A black and white photograph of a town at night. A large, ornate street lamp with three globes is in the foreground. In the background, there are buildings, a utility tower, and mountains under a cloudy sky.

TOWN
OF
PARKER,
COLORADO

**BUILDING
REGULATIONS**

2000 EDITION

TOWN OF PARKER, CO

Building Department Information

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II. KEY PERSONNEL WITH PHONE NUMBERS

Building Department

Building Official	Perry C. Tyree	841-1970
Assistant Building Official	Jim Beaver	841-1970
Plan Reviewer	Gil Rossmiller	841-1970
Senior Inspectors		841-1970
Structural	Randy Sale	
Electrical	Skip Crosby	

Inspectors

Frank Curry
Steve Lennon
Rick Miller
Harold Runkle

Planning Department Garner Stoll 841-2332

Parker Water and Sanitation District

District Manager Frank Jaeger 841-4627

Arapahoe Water and Sanitation District

District Manager Giles Free 985-3636

Parker Fire Protection District

Chief Dan Qualman 841-2608

Fire Marshals Jim Drummond

Rob Geislinger

Tri County Health Department
Environmental Health

Director	Chris Wiant	220-9200
Administrative Office 700 E. Beilview, Suite 301 Englewood, CO 80111		
Plan Review	Charles Henry	688-5145
Castle Rock Office Director	Gary Hartzell	688-5145
101 3rd St Castle Rock, CO		
Aurora Office Director	Chris Chiola	341-9370
Colorado State Agriculture Animal Industry Division & State Veterinarian		239-4161
Parker Board of Appeals	George Davis	
	C.W. Caston	
	Patrick Clifford	
	Rick Palm	
Ex-Officio Members	Jim Drummond	
	Rob Geislinger	
	Perry C. Tyree	

If an appeal is registered in writing with the Building Official by noon Thursday, a meeting of the Board of Appeals may be called for the following week; usually on Monday at 5:30 P.M.

TOWN OF PARKER, CO

III. BUILDING DEPARTMENT INFORMATION

A. PROCEDURE HANDOUT

PERMIT APPLICATION

Permits are required for all building, electrical, mechanical and plumbing construction. Only Colorado State Registered Master Electricians and Plumbers are eligible to take out permits for their respective fields. (Exception: A homeowner may apply for and receive any permit involving construction on the Group R, Division 3 or Group U Occupancy in which he is living or about to live.)

Prior to any start of construction, plans shall be approved by the Parker Building Department and a permit shall be secured. (See plan check submittal, Page 2.)

Due to the relatively simple system used in new Group R, Division 3 or Group U Occupancies only a single "universal" permit is required. This permit shall cover the costs of all required inspections. Additions and alterations to Group R, Division 3 Occupancies will follow the schedule shown in Fees, Paragraph 1.

For all other occupancies, a permit is required for each discipline being performed.

PLAN SUBMITTAL

Prior to issuance of any building permit, plans shall be submitted to the Parker Building Department for their review. At the time of the initial submittal, an estimated valuation of the building will be determined and the plan check fee will be established. One-half of this plan check fee shall be submitted at this time.

An ordinance has been adopted regulating "design minimums" for residential construction. It covers the roof line, setbacks, roof overhang and trim. This ordinance is printed in its entirety in this document (See Section I.V.A.) 3.01.25 Land Development Code.

Also, as a part of the plan submittal for all construction except single family dwellings (R-3) and miscellaneous construction (U), a "buck sheet" must be signed off by the Parker Planning Department, the Parker Fire Protection District and the appropriate Water and Sanitation District.

After a complete review of the plans has been made, a more accurate valuation shall be made and plan check fee adjusted accordingly. When the building permit is issued, credit will be given for monies paid at the initial submittal.

If a permit cannot be issued because of abandonment of the project, substantial change of the plans or other reason the original plans examination fee will be forfeit.

FEES

PLAN CHECK AND BUILDING PERMIT

1. Plan check and building permit fees will be based on the building valuation, as determined yearly in "Building Standards Magazine", and applied to the appropriate Table of the Administrative Code of the Town of Parker.

