23.50
\$501.00 to \$2000.00	\$23.50 for the first \$500.00 plus \$3.05 for each additional \$100.00, or fraction thereof, to and including \$2000.00
\$2001.00 to \$25,000.00	\$69.25 for the first \$2000.00 plus \$14.00 for each additional \$1000.00 , or fraction thereof, to and including \$25,000.00
\$25,001.00 to \$50,000.00	\$391.75 for the first \$25,000.00 plus \$10.10 for each additional \$1000.00, or fraction thereof, to and including \$50,000.00
\$50,001.00 to \$100,000.00	\$643.75 for the first \$50,000.00 plus \$7.00 for each additional \$1,000.00, or fraction thereof, to and including \$100,000.00
\$100,001.00 to \$500,000.00	\$993.75 for the first \$100,000.00 plus \$5.60for each additional \$1,000.00, or fraction thereof, to and including \$500,000.00
\$500,001.00 to \$1,000,000.00	\$3,233.75 for the first \$500,000.00 plus \$4.75 for each additional \$1000.00, or fraction thereof, to and including \$1,000,000.00
\$1,000,001.00 and up	\$5,608.75 for the first \$1,000,000.00 plus \$3.65 for each additional \$1,000.00, or fraction thereof.

Section 109.3, Fees, Building permit valuations, of the International Building Code adopted in this article is hereby amended in its entirety to read as follows:

The applicant for a permit for new construction, alteration, repair, moving an existing structure, or building demolition, or to change the occupancy of a building or structure, shall provide an estimated permit value at the time of application. Permit valuations shall include the total valuation of work for which a permit is being issued. Total valuation shall mean the valuation of the entire project excluding land, design costs (architecture and engineering), water and sewer tap fees and building permit fees. If, in the opinion of the Building Official, the valuation provided by the applicant is underestimated, a permit shall be denied until such time as the applicant can provide additional evidence supporting the estimates of value which are approved by the Building Official. The final permit valuation shall be determined by the Building Official. The Building Official reserves the right to require a financial audit and to request any and all applicable records relating to the actual value of labor and materials for which a permit has been issued prior to the final refund of the design review compliance and cleanup deposit. In the event that the Building Official determines the actual value of the work performed pursuant to the permit is greater than as estimated on the application, the applicant shall pay any

additional permit fees and deposits due on the additional value of the work.

Section 109.5, Fees, Related fees, of the International Building Code adopted in this article is hereby amended by the addition of the following at the end of the text:

Section 109.5, Fees, Related fees.

A Plan Check Fee shall be paid at the time of submitting the submittal documents for plan review. Said Plan Check Fee shall be 65% of the Building Permit Fee. The Plan Check Fee specified in this section is a separate fee from the permit fee specified in Section 109.2 and is in addition to the permit fee.

When submittal documents are incomplete or changed so as to require additional plan review or when the project involves deferred submittal items, an additional plan review fee shall be charged to the applicant as described above.

In the event that plan check costs exceed said fee collected, a fee in the amount necessary to cover all costs incurred will be charged to the applicant.

In the event that the building official determines that the use of outside consultants is necessary to perform the required plan check and inspections, a fee in the amount necessary to cover all costs incurred will be charged to the applicant.

Section 109.6, Refunds, Fees, of the International Building Code adopted in this article is hereby amended in its entirety to read as follows:

Section 109.6, Refunds, Fees.

The building official may authorize refunding of not more than eighty (80) percent of the permit and plan check fees paid when no work has been done under a permit issued in accordance with this code. The building official shall not authorize refunding of any fee paid except on written application filed by the original permittee not later than 180 days after the date of fee payment.

Section 109, Fees, of the International Building Code adopted in this article is hereby amended by the addition of the following subsection 109.7:

Sec. 109.7 Design Review Compliance and Cleanup Deposit Fees.

1. All persons who obtain a building permit with a valuation of \$1,000.00 or more shall pay a design review compliance fee and cleanup deposit prior to obtaining a building permit in accordance with the following table:

TOTAL VALUATION	COMPLIANCE FEE AND CLEANUP
\$0 - 99	\$0
\$1,000 - 4,999	\$500
\$5,000 - 9,999	\$1,000
\$10,000 - 49,999	\$2,000
\$10,000 - 49,999	2% of total valuation (including all phases of project)

If in the opinion of the Town the deposit is not in sufficient amount the Building Official may require additional deposit at his/her discretion.

2. Amounts due may be paid by cash payment held by the Town, or posting a bond or other security, in the appropriate amount, forfeitable to the Town upon default hereunder. Approval of the form of security shall be at the sole discretion of the Town. The Town may apply the security, or any portion thereof, to allow the Town to complete a project, reclaim the site, or undertake such other actions as may be necessary to protect the Town and inhabitants in the event the project is abandoned. A project shall be “abandoned” under this section upon expiration of the permit or extensions issued under the terms of Sections 105.3.2 and 105.5 of this chapter.
3. 50% of the Design Review Compliance and Cleanup Deposit may be refunded upon substantial design review completion. Design review completion shall include, but not be limited to, at minimum, issuance of a certificate of occupancy for the entire structure(s), installation of exterior finishes and installation of landscaping as required by design review and this code. At the Town’s discretion, the Town may refund additional deposit funds based on completeness of project.
4. The job site shall be kept clean and orderly at all times, and if it becomes necessary for the Town of Mt. Crested Butte to clean and/or haul debris or material from the site during construction, the fee for such services may be deducted from this deposit.
5. All construction debris shall be stored in one general location and shall be removed from the site weekly.
6. Open burning of construction debris is prohibited. Permits for open burning may be issued in accordance with Chapter 8, Article II, of the Mt. Crested Butte Town Code.
7. The remainder of the Design Review Compliance and Cleanup Deposit will be refunded when, in the opinion of the building official:
 - a. the landscaping required by design review and this code has been established and all remaining items for Design Review Compliance have been satisfied. In the event that the property has been legally conveyed or that the landscaping has not established itself within a 2-year period from the initial installation or in the event that the required design review compliance and cleanup is not accomplished in a timely manner, after reasonable notice by the Town to the owner of the subject property of such failure, then the Town may cause such cleanup and/or design review compliance to be performed, or may cause such project or building to be abated, utilizing such deposit or bond to offset any costs incurred, and, in the event such costs exceed the deposit or bond, the town shall have a lien upon the subject property in such amount, which lien, along with all costs and attorney’s fees incurred, may be enforced and foreclosed in the same manner as general mechanic’s liens in the State of Colorado.
 - b. No final refund of the Design Review Compliance and Cleanup Deposit shall be given until an improvement location certificate (ILC) or plat prepared by a registered land surveyor, licensed to practice in the state of Colorado is submitted to the Town. The surveyor making the location certificate shall certify thereon that it is correct, and shall include the height and setbacks of the building as required in Chapter 21 of the Code of the Town of Mt. Crested

Butte, Colorado, and that the improvements, as built, comply with the zoning requirements as detailed upon the design approval issued by the Town of Mt. Crested Butte, Colorado.

8. Should no inspection be requested by the original permittee who paid the deposit within 180 days of the date of the last inspection or the date of the permit issuance, the original permittee shall have forfeited their deposit to the Town. The Town is authorized to grant, in writing, one or more extensions of time, for periods not more than 180 days each. The extension shall be requested in writing and justifiable cause determinants.
9. Should the project property experience a transfer of ownership prior to the building permit being closed, the permittee shall be deemed to have forfeited all remainder of the permittee's design review and completion deposit held by the Town. Exception: A plan is submitted to the Town to satisfy all remaining building and design review items. The plan shall be reviewed and approved by the Building Official.

Sec. 6-22: Inspections

Section 110.3.3, Inspections, Lowest floor elevation, of the International Building Code adopted in this article is hereby deleted in its entirety.

Section 110.5, Inspections, Inspection requests, of the International Building Code adopted in this article is hereby amended in its entirety to read as follows:

Section 110.5, Inspections, Inspection requests.

It shall be the duty of the holder of the building permit or their duly authorized agent to notify the building official that such work is ready for inspection. Every request for inspection must be filed at least 2 working day before such inspection is desired. Such request may be in writing or by telephone. It shall be the duty of the permit holder to provide access to and means for inspection of such work that are required by this code.

Section 110, Inspections, of the International Building Code adopted in this article is hereby amended by the addition of the following subsection:

Section 110.7, Inspections, After Hour Inspection and Reinspection Fees.

Fees for after hour inspections and regular inspections after the initial inspection and one (1) reinspection shall be in accordance with the Table 1-B:

Table 1-B Inspection Fees	
TYPE OF INSPECTION	FEE
Inspections outside of normal business hours (Minimum Charge – two hours)	\$47.00 per hour ¹
Re-inspection Fees. (Minimum Charge – two hours)	\$47.00 per hour ¹
Additional plan review required by changes, additions or revisions to plans. (Minimum Charge – two hours)	\$47.00 per hour ¹

For use of outside consultants for plan checking, inspections and enforcement action.	Actual costs ²
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¹Or the total hourly cost to the jurisdiction, whichever is the greatest. This cost shall include supervision, overhead, equipment, attorney’s fees, hourly wages and fringe benefits of the employees involved.

²Actual costs include administrative, attorney, and overhead costs.

Sec. 6-23: Certificate of Occupancy

Section 111.3, Certificate of occupancy, Temporary occupancy, of the International Building Code adopted in this article is hereby amended in its entirety to read as follows:

Section 111.3, Certificate of occupancy, Temporary occupancy.

If the building official finds that no substantial hazard will result from occupancy of any building or portion thereof before the same is completed; the building official may issue a Temporary Certificate of Occupancy for the use of such portion or portions of a building or structure prior to the completion of the entire building or structure. No Temporary Certificate of Occupancy shall be issued until all required fire and life safety inspections have been found to be compliant. Temporary Certificates shall have an expiration date to be set by the building official. Said expiration date may be extended by the building official upon good cause shown to such building official prior to the original expiration date.

Sec. 6-24: Definitions

Section 202, Definitions, of the International Building Code adopted in this article is hereby amended to include the following definitions:

Bottom Rail. Horizontal member of the framework running continuously along the bottom edge of a guard.

Crawl Space. Crawl space shall mean an area under the first floor, or under a floor of the building.

Noxious weed. Any plant that has been declared a local noxious weed by the Town of Mt. Crested Butte.

Sec. 6-25: Fire and Carbon Monoxide Alarms and Detection Systems

Section 907.2, Where required – new buildings and structures of the International Building Code is hereby amended by the addition of the sentence:

Where required, the fire alarm system shall meet the requirements of the International Fire Code Section 907.8.2, as identified in Chapter 8 of the Town Code.

Sections 915.2.1 and 915.2.2 Carbon Monoxide Detection, Dwelling Units of the International Building Code is hereby amended in its entirety to read as follows:

Section 915.2.1. Dwelling Units.

Carbon monoxide alarms shall be installed on each floor in dwelling units and outside of each separate sleeping area. The detection device shall be located within 15 feet of an entrance to each room lawfully used for sleeping and audible within the sleeping room(s) it serves. Said alarm must be located outside of each room. In existing buildings, the alarm can be battery powered only or plug-in with battery backup. Where a fuel burning appliance is located within a bedroom or its attached bathroom, carbon monoxide detection shall be installed within the bedroom.

Section 915.2.2, Carbon Monoxide Detection, Sleeping units, Exception of the International Building Code is hereby amended in its entirety to read as follows:

Section 915.2.2 Sleeping Units

Exception: Carbon Monoxide detection shall be allowed to be installed outside of each separate sleeping area. Such detection shall be located within 15 feet of an entrance to each room lawfully used for sleeping and audible within the sleeping room(s) it serves. Said alarm must be located outside of each room. In existing buildings, the alarm can be battery powered only or plug-in with battery backup. Where a fuel burning appliance is located within a bedroom or its attached bathroom, carbon monoxide detection shall be installed within the bedroom.

Section 915.2 Carbon Monoxide Alarms, Locations of the International Building Code is hereby amended by the addition of the following subsection:

Section 915.2.4 Carbon Monoxide Alarms, Mechanical/Boiler Rooms.

Carbon monoxide alarms shall be installed in mechanical/boiler rooms that are fuel fired and contained within its own room.

Exception: The carbon monoxide alarm is not required in the mechanical/boiler room when the equipment is in an open atmosphere within a garage.

Sec. 6-26: Lower Explosive Gas Alarm, Required

Chapter 9 Fire Protections Systems of the International Building Code adopted in this article is hereby amended by the addition of the following Section:

Section 919.1 Lower Explosive Gas Alarms, Required

All occupancies provided with propane gas service shall have an approved LEL (lower explosive level) gas detector installed at the lowest point in the crawl space, basement or lowest floor of the structure, at an approved location. LEL notification devices (sounders) must provide 75db at the pillow. (Reference NFPA 72). LEL detector notification devices (sounders) must be located on each level to ensure 75 db at each pillow (bedroom). LEL detector sounder shall not be interlinked to the household building wiring's residential early warning detectors (i.e. smokes, COs) to clear and distinct separate sound with proper db's at the pillow are required. LEL detectors can be installed utilizing a "low

voltage” system with interiors sounders to be installed in approved locations to ensure 75 db’s at each pillow.

Sec. 6-27: Means of Egress

Section 1013.2, Floor level exit signs in Group R-1, of the International Building Code adopted in this article is hereby amended in its entirety to read as follows:

Section 1013.2, Floor level exit signs in Group R-1, R-2, R-4, and I occupancies. Where exit signs are required in Group R-1, R-2, R-4, and I occupancies by Section 1013.1, additional low-level exit signs shall be provided in all corridors serving individual dwelling units or sleeping units in Group R-1, R-2, R-4, and I occupancies and shall comply with Section 1013.5. The bottom of the sign shall be not less than 10 inches (254 mm) nor more than 12 inches (305 mm) above the floor level. The sign shall be flush mounted to the door or wall and the edge of the sign shall be within 4 inches (102 mm) of the door frame on the latch side. Photo-luminescent or self luminous signs shall only be allowed in buildings that do not have power or in buildings that are being remodeled.

Sec. 6-28: Guards

Section 1015.4, Guards, Opening limitations, of the International Building Code adopted in this article is hereby amended by the addition of the following exception as follows:

1. The bottom rail of exterior open guards shall not have an opening which allows passage of a sphere 6 inches in diameter.

Sec. 6-29: Emergency Escape and Rescue

Section 1031.5, Emergency Escape and Rescue, Area wells, of the International Building Code adopted in this article is hereby amended by the addition of the following subsection:

Section 1031.5.4 Roof snow shed.
No area well will be approved as an emergency escape and rescue opening unless a roof section extends past the area well footprint (at a minimum 12”) sufficient to prevent snow from falling into or backing into the area well it covers. The section covering a area well egress must be high enough above grade to allow egress but should not be more than nine feet above the grade upon which the area well exits. A curb may be required around the sides of the area well used for egress above the adjacent grade to prevent snow from backing into the area well and to prevent pedestrians from inadvertently falling into the area well.

