

ORDINANCE NO. 4.91.7, Series of 2021

**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, 2021 Edition, as published by the International Code Council, Inc., (ICC), 4051 W. Flossmoor Road, Country Club Hills, IL 60478, 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**Section 2.** Section 11.02.050 of the Parker Municipal Code is repealed in its entirety and readopted to read as follows: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 AA, AB, AC, AD, AE, AF, AG, AH, AI, AJ, AK, AL, AN, AO, AP, AQ, AR, AS, AT, AU, AV, and AW.

(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

CLIMATIC AND GEOGRAPHIC DESIGN CRITERIA

GROUND SNOW LOAD*	WIND DESIGN				SEISMIC DESIGN CATEGORY <sup>f</sup>	SUBJECT TO DAMAGE FROM			ICE BARRIER UNDERLAYMENT REQUIRED <sup>g</sup>	FLOOD HAZARDS <sup>h</sup>	GROUND SNOW LOAD <sup>o</sup>	AIR FREEZING INDEX <sup>i</sup>	MEAN ANNUAL TEMP <sup>j</sup>
	Speed <sup>d</sup> (mph)	Topographic effects <sup>k</sup>	Special wind region <sup>l</sup>	Windborne debris zone <sup>m</sup>		Weathering <sup>a</sup>	Frost line depth <sup>b</sup>	Termite <sup>c</sup>					
30 psf	115	No	No	No	B	SEVERE	36"	Slight to Moderate	NO	Adpoted 9/30/2005 Class 7 IP# 080310	30 psf	867	48.1° F
MANUAL J DESIGN CRITERIA <sup>n</sup>													
Elevation		Altitude correction factor <sup>r</sup>	Coincident wet bulb	Indoor winter design dry-bulb temperature	Indoor winter design dry-bulb temperature	Outdoor winter design dry-bulb temperature			Elevation	Heating temperature difference			
5900		0.832	59	70° F	70° F	-3° F			5900	73° F			
Latitude		Daily range	Indoor summer design relative humidity	Indoor winter design relative humidity	Indoor summer design dry-bulb temperature	Outdoor summer design dry-bulb temperature			Latitude	Cooling temperature difference			
40		H	30%	50%	75° F	90° F			40	15° F			

a. Where weathering requires a higher strength concrete or grade of masonry than necessary to satisfy the structural requirements of this code, the frost line depth strength required for weathering shall govern. The weathering column shall be filled in with the weathering index, "negligible," "moderate" or "severe" for concrete as determined from [Figure R301.2\(1\)](#). The grade of masonry units shall be determined from ASTM C34, ASTM C55, ASTM C62, ASTM C73, ASTM C90, ASTM C129, ASTM C145, ASTM C216 or ASTM C652.

b. Where the frost line depth requires deeper footings than indicated in [Figure R403.1\(1\)](#), the frost line depth strength required for weathering shall govern. The jurisdiction shall fill in the frost line depth column with the minimum depth of footing below finish grade.

c. 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.

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

- e. The jurisdiction shall fill in this section of the table to establish the design criteria using Table 10A from ACCA Manual J or established criteria determined by the jurisdiction.
- f. The jurisdiction shall fill in this part of the table with the seismic design category determined from Section R301.2.2.1.
- g. The jurisdiction shall fill in this part of the table with: 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); and the title and date of the currently effective Flood Insurance Study or other flood hazard study
- h. 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."
- i. 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 percent) value on the National Climatic Data Center data table "Air Freezing Index-USA Method (Base 32°F)."
- j. 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)."
- k. 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.
- l. In accordance with Figure R301.2(2), 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.
- m. In accordance with Section R301.2.1.2 the jurisdiction shall indicate the wind-borne debris wind zone(s). Otherwise, the jurisdiction shall indicate "NO" in this part of the table.
- n. The jurisdiction shall fill in these sections of the table to establish the design criteria using Table 1a or 1b from ACCA Manual J or established criteria determined by the jurisdiction.
- o. The jurisdiction shall fill in this section of the table using the Ground Snow Loads in Figures R301.2(3) and R301.2(4).

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

<b>"Table R302.1(1) Exterior Walls</b>			
"EXTERIOR WALL ELEMENT		MINIMUM FIRE-RESISTANCE RATING	MINIMUM FIRE SEPARATION DISTANCE
Walls	(Fire-resistance rated)	1 hour-tested in accordance with ASTM E119, UL 263 or Section 703.3 of the International Building code with exposure from both sides	< 5 feet <sup>1</sup>
	(Not fire-resistance rated)	0 hours	≥ 5 feet <sup>1</sup>
Projections	(Fire-resistance rated)	1 hour on the underside	≥ 2 feet and < 5 feet
	Not Allowed	NA	<2 feet
	(Not fire-resistance rated)	0 hours	≥ 5 feet <sup>2</sup>
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.			
<sup>1</sup> 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).			
<sup>2</sup> 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 provide an original signed and notarized 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~~ M1505. Exhaust air from the space shall be exhausted directly to the outdoors."