A single Group R, Division 3 or Group U (universal) permit will have a multiplying factor of 1.4 times the fee computed from Table 3-B to cover the cost of the inspection of the additional trades. [Only one permit for all of the trades will be issued for these Occupancies.] Additions and alterations to Group R, Division 3 Occupancies shall use the following multipliers for the fee computed from Table 3-B of the administrative code:

1. New Construction - all permits	1.4
2. Alterations involving only one discipline	1.0
3. Alterations involving two disciplines	1.2
4. Alterations involving three disciplines	1.3
5. Alterations involving more than three disciplines	1.4

2. Mechanical and plumbing permit fees will be based on the contract installation price of the mechanical or plumbing work. This price will be applied to Table 3-B of the Administrative Code of the Town of Parker

3. Electrical permit fees will be based on the contract installation price of the electrical work. The cost of the permit will be determined using the fee schedule shown in Table 3-C (State Electrical Board Schedule) of the Administrative Code of the Town of Parker.

4. A use tax of 4 percent will be collected at the time a building permit is issued for materials used in the job on all construction (3% to the Town, 1% to Douglas County). The valuation of material will be established at one-half the job valuation as determined above in Section 1.

5. A Development Excise Tax is collected at the time the building permit is issued. This tax, established by an election held on November 2, 1999, shall be accordance with the schedule in Part IV of this document.

PLAN CHECK: ALL OCCUPANCIES OTHER THAN
GROUP R, DIVISION 3 OR GROUP U OCCUPANCIES

Plans should be submitted in triplicate and should include the following information where applicable:

1. Plot plan showing distances of all exterior walls to property line.
2. Where the Colorado State Statutes designate, all sheets of recorded plans will bear the seal and signature of a Colorado State Registered Engineer or Architect.
3. A soils report with foundation details from the design engineer when necessary.
4. Complete structural plans along with one set of structural calculations.
5. Complete floor plans of all levels.
6. Elevations.
7. An appropriate number of cross sections.
8. Typical wall sections of:
 - a. Exterior walls
 - b. Interior fire rated walls
 - c. Corridor walls
 - d. Shaft walls
 - e. Area separation walls
9. A cross section of the typical floor/ceiling assembly.
10. Window schedule.
11. Door and hardware schedule.
12. Stair details.
13. Elevator details.
14. Electrical service one line drawing.
15. Reflected ceiling plan.
16. Ground fault study.
17. Electrical equipment schedule.
18. Plumbing isometrics.
19. Water piping diagram.
20. Plumbing fixture schedule.

21. Roof drainage diagram.
22. Gas piping diagram.
23. Heat loss calculations accompanied by a letter declaring compliance with the energy conservation requirements.
24. Heating and exhaust equipment schedule.
25. Duct, piping and vent layout.
26. Kitchen equipment details, schedule and specifications.

In addition to the above, the department may request additional data, calculations or information deemed necessary to confirm compliance with the code requirements.

PLAN CHECK: GROUP R, DIVISION 3
OR GROUP U OCCUPANCIES

Plans should be submitted in triplicate for all Group R, Division 3 or Group U Occupancies and should include the following information where applicable:

1. Plot plan showing distances of all exterior walls from property line.
2. Complete floor plans of all levels.
3. Stair details specifying rise and run dimensions, handrail and/or guardrail details.
4. Window schedule.
5. Door schedule.
6. Typical cross section.
7. Typical exterior wall section.
8. Soils report to support foundation design.
9. Complete framing/structural details:
 - a. Floor
 - b. Roof
 - c. Decks
 - d. Canopies
 - e. Header schedule or details
 - f. Foundation
10. Elevations.

Due to the relative simplicity of R-3 or U Occupancies a review of the other trades (electrical, mechanical, plumbing) will not be required or performed during the plan check. These items will be handled during the field

inspections. In cases where uncertainties may occur in these disciplines prior to their installation, the building department will be available to discuss the specific requirements.

The same set of plans may be used more than once for identical construction on different building sites without rechecking each time. These plans should be identified as "Master Plans" when submitted. A Master Plan will not be charged a plan check fee after the successful initial review, however, there will be a \$20.00 handling charge for each additional use.

COORDINATING WITH OTHER AGENCIES

A. TRI COUNTY HEALTH DEPARTMENT

Any plan relating to occupancies containing the following uses should also be reviewed by the Tri-County Health Department.

1. Pet Shop
2. Kennel
3. Restaurant
4. Public Swimming Pool
5. Day Care Center

The Tri-County Health Department contact is:

Mr. Charles Henry
Tri-County Health Department
961 S. Plum Creek Blvd., Suite B Castle Rock, CO 80104
Phone: (303)688-5145, 220-9200

Prior to issuance of any building permit in these areas, a letter of acceptance of the submitted plans by the Tri-County Health Department should be presented.