Sec. 6-30: Ventilation of Crawlspace

Section 1202.4, Under-floor ventilation, of the International Building Code adopted in this article is hereby amended in its entirety to read as follows:’

Section 1202.4 Under-floor ventilation.
Crawl spaces shall be provided with a continuously operated mechanical ventilation system that runs a rate of 1.0 cubic foot per minute (CFM) for each 50 square feet (1.02

L/s for each 10 m²) of crawl- space floor area. The ground surface shall be covered with a Class I vapor retarder. Joints of the vapor retarder shall overlap by 6 inches (152 mm) and shall be sealed or taped. The edges of the vapor retarder shall extend at least 6 inches (152mm) up the stem wall and shall be attached and sealed to the stem wall. The crawlspace perimeter walls shall be insulated and air-sealed in accordance with the 2021 International Energy and Conservation Code.

Section 1202.4.1, Openings for underfloor ventilation, of the International Building Code adopted in this article is hereby deleted in its entirety.

Sec. 6-31: Ice Barriers for Roofs

Section 1507.2.8.2 Roof Assemblies and Rooftop Structures, Ice Barrier, of the International Building Code, adopted in this article, is hereby amended in its entirety to read as follows:

Section 1507.2.8.2 Ice Barrier.

An ice barrier shall be installed for all roofs. The ice barrier shall consist of a self-adhering polymer-modified bitumen sheet and shall be installed on the entire roof.

Exception: Detached accessory structures not containing conditioned floor area.

Sec. 6-32: Design Snow Loads

Section 1608.1, Snow Loads, General, of the International Building Code, adopted in this article, is hereby amended to read as follows:

Section 1608.1 Snow Loads, General. Design snow load shall be determined in accordance with Colorado Design Snow Loads 2016 prepared by the Structural Engineers Association of Colorado (SEAC) Snow Load Committee which sets the design ground snow load for Mt. Crested Butte at 155 psf.

Sec. 6-33: Footings

Section 1808, Foundations, of the International Building Code, adopted in this article, is hereby amended by the addition of the following subsection:

Section 1808.10 Depth of footings.

Footings and foundations shall be constructed of concrete and in all cases shall extend no less than 3 feet (36 inches) below finished grade unless an alternative depth is recommended by a geotechnical engineer licensed as a Professional Engineer in the State of Colorado. Footing depths may be reduced if accompanied by rigid insulation that will reduce frost penetration, designed by a registered professional engineer in the State of Colorado and subject to approval by the building official. Foundations supporting wood shall extend at least 6 inches above the adjacent finished grade.

Sec. 6-34: Minimum Slab Provisions

Section 1907.1, Minimum Slab Provisions, General, of the International Building Code, adopted in this article, is hereby amended by the addition of the following at the end of the

text before the Exception:

Section 1907.1, Construction and insulation of slab on grade.

Concrete slabs on grade shall be damp proofed and insulated in accordance with the 2021 IECC as amended and adopted.

1. Slabs shall be provided with a base course of at least 6 inches of graded gravel crushed rock or other material approved by the building official.
2. Slabs on grade shall be reinforced with not less than number 6 inch by 6 inch wire mesh elevated into the approximate center of the pour.
3. A continuous vapor barrier membrane with all seams or laps sealed shall be provided between the above base course and the concrete slab, and such membranes shall be turned upward at the edge to the top of the slab
4. Concrete slabs on grade floors inside the buildings thermal envelope shall meet the provisions of 402.2.9 and 402.2.9.1 of the 2021 IECC, with the exception that R-10ci shall be under the entire slab. Heated slabs outside the building's thermal envelope shall have a minimum of an R-10ci under the entire slab and slab edge.

Sec. 6-35: Excavation and Grading – Permits Required

Appendix Chapter J, Grading, Section J103.1, Permits required, of the International Building Code adopted in this article, is hereby amended in its entirety to read as follows:

Section J103.1, Permits required.

No person shall do any excavation, grading, or earth work construction in the Town Right-of-Way (ROW) without first having obtained an excavation permit from the building official except for the following:

1. All work related to an approved subdivision for which a subdivision or development improvement agreement with the Town is in effect.
2. Work in the Town R-O-W that is associated with another open building permit.

Failure to acquire the required permit prior to commencing any non-emergency excavation shall result in a fine of \$500.

No person shall do any excavation, grading, or earth work in locations in other than Town ROW, and/or on private property that disturbs more than 10 cubic yards (CY) of earth without first having obtained an excavation permit from the Town building official except for the following:

1. All work related to an approved subdivision for which a subdivision or development improvement agreement with the town is in effect.
2. Work that is associated with another open building permit.
3. Failure to acquire the required permit prior to commencing any non-emergency excavation shall result in a fine of \$500.

No person shall commence or engage in any excavation or digging prior to notifying the Utility Notification Center of Colorado (UNCC) and all underground utilities, vaults and structures have been properly marked and located. It shall be the responsibility of the

contractor performing such excavation or digging to locate any underground utilities, vaults and structures not identified by the UNCC. Contractors shall comply with the “no dig” dates set forth by the appropriate utility companies. All work that involves a road cut, recreation path cut, or a flow fill cut shall warranty the repair of same for a one (1) year period from the date the permit is closed.

Sec. 6-36: Excavation and Grading – Fees, Completion, and Cleanup Deposits

Appendix Chapter J, Grading, Section J103.2, Exemptions, of the International Building Code, adopted in this article, is hereby amended in its entirety to read as follows:

Section. J103.2, Completion and cleanup deposit.

All persons who obtain an excavation permit shall pay an application fee plus a completion and cleanup deposit in accordance with the following table.

TYPE OF APPLICATION	APPLICATION FEE	MINIMUM DEPOSIT/OR BOND AMOUNT
<u>Minor Excavation</u> i.e. private property, ROW with no Town road or rec. path cut, etc.	\$100.00	\$1,000.00
<u>Major Excavation</u> i.e. in Town ROW with Town road or rec path cut, flow fill, culvert, etc.	\$100.00	\$2,000.00

1. The required fee and deposit shall be paid before obtaining an excavation permit. Refund of the deposit will be made after the grading or excavation is complete in the opinion of the Town Maintenance Department Supervisor, the Town Capital Projects Manager, or building official. Project permit completion requirements may include re-vegetation of all disturbed areas. No interest will be paid on these fees and deposits. Refund of the deposit shall be made to the applicant at the address shown upon the application for the excavation permit unless a different address has been supplied by the applicant in writing. Failure to notify the Town of a change of address may result in forfeiture of the deposit to the Town if the applicant cannot be located.
2. In the event review and inspection costs exceed the collected application fee, a fee in the amount necessary to cover all incurred costs will be charged to the applicant.
3. Permit amounts for projects may also be paid by posting a performance bond in the appropriate amount with the Town, issued by a qualified underwriting or bonding company, conditional upon conformance herewith, forfeitable to the town upon default hereunder. The required deposit shall be paid before obtaining an excavation permit.
4. Arrangements may be made with the Town to post a suitable bond to allow for one or more excavation projects to occur during a specified period.
5. In the event that the required project completion and cleanup is not accomplished in a timely manner, after reasonable notice by the Town to the owner of the subject property of such failure, then the Town may cause such cleanup and/or compliance to be performed, or may cause such excavation to be abated, utilizing such deposit or bond to offset any costs incurred, and, in the event such costs exceed the deposit or

bond, the town shall have a lien upon the subject property in such amount, which lien, along with all costs and attorney's fees incurred, may be enforced and foreclosed in the same manner as general mechanic's liens in the State of Colorado.

6. Should no inspection be requested by the original permittee who paid the deposit within 180 days of the date of the last inspection or the date of the permit issuance, the original permittee shall have forfeited their deposit to the Town. The town is authorized to grant, in writing, one or more extensions of time, for periods not more than 180 days each. The extension shall be requested in writing and justifiable cause determinants.
7. Should the project property experience a transfer of ownership prior to the permit being closed, the permittee shall be deemed to have forfeited all remainder of the permittee's deposit held by the Town. Exception: A plan is submitted to the Town to satisfy all remaining excavation items. The plan shall be reviewed and approved by the Building Official.

Sec. 6-37: Utility Installation

The International Building Code adopted in this article is hereby amended by the addition of the following Appendix Chapter P, Utility Installation:

Appendix Chapter P. Utility Installation.

Section P101 – Utility Installation (Underground)

Any remodeling of any existing building or structure which requires the replacement of an existing utility or installation or a new utility system shall require that such utility installation be placed underground as is required for new buildings or new structures.

Secs. 6-38 – 6-45: Reserved

ARTICLE III. RESIDENTIAL CODE

Sec. 6-46: Adoption

- a.) Pursuant to Title 31, Article 16, Part 2, C.R.S., there are hereby adopted by reference the following International Codes:
 1. International Residential Code 2021 edition, Chapters 1 through 24 and Chapter 42, and Appendix Chapters A through H, Appendix Chapters J through O, and Appendix Chapters Q through U published by the International Code Council Inc, 4051 West Flossmoor Road, Country Club Hills, IL 60478-5795, subject to such additions, deletions, and amendments as are set forth in this article.
- b.) One (1) copy of the code is available for inspection or purchase in the office of the town building inspector during regular business hours.

Sec. 6-47: Title

Section R101.1, Title, Title, Scope and Purpose of the International Residential Code adopted in this article is hereby amended by substitution of “Town of Mt. Crested Butte” for (NAME OF JURISDICTION) in the first sentence.

Sec. 6-49: Permits Required

Section R105.1, Required is hereby amended with the addition of the following sentence:
International Residential Code provisions for Excavation and Grading shall refer to Sections 6-33 and 6-34 of this chapter.

Sec.6-48: Work Exempt From Permit

Section R105.2 Work exempt from permit is hereby amended by the deletion of item 10 under Building in its entirety.

Section R105.2 Work Exempt from permit Building 1. is hereby amended in its entirety to read as follows:

Section R105.2 Work Exempt from Permit.

Building:

- a.) One-story detached accessory structures used as tool and storage sheds, playhouses, and similar uses, provided the floor area does not exceed 160 square feet.

Sec. 6-49: Application For Permit

Section R105.3, Permits, Application for permit, of the International Residential Code adopted in this article is hereby amended by the addition of the following subparagraphs:

Section R105.3

1. In the event land other than that specified in subparagraph (2) above is to be utilized by the contractor or applicant for storage of construction materials or for the parking of vehicles, office trailers or other equipment, applicant shall provide written authorization from the owner of such other land for such use, specifying the type and term of the use being authorized.
2. Be accompanied by a recent site survey or plat, and legal description of the proposed building site or property, prepared by a registered land surveyor, licensed to practice in the state of Colorado at the time of application for a building permit. The plat or survey shall show all existing features, improvements, landscaping, water features, wetlands, topographic lines spaced no greater than 2 two feet, etc. The surveyor making the plat shall certify thereon that it is correct and that the perimeter monuments described therein have been placed as described, and affix his name and seal. The plat submitted shall reflect the type of monument set on the property corners and the location and dimension of all easements or rights-of-way of record or known to exist, except when a building permit is sought to reconstruct or remodel totally within the limits of an existing building or structure.
3. Be accompanied by a letter from the Crested Butte Fire Protection District (CBFPD) stating that the proposed project is in conformance with the provisions of Chapter 8, Article I, of the Mt. Crested Butte Code and that access roads, water supply and any other fire prevention and fire suppression requirements have been provided.
4. Be accompanied by a Construction Management Plan (CMP) demonstrating how the impacts of the proposed project to the community will be minimized. The CMP shall include a site plan and narrative demonstrating compliance with the following:

- a.) **Parking:** The site plan must show the location of all job site related vehicles, including number and location of requested street parking spaces, locations for material storage, and construction equipment. If parking is permitted in the right-of-way, all parking must be on the same side of the street and approved by the Town. No parking will be allowed on driveways other than the project lot without the expressed written consent of said property owner. The plan must demonstrate parking for employees, equipment and delivery vehicles, and must also include the maximum number of vehicles expected to be on site at any given time. On street parking within the town's rights of way is prohibited between the dates of November 15 and April 15.
- b.) **Staging of Materials:** The plan shall specify construction staging area locations. All staging must be onsite unless expressed written consent is given to stage elsewhere. Loose job material storage is not permitted in public right-of-way under any circumstances.
- c.) **Cleaning of Roads:** Mud tracking ramps and tire washout stations are required. Location and operation procedures shall be described in plans. At the end of the workday all public roads must be clear of dust, mud, water, etc..., which is due to construction. Failure to do so will result in the Town of Mt. Crested Butte sweeping the roads at the contractor's expense.
- d.) **Trash, Toilet Facilities, and Temporary Office Trailer:** All food related trash on site must be stored in a bear proof dumpster pursuant to Ordinance 6 Series 2007 in the Mt Crested Butte Town Code. All sites must be free of trash and refuse at all times. Construction trailers, portable restrooms, and dumpster locations shall be clearly designated on the project's site plan. All temporary structures must be stored on private property and not in the public right-of-way. The Town may approve a written request for the temporary placement of construction trailers, portable restrooms, dumpster and other similar items associated with construction.
- e.) **Temporary Safety Fencing:** The Town may require construction areas to have a non-removable construction fence of other approved device securely placed around the areas to be protected.
- f.) **Hours of Construction:** A person commits the crime of disturbing the peace if in a public or private place he/she performs any construction work, including but not limited to pile drivers, chainsaws, and other loud equipment: between the hours of 7:00 p.m. and 7:00 a.m., Monday through Friday, 6:00 p.m. to 7:00 a.m. Saturday, and 5:00 p.m. to 10:00 a.m. on Sundays.
- g.) **Pets:** All pets must be controlled and securely tied up at all times. Under no circumstances shall pets be allowed to move about freely on a site.
- h.) **Adjoining Properties:** No person shall excavate on land close enough to a property line to endanger any adjacent public street, sidewalk, other public or private property, or easement, without supporting and protecting the property from any damage that might result from construction operations.
- i.) **Traffic Control:** Any temporary blockage of traffic due to construction must be first approved by the Town of Mt. Crested Butte's Police and Maintenance departments. If traffic is to be blocked, certified flaggers must be used to control traffic.
- j.) **Concrete washout stations:** On site concrete washout stations are required and

locations and procedures shall be described in Construction Management Plan (CMP).

- k.) Temporary Lighting Plan: Any temporary lighting used on site must be approved by Town staff.
 - l.) Snow storage and snow removal plan: Snow should be generally stored on site. If stored off site the CMP must identify the location of the off site snow storage and include approval of the property owner on which the snow is stored. Snow is not permitted to be stored in the Town Right-of-Way. The general contractor is responsible for clean-up and drainage control.
 - m.) Dust Mitigation: Cover material shall be required for piles of dirt and areas where the groundcover has been disturbed and not yet re-vegetated unless such piles of dirt and disturbed areas are actively used in on going construction activities.
 - n.) Dust Control: Dust control for the project site and any staging or parking areas shall be required. On any disturbed areas determined by the building official to be causing significant fugitive dust to go into the atmosphere, the dust control procedures will be used to control fugitive dust from entering the atmosphere. Procedures may include, but not be limited to the application of water, magnesium chloride, or other dust inhibitor, and the cleaning of streets or paved surfaces where dirt and mud was deposited by vehicles or equipment from the project site or staging area.
 - o.) Sediment and Erosion Control: The main objective of the storm water management plan shall be to identify Best Management Practices which will minimize erosion and sediment transport. The following apply:
 - i. Stock Piles must be protected with erosion control devices.
 - ii. City inlets, gutters, swales, and irrigation ditches shall be protected with erosion control devices and such protection shall be maintained for the duration of the project.
 - iii. A description of procedures used to protect and maintain in good and effective operating condition the erosion/sediment control measures until final stabilization is required.
 - iv. Temporary Drainage Plan- As site conditions change during the construction process, temporary drainage and erosion control will be required. The contractor is responsible for outlining what kind of drainage and erosion control is warranted for various stages of the work such as excavation, foundation, driveway access, grading, etc.
 - p.) Topsoil Retention: must be retained and protected to use after development of the site.
5. Gunnison County Building Contractor License.
- a) All building permit applications for new construction shall include proof of a current Gunnison County Building Contractor license. The license shall be the type (Class A, Class B or Class C) associated with the scope of work for the building permit application.
 - b) All building permit applications for additions and Reconstructions per Appendix AJ of the International Residential Code (IRC) shall include proof of a current Gunnison County Building Contractor license. The license shall be the type (Class

A, Class B or Class C) associated with the scope of work for the building permit application. The building official shall have the discretion to waive this requirement.