(13) Amend the first sentence of Section R303.10, Required heating, by removing "68° F (20°C)" and replacing it with "70° F (21°C)."

(14) Delete Exception #1, Section R310.1, Emergency escape and rescue required.

The remainder of the Section remains unchanged.

(15) Delete the Exception to Section R310.2.1, Minimum opening area.

(16) Amend Section R310.2.3, 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) Amend section R310.5 Replacement window emergency escape and rescue opening, by revising the first sentence in condition #1 to read:

“The replacement window is the manufacturer’s largest standard size window that will fit within the existing rough opening.”

The remainder of the Section remains unchanged.

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

(19) 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.

(20) Amend the second and third sentences of Section R408.2. Ventilation, by inserting "(min. 10 mill in thickness or a cross-laminated 3.5 mills in thickness)" after "Class 1 vapor retarder."

(21) 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."

(22) R507.3 Delete all exceptions.

(23) R806.2 Minimum vent area. Amend exception charging statement as follows:

“The minimum net free ventilation area shall be 1/300 of the vented space; provided one or more of the following are met: . . .”

The reminder is unchanged.

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

"Drip edges shall extend to cover gap between the roof sheathing and fascia and extend onto sheathing a minimum of 2 inches, also extending onto the fascia face a minimum of:

"Rakes: One inch

"Eves: Into gutter."

The remainder of the Section remains unchanged.

(25) Delete Subparagraph 3 of Section R908.3.1.1, Recovering versus replacement, and replace with:

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

(26) Amend Section M1503.3, General, by deleting the Exception. Add the following sentence to read:

“All cooking exhaust shall be vented to the exterior and in accordance with Section M1505.4.4.”

(27) Amend Section M1503.6, Makeup air required, by deleting the exception, revising the first sentence, and adding a sentence to the end of the Section to read:

a. First sentence to read:

"Where one or more . . . exhaust hood systems capable of exhausting in excess of 600 cubic feet per minute (0.19m<sup>3</sup>/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 M1505.4.3(1) by adding a footnote to read:

"<sup>1</sup> An equation can be used as an alternative to Table R1505.4.3(1)

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

Where:

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

$A_{floor}$  = floor area in square feet (ft<sup>2</sup>).

$Nbr$  = 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, 7.6 and replace 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.** Pipe conveying gas at low pressure (under 14 inch water column) shall be tested at a pressure of 20 psi for not less than 30 minutes. Pipe conveying gas at or exceeding a 14 inch (356mm) water column shall be tested at a pressure of 60 psi for not less than 1 hour.

(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) 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, 2022.

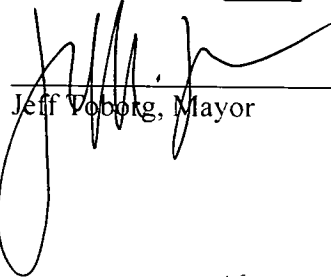
**Section 5.** **Safety Clause.** The Town Council hereby finds, determines and declares that this Ordinance is promulgated under the general police power of the Town of Parker, that it is promulgated for the health, safety and welfare of the public, and that this Ordinance is necessary for the preservation 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.



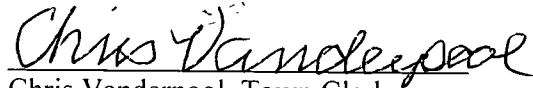
**Section 6.** Severability. If any clause, sentence, paragraph or part of this Ordinance or the application thereof to any person or circumstances shall for any reason be adjudged by a court of competent jurisdiction invalid, such judgment shall not affect application to other persons or circumstances.

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

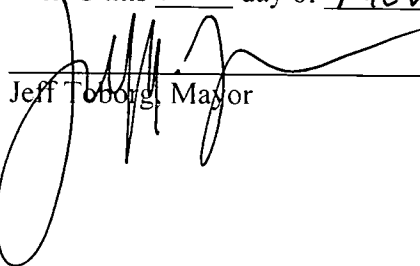
INTRODUCED AND PASSED ON FIRST READING this 1st day of Nov., 2021.

  
\_\_\_\_\_  
Jeff Toborg, Mayor

ATTEST:

  
\_\_\_\_\_  
Chris Vanderpool, Town Clerk

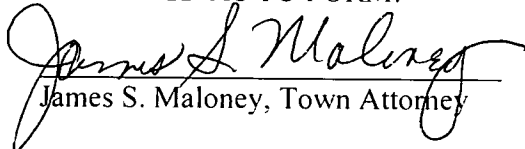
ADOPTED ON SECOND AND FINAL READING this 15<sup>th</sup> day of Nov., 2021.

  
\_\_\_\_\_  
Jeff Toborg, Mayor

ATTEST:

  
\_\_\_\_\_  
Chris Vanderpool, Town Clerk

APPROVED AS TO FORM:

  
\_\_\_\_\_  
James S. Maloney, Town Attorney