

ORDINANCE NO. 4.91.5, Series of 2015

TITLE: A BILL FOR AN ORDINANCE TO AMEND SECTIONS 11.02.020, 11.02.050, 11.02.060 AND 11.02.080 OF THE PARKER MUNICIPAL CODE CONCERNING THE PARKER RESIDENTIAL CODE FOR ONE- AND TWO-FAMILY DWELLINGS BUILDING CODE

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF PARKER, COLORADO, THAT:

Section 1. Section 11.02.020 of the Parker Municipal Code is amended to read as follows:

11.02.020 International Residential Code adopted.

Pursuant to Section 7.7 of the Town of Parker Home Rule Charter, the International Residential Code for One- and Two-Family Dwellings, 2015 Edition, as published by the International Code Council (ICC), 500 New Jersey Avenue, NW, 6th Floor, Washington, DC 20001, is adopted by reference and incorporated into this Chapter as though fully set forth herein. Except as otherwise provided hereafter, such code is adopted in full, including the outline of contents, index and appendices contained therein.

Section 2. Section 11.02.050 of the Parker Municipal Code is repealed in its entirety and readopted to read as follows:

11.02.050 Amendments.

The International Residential Code for One- and Two-Family Dwellings, as adopted by this Chapter, is amended as follows (section numbers correspond with those in the International Residential Code for One- and Two-Family Dwellings):

(1) Delete Appendix Chapters A, B, C, D, E, F, G, H, I, J, K, L, N, O, P, Q, R, S, T and U

(2) Amend Section R101.1, Title, to read:

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

(3) Sections R101.2, Scope, and R101.3, Intent, remain unchanged

(4) The remainder of Chapter 1 of the code, entitled "Scope and Administration," is deleted in its entirety (*see* Parker Administrative Code contained in Chapter 11.01 of the Parker Municipal Code).

(5) Amend Section R202, Definitions, to add two new definitions to read:

"Building face. The outer most point of the wall cladding, exclusive of door, window trim or similar exterior trim.

"Secondary Family Space. A secondary *Dwelling Unit* located inside a single-family, detached dwelling whose occupants and the occupants of the principal dwelling unit live together as a single-household unit and which is neither rented nor locked off from the principal dwelling unit. This is not an accessory dwelling unit."

(6) Amend Section R202, Fire separation distance, to read:

"Fire separation distance. The distance measured from the building face to one of the following: . . ."

The remainder of the Section remains unchanged.

(7) Delete Table R301.2(1), Climatic and Geographic Design Criteria, including footnotes, and replace with:

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

Ground Snow Load	"WIND DESIGN				Seismic Design Category ^c	SUBJECT TO DAMAGE FROM			Winter Design Temp ⁱ	Ice Barrier Underlayment Required ^j	Flood Hazards ^k	Air Freezing Index ^l	Mean Annual Temp ^m
	Speed ^a (mph)	Topographic Effects ^b	Special wind region ^c	Wind-borne debris zone ^d		Weathering ^f	Frost Line Depth ^h	Termite ^h					
30 lbs.	115	NO	NO	NO	B	SEVERE	36"	Slight to Moderate	-3° F	NO	Adopted 9/30/2005 Class 7 IP# 080310	867	48.1° F

^aFor SI: 1 pound per square foot = 0.0479 kPa, 1 mile per hour = 0.447 m/s.

^{na} The jurisdiction shall fill in this part of the table with the wind speed from the basic wind speed map [Figure R301.2(4)A]. Wind exposure category shall be determined on a site-specific basis in accordance with Section R301.2.1.4.

^{nb} In accordance with Section R301.2.1.5, where there is local historical data documenting structural damage to buildings due to topographic wind speed-up effects, the jurisdiction shall fill in this part of the table with 'YES.' Otherwise, the jurisdiction shall indicate 'NO' in this part of the table.

^{nc} In accordance with Figure R301.2(4)A, where there is local historical data documenting unusual wind conditions, the jurisdiction shall fill in this part of the table with 'YES' and identify any specific requirements. Otherwise, the jurisdiction shall indicate 'NO' in this part of the table.

nd In accordance with Section R301.2.1.2.1, the jurisdiction shall indicate the wind-borne debris wind zone(s). Otherwise, the jurisdiction shall indicate 'NO' in this part of the table.

^{ne} The jurisdiction shall fill in this part of the table with the seismic design category determined from Section R301.2.2.1.