- a. Exemption: Property owners acting as their own contractors who provide proof of passing the contractor test associated with the Gunnison County contractor license.
- c) Evidence of tap fee payment required. The building official shall not issue any building permit that would approve a building project that requires new or additional facilities to be tapped into the Mt. Crested Butte Water and Sanitation District's water and/or sewage system without first receiving satisfactory evidence from the Mt. Crested Butte Water and Sanitation District that all required tap fees have been paid or a written waiver, signed by the district's superintendent or his duly authorized representative.

Sec. 6-50: Permit Expiration and Revocation

Section R105.5, Permits, Expiration, of The International Residential Code adopted in this article is hereby amended by the addition of the following paragraphs:

Section R105.5 Permits Expiration

Before work on an expired permit can be recommenced, a new permit shall be obtained to do so, and the fee shall be one-half the amount required for a new permit for such work, provided no changes have been made or will be made in the original plans and specifications for such work; and provided further that such suspension or abandonment has not exceeded 270 days. In order to renew action on a permit after work has been suspended or abandoned for more than 270 days, the permittee shall pay a new full permit fee.

All buildings, structures or work whose permit has expired and for which no application for renewal has been made, are to be considered dangerous buildings. All such unsafe buildings are hereby declared to be public nuisances and shall be abated by repair, rehabilitation, demolition or removal in accordance with the procedure specified in this chapter providing for the abatement of dangerous buildings.

In consideration of the short building season and the resort aspect of the community in Mt. Crested Butte, contractors are encouraged to complete the exterior portion of buildings before the winter season.

Section R105.6, Permits, Suspension or revocation, of the International Residential Code adopted in this article is hereby amended in its entirety as follows:

Section R105.6, Permits, Suspension or revocation.

The building official is authorized to suspend or revoke a permit issued under the provisions of this code wherever the permit is issued in error, or on the basis of incorrect, inaccurate or incomplete information, or where the work being performed authorized under the permit is found to be in violation of any terms or conditions placed upon issuance of the permit by the building official, or in violation of any ordinance or regulation or any of the provisions of this code.

Sec. 6-51: Phased Approval

Section R106.3.3, Phased Approval, Construction documents, of the International Residential Code adopted in this article is hereby deleted in its entirety.

Sec. 6-52: Fees

Section R108.2, Fees, Schedule of permit fees, of the International Residential Code adopted in this article is hereby amended in its entirety to read as follows:

Section R108.2, Fees, Schedule of permit fees.

On buildings, structures, or alterations requiring a permit, a fee for each permit shall be paid as required in accordance with Table R1-A.

TABLE R1-A – BUILDING PERMIT FEES	
TOTAL VALUATION	FEE
\$1.00 to \$500.00	\$23.50
\$501.00 to \$2000.00	\$23.50 for the first \$500.00 plus \$3.05 for each additional \$100.00, or fraction thereof, to and including \$2000.00
\$2001.00 to \$25,000.00	\$69.25 for the first \$2000.00 plus \$14.00 for each additional \$1000.00 , or fraction thereof, to and including \$25,000.00
\$25,001.00 to \$50,000.00	\$391.75 for the first \$25,000.00 plus \$10.10 for each additional \$1000.00, or fraction thereof, to and including \$50,000.00
\$50,001.00 to \$100,000.00	\$643.75 for the first \$50,000.00 plus \$7.00 for each additional \$1,000.00, or fraction thereof, to and including \$100,000.00
\$100,001.00 to \$500,000.00	\$993.75 for the first \$100,000.00 plus \$5.60 for each additional \$1,000.00, or fraction thereof, to and including \$500,000.00
\$500,001.00 to \$1,000,000.00	\$3,233.75 for the first \$500,000.00 plus \$4.75 for each additional \$1000.00, or fraction thereof, to and including \$1,000,000.00
\$1,000,001.00 and up	\$5,608.75 for the first \$1,000,000.00 plus \$3.65 for each additional \$1,000.00, or fraction thereof.

Section R108.3, Fees, Building permit valuations, of the International Residential Code adopted in this article is hereby amended in its entirety to read as follows:

Section R108.3, Fees, Building permit valuations.

The applicant for a permit for new construction, alteration, repair, moving an existing structure, or building demolition, or to change the occupancy of a building or structure, shall provide an estimated permit value at the time of application. Permit valuations shall include the total valuation of work for which a

permit is being issued. Total valuation shall mean the valuation of the entire project excluding land, design costs (architecture and engineering), water and sewer tap fees, and building permit fees. If, in the opinion of the Building Official, the valuation provided by the applicant is underestimated, a permit shall be denied until such time as the applicant can provide additional evidence supporting the estimates of value which are approved by the Building Official. The final permit valuation shall be determined by the Building Official. The Building Official reserves the right to require a financial audit and to request any and all applicable records relating to the actual value of labor and materials for which a permit has been issued prior to the issuance of a Certificate of Occupancy or the date of approval of the final inspection, if the issuance of a Certificate of Occupancy is not required. In the event that the Building Official determines the actual value of the work performed pursuant to the permit is greater than as estimated on the application, the applicant shall pay any additional permit fees and deposits due on the additional value of the work.

Section R108.4, Fees, Related fees, of the International Residential Code adopted in this article is hereby amended in its entirety to read as follows:

Section R108.4, Fees, Related fees.

A Plan Check Fee shall be paid at the time of submitting the submittal documents for plan review. Said Plan Check Fee shall be 65 percent of the Building Permit Fee as shown in Table 1-A.

The Plan Check Fee specified in this section is a separate fee from the permit fee specified in Section 108.2 and are in addition to the permit fee.

When submittal documents are incomplete or changed so as to require additional plan review or when the project involves deferred submittal items, an additional plan review fee shall be charged at the rate shown in Table 1-A.

In the event that plan check costs exceed said fee collected, a fee in the amount necessary to cover all costs incurred will be charged.

In the event that the building official determines that the use of outside consultants is necessary to perform required inspections, a fee in the amount necessary to cover all costs incurred will be charged.

Section R108.5, Refunds, Fees.

The building official may authorize refunding of not more than eighty (80) percent of the permit and plan check fees paid when no work has been done under a permit issued in accordance with this code. The building official shall not authorize refunding of any fee paid except on written application filed by the original permittee not later than 180 days after the date of fee payment.

Section R108, Fees, of the International Residential Code adopted in this article is hereby

amended by the addition of the following subsection R108.7:

Section R108.7 Design Review Compliance and Cleanup Deposit Fees.

All persons who obtain a building permit with a valuation of \$1,000.00 or more shall pay a design review compliance fee and cleanup deposit prior to obtaining a building permit.

Required deposits for new construction shall follow Table 1 and required deposits for all other construction permits shall be in accordance with Table 2.

TABLE 1	
TOTAL VALUATION	COMPLIANCE FEE AND CLEANUP DEPOSIT
\$0 -999	\$0
\$1,000 - 4,999	\$500
\$5,000 - 9,999	\$1,000
\$10,000 - 49,999	\$2,000
\$50,000 -999,999	3% of total valuation (including all phases of project)
\$1,000,000 – 2,999,999	2% of total valuation (including all phases of project)
\$3,000,000 or more	1.5% of total valuation (including all phases of project)

If in the opinion of the building official the deposit is not in sufficient amount the Building Official may require additional deposit at his or her discretion.

TABLE 2	
TOTAL VALUATION	COMPLIANCE FEE AND CLEANUP DEPOSIT
\$0 - 999	\$0
\$1,000 - 4,999	\$500
\$5,000 - 9,999	\$1,000
\$10,000 - 49,999	\$2,000
\$50,000 or more	2% of total valuation (including all phases of project)

If in the opinion of the Building Official the deposit is not in sufficient amount the Building Official may require additional deposit at his/her discretion.

1. Amounts due may be paid by cash payment held by the Town, or posting a bond or other security, in the appropriate amount, forfeitable to the Town upon default hereunder. Approval of the form of security shall be at the sole discretion of the Town. The Town may apply the security, or any portion thereof, to allow the Town to complete a project, reclaim the site, or undertake such other actions as may be necessary to protect the Town and inhabitants in the event the project is abandoned. A project shall be “abandoned” under this section upon expiration of the permit or extensions issued under the terms of Sections R105.3.2 and R105.5 of this chapter.
2. 50% of the Design Review Compliance and Cleanup Deposit may be refunded upon substantial design review completion. Design review completion shall include but

- not be limited to, at minimum, issuance of a certificate of occupancy for the entire structure(s), exterior finishes and installation of landscaping as required by design review and this code. At the Town's discretion, the Town may refund additional deposit funds based on completeness of project.
3. The job site shall be kept clean and orderly at all times, and if it becomes necessary for the Town of Mt. Crested Butte to clean and/or haul debris or material from the site during construction, the fee for such services may be deducted from this deposit.
 4. All construction debris shall be stored in one general location and shall be removed from the site weekly.
 5. Open burning of construction debris is prohibited. Permits for open burning may be issued in accordance with Chapter 8, Article II, of the Mt. Crested Butte Code.
 6. The remainder of the Design Review Compliance and Cleanup Deposit will be refunded when, in the opinion of the Building Official:
 - a. The landscaping required by design review and this code has been established. Landscaping establishment shall include the site being void of noxious weeds. In the event that the landscaping has not established itself within a 2 year period from the initial installation or in the event that the required design review compliance and cleanup is not accomplished in a timely manner, after reasonable notice by the town to the owner of the subject property of such failure, then the town may cause such cleanup and/or design review compliance to be performed, or may cause such project or building to be abated, utilizing such deposit or bond to offset any costs incurred, and, in the event such costs exceed the deposit or bond, the town shall have a lien upon the subject property in such amount, which lien, along with all costs and attorney's fees incurred, may be enforced and foreclosed in the same manner as general mechanic's liens in the State of Colorado.
 - b. No final refund of the Design Review and Cleanup Deposit shall be given until an improvement location certificate (ILC) or plat prepared by a registered land surveyor, licensed to practice in the state of Colorado is submitted to the Town. The surveyor making the location certificate shall certify thereon that it is correct, and shall include the height and setbacks of the building as required in Chapter 21 of the Code of the Town of Mt. Crested Butte, Colorado, and that the improvements, as built, comply with the zoning requirements as detailed upon the design approval issued by the Town of Mt. Crested Butte, Colorado.
 7. Should no inspection be requested by the original permittee who paid the deposit within 180 days of the date of the last inspection or the date of the permit issuance, the original permittee shall have forfeited their deposit to the Town. The town is authorized to grant, in writing, one or more extensions of time, for periods not more than 180 days each. The extension shall be requested in writing and justifiable cause determinant.
 8. Should the project property experience a transfer of ownership prior to the building permit being closed, the permittee shall be deemed to have forfeited all remainder of the permittee's design review and completion deposit held by the Town. Exception: A plan is submitted to the Town to satisfy all remaining building and design review items. The plan shall be reviewed and approved by the Building Official.

Sec. 6-53: Inspections

Section R109.1.3, Inspections, Flood plain inspections, of the International Residential Code adopted in this article is hereby deleted in its entirety.

Section R109.3, Inspections, Inspection requests, of the International Residential Code adopted in this article is hereby amended in its entirety to read as follows:

Section R109.3 Inspection requests.

1. It shall be the duty of the person doing the work authorized by a permit to notify the building official that such work is ready for inspection. Every request for inspection must be filed at least 2 working days before such inspection is desired. Such request may be in writing or by telephone.
2. It shall be the duty of the person requesting any inspections required by this code to provide access to, and means for, inspection of such work.

Section 109, Inspections, of the International Building Code adopted in this article is hereby amended by the addition of the following subsection:

Section 109.5, Inspections, After Hour Inspection and Reinspection Fees.
Fees for after hour inspections and regular inspections after the initial inspection and one (1) reinspection shall be in accordance with the Table R1-B:

Table R1-B Inspection Fees	
TYPE OF INSPECTION	FEE
Inspections outside of normal business hours. (Minimum Charge – two hours)	\$47.00 per hour ¹
Re-inspection Fees. (Minimum Charge – two hours)	\$47.00 per hour ¹
Additional plan review required by changes, additions or revisions to plans. (Minimum Charge – one hour)	\$47.00 per hour ¹
For use of outside consultants for plan checking, inspections and enforcement action.	Actual costs ²

Or the total hourly cost to the jurisdiction, whichever is the greatest. This cost shall include supervision, overhead, equipment, attorney’s fees, hourly wages and fringe benefits of the employees involved.

²Actual costs include administrative, attorney, and overhead costs.

Sec. 6-54: Certificate of Occupancy

Section R110.4, Certificate of occupancy, Temporary occupancy, of the International Residential Code adopted in this article is hereby amended in its entirety to read as follows:

Section R110.4, Certificate of occupancy, Temporary occupancy.

If the building official finds that no substantial hazard will result from occupancy of any building or portion thereof before the same is completed; the building official may issue a Temporary Certificate of Occupancy for the use of such portion or portions of a building or structure prior to the completion of the entire building or structure. No Temporary Certificate of Occupancy shall be issued until all required fire and life safety inspections have been found to be compliant. Temporary Certificates shall have an expiration date to be set by the building official. Said expiration date may be extended by the building official upon good cause shown to such building official prior to the original expiration date.

Sec 6-55: Definitions

Section R202, Definitions, of the International Residential Code adopted in this article is hereby amended to include the following definitions:

Bottom Rail. Horizontal member of the framework running continuously along the bottom edge of a guard.

Crawl Space. Crawl space shall mean an area under the first floor, or under a floor of the building.

Noxious weed. Any plant that has been declared a local noxious weed by the Town of Mt. Crested Butte.

Sec. 6-56: Ventilation

Section. R303.3 Light, Ventilation, and Heating, Bathrooms, of the International Residential Code is hereby deleted in its entirety and replaced with the following text:

Section R303.3 Bathrooms

Bathrooms which include a shower or a tub or other similar moisture producing equipment rooms shall be provided with artificial light and a local exhaust system. The local minimum exhaust rates shall be determined in accordance with Section M1507. Exhaust air from the space shall be exhausted directly to the outdoors.

Section R303.4 Light, Ventilation, and Heating, Mechanical ventilation of the International Residential Code is hereby deleted in its entirety and replaced with the following text:

Section R303.4 Mechanical Ventilation

All dwelling units shall be provided with whole-house mechanical ventilation in accordance with Section M1507.3.

Sec. 6-57: Emergency Escape and Rescue Openings

Section R310.4 , Emergency Escape and Rescue Openings, Area wells, of the International Residential Code adopted in this article is hereby amended by the addition of the following subsection:

Section R310.4.3.1, Roof snow shed.

No area well will be approved as a means of egress unless a roof section extends past the area well footprint (at a minimum one foot) sufficient to prevent snow from falling into or backing into the area well it covers. The section covering a area well egress must be high enough above grade to allow egress but should not be more than nine feet above the grade upon which the area well exits. A curb may be required around the sides of the area well used for egress above the adjacent grade to prevent snow from backing into the area well and to prevent pedestrians from inadvertently falling into the area well.

Sec. 6-58: Guards

Section R312.1.3, Guards and Fall Protection, Opening limitations, of the International Residential Code adopted in this article is hereby amended by the addition of the following exception as follows:

1. The bottom rail of exterior open guardrails shall not have an opening which allows passage of a sphere 6 inches in diameter.

Sec. 6-59: Automatic Fire Sprinkler Systems

Section R313.2 Automatic Fire Sprinkler System, One- and two-family dwellings automatic fire systems is hereby deleted in its entirety and replaced with the following text:

Section R313.2, Automatic Fire Sprinkler System.

An automatic residential fire sprinkler system shall be installed in two-family dwellings, and Townhomes. An automatic fire sprinkler shall be installed in one-family dwellings that have a gross floor area greater or equal to 4,800 square feet.

For level 3 alterations to existing structures that have a *gross floor area* greater or equal to 4,800 square feet shall be protected with an automatic fire protection system. For additions of 1,000 gross floor area or more to existing structures that cause the total gross floor area to equal or exceed 4,800 square feet, the entire structure shall be protected with an automatic fire protection system.

Sec. 6-60: Smoke and Carbon Monoxide Alarms

Section R314.1, Smoke Alarms, General of the International Residential Code adopted in this article is hereby amended by the addition of the following sentence:

Where required, the smoke alarms shall meet the requirements of the International Fire Code Section 907.8.2, as identified in Chapter 8 of the Town Code.

Section R315.3, Carbon Monoxide Alarms, Location of the International Residential Code adopted in this article is hereby deleted in its entirety and replaced with the following text:

Section R315.3, Location.

Carbon monoxide alarms in dwelling units shall be installed outside of each separate sleeping area. Such detection shall be located within 15 feet of an entrance to each room lawfully used for sleeping and audible within the sleeping room(s) it serves. Where a fuel burning appliance is located within a bedroom or its attached bathroom, carbon monoxide

detection shall be installed within the bedroom. Carbon monoxide alarms shall be installed in mechanical/boiler rooms that are fuel fired and contained within their own room.

Exception: The carbon monoxide alarm is not required in the mechanical/boiler room when the equipment is in an open atmosphere within a garage.

Sec. 6-61: Lower Explosive Gas Alarm, Required

Chapter 3 Building Planning of the International Residential Code adopted in this article is hereby amended by the addition of the following Section and Subsection:

Section R331, Lower Explosive Gas Alarms, Where required

All occupancies provided with propane gas service shall have an approved LEL (lower explosive level) gas detector installed at the lowest point in the crawl space, basement or lowest floor of the structure, at an approved location. LEL notification devices (sounders) must provide 75db at the pillow. (Reference NFPA 72). LEL detector notification devices (sounders) must be located on each level to ensure 75 db at each pillow (bedroom). LEL detector sounder shall not be interlinked to the household building wiring's residential early warning detectors (i.e. smokes, COs) to clear and distinct separate sound with proper db's at the pillow are required. LEL detectors can be installed utilizing a "low voltage" system with interiors sounders to be installed in approved locations to ensure 75 db's at each pillow.

Sec. 6-62: Footings

Section R403.1.4, Footings, Minimum depth, of the International Residential Code adopted in this article is hereby amended in its entirety to read as follows:

Section R403.1.4 Minimum Depth.

Footings and foundations shall be constructed of concrete and in all cases shall extend no less than 3 feet (36 inches) below finished grade unless an alternative depth is recommended by a geotechnical engineer licensed as a Professional Engineer in the State of Colorado. Footing depths may be reduced if accompanied by rigid insulation that will reduce frost penetration, designed by a registered professional engineer in the State of Colorado and subject to approval by the building official. Foundations supporting wood shall extend at least 6 inches above the adjacent finished grade. Where applicable, the depth of footings shall also conform to Section R403.1.4.1.

Sec. 6-63: Under-Floor Space

Section R408.1 Under-Floor Space, Moisture Control of the International Residential Code adopted in this article is hereby amended in its entirety to read as follows:

Section R408.1 The under-floor space between the bottom of the floor joists and the earth under any building (except space occupied by a basement) shall be ventilated in conformance with Section R408.3 as amended in this article.

Section R408.2 Under-Floor Space, Openings for under-floor ventilation, of the International Residential Code is hereby deleted in its entirety.

Section R408.3 Under-Floor Space, Unvented crawl space, of the International Residential Code adopted in this article is hereby amended in its entirety to read as follows:

Section R408.3 Unvented crawl space.

The crawlspace under any building except spaces occupied by basements shall be equipped with mechanical ventilation that runs at a rate of 1.0 cubic foot per minute (cfm) for each 50 square feet of crawl space floor area. The mechanical ventilation shall be set to run continuously or on a humidistat set at not more than 35%. The ground surface shall be covered with a Class I vapor retarder. Joints of the vapor retarder shall overlap by 6 inches (152 mm) and shall be sealed or taped. The edges of the vapor retarder shall extend at least 6 inches (152mm) up the stem wall and shall be attached and sealed to the stem wall. The crawlspace perimeter walls shall be insulated and air-sealed in accordance with the 2021 International Energy and Conservation Code.

Sec. 6-64: Minimum Slab Provisions

Section R506.2.2, Concrete Floors (On Ground), Base, of the International Residential Code adopted in this article is hereby amended by the addition of the following subsection:

Section R506.2.2.1 Construction of slab on grade.

Concrete slabs on grade shall be provided with a base course and reinforced in the following manner:

1. Slabs shall be provided with a base course of at least 6 inches of graded gravel, crushed rock or other material approved by the building official.
2. Slabs on grade shall be reinforced with not less than number 6, 6 inch by 6 inch wire mesh placed into the approximate center of the pour.

Section R506.2.3, Concrete Floors (On Ground), Vapor retarder, of the International Residential Code adopted in this article is hereby amended by the deletion of the first paragraph and replaced with the following text:

Section R506.2.3, Insulation of slab on grade.

Concrete slabs on grade shall be damp proofed and insulated in the following manner:

1. A continuous 6 mil vapor barrier membrane with all seams lapped 6 inches and sealed shall be provided between the above base course and the concrete slab, and such membranes shall be turned upward at the edge to the top of the slab.
2. Concrete slabs on grade floors inside the buildings thermal envelope shall meet the provisions of 402.2.9 and 402.2.9.1 of the 2021 IECC, with the exception that R-10ci shall be under the entire slab. Heated slabs outside the building's thermal envelope shall have a minimum of an R-10ci under the entire slab and slab edge.

Sec. 6-65: Ice Barrier for Roofs

Section R905.1.2, Requirements for Roof Coverings, Ice Barriers, of the International Residential Code adopted in this article is hereby amended in its entirety to read as follows:

Section R905.1.2, Ice Barriers.

An ice barrier shall be installed for all roofs. The ice barrier shall consist of a self-adhering polymer-modified bitumen sheet and shall be installed on the entire roof.

Exception: Detached accessory structures not containing conditioned floor area.

Sec. 6-66: Energy Efficiency

Chapter 11, Energy Efficiency, Subsections N1101.1 thru N1111.2 of the International Residential Code are hereby deleted in their entirety and replaced with the following text:

Sec.N1101.1, Scope.

Residential energy shall meet the requirements of the 2021 International Energy Conservation Code.

Sec. 6-67: Prohibited Devices

Section G2406.2, Appliance Location, Prohibited locations, of the International Residential Code adopted in this article is hereby amended by the deletion of the third and fourth exceptions in their entirety.

Sec. 6-68: Location of Natural Gas Meters, Propane Service Lines, and Service Regulators

Section G2412, General, of the International Residential Code adopted in this article shall be amended by the addition of the following sections.

Section G2412.11, General, Review and Approval of Gas Service Locations

Sec. G2412.11 The Crested Butte Fire Protection District (CBFPD) shall approve all-natural gas meter/riser, propane riser, and propane tank locations prior to installation. All installations shall have on file at the CBFPD offices, a copy of the approved plan for the meter location(s) of natural gas meter/riser, propane riser, and propane tanks, prior to the installation of any natural gas service. The following requirements shall be used in determining the best location for gas meters and propane risers:

1. All gas meters and/or propane gas risers shall be installed per the manufactures design specifications and all applicable codes and standards and
2. Shall be installed on a gable end (non-shed side) to avoid snow shedding onto the natural gas meter and or propane gas riser (Crickets, roof shelters, or enclosures do not substitute the requirement for the natural gas meter or propane riser to be on a gable end of a building structure) and,
 - a. Shall be installed 3-5 feet above finished grade and,
 - b. Shall be permanently attached to a structure and,
 - c. Shall not have any exposed horizontal runs and
 - d. Shall maintain 36 inches clearance from the gas meter and pressure relief valve to any electric meters, cable and telephone junction boxes, other ignition sources, operable windows and doors, exhaust vents or their penetrations.
3. If the applicant desires a location of the gas meter other than on the building or structure, the riser location at the building or structure shall meet the requirements of this section.

4. Underground propane tanks shall be installed below the level of the lowest gas-fired appliance in any given structure.

The Crested Butte Fire Protection District (CBFPD) and the appropriate propane vendor shall review and approve the location of all gas meters, propane tanks prior to installation. The CBFPD shall approve the locations of all propane service lines, riser and pressure regulator/relief valves prior to installation. All proposed installations shall be approved prior to the issuance of any building permit. A copy of the approved plans shall be on file with the CBFPD Fire Prevention Offices.

Sec. G2412.12 Protection of Meters, Pressure Regulator/Relief Valves, Service Lines, and liquid fuel tanks and their appurtenances. All gas meters, pressure regulator/relief valves, service lines and gas and liquid fuel storage tanks and their appurtenances shall be adequately protected from vehicular traffic, snow and ice damage. See section G2412.11 and 2021 IFC Section 312.

Sec. 6-69: Equipment not required to be vented

Section G2425.8, General, Equipment not required to be vented, of the International Residential Code adopted in this article is hereby amended by the deletion of the seventh exception in its entirety.

Sec. 6-70: Un-Vented room heaters

Section G2445, Un-Vented Room Heaters, and all subsequent subsections under Sec. G2445, of the International Residential Code adopted in this article is hereby amended by their deletion in their entirety.

Sec. 6-71–72: Reserved

ARTICLE IV. MECHANICAL CODE

Sec. 6-73: Adoption

- a) Pursuant to Title 31, Article 16, Part 2, C.R.S., there is hereby adopted by reference the International Mechanical Code, 2021 edition, published by the International Code Council Inc, 4051 West Flossmoor Road, Country Club Hills, IL 60478-5795, subject to such additions, deletions and amendments as are set forth in this article.
- b) One (1) copy of such code is available for inspection or purchase in the office of the town clerk during regular business hours.

Sec. 6-74: Title

Section 101.1, Title, Scope and General Requirements, Title, of the International Mechanical Code adopted in this article is hereby amended by substitution of “Town of Mt. Crested Butte” for (NAME OF JURISDICTION) in the first sentence.

Sec. 6-75 Mechanical Permits and Fees	
PERMIT ISSUANCE AND HEATERS*	FEE
1. For the issuance of each mechanical permit.	\$50
2. For issuing each supplemental permit for which the original permit has not expired, been canceled or finished.	\$50
UNIT FEE SCHEDULE (Note: The following do not include permit-issuing fee.)	FEE
1. Repairs or Additions: For the repair of, alteration of, or addition to each heating appliance, refrigeration unit, cooling unit, absorption unit, or each heating, cooling, absorption or evaporative cooling system, including installation of controls regulated by the Mechanical Code	\$50
2A. Air handlers: For each air-handling unit to and including 10,000 cubic feet per minute (cfm), including ducts attached thereto.	\$50
2B. Air handlers: For each air-handling unit over 10,000 cfm	\$50
3. Evaporative Coolers: For each evaporative cooler other than a portable type.	\$50
4A. Ventilation and Exhaust: For each ventilation fan connected to a single duct	\$50
4B. Ventilation and Exhaust: For each ventilation system which is not a portion of any heating or air-conditioning system authorized by a permit.	\$50
4C. Ventilation and Exhaust: For the installation of each hood which is served by mechanical exhaust, including the ducts for such hood.	\$50
5. Miscellaneous: For each appliance or piece of equipment regulated by the Mechanical Code but not classed in other appliance categories, or for which no other fee is listed in the table.	\$50

Section 106.2, Permits, Permits not required, of the International Mechanical Code adopted in this article is hereby amended by the addition of an exemption as follows:

1. A mechanical installation where a building permit has been acquired.

Section 109.2, Fees, Schedule of permit fees, of the International Mechanical Code adopted in this article is hereby amended in its entirety to read as follows:

Section 109.2, Schedule of permit fees.

The fee for each permit shall be as set forth in Table 1-AM.

TABLE 1-AM - MECHANICAL PERMIT FEES	
PERMIT ISSUANCE AND HEATERS*	FEE
1. For the issuance of each mechanical permit	\$50
2. For issuing each supplemental permit for which the original permit has not expired, been canceled or finished	\$50
UNIT FEE SCHEDULE (Note: The following do not include permit-issuing fee.)	FEE
1. REPAIRS OR ADDITIONS	FEE
1A. For the repair of, alteration of, or addition to each heating appliance, refrigeration unit, cooling unit, absorption unit, or each heating, cooling, absorption or evaporative cooling system, including installation of controls regulated by the Mechanical Code	\$50
2. AIR HANDLERS	FEE
2A. For each air-handling unit to and including 10,000 cubic feet per minute (cfm), including ducts attached thereto.	\$50
2B. For each air-handling unit over 10,000 cfm	\$50
3. EVAPORATIVE COOLERS	FEE
3A. For each evaporative cooler other than a portable type.	\$50
4. VENTILATION AND EXHAUST	FEE
4A. For each ventilation fan connected to a single duct	\$50
4B. For each ventilation system which is not a portion of any heating or air-conditioning system authorized by a permit.	\$50
4C. For the installation of each hood which is served by mechanical exhaust, including the ducts for such hood.	\$50
5. MISCELLANEOUS	FEE
5A. For each appliance or piece of equipment regulated by the Mechanical Code but not classed in other appliance categories, or for which no other fee is listed in the table.	\$50

*Note: This fee does not apply to an air-handling unit which is a portion of a factory-assembled appliance, cooling unit, evaporative cooler or absorption unit for which a permit is required elsewhere in the Mechanical Code.

Section 109.6, Fees, Refunds, of the International Mechanical Code adopted in this article is hereby amended in its entirety to read as follows:

The code official shall authorize the refunding of fees as follows:

1. The full amount of any fee paid hereunder which was erroneously paid or collected.
2. Not more than eighty (80) percent of the permit and plan check fees where work has not been done under a permit issued in accordance with the code.

The Code Official shall not authorize the refunding of any fee paid, except upon written application filed by the original permittee not later than 180 after the date of fee payment.