^{nf} Weathering may require a higher strength concrete or grade of masonry than necessary to satisfy the structural requirements of this code. The weathering column shall be filled in with the weathering index (*i.e.*, 'negligible,' 'moderate' or 'severe') for concrete as determined from the Weathering Probability Map [Figure R301.2(3)]. The

grade of masonry units shall be determined from ASTM C 34, C 55, C 62, C 73, C 90, C 129, C 145, C 216 or C 652.

- "⁸ The frost line depth may require deeper footings than indicated in Figure R403.1(1). The jurisdiction shall fill in the frost line depth column with the minimum depth of footing below finish grade.
- "^h The jurisdiction shall fill in this part of the table to indicate the need for protection depending on whether there has been a history of local subterranean termite damage.
- "ⁱ The outdoor design dry-bulb temperature shall be selected from the columns of 97½% values for winter from Appendix D of the International Plumbing Code. Deviations from the Appendix D temperatures shall be permitted to reflect local climates or local weather experience as determined by the building official.
- "^j In accordance with Sections R905.1.2, R905.4.3.1, R905.5.3.1, R905.6.3.1, R905.7.3.1 and R905.8.3.1, where there has been a history of local damage from the effects of ice damming, the jurisdiction shall fill in this part of the table with 'YES.' Otherwise, the jurisdiction shall fill in this part of the table with 'NO.'
- "^k The jurisdiction shall fill in this part of the table with: (a) the date of the jurisdiction's entry into the National Flood Insurance Program (date of adoption of the first code or ordinance for management of flood hazard areas); (b) the date(s) of the Flood Insurance Study; and (c) the panel numbers and dates of all currently effective FIRMS and FBFMs or other flood hazard map adopted by the authority having jurisdiction, as amended.
- "^l The jurisdiction shall fill in this part of the table with the 100-year return period air freezing index (BF-days) from Figure R403.3(2) or from the 100-year (99%) value on the National Climatic Data Center data table 'Air Freezing Index- USA Method (Base 32°F).'
- "^m The jurisdiction shall fill in this part of the table with the mean annual temperature from the National Climatic Data Center data table 'Air Freezing Index-USA Method (Base 32°F).'

(8) Delete Table R302.1, Exterior Walls, and replace with:

**"Table R302.1
Exterior Walls**

"EXTERIOR WALL ELEMENT		MINIMUM FIRE-RESISTANCE RATING	MINIMUM FIRE SEPARATION DISTANCE
Walls	(Fire-resistance rated)	1 hour with exposure from both sides	< 5 feet ¹
	(Not fire-resistance rated)	0 hours	≥ 5 feet ¹
Projections	(Fire-resistance rated)	1 hour on the underside	≥ 2 feet and < 5 feet
	(Not fire-resistance rated)	0 hours	≥ 5 feet ²
Openings	Not allowed	N/A	< 3 feet
	25% Maximum of Wall Area	0 hours	≥ 3 feet and < 5 feet
	Unlimited	0 hours	≥ 5 feet
Penetrations	All	Comply with Section R302.4	< 3 feet
		None required	≥ 3 feet

"N/A = Not Applicable.

"¹ Fire separation distance of 3 feet can be used if the exterior wall cladding and trim is of noncombustible material (refer to Section R202 for definition of noncombustible).

"² Fire separation distance of 3 feet can be used if the soffit cladding and fascia board is of noncombustible material (refer to Section R202 for definition of noncombustible)."

(9) Amend R302.3 by the addition of a new exception to provide as follows:

"3. *Secondary Family Space* that comply with Section R302.3.2."

(10) Amend R302.3 to add a new Subsection R302.3.2 to provide as follows:

"R302.3.2 Secondary Family Space. The dwelling unit separation specified in Section R302.3 is not required where all of the following apply:

1. No more than one (1) *Secondary Family Space* is allowed within a single-family, detached dwelling.

2. The *Secondary Family Space* cannot be larger than 40% of the main dwelling unit, including the basement.

3. Prior to the issuance of a building permit for a *Secondary Family Space*, the property owner shall sign a declaration of restrictions in a form acceptable to the Chief Building Official, in which the property owner(s) shall acknowledge and agree to the building code requirements for maintaining a *Secondary Family Space* within a single-family, detached dwelling, to be recorded by the Chief Building Official with the Douglas County Clerk and Recorder's Office to put prospective purchasers of the real property that is the subject of the building permit on notice of the declaration of restrictions. The declaration of restrictions shall contain the following:

a. The *Secondary Family Space* shall be in effect only so long as either the principle residence, or the *Secondary Family Space*, is occupied by the owner of record as their principal residence.