Sec. 6-76: Stop Work Orders and Violation Penalties

Section 113.4 Stop Work Order, failure to comply, of the International Mechanical Code adopted in this article is hereby amended so that the section reads as follows:

Any person who shall continue any work on the system after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be liable for a fine of not more than \$2,650.

Section 115.4 Violations, Violation Penalties, of the International Mechanical Code adopted in this article is hereby amended in its entirety and replaced with the following text:

Persons who violate a provision of this code or fail to comply with any of the requirements thereof who erect, install, alter or repair mechanical work in violation of the approved construction documents or directive of the code official, or of a permit or certificate issue under the provisions of this code, shall be guilty of a civil offense, punishable by a fine of not more than \$2,650 dollars. Each day that a violation continues after due notice has been served shall be deemed a separate offense.

Sec. 6-77: Ventilation System In Group R Occupancies

Section 403.1 Mechanical Ventilation, Ventilation System, of the International Mechanical Code and adopted in this article is hereby amended with the addition of the following paragraph as follows:

Bathrooms containing showers and/or baths and other similar rooms shall have a mechanical ventilation system connected directly to the outside capable of providing eight air changes per hour. The point of exterior discharge shall be at least 3 feet from any opening which allows air entry into occupied portions of the building.

Sec. 6-78: Solid Fuel Burning

Section 905 Fireplaces Stoves and Room Heaters of the International Mechanical Code adopted in this article shall be amended by the addition of the following section and subsections:

Section 905.4 Solid fuel burning, Definitions.

Approved shall mean a solid fuel burning device which meets the requirements of regulation No. 4 of the Colorado Air Quality Control Commission revised and adopted Feb. 16, 1995, as subsequently revised, and/or is an EPA Phase 2 Qualified Fireplace or Fireplace Retrofit Device.

Floor Area shall mean the sum of the gross horizontal areas of all floors of a structure as defined in the zoning chapter of the code of the Town of Mt. Crested Butte, Colorado.

Non-Approved shall mean a solid fuel burning device which does not meet the requirements of regulation No. 4 of the Colorado Air Quality Control Commission revised and adopted Feb. 16, 1995 and as subsequently revised, and/or is not an EPA Phase 2 Qualified Fireplace or Fireplace Retrofit Device.

Public Areas shall mean areas in a structure open to the general public.

Solid Fuel Burning Device shall mean a device which is designated to burn any form of solid fuel and includes all of the following:

Factory-built Fireplace is a listed assembly of a fire chamber, its chimney and related factory-made parts designed for unit assembly without requiring field construction and contained within an enclosure.

Masonry Heater means an appliance designed for or capable of burning wood, capable of and intended for domestic space heating which meets the following criteria:

1. A factory-built or site-built wood burning appliance whose core is constructed primarily of manufacturer-built, supplied or specified masonry materials (i.e., stone, cemented aggregate, clay, tile or other non-combustible non-metallic solid materials) which weighs at least 800 kilograms;
2. The firebox effluent of the masonry heater travels horizontally and/or downward through one or more heat absorbing masonry duct(s) for a distance at least the length of the largest single internal firebox dimension before leaving the masonry heater;
3. The appliance has one or more air-controlling door(s) for fuel-loading which are designed to be closed during the combustion of fuel loads, and which control the entry of combustion air (beyond simple spark arresting screen(s)) to one or more inlet(s) as prescribed by the masonry heater manufacturer;
4. The appliance is assembled in conformance with the Underwriters' Laboratories-listed and/or manufacturer's specifications for its assembly and, if the core is constructed with a substantial proportion of materials not supplied by the manufacturer, is certified by a representative of the manufacturer to be substantially in conformance with those specifications;
5. The appliance has a label permanently affixed to the appliance identifying its manufacturer and model.

For the purposes of this definition,

- a.) Horizontal or downward travel distance is defined as the net horizontal and/or downward internal duct length, measured from the top of the uppermost firebox door opening(s) to the exit of the masonry heater as traveled by any effluent on a single pathway through duct channel(s) within the heater (or average of net internal duct lengths for multiple pathways of different lengths, if applicable). Net internal duct length is measured from center of the internal side or top surface of a duct, horizontally or vertically to the center of the opposite side or the bottom surface of the same duct and summed for multiple ducts or directions on a single pathway, if applicable. For duct channel(s) traversing horizontal angles of less than ninety

degrees from vertical, only the net actual horizontal distance traveled is included in the total duct length.

- b.) The largest single internal firebox dimension is defined as the longest of either the length or the width of the firebox, measured from the hearth to the top of the uppermost firebox door opening(s).

Outdoor Fireplace shall mean an open solid fuel burning device that is manufactured for outdoor use.

Pellet Stove means a wood heater which meets the following criteria:

1. The manufacturer makes no reference to burning cordwood in advertising or other literature,
2. The unit is safety listed for pellet fuel only,
3. The unit's operating and instruction manual must state the use of cordwood is prohibited by federal law, and
4. The unit must be manufactured and sold including a hopper and auger combination as integral parts.

Site-Built Fireplace means a fire chamber, its chimney and related parts, assembled on-site.

Wood stove is a wood-fired appliance with a closed fire chamber which maintains an air to-fuel ratio of less than 30 during the burning of 90 percent or more of the fuel mass consumed in the low-firing cycle. The low-firing cycle is less than or equal to 25 percent of the maximum burn rate achieved with doors closed or the minimum burn rate achievable that is designed to be free standing.

Structure shall mean an enclosed habitable building in which one or more than one dwelling or commercial units is present as defined in the Zoning chapter of the Code of the Town of Mt. Crested Butte, Colorado.

Section 905.4.1, Solid fuel burning devices.

A person may install the following solid fuel burning devices and pay the appropriate fees. The solid fuel burning license fee is \$2,000.00, if applicable, per installed device, paid to the Town of Mt. Crested Butte. The building official shall have the authority to approve alternative solid fuel burning devices if they determine the alternative device is in compliance with the intent and purpose of this code.

1. New Construction/Additions.

- a.) A person may install one approved solid fuel burning device in any structure with no solid fuel burning license fee due.
- b.) A person may install additional approved solid fuel burning devices in a structure and be subject to the \$2,000.00 solid fuel burning license fee for each additional device.
- c.) A person may install two non-approved open, wood burning fireplaces per structure, in public areas, in developments in excess of 50,000 square feet of

floor area and be subject to two, \$2,000.00 solid fuel burning license fees. In no case shall there be more than two non-approved wood burning fireplaces allowed in any new construction.

d.) A person may install one outdoor fireplace per structure with no solid fuel burning license fee due.

2. Fireplace Renovation/Stove Retrofit.

a.) A person may replace an approved solid fuel burning device with an approved solid fuel burning device, with no solid fuel burning license fee due.

b.) A person shall replace any non-approved solid fuel burning devices with an approved solid fuel burning device during any fireplace renovation or wood stove retrofit with no solid fuel burning license fee due.

Sec. 6-79: Incinerators and crematories

Section 907.1 Incinerators and Crematories, General, of Chapter 9, Specific Appliances, Fireplaces and Solid Fuel-Burning Equipment, of the International Mechanical Code adopted in this article is hereby deleted in its entirety.

Secs. 6-80 – 6-85: Reserved

ARTICLE V. INTERNATIONAL ENERGY CONSERVATION CODE

Sec. 6-86: Adoption

(a) Pursuant to Title 31, Article 16, Part 2, C.R.S., there is hereby adopted by reference the International Energy Conservation Code, 2021 edition published by the International Code Council, Inc., 4051 West Flossmoor Road, Country Club Hills, IL, 60478-5795.

(b) One (1) copy of the code is available for inspection or purchase in the office of the town building inspector during regular business hours.

Sec. 6-87: Title

Section C101.1, Scope and General Requirements, Title, of the International Energy Conservation Code adopted in this article is hereby amended by substitution of “Town of Mt. Crested Butte” for (NAME OF JURISDICTION) in the first sentence.

Section R101.1 Scope and General Requirements, Title, of the International Energy Conservation Code adopted in this article is hereby amended by the substitution of “Town of Mt. Crested Butte” for (NAME OF JURISDICTION) in the first sentence.

Sec.6-89: Scope

Section 405.1 Total Building Performance, Scope is hereby amended by the addition of the following sentence:

Simulated performance alternatives will be used only with prior written consent from the Building Official.

Secs. 6-90: Reserved

ARTICLE VI. INDOOR WATER USE EFFICIENCY

Sec.6-91: Coordination

This article shall supplement and, where applicable, supersede efficiency standards contained in the International Plumbing Code of rules and regulations adopted by the State of Colorado and adopted by reference by the Town of Mt. Crested Butte, as such relate to applications for new or expanded water service.

Sec.6-92: Definitions

"Energy Star Qualified" means that a given fixture meets the United States Environmental Protection Agency Energy Star Program standard for an energy-efficient product.

"Expanded water service" means an additional water meter or larger capacity meter is required to serve the existing or proposed development, as determined by the Town of Mt. Crested Butte.

"Food service establishment" means any establishment serving food and/or drink which utilizes plumbing fixtures and appliances to provide service to patrons.

"Lodging" means any hotel, motel, lodge, townhome or condominium project that offers rooms or groups of rooms designed for or adapted to occupancy by guests, and accessible from common areas without having to pass through another accommodation unit or residential unit. Condominiums and single-family homes offered for short-term rental are considered residential, not lodging.

"gal/cycle" means gallons per cycle.

"gpf" means gallons per flush.

"gpm" means gallons per minute.

"Non-residential" means any establishment that is not classified as residential.

"Permit" means the document issued by local agencies in connection with new construction, remodels or renovations and which authorizes the lawful initiation of construction, improvements or repairs to a building or structure.

"Project applicant" means the individual or entity submitting an Indoor Water Use Efficiency Checklist as required under Section VII, and requesting a permit, plan check, design review, or new or expanded water service application from the local agency. A project applicant may be the property owner or designee.

"Residential" means any housing classified in Chapter 21 as single-family, low density multiple-family, or high density multiple-family.

"sq. ft." means square feet.

"WaterSense Qualified" means that a given fixture meets the United States Environmental Protection Agency WaterSense Program standard for a water efficient product.

"Zoning administrator" means the town manager or designee whose duty it is to enforce the zoning regulations of this chapter.

Sec.6-93: Applicability

1. The provisions of this article shall apply to the following:
 - a.) All new construction regardless of building occupancy classification.
 - b.) Any construction to existing structures requiring new or expanded water service, including all additions that require a permit involving water using fixtures, only applicable to the fixtures that are being replaced as a part of the project's scope of work.
 - c.) Remodels that require a permit that involve replacement of plumbing fixtures, only applicable to the fixtures that are being replaced as a part of the project's scope of work.
2. The provisions of this article shall not apply to:
 - a.) Development with plumbing fixtures and appliances that already meet water efficiency standards specified herein.
 - b.) Existing development not seeking a building permit, plan check, design review or new or expanded water service.
 - c.) Remodels where, in the discretion of the Town of Mt. Crested Butte, the drainage or wastewater system is incompatible with the water efficiency standards for reasons of public health or safety.

Sec.6-94: Minimum Indoor Fixture and Appliance Requirements

All new and existing development subject to this article will have, at a minimum, fixtures and appliances that comply with the efficiency standards listed below (the "Indoor Water Use Efficiency Standards Table"). If an updated, more stringent WaterSense standard exists at the time of development, the project applicant must meet those efficiency standards.

INDOOR WATER USE EFFICIENCY STANDARDS TABLE			
Plumbing Fixture/Appliance	Residential (Maximum Flow Rate or Quantity)	Non-Residential (Maximum Flow Rate or Quantity)	Food Service Establishments and Lodging (Maximum Flow Rate or Quantity)
Toilets	≤ 1.28 gpf	≤ 1.28 gpf	≤ 1.28 gpf
Toilet, public (metering)	—	≤ 0.25 gpm	≤ 0.25 gpm
Town toilet, public (other than metering)	—	≤ 1.28 gpf	≤ 1.28 gpf
Shower head	≤ 2 gpm	≤ 2 gpm	≤ 2 gpm

Faucet (lavatory and/or bar)	≤ 1.5 gpm	≤ 1.5 gpm. All faucets must be equipped with an aeration device.	Pre-rinse hand-held dish-rinsing wands must not exceed 1.6 gallons per minute and must utilize positive shut-off valves
Kitchen and/or utility sink faucets	≤ 2.2 gpm	≤ 2.2 gpm	Restaurants shall be equipped with WaterSense pre-rinse valves
Urinal	—	≤ 0.5 gpf	≤ 0.5 gpf
Dishwashers	Energy Star Qualified	—	—
Clothes washers	Energy Star Qualified	≤ Commercial clothes washing machines shall have a water factor of 4.5 or lower.	Energy Star Qualified
Ice makers	—	—	Energy Star Qualified
Commercial refrigeration	—	—	Closed loop, or air-cooled
Automatic vehicle wash facilities	—	—	≥ 75% of water is recycled on site

Sec.6-94: Lodging establishments, water features, and water restrictions

1. Lodging establishments. Lodging establishments must cover outdoor swimming pools and hot tubs when closed.
2. Water features:
 - a.) Recirculating water systems shall be used for water features.
 - b.) Where available, recycled water shall be used as a source for decorative water features.
 - c.) Covers shall be used for all outdoor pools and spas when closed.
3. Water restrictions. Standard irrigation regulations are articulated and enforced by the Mt. Crested Butte Water and Sanitation District. These regulations address standard irrigation restrictions as well as emergency irrigation restrictions.

Sec.6-96: Compliance, Modification, and Enforcement

1. Compliance. Applicants shall:
 - a.) Submit a Water Use Efficiency Compliance Form to the community development department for verification prior to construction, or prior to the final framing inspection, or a timeframe set by the community development director prior to certificate of occupancy or final building inspection approval; or
 - b.) Submit a Water Use Efficiency Compliance Form to the community development department before or at the time of final building inspection or final building inspection approval; or
 - c.) Submit a modification request if the section cannot be met.
2. Modification. The Zoning Administrator may grant a modification of the regulations contained in this article only upon a finding that all the following criteria are met:

- a.) The modification will be consistent with public health, safety, and welfare.
 - b.) The modification is justified by the fact that the water fixture(s) as required cannot be installed without financial or physical difficulty.
 - c.) The modification to be granted will be substantially consistent with the purposes in this article to conserve water use.
3. Enforcement. In order to pass the final building inspection, which is required to close out a permit pulled by the applicant, the compliant fixtures shall be approved and in place. A final inspection approval will not be issued until compliance with this article is confirmed and approved.

Sec. 6-97: Reserved

ARTICLE VII. INTERNATIONAL FUEL GAS CODE

Sec. 6-98: Adoption

- 1. Pursuant to Title 31, Article 16, Part 2, C.R.S., there is hereby adopted by reference the International Fuel Gas Code, 2021 edition published by the International Code Council, Inc., 4051 West Flossmoor Road, Country Club Hills, IL, 60478-5795.
- 2. One (1) copy of the code is available for inspection or purchase in the office of the town building inspector during regular business hours.

Sec. 6-99: Title

Section 101.1, Scope and General Requirements, Title, of the International Mechanical Code adopted in this article is hereby amended by substitution of “Town of Mt. Crested Butte” for (NAME OF JURISDICTION) in the first sentence.

Sec. 6-100: Fees

Section 109.2, Fees, Schedule of permit Fees of the International Fuel Gas Code adopted in this article is hereby amended in its entirety to read as follows:

Section 109.2, Fee Schedule.

The fee for each permit shall be as set forth in Table 1-AFG.

TABLE 1-AFG – FUEL GAS PERMIT FEES	
PERMIT ISSUANCE AND HEATERS*	FEE
1. For the issuance of each fuel gas permit.	\$50
2. For issuing each supplemental permit for which the original permit has not expired, been canceled or finished.	\$50
UNIT FEE SCHEDULE (Note: The following do not include permit-issuing fee.)	FEE
2A. Furnaces: For the installation or relocation of each forced-air or gravity-type furnace or burner, including ducts and vents attached to such appliance, up to and including 100,000 Btu/hr	\$50

2B. Furnaces: For the installation or relocation of each forced-air gravity-type furnace or burner, including ducts and bents attached to such appliance over 100,000Btu/hr	\$50
2C. Furnaces: For the installation or relocation of each floor furnace, including vent	\$50
2D. Furnaces: For the installation or relocation of each suspended heater, recessed wall heater or floor-mounted unit heater	\$50
3. Appliance Vents: For the installation, relocation or replacement of each appliance vent installed and not included in an appliance permit	\$50
4. Repairs or Additions: For the repair of, alteration of, or addition to each heating appliance, refrigeration unit, cooling unit, absorption unit, or each heating, cooling, absorption or evaporative cooling system, including installation of controls regulated by the Fuel Gas Code	\$50
5A. Boilers, Compressors and Absorption Systems: For the installation or relocation of each boiler or compressor to and including 3 horsepower, or each absorption system to and including 100,000 Btu/h	\$50
5B. Boilers, Compressors and Absorption Systems: For the installation or relocation of each boiler or compressor over three horsepower to and including 15 horsepower or each absorption system over 100,000 Btu/h to and including 500,000 Btu/h	\$50
5C. Boilers, Compressors and Absorption Systems: For the installation or relocation of each boiler or compressor over 15 horsepower to and including 30 horsepower or each absorption system over 500,000 Btu/h to and including 1,000,000 Btu/h	\$50
5D. Boilers, Compressors and Absorption Systems: For the installation or relocation of each boiler or compressor over 30 horsepower to and including 50 horsepower or each absorption system over 1,000,000 Btu/h to and including 1,750,000Btu/h	\$50
5E. Boilers, Compressors and Absorption Systems: For the installation or relocation of each boiler or compressor over 50 horsepower, or each absorption system over 1,750,000 Btu/h	\$50

6. Miscellaneous: For each appliance or piece of equipment regulated by the Fuel Gas Code but not classed in other appliance categories, or for which no other fee is listed in the table	\$50
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Sec. 6-102: Violation Penalties and Stop Work Orders

Section 115.4 Violations, Violation Penalties, of the International Fuel Gas Code adopted in this article is hereby deleted in its entirety and replaced with the following text:

Persons who violate a provision of this code or fail to comply with any of the requirements thereof of who erect, install, alter or repair mechanical work in violation of the approved construction documents or directive of the code official, or of a permit or certificate issued under the provisions of this code, shall be guilty of a civil offense , punishable by a fine of not more than \$2,650 dollars. Each day that a violation continues after due notice has been served shall be deemed a separate offense.

Section 116.4, Stop Work Order, Failure to Comply of the International Fuel Gas Code adopted in this article is hereby deleted in its entirety and replaced with the following text:

Any person who shall continue any work on the system after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be liable for a fine of not more than \$2,650.

Sec. 6-103: Point of delivery

Section 202, Point of Delivery, General definitions, of the International Fuel Gas Code adopted in this article is hereby amended in its entirety to read as follows:

Section 202, Point of Delivery.
 For natural gas systems, the point of delivery is where the service line penetrates finish grade. For undiluted liquefied petroleum gas systems, the point of delivery shall be considered the storage tank.

Sec. 6-104: Prohibited devices

Section 303.3, Appliance Location, Prohibited locations, of the International Fuel Gas Code adopted in this article is hereby amended by the deletion of the third and fourth exceptions in their entirety.

Sec. 6-105: Location of natural gas meters, propane service lines, and service regulators

Section 401, General, of the International Fuel Gas Code adopted in this article shall be amended by the addition of the following sections.

Section 401.11 General, Review and Approval of Gas Service Locations
 Sec. 401.11 The Crested Butte Fire Protection District (CBFPD) shall approve all-natural gas meter/riser, propane riser, and propane tank locations prior to installation. All installations shall have on file at the CBFPD offices a copy of the approved plan for the meter location(s) of natural gas meter/riser, propane riser, and propane tanks prior to the

installation of any natural gas service. The following requirements shall be used in determining the best location for gas meters and propane risers:

1. All gas meters and/or propane gas risers shall be installed per the manufactures design specifications and all applicable codes and standards and
2. Shall be installed on a gable end (non-shed side) to avoid snow shedding onto the natural gas meter and or propane gas riser (Cricketts, roof shelters, or enclosures do not substitute the requirement for the natural gas meter or propane riser to be on a gable end of a building structure) and;
 - a. Shall be installed 3-5 feet above finished grade and,
 - b. Shall be permanently attached to a structure and,
 - c. Shall not have any exposed horizontal runs and,
 - d. Shall maintain 36 inches clearance from the gas meter and pressure relief valve to any electric meters, cable and telephone junction boxes, other ignition sources, operable windows and doors, exhaust vents or their penetrations.
3. If the applicant desires a location of the gas meter other than on the building or structure, the riser location at the building or structure shall meet the requirements of this section.
4. Underground propane tanks shall be installed below the level of the lowest gas-fired appliance in any given structure.

The Crested Butte Fire Protection District (CBFPD) and the appropriate propane vendor shall review and approve the location of all propane tanks prior to installation. The CBFPD shall approve the locations of all propane service lines, riser, and pressure regulator/relief valves prior to installation. All proposed installations shall be approved prior to the issuance of any building permit and shall be on file with the CBFPD Fire Prevention Offices.

Section 401.12. Protection of Meters, Pressure Regulator/Relief Valves, Service Lines, and liquid fuel tanks and their appurtenances. All gas meters, pressure regulator/relief valves, service lines and gas and liquid fuel storage tanks and their appurtenances shall be adequately protected from vehicular traffic, snow and ice damage. See section 401.11 and 2021 IFC Section 312.

Sec. 6-106: Equipment not required to be vented

Section 501.8, General, Appliances not required to be vented, of the International Fuel Gas Code adopted in this article is hereby amended by the deletion of the eighth and tenth exceptions in their entirety.

Sec. 6-107: Un-vented room heaters

Section 621, Unvented Room Heaters, and all subsequent subsections under Sec. 621, of the International Fuel Gas Code adopted in this article are hereby amended by their deletion in their entirety.

Secs. 6-108 – 6-115: Reserved

ARTICLE VIII. INTERNATIONAL PROPERTY MAINTENANCE CODE

Sec. 6-116: Adoption

1. Pursuant to Title 31, Article 16, Part 2, C.R.S., there is hereby adopted by reference the International Property Maintenance Code, 2021 edition published by the International Code Council, Inc., 4051 West Flossmoor Road, Country Club Hills, IL, 60478-5795 subject to such additions, deletions and amendments as are set forth in this article.
2. One (1) copy of the code is available for inspection or purchase in the office of the town building inspector during regular business hours.

Sec. 6-117: Title

Section 101.1, Scope and General Requirements, Title of the International Property Maintenance Code adopted in this article is hereby amended by substitution of “Town of Mt. Crested Butte” for (NAME OF JURISDICTION) in the first sentence.

Sec. 6-118: Fees

Section 104.1, Fees, Fees of the International Property Maintenance Code adopted in this article is hereby amended by the addition of the following Table 104.1 Inspections and Fees:

Table 104.1 Inspections and Fees	
INSPECTION TYPE	FEE
Inspections outside of normal business hours. (Minimum Charge – two hours)	\$47.00 per hour ¹
Re-inspection Fees.(minimum two hours)	\$47.00 per hour ¹
Additional plan review required by changes, additions or revisions to plans. (Minimum charge – one hour)	\$47.00 per hour ¹
For use of outside consultants for plan checking, inspections and enforcement action.	Actual costs ²
Condemnation Fee	\$47.00 per hour ¹

¹ Or the total hourly cost to the jurisdiction, whichever is the greatest. This cost shall include supervision, overhead, equipment, attorney’s fees, hourly wages and fringe benefits of the employees involved.

² Actual costs include administrative, attorney, and overhead costs.

Sec. 6-119: Dangerous Buildings

Section 113.1, Demolition, General, of the International Property Maintenance Code adopted in this article is hereby amended in its entirety to read as follows:

Section 113.1, Demolition, General.

The code official shall order the owner of any premises upon which is located any structure, which in the code official’s judgment is so old, dilapidated or has become so out of repair as to be dangerous, unsafe, unsanitary or otherwise unfit for human habitation or occupancy, or whenever, in accordance with Section 105.5 of the International Building Code, 2021 Edition, or in accordance with Section R105.5 of the International Residential Code, 2021 Edition, a partially completed building or structure’s permit has expired and for which no application for renewal has been made, and such that it is unreasonable to repair the

structure, to demolish and remove such structure; or if such structure is capable of being made safe by repairs, to repair and make safe and sanitary or to demolish and remove at the owner's option; or where there has been a cessation of normal construction of any structure for a period of more than two years, to demolish and remove such structure.

Secs. 6-120 – 6-12: Reserved.

ARTICLE IX. INTERNATIONAL EXISTING BUILDINGS CODE

Sec. 6-126: Adoption

1. Pursuant to Title 31, Article 16, Part 2, C.R.S., there is hereby adopted by reference the International Existing Buildings Code, 2021 edition published by the International Code Council, Inc., 4051 West Flossmoor Road, Country Club Hills, IL, 60478-5795 subject to such additions, deletions and amendments as are set forth in this article.
2. One (1) copy of such code is available for inspection or purchase in the office of the town building inspector during regular business hours.

Sec. 6-127: Title

Section 101.1, Scope and General Requirements, Title of the International Existing Buildings Code adopted in this article is hereby amended by the substitution of "Town of Mt. Crested Butte" for (NAME OF JURISDICTION) in the first sentence.

Sec. 6-128: Application for Permit

Section 105.3, Application for Permit, of the International Existing Buildings Code adopted in this article is hereby amended to include the addition of:

1. Provide Gunnison County Contractor's License per 105.3(12)(b) of the International Building Code, as adopted.

Sec. 6-129: Definitions

Section 202, General Definitions, of the International Existing Buildings Code adopted in this article is hereby amended to include the following definitions:

Egress Roof and Access Window. A skylight or roof window designed and installed to satisfy the emergency escape and rescue opening requirements in the Emergency Escape and Rescue Opening Sections of the International Building Code or International Residential Code, as adopted.

Landing Platform A landing platform provided at the top step of a stairway accessing a loft.

Loft. Any floor level located above a main floor and open to it on one or more sides complying with the area, access, and guard requirements of this section as adopted in this article and used as a living or sleeping space.

Sec. 6-130: Alterations - Level 2

Section 801 Alteration Level 2, General, Scope, of the International Existing Buildings Code adopted in this article is hereby amended by the addition of Section 810, Lofts in existing

buildings.

Section 804 Alteration Level 2, Means of Egress, of the International Existing Building Code adopted in this article is hereby amended with the addition of Section 804.13 Roof Snow Shed.

Section 804.13 Roof Snow Shed

When an area well is used for an emergency escape and rescue opening, it shall meet the requirements of R310.2.3.3 Roof Snow She of the International Residential Code, as adopted.

Section 810.1 Alterations Level 2, Lofts in existing buildings, of the International Existing Buildings Code adopted in this article is hereby amended by the addition of the following sections:

Section 810.1 Scope

The requirements of this section shall be limited to lofts in dwelling units in detached one- and two-family dwellings, townhouses, and Groups R-1, R-2, and R-3 occupancies that were originally constructed prior to the year 2020.

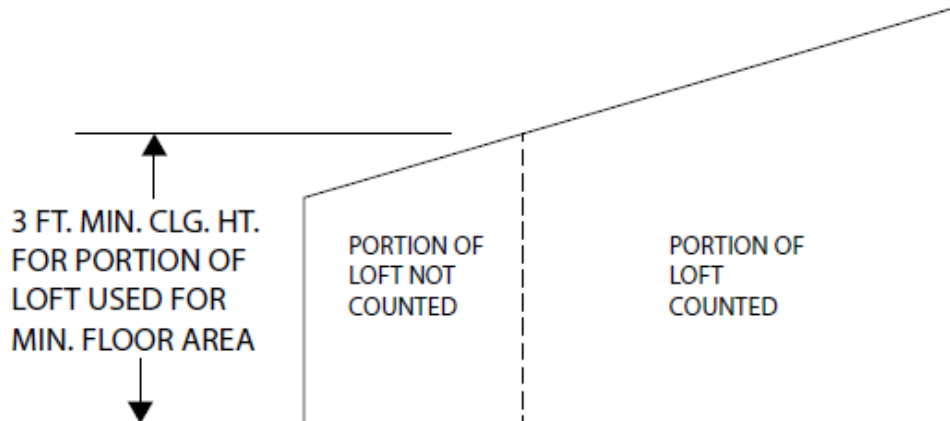
Section 810.2 Minimum Area and Dimensions

Lofts shall have a floor area of not less than 35 square feet and shall not be less than 5 feet in any horizontal direction.

Section 810.2.1 Height Effect on Loft Area

Portions of a loft with a sloped ceiling measuring less than 3 feet from the finished floor to the finished ceiling shall not be considered as contributing to the minimum required area of the loft. See figure 810.2.1.

Exception: Under gable roofs with a minimum slope of 6 units vertical to 12 units horizontal (50 percent slope), portions of a loft with a sloped ceiling measuring less than 16 inches from the finished floor to the finished ceiling shall not be considered as contributing to the minimum required area for the loft.



For SI: 1 foot = 304.8 mm.

FIGURE 810.2.1: A diagram showing dimensions of loft used for minimum floor area calculations.

Section 810.3 Loft Access and Egress

The access to and primary egress from lofts shall be of any type described in Sections 810.3.1 through 810.3.4.

Section 810.3.1 Stairways

Stairways accessing lofts shall comply with the International Residential Code, as adopted, or with Sections 810.3.1.1 through 810.3.1.6.

Section 810.3.1.1 Width

Stairways accessing a loft shall not be less than 17 inches in clear width at all points at or above the permitted handrail height. The width below the handrail shall not be less than 20 inches.

Section 810.3.1.2 Headroom

The headroom in stairways accessing a loft shall not be less than 6 feet 2 inches (1880 mm) as measured vertically from the sloped line connecting the tread nosings in the middle of the tread width.

Exception: The headroom for landing platforms shall not be less than 4 feet 6 inches.

Section 810.3.1.3 Treads and Risers

Risers for stairs accessing a loft shall be a minimum of 7 inches and a maximum of 12 inches. Tread depth and riser height shall be calculated with the following formulas:

Tread depth = 20 inches (508 mm) minus $\frac{4}{3}$ riser height

Riser height = 15 inches (381 mm) minus $\frac{3}{4}$ tread depth

Section 810.3.1.4 Land Platforms

The top tread and riser of stairways accessing lofts shall be constructed as a landing platform where the loft ceiling height is less than 6 feet 2 inches where the stairway meets the loft. The landing platform shall be 18 inches to 22 inches in depth measured from the nosing of the landing platform to the edge of the loft, and 16 to 18 inches in height measured from the landing platform to the loft floor.