b. The principle residence and the *Secondary Family Space* shall not be rented.

c. The occupants of the principle residence and the *Secondary Family Space* shall be related by blood or marriage.

d. Access between the principle residence and the *Secondary Family Space* shall remain and doors within the access shall not have a locking devise.

e. Access to inspect the principal residence and/or the *Secondary Family Space* shall be granted to the Chief Building Official if there is a reasonable suspicion that there is a violation of the declaration of restrictions.

f. Any improvements made to the *Secondary Family Space* under the building permit issued by the Town shall be removed if there is a violation of the declaration of restrictions, which remedy is not exclusive under the Code.

g. The declaration of restrictions are binding upon any successor in ownership of the property."

(11) Amend the Exceptions to Section R303.1, Habitable rooms, as follows:

Add Exception #4 to read:

"4. All habitable rooms in basements of R occupancies shall be provided with aggregate glazing area of not less than 4 percent of the floor area of such rooms. Natural ventilation shall be through windows, doors, louvers or other approved openings to the outdoor air. Such openings shall be provided with ready access or shall otherwise be readily controllable by the building occupants. The minimum openable area to the outdoors shall be 2 percent of the floor area being ventilated."

(12) Delete Section R303.3, Bathrooms, and replace with:

"R303.3 Bathrooms. Bathrooms, water closet compartments and other similar rooms shall be provided with a local exhaust system. The minimum local exhaust rates shall be determined in accordance with Section M1507. Exhaust air from the space shall be exhausted directly to the outdoors."

(13) Amend the first sentence of Section R303.9, Required heating, by removing "68° F (20°C)" and replacing it with "70° F (21°C)."

(14) Amend the Exception to Section R310.1, Emergency escape and rescue required, to read:

"Exception: Basements and habitable attics"

The remainder of the Section remains unchanged.

(15) Delete the Exception to Section R310.1.1, Minimum opening area.

(16) Amend Section R310.2, Window wells, by adding the following Exception to read:

"Exception: In basements of existing R-3 (one- or two-family dwellings) occupancies, egress window wells may have a minimum horizontal projection of 24 inches (610 mm) and must be the full width of the window. If a ladder is required in the window well, the ladder must be installed such that it does not interfere with or be in front of the operable side of the window."

(17) Delete Section R313, Automatic Fire Sprinkler Systems, in its entirety.

(18) Amend the first sentence of Section R315.3, Location, to read:

"R315.3 Location. Carbon monoxide alarms in dwelling units shall be installed within fifteen feet (15') of the entrance to each bedroom.

(19) Amend the second and third sentences of Section R408.1, Ventilation, by inserting "(min. 10 mill in thickness or a cross-laminated 3.5 mills in thickness)" after "Class 1 vapor retarder."

(20) Amend the first sentence of Section R408.3, Unvented crawl space, by inserting "(min. 10 mill in thickness or a cross-laminated 3.5 mills in thickness)" after "Class 1 vapor retarder."

(21) Amend Section R703.2, Water-resistive barrier, by the deletion of the last sentence.

(22) Amend Section R905.2.8.3, Sidewall flashing, to read:

"R905.2.8.3, Sidewall flashing. Base flashing against a vertical sidewall shall be step flashing and shall be a minimum of 4 inches (102 mm) in height and 4 inches (102 mm) in width and shall direct water away from the vertical sidewall onto the roof and/or into the gutter."

The remainder of the Section remains unchanged.

(23) Delete the third sentence of Section R905.2.8.5, Drip edge, and replace with:

"Drip edges shall extend a minimum to cover gap between the roof sheathing and fascia, extending onto the fascia face a minimum of:

"Rakes: One inch

"Eves: Into gutter."

The remainder of the Section remains unchanged.

(24) Delete Subparagraph 3 of Section R907.3, Recovering versus replacement, and replace with:

"3. Where the existing roof has one or more applications of any type of roof covering."

(25) Amend Section M1503.1, General, by deleting the Exception.

(26) Amend Section M1503.3, Kitchen exhaust rates, to read:

"M1503.3 Kitchen exhaust rates. Domestic kitchen cooking appliances shall be equipped with ducted range hoods or down-draft

exhaust systems. The fans shall be sized in accordance with Section M1507.4."

(27) Amend Section M1503.4, Makeup air required, by revising the first sentence and adding a sentence to the end of the Section to read:

a. First sentence to read:

"Exhaust hood systems capable of exhausting 600 cubic feet per minute (0.19m³/s) or more. . ."