Section 810.3.1.5 Handrails

Handrails shall comply with the 2021 International Residential Code, Section R311.7.8.

Section 810.3.1.6 Stairway Guards

Guards at open sides of stairways shall comply with the 2021 International Residential Code Section R312.1.

Section 810.3.2 Ladder Size, Capacity, and Incline.

Ladders accessing lofts are permitted. Ladders shall have 12 inches minimum rung width and 10 inches to 14 inch spacing between rungs. Ladders shall be capable of supporting a 300-pound load on any rung. Rung spacing shall be uniform within 3/8-inch. Ladders shall be installed at 70 to 80 degrees from horizontal.

Section 810.3.3 Alternating Tread Devices

Alternating tread devices accessing lofts shall comply with the 2021 International Residential Code Sections R311.7.11.1 and R311.7.11.2. The clear width at and below the handrails shall be not less than 20 inches.

Section 810.3.4 Ships ladders

Ships ladders accessing lofts shall comply with the 2021 International Residential Code Sections R311.7.12.1 and R311.7.12.2. The clear width at and below the handrails shall be not less than 20 inches.

Section 810.3.5 Loft Guards

Loft guards shall be located along the open side(s) of lofts located more than 30 inches (762 mm) above the main floor. Loft guards shall be not less than 36 inches (914 mm) in height or one-half the clear height to the ceiling, whichever is less. Loft guards shall comply with Section R312.1.3 of the International Residential Code, as adopted.

Section 810.4 Emergency Escape and Rescue Openings

Lofts used as sleeping rooms shall meet the applicable requirements of the 2021 International Residential Code Section R310 and 2021 International Building Code Section 1031 for emergency escape and rescue openings.

Exception: Egress roof access windows in lofts used as sleeping rooms shall be deemed to meet the requirements of Sections R310 (IRC) and 1031 (IBC) where installed with the bottom of their opening no more than 44 inches (1118 mm) above the loft floor.

Section 909.1 Lofts in Existing Buildings of the International Existing Buildings Code adopted in this article is hereby amended by the addition of the following subsections:

Section 909.1 Scope

The requirements of this section shall be limited to lofts in dwelling units in detached one- and two-family dwellings, townhouses, and Groups R-1, R-2, and R-3 occupancies that were originally constructed prior to the year 2020.

Section 909.1 Lofts

Lofts as part of level 3 alterations shall comply with the provisions of Section 810 of the 2021 International Existing Building Code as adopted in this article.

Secs. 6-131–6-140: Reserved

ARTICLE X. COLORADO MODEL ELECTRIC READY AND SOLAR READY CODE

Sec. 6-141: Colorado Model Electric Ready and Solar Ready Code Adopted

Pursuant to Title 31, Article 16, Part 2, C.R.S., there are hereby adopted by reference the following Codes:

1. The Colorado Model Electric Ready and Solar Ready Code Chapters 1 through 5, published June 1, 2023, by the Colorado Energy Office and Colorado Department of Local Affairs, subject to such additions, deletions and modifications as are set forth in this article.

One copy of such codes is available for inspection in the office of the building inspector of the town during regular business hours.

Sec. 6-142: Title; Buildings Impacted By Natural Disaster

Section 101.1, Title, of the Colorado Model Electric Ready and Solar Ready Code adopted in this article is hereby amended by substituting “Town of Mt. Crested Butte” for [NAME OF JURISDICTION].

Section 102.1.2, Buildings Impacted by a Natural Disaster, of the Colorado Model Electric Ready and Solar Ready Code adopted in this article is hereby amended by substituting “Town of Mt. Crested Butte” for [NAME OF JURISDICTION].

Sec. 6-143: Board Of Appeals

Section 109, Board of Appeals, of the Colorado Model Electric Ready and Solar Ready Code adopted in this article is hereby amended by its deletion and replacement with the following text:

Appeals relative to the application and interpretation of this code shall be conducted in substantially the same manner as the process provided by the Code of the Town of Mt. Crested Butte Code Sec. 21-24.

Sec. 6-144: General Definitions

Section 202, General Definitions, of the Colorado Model Electric Ready and Solar Ready code adopted in this article is hereby amended by the addition of the following definitions:

MAJOR RENOVATION. A renovation or alteration where the work area, as defined by the International Existing Building Code, exceeds 50% of the building area.

MAJOR ADDITION. An addition where the area of the addition exceeds 50% of the building area.

Secs. 6-145 – 6-155: Reserved

Section 2. Chapter 8 of the Code of the Town of Mt. Crested Butte, Colorado is hereby repealed and replaced in its entirety to read as follows:

CHAPTER 8 FIRE PREVENTION AND PROTECTION

ARTICLE I. IN GENERAL

Sec. 8-1: Fire Code Adopted

1. Pursuant to Title 31, Article 16, Part 2, C.R.S., there are hereby adopted by reference the following International Codes:
 - a.) The International Fire Code Chapters 1 through 80 and Appendix Chapters A through C, Appendix Chapters E through G, and Appendix N, 2021 edition, published by the International Code Council, Inc., 4051 West Flossmoor Road, Country Club Hills, IL 60478-5795 subject to such additions, deletions and modifications as are set forth in this article.
2. One copy of such International Codes are available for inspection in the office of the building inspector of the town during regular business hours.

Sec. 8-2: Title

Section 101.1, Scope and General Requirements, Title, of the International Fire Code adopted in this article is hereby amended by substituting “Town of Mt. Crested Butte” for (NAME OF JURISDICTION) in the first sentence.

Sec. 8-3: Referenced Codes and Standards

Section 102.7, Applicability, Referenced Codes and Standards, of the International Fire Code adopted in this article is hereby amended by the addition of the following sentence:

The most current National Fire Protection Association standards may also be utilized.

Sec. 8-4: Appointment of the Fire Code Official

Section 103.2 Code Compliance Agency, Appointment, of the International Fire Code adopted in this article is hereby amended in its entirety to read as follows:

Section 103.2, Fire Code Official.

The Town Council of the Town of Mt. Crested Butte hereby appoints the Fire Marshall appointed by the Board of Directors of The Crested Butte Fire Protection District to serve as the Fire Code Official of the Department of Fire Prevention for the Town of Mt. Crested Butte.

Sec. 8-5: Permits

Section 105.1.1 Permits, Permits required, of the International Fire Code adopted in this article is hereby amended by its deletion and replacement with the following text:

Section 105.1.1 Permits, Plan Review Required

A property owner or an owner's authorized agent who intends to conduct a business operation, or install or modify systems and equipment that are regulated by this code, or to cause any such work to be performed, shall first make application online with the Crested Butte Fire Protection District and obtain plan review approval.

Section 105.6.1, Automatic fire-extinguishing systems, of the International Fire Code adopted in this article is hereby amended by the addition of the following sentence.

Automatic fire suppression system contractors or persons working on such systems shall be registered with the State of Colorado Department of Fire Prevention and Control.

Sec. 8-6: Requests For Inspection

Section 108.2, Inspections, of the International Fire Code, adopted in this article is hereby amended in its entirety to read as follows:

Section 108.2.1, Inspection requests.

It shall be the duty of the person doing the work authorized by a permit to notify the Fire Code Official that such work is ready for inspection. Every request for inspection must be filed at least 5 working days before such inspection is desired. Such request may be in writing or by telephone.

It shall be the duty of the person requesting any inspections required by this code to provide access to and means for inspection of such work. Absence from a scheduled inspection and/or failure to permit access for an inspection may result in additional inspection fees.

Sec. 8-7: Violations; Penalties

Section 112.4 Violation penalties, of the International Fire Code adopted in this article is hereby amended in its entirety to read as follows:

Section 112.4 Violation penalties.

Persons who shall violate a provision of this code or shall fail to comply with any of the requirements thereof or who shall erect, install, alter, repair or do work in violation of the approved construction documents or directive of the fire code official, or of a permit or certificate used under provisions of this code, shall be guilty of a misdemeanor, punishable by a fine of not more than 2,650 dollars. Each day that a violation continues after due notice has been served shall be deemed a separate offense.

Sec. 8-8: Stop Work Order

Section 113.4, Failure to comply with the International Fire Code adopted in this article is hereby amended in its entirety to read as follows:

Section 113.4, Failure to comply.

Any person who shall continue any work after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be subject to the penalties outlined in Sec. 112.4 of this article.

Sec. 8-9: Fire Apparatus Access Roads

Section 503, Fire Apparatus Access Roads, and all subsequent subsections under Sec. 503, of the International Fire Code adopted in this article are hereby amended in their entirety to read as follows:

Section 503. Where required.

Fire apparatus access roads shall be provided and maintained in accordance with Sections 503.1, 503.1.2 and 503.1.3.

Section 503.1.1, Buildings and facilities.

Approved fire apparatus access roads shall be provided for every facility, building or portion of a building hereafter constructed or moved into or within the jurisdiction. The fire apparatus access road shall comply with the requirements of this section and shall be on the lot upon which the facility, building or portion of a building is located and shall be within 150 feet (45720 mm) of all portions of the facility and all portions of the exterior walls of the first story of the building as measured by an approved route around the exterior of the building or facility.

Section 503.1.2, Additional access.

The Fire official is authorized to require more than one fire apparatus access road based on the potential for impairment of a single road by vehicle congestion, condition of terrain, climatic conditions or other factors that could limit access.

Section 503.1.3, High-piled storage.

Fire department vehicle access to buildings used for high-piled combustible storage shall comply with the applicable provisions of Chapter 32.

Section 503.2, Specifications.

Fire apparatus access roads shall be installed and arranged in accordance with Sections 503.2.1 through 503.2.6.

Section 503.2.1, Dimensions.

Fire apparatus access roads shall have an unobstructed width and vertical clearance as specified in Table 21-913 (1) of The Code of The Town of Mt. Crested Butte, Colorado as adopted when the fire apparatus access roads received design review approval except for approved security gates in accordance with Section 503.6.

Section 503.2.2, Authority.

The Fire official shall have the authority to require an increase in the minimum access widths where they are inadequate for fire or rescue operations.

Section 503.2.3, Surface.

Fire apparatus access roads shall be designed and maintained to support the imposed loads of fire apparatus and shall be surfaced so as to provide all-weather driving capabilities.

Section 503.2.4, Turning radius.

The required turning radius of a fire apparatus access road shall be as defined by Table 21-913 (1) of The Code of The Town of Mt. Crested Butte, Colorado, as adopted.

Section 503.2.5, Dead ends.

Dead-end fire apparatus access roads in excess of 150 feet (45720 mm) in length shall be provided with an approved area for turning around fire apparatus as defined in Sec. 18-131 Cul-de-sacs; hammer sacs; dead-end streets of The Code of The Town of Mt. Crested Butte, Colorado, as adopted when the fire apparatus access road received design review approval.

Section 503.2.6, Bridges and elevated surfaces.

Where a bridge or an elevated surface is part of a fire apparatus access road, the bridge shall be constructed and maintained in accordance with AASHTO HB-17. Bridges and elevated surfaces shall be designed for a live load sufficient to carry the imposed loads of fire apparatus. Vehicle load limits shall be posted at both entrances to bridges when required by the fire code official. Where elevated surfaces designed for emergency vehicle use are adjacent to surfaces which are not designed for such use, approved barriers, approved signs or both shall be installed and maintained when required by the fire code official.

Section 503.2.7, Grade.

The grade of the fire apparatus access road shall be within the limits established by Table 21-913 (1) of The Code of the Town of Mt. Crested Butte when the fire apparatus access road received design review approval.

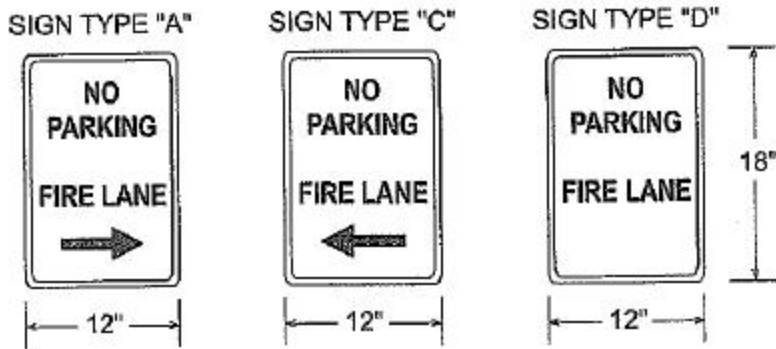
Section 503.3, Marking.

Where required by the fire code official, signs or other approved notices shall be provided for fire apparatus access roads to identify such roads or prohibit the obstruction thereof. Signs or notices shall be maintained in a clean and legible condition at all times and be replaced or repaired when necessary to provide adequate visibility.

Section 503.3.1, Signs.

Where required by the fire code official, fire apparatus access roads shall be marked with permanent NO PARKING – FIRE LANE signs complying with Figure F-503.1. Signs shall have a minimum dimension of 12 inches (305 mm) wide by 18 inches (457 mm) high and have red letters on a white reflective background. Signs shall be posted on one or both sides of the fire apparatus road.

Figure F-503.1: A diagram showing sign types for fire lanes.



Section 503.4, Obstruction of fire apparatus access roads.

Fire apparatus access roads shall not be obstructed in any manner, including the parking of vehicles. The minimum widths and clearances established in Section 503.2.1 shall be maintained at all times.

Section 503.5, Required gates or barricades.

The fire code official is authorized to require the installation and maintenance of gates or other approved barricades across fire apparatus access roads, trails or other access ways. Electric gate operators, where provided, shall be listed in accordance with UL 325. Gates intended for automatic operation shall be designed, constructed and installed to comply with the requirements of ASTM F 2200.

Section 503.5.1, Secured gates and barricades.

When required, gates and barricades shall be secured in an approved manner. Roads, trails and other access ways that have been closed and obstructed in the manner prescribed by Sec. 503.5 shall not be trespassed on or used unless authorized by the owner and the fire code official. Electric gate operators, where provided, shall be listed in accordance with UL 325. Gates intended for automatic operation shall be designed, constructed and installed to comply with the requirements of ASTM F 2200.

Exception: The restriction on use shall not apply to public officers acting within the scope of duty.

Section 503.6, Security gates.

The installation of security gates across a fire apparatus access road shall be approved by the fire official. Where security gates are installed, they shall have an approved means of emergency operation. The security gates and the emergency operation shall be maintained operational at all times. Electric gate operators, where provided, shall be listed in accordance with UL 325. Gates intended for automatic operation shall be designed, constructed and installed to comply with the requirements of ASTM F 2200.

An access road approach that has a security gate shall be designed so that the longest vehicle using it can completely clear the traveled way when the gate is closed. In no event shall such distance be less than 35 feet. All security gates should open inward or upward. No

elements of a security gate assembly shall encroach on the required width of the access road. The required width of the access road shall be maintained through the clear opening of the security gate. An approved radio operated opening device or a Knox Gate & Key Switch shall be installed to on all electronically operated gates to enable responding emergency units immediate passage through the gate. The Crested Butte Fire Protection District shall be provided with an approved key box, key and/or access combination on manually operated gates. All security gates shall be installed with an alternative manual means of operation in a manner that allows emergency vehicle access. All security gated access roads shall, at a minimum, be provided with a KNOX box containing access keys, codes and emergency contact information.

Removable bollards designed to slide into the ground within the fire access way are not permitted.

Section 503.7.1 Aerial Fire Apparatus Access Roads, Where required.

Where the vertical distance between the grade plane and the highest roof surface exceeds 30 feet (9144 mm), approved aerial fire apparatus access roads shall be provided. For purposes of this section, the highest roof surface shall be determined by measurement to the eave of a pitched roof, the intersection of the roof to the exterior wall, or the top of parapet walls, whichever is greater.

Section 503.7.2 Aerial Fire Apparatus Access Roads, Width

Aerial fire apparatus access roads shall have a minimum unobstructed width of 26 feet (7925 mm), exclusive of shoulders, in the immediate vicinity of the building or portion thereof.

Section 503.7.3 Aerial Fire Apparatus Access Roads, Proximity to building

One or more of the required access routes meeting this condition shall be located not less than 15 feet (4572 mm) and no greater than 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*.

Section 503.7.4 Aerial Fire Apparatus Access Roads, Obstructions

Overhead utility and power lines shall not be located over the aerial fire apparatus access road or between the aerial fire apparatus road and the building. Other obstructions shall be permitted to be placed with the approval of the *fire code official*.

Sec. 8-10: Private Underground Fire Service Mains

Section 507.2.1, Fire Protection Water Supplies, Private fire service mains, of the International Fire Code adopted in this article shall be amended by the addition of the following section:

Section 507.2.1.1, Underground fire service mains.

Projects which include private underground fire service mains will be reviewed and approved by the Crested Butte Fire Protection District pursuant to section 24-33.5-1202,

C.R.S. Construction documents shall be submitted to the Crested Butte Fire Protection District detailing the location, size, components and anticipated fire flows of all proposed private underground fire service mains. The contractor shall be responsible for demonstrating that they are registered as an Underground Fire Line Contractor by providing the Crested Butte Fire Protection District certification of the contractor's registration as an Underground Fire Line Contractor by the Colorado Department of Fire Prevention and Control. A copy of the certification shall be kept on file in the offices of the Crested Butte Fire Protection District. Prior to a request for inspection and acceptance of a project that includes a private underground fire main; the registered Underground Fire Line Contractor shall complete a contractor's Material and Test Certificate for Private Fire Service Mains form.

Sec. 8-11: Obstruction

Section 507.5.4, Fire protection water supplies, Obstruction, of the International Fire Code adopted in this article shall be amended by the addition of the following sentence at the end of the existing text:

Snow and/or snow removal operations shall not prevent fire hydrants from being immediately discernable or hinder gaining immediate access.

Sec. 8-12: Portable Unvented Heaters

Section 605.5 Fuel-Fired Appliances, Portable unvented heaters and subsequent subsections and exceptions under Sec. 605.5, of the International Fire Code, 2021 edition adopted in this article is hereby amended by their deletion in their entirety and replaced with the following section:

Section 605.5 Portable unvented heaters
Portable indoor unvented fuel-fired heating equipment shall be prohibited in all occupancies.

Section 605.2.1.3, Fuel Fired Appliances, Decorative shrouds, of the International Fire Code adopted in this article is hereby amended by the addition of the following sentence:

Approved decorative shrouds shall be designed to be easily removed to allow access for cleaning, inspection or emergency response. This requirement is for chimneys connected to solid fuel burning appliances or fireplaces.

Sec. 8-13: Fire Protection Systems

Section 903.4, Automatic Sprinkler Systems, Sprinkler system supervision and alarms, Exception 1, of the International Fire Code adopted in this article is hereby amended by its deletion in its entirety and replacement with the following text:

Section 903.4.
Exception 1. The control valve for automatic sprinkler systems protecting one- and two-family dwellings may be locked or secured in an approved manner.

Section 903.4.2, Automatic Sprinkler Systems, Alarms, of the International Fire Code adopted in this article is hereby amended by the addition of the following subsection:

Section 903.4.2.1, Audible Devices.

Automatic sprinkler systems protecting one- and two-family dwellings shall also have installed separate interior and exterior audible devices and an exterior strobe in approved locations. The audible device system shall not be interlinked with smoke and carbon monoxide alarms.

Sec. 8-14: Additional Fire Protection Devices Required In R1, R2, R3 and R4 Occupancies

Section 906.1, Portable Fire Extinguishers, Where required, of the International Fire Code, adopted in this article, is hereby amended by the addition of the following requirement:

1. All R1, R-2, R-4, and I occupancies which do not now have fire extinguishers of minimum size and rating of 2.5 lb 1A5BC shall be installed in all accommodation or dwelling units and shall be required to be maintained in said units.

Sec. 8-15: Fire Alarm and Detection Systems

Section 907.2.8.2, Fire Alarm and Detection Systems, Automatic smoke detection system, under Sec. 907.2.8.2, of the International Fire Code adopted in this article is hereby amended by its deletion in its entirety and with the replacement of the following text:

Section 907.2.8.2. Automatic smoke detection system.

An automatic fire alarm system shall be installed throughout all interior corridors serving sleeping units, laundry rooms, mechanical rooms and all common areas. Smoke alarms shall be photoelectric or shall be approved by the Fire Code Official.

Section 907.2.11.5, Interconnection, of the International Fire Code adopted in this article is hereby amended by the addition of the following sub-section:

Section 907.2.11.5.1. Alarm transmission.

Within an individual dwelling unit or sleeping unit in Group R-1, R-2, R-4, and I-1 at least one centrally located fire detection device shall transmit a trouble or supervisory single to the building fire alarm control panel. Such device may be a combination smoke/heat detector.

Section 907.6.6 Exception 3 Monitoring of the International Fire Code adopted in this article is hereby amended by its deletion and replacement of the following text:

Exception 3. Automatic sprinkler systems in one and two-family community housing dwellings units as defined in Chapter 22 of the Code of the Town of Mt. Crested Butte, Colorado.

Sec. 8-16: Carbon Monoxide Detector Required

Sections 915.2.1, Carbon Monoxide Detection, Dwelling Units of the International Fire Code adopted in this article is hereby amended in its entirety to read as follows:

Section 915.2.1, Dwelling Units.

Carbon monoxide alarms shall be installed on each floor in dwelling units and shall be installed outside of each separate sleeping area. Such detection shall be located within 15 feet of an entrance to each room lawfully used for sleeping and audible within the sleeping room(s) it serves. A minimum of one carbon monoxide detector per floor or level shall be required.

Section 915.2.2, Carbon Monoxide Detection, Sleeping units, of the International Fire Code adopted in this article is hereby amended in its entirety to read as follows:

Section 915.2.2, Sleeping Units

Carbon monoxide alarms in dwelling units shall be installed outside of each separate sleeping area. Such detection shall be located within 15 feet of an entrance to each room lawfully used for sleeping and audible within the sleeping room(s) it serves.

Sec. 8-17: Means of Egress for Existing Buildings

Section 1104.5, Illumination emergency power (2.) of the International Fire Code adopted in this article is hereby amended in its entirety to read as follows:

Section 1104.5 (2.), Illumination emergency power.

(2.) Group B buildings three or more stories in height or buildings with 100 or more total occupants.

Sec. 8-18: Outdoor Storage of Cryogenic Fluids

Section 5504.3, Storage, outdoor storage of the International Fire adopted in this article is hereby amended by the addition of the following sentence and exception at the end of the existing text:

Section 5504.3.1.1,.3. Location.

In the event of a conflict with Colorado State of Federal EPA regulations the more stringent regulations shall apply.

Exception: Tanks legally in existence at the time of the adoption of this resolution. Providing they do not pose undo fire or safety hazards.

Sec. 8-19: Outdoor Storage of Flammable and Combustible Liquids

Section 5704.2.9.6.1, Locations where above-ground tanks are prohibited, of the International Fire Code adopted in this article is hereby amended by the addition of the following sentence and exception at the end of the existing text:

Section 5704.2.9.6.1, Locations where above-ground tanks are prohibited.

In the event of a conflict with Colorado State of Federal EPA regulations, the more stringent regulations shall apply.

Exception: Tanks legally in existence at the time of the adoption of this resolution. Providing

they do not pose undo fire or safety hazards.

Sec. 8-20: Special Operations Related to Storage of Flammable and Combustible Liquids

Section 5706.2.4.4, Locations where above-ground tanks are prohibited, of the International Fire Code adopted in this article is hereby amended by the addition of the following sentence and exception at the end of the existing text:

Section 3406.2.4.4, Locations where above-ground tanks are prohibited.
In the event of a conflict with Colorado State of Federal EPA regulations the more stringent regulations shall apply.

Exception: Tanks legally in existence at the time of the adoption of this resolution.
Providing they do not pose undo fire or safety hazards.

Sec. 8-21: Prohibitions of Above-Ground Liquid Petroleum Gas Tanks

Section 6104.3, Location of LP-Gas Containers, Container Location, of the International Fire Code adopted in this article is hereby amended by the addition of the following subsection:

Section 6104.3.3, Above-Ground LP-Gas Containers.
The storage of liquefied petroleum gases in outside above-ground tanks is prohibited throughout Mt. Crested Butte, Colorado, except that the building official may issue a temporary permit for up to six (6) months for a storage tank not to exceed five hundred (500) gallons. The permit shall cost one hundred dollars (\$100.00). In the event of a conflict with Colorado State of Federal EPA regulations, the more stringent regulations shall apply.

Exception: Tanks legally in existence at the time of the adoption of this resolution.
Providing they do not pose undo fire or safety hazards.

Sec. 8-22: Fire Flow Requirements for Buildings

TABLE B105.1(1) Required Fire-Flow for One- and Two-Family Dwellings, Group R-3 and R-4 Buildings and Townhouses of the International Fire Code adopted in this article is hereby amended in its entirety to read as follow:

Table B105.5(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/minute)	Flow Duration (hours)
0-3,600	No Automatic Sprinkler System	1,500	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

0-3,600	Section 903.3.1.3 of the <i>International Fire Code</i> or Section P2904 of the <i>International Residential Code</i>	1,500	1/2
3,601 and greater	Section 903.3.1.3 of the <i>International Fire Code</i> or Section P2904 of the <i>International Residential Code</i>	½ value in Table B105.1(2)	1

Secs. 8-23 – 8-25: Reserved

ARTICLE II. OPEN BURNING

Sec. 8-26: Outdoor Burning Prohibited; Exception

It shall be unlawful for any person to burn, or cause to be burned, any paper, refuse, excelsior, grass, leaves, organic matter or other combustible matter whatsoever except in an approved receptacle designed to burn such material; provided, however, that no such burning may be undertaken out of doors except as provided in section 8-27.

Sec. 8-27: Burning By Permission of The Town Manager

- a.) The town manager may issue a special burning permit. Such permit may be issued upon written application and a refundable deposit of \$25 and such other deposit that the town manager may deem necessary to ensure proper cleanup of the burning site.
- b.) In his/her discretion, the town manager may require that reasonable insurance protection be provided for open-air burning as a prerequisite to issuance of a special burning permit.

Sec. 8-27 – 8-31: Reserved

ARTICLE III. FALSE ALARM NOTIFICATION

Sec. 8-32: Definitions

As used in this article, the following words and terms shall have the meaning ascribed thereto:

"Alarm notification" means a notification intended to summon the police and/or fire department, which is designed either to be initiated purposely by a person or by an alarm system that responds to a stimulus characteristic of unauthorized intrusion or fire.

"Alarm site" means a single premises or location served by an alarm system or systems under the control of one owner, manager, or person.

"Alarm system" means a device or system that emits, transmits, or relays a signal intended to summon the police services of the Mt. Crested Butte Police Department (hereinafter "police") or the fire emergency services provided by the Crested Butte Fire Protection District (hereinafter "fire department"), including but not limited to, local alarms and direct notification alarms.

"False alarm notification" means an alarm notification to the police or fire department, when the responding officer finds no evidence of fire, unauthorized intrusion, attempted unauthorized intrusion, robbery, attempted robbery, theft, or an attempt to take a person hostage.

"Person" means an individual, corporation, partnership, association, organization, or any other legal entity recognized under Colorado Law.

"Person in control of an alarm system" means the owner of an alarm site, the owner of a business located at an alarm site, or the local manager of business located at an alarm site.

Sec. 8-33: Reporting of An Alarm System

The presence of an alarm system and its mode of operation shall be reported to one or both of the police and fire department which it is intended to summon by a person in control of the alarm system.

Sec. 8-34: Maintenance of An Alarm System

An alarm system shall be maintained and operated in such fashion that false alarm notifications are not created. Any false alarm notification in excess of five within any 12 month period from any one alarm site shall be conclusive evidence that the alarm system is not being maintained and operated in such a fashion that false alarm notifications are not created. Each such false alarm notification in excess of five within any 12 month period shall be deemed a separate offense.

Sec. 8-35: Violation and Penalty

Any person or person in control of an alarm system who violates the provisions of sections 8-33 and 8-34, above, shall be guilty of a misdemeanor. Upon conviction thereof, such person or person in control of an alarm system shall be fined as follows, which fines are deemed mandatory fines not subject to reduction by the municipal judge:

1. Violation of section 8-33 shall result in a fine of \$100.
2. Violation of section 8-34 shall result in a fine of \$100 if the police are summoned by the false alarm notification of an unauthorized intrusion, attempted unauthorized intrusion, robbery, attempted robbery, theft, or an attempt to take a person hostage.
3. Violation of section 8-34 shall result in a fine of \$250 if the fire department is summoned by the false alarm notification.

Each false alarm notification in excess of five within any 12-month period shall be deemed a separate offense.

Section 3. Existing Violations Not Affected. This repeal and replace 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 effective date of this ordinance.

Section 4. Severability. Should any section, clause, phrase, or provision of this ordinance be ruled invalid or unenforceable by any court of competent jurisdiction, it is hereby declared the intent of the Town Council of the Town of Mt. Crested Butte, Colorado, that the remaining provisions of this ordinance be given full force and effect if it is possible to do so.

Section 5. Except as hereby amended, the Mt. Crested Butte Code shall remain valid, and in full force and effect. Any provision of any ordinance previously adopted by the Town of Mt. Crested Butte which is in conflict with this ordinance is hereby repealed.

Section 6. Publication Date. Upon final passage of this ordinance, the Town Clerk is hereby authorized and directed to defer and delay publication of this ordinance until December 27, 2024, it being the intention of the Town Council, as permitted by Charter Sec. IV(I), to delay the effective date of this ordinance until this stated time to provide the Town's building department more time to contact local design professionals, property owners, architects, contractors, and other interested parties prior to the undertaking of any projects that may be impacted by the adoption of the Codes provided for herein.

INTRODUCED, READ, APPROVED AND ORDERED PUBLISHED on first reading at a regular meeting of the Town Council of the Town of Mt. Crested Butte, Colorado, held this 6th day of August 2024.

PASSED, ADOPTED, AND APPROVED ON SECOND READING at a regular meeting of the Town Council of the Town of Mt. Crested Butte, Colorado, held the __ the day of ____ 2024.

TOWN OF MT. CRESTED BUTTE, COLORADO

Nicholas Kempin

ATTEST: Nicholas Kempin, Mayor

Tiffany O'Connell

Tiffany O'Connell, Town Clerk