The remainder of the sentence remains unchanged.

b. Add a sentence at the end of the Section to read:

"Makeup air systems shall be capable of maintaining a minimum makeup air temperature of 50° F (10°C) during the heating season."

(28) Amend Table M1507.3.3(1) by adding a footnote to read:

¹ An equation can be used as an alternative to Table R1507.3.3(1)

$$Q_{fan} = 0.01A_{floor} + 7.5(N_{br} + 1)$$

Where:

Q_{fan} = fan flow rate in cubic feet per minute (cfm).

A_{floor} = floor area in square feet (ft²).

N_{br} = number of bedrooms; not to be less than 1."

(29) Amend Section M1601.1.1, Above-ground duct systems, by deleting requirements 7, 7.1, 7.2, 7.3, 7.4, 7.5 and replacing with:

"7. Stud wall cavities and the spaces between solid floor joists shall not be used as supply air or return air plenums."

(30) Amend Section G2417.4.1 (406.4.1), Test pressure, to read:

"G2417.4.1 (406.4.1) Test pressure. The test pressure to be used shall be not less than one and one-half times the proposed maximum working pressure, but not less than 20 psig (138 kPa gauge)."

The remainder of the Section remains unchanged.

(31) Amend Section G2417.4.2 (406.4.2), Test duration, to read:

"G2417.4.2 (406.4.2) Test duration. The test duration shall be not less than one hour at 60 psi or 24 hours at 20 psi.

(32) Amend Section G2425.8 (501.8), Appliances not required to be vented, by deleting #7.

(33) Delete all Subsections of Section G2445 (621), Unvented room heaters, in their entirety and replace with:

"**G2445.1 General.** Unvented room heaters are prohibited from installation."

(34) Amend the first sentence of Section P2503.5.1, Rough plumbing, to read:

"**P2503.5.1 Rough plumbing.** DWV systems shall be tested on completion of the rough piping installation by water or air with no evidence of leakage."

The remainder of the Section remains unchanged.

(35) Delete Chapters 34 through 43 and replace with:

"**E3401 General.** Electrical installations shall comply with the Parker Electrical Code."

Section 3. Section 11.02.060 of the Parker Municipal Code is amended to read as follows:

11.02.060 Violation; penalty.

In addition to the penalty provisions contained in the Parker Residential Code, any person who violates any of the provisions of this Chapter shall be guilty of a misdemeanor and, upon conviction thereof, shall be fined the sum of not more than four hundred ninety-nine dollars (\$499.00) for each such violation. Each day that a violation continues after due notice has been served shall be deemed a separate offense.

Section 4. Section 11.02.080 of the Parker Municipal Code is amended to read as follows:

11.02.080 Effective date.

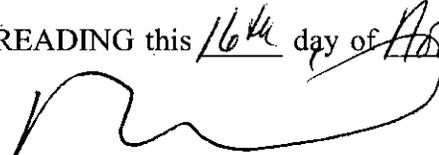
The ordinance codified in this Chapter shall take effect on January 1, 2016.

Section 5. Safety Clause. The Town Council hereby finds, determines and declares that this Ordinance is promulgated under the general police power of the Town of Parker, that it is promulgated for the health, safety and welfare of the public, and that this Ordinance is necessary for the preservation of health and safety and for the protection of public convenience and welfare. The Town Council further determines that the Ordinance bears a rational relation to the proper legislative object sought to be obtained. The Town Council further finds that the title to this Ordinance was posted in two public places two days before the Town Council meeting, as provided by Section 7.5e. of the Town of Parker Home Rule Charter.

Section 6. Severability. If any clause, sentence, paragraph or part of this Ordinance or the application thereof to any person or circumstances shall for any reason be adjudged by a court of competent jurisdiction invalid, such judgment shall not affect application to other persons or circumstances.

Section 7. This Ordinance shall become effective ten (10) days after final publication.

INTRODUCED AND PASSED ON FIRST READING this 16th day of November, 2015.



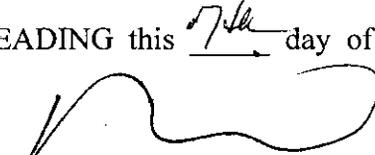
Mike Waid, Mayor

ATTEST:



Carol Baumgartner, Town Clerk

ADOPTED ON SECOND AND FINAL READING this 7th day of December, 2015.



Mike Waid, Mayor

ATTEST:



Carol Baumgartner, Town Clerk

APPROVED AS TO FORM:



James S. Maloney, Town Attorney