B. INTERMOUNTAIN RURAL ELECTRIC ASSOCIATION

5496 North U.S. Hwy. 85
Sedalia, CO 80135
Phone: (303)688-3100

C. PARKER FIRE PROTECTION DISTRICT

10795 S. Pine Drive
Parker, CO 80138
Phone: (303)841-2608

B. PARKER ADMINISTRATIVE CODE

AN ORDINANCE ADOPTING THE UNIFORM ADMINISTRATIVE CODE, 1997 EDITION, PUBLISHED BY THE INTERNATIONAL CONFERENCE OF BUILDING OFFICIALS, 5360 SOUTH WORKMAN MILL ROAD, WHITTIER, CA 90601, BY REFERENCE AND INCORPORATED INTO THIS ORDINANCE AS THOUGH FULLY SET FORTH HEREIN AS THE ADMINISTRATIVE CODE FOR THE TOWN OF PARKER. EXCEPT AS OTHERWISE PROVIDED HEREAFTER, SUCH CODE IS ADOPTED IN FULL, INCLUDING THE OUTLINE OF CONTENTS AND INDEX CONTAINED THEREIN.

BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF PARKER, COLORADO, AS FOLLOWS:

SECTION 101. TITLE, PURPOSE and SCOPE

- 101.1. Title.** These regulations shall be known as the "Parker Administrative Code", may be cited as such and will be referred to herein as "this code".
- 101.2 Purpose.** The purpose of this code is to provide for the administration and enforcement of the technical codes adopted by the Town of Parker.
- 101.3 Scope.** The provisions of the code shall serve as the administrative, organizational and enforcement rules and regulations for the technical codes which regulate the site preparation and construction, alteration, moving, demolition, repair, use and occupancy of buildings, structures and building service equipment within the Town of Parker.

SECTION 102 APPLICATION TO EXISTING BUILDINGS AND BUILDING SERVICE EQUIPMENT

- 102.1 General.** Buildings, structures and their building service equipment to which additions, alterations or repairs are made shall comply with all the requirements of the technical codes for new facilities, except as specifically provided in this section.
- 102.2 Additions, Alterations or Repairs.** Additions, alterations or repairs may be made to a building or its building service equipment without requiring the existing building or its building service equipment to comply with all the requirements of the technical codes, provided the addition, alteration or repair conforms to that required for a new building or building service equipment.

Additions or alterations shall not be made to an existing building or building service equipment which will cause the existing building or building service equipment to be in violation of the provisions of the technical codes nor shall such additions or alterations cause the existing building or building service equipment to become unsafe.

An unsafe condition shall be deemed to have been created if an addition or alteration will cause the existing building or building service equipment to become structurally unsafe or overloaded; will not provide adequate egress in compliance with the provisions of the Building Code or will obstruct existing exits; will create a fire hazard; will reduce required fire resistance; will cause building service equipment to become overloaded or exceed their rated capacities; will create a health hazard or will otherwise create conditions dangerous to human life. A building so altered, which involves a change in use or occupancy, shall not exceed the height, number of stories and area permitted by the Building Code for new buildings. A building plus new additions shall not exceed the height, number of stories and area specified by the Building Code for new buildings.

Additions or alterations shall not be made to an existing building or structure when the existing building or structure is not in full compliance with the provisions of the Building Code except when the addition or alteration will result in the existing building or structure being no more hazardous based on life safety, firesafety and sanitation, than before such additions or alterations are undertaken.

EXCEPTION: Alterations of existing structural elements, or additions of new structural elements, which are not required by Section 102.4 and which are initiated for the purpose of increasing the lateral-force-resisting strength or stiffness of an existing structure need not be designed for forces conforming to these regulations provided that an engineering analysis is submitted to show that:

1. The capacity of existing structural elements required to resist forces is not reduced, and
2. The lateral loading to required existing structural elements is not increased beyond their capacity, and
3. New structural elements are detailed and connected to the existing structural elements as required by these regulations, and
4. New or relocated nonstructural elements are detailed and connected to existing or new structural elements as required by these regulations, and
5. An unsafe condition as defined above is not created.

Alterations or repairs to an existing building or structure which are nonstructural and do not adversely affect a structural member or a part of the building or structure having required fire resistance may

be made with the same materials of which the building or structure is constructed, subject to approval by the building official. Installation or replacement of glass shall be as required for new installations.

Minor additions, alterations and repairs to existing building service equipment installations may be made in accordance with the technical code in effect at the time the original installation was made, subject to approval of the building official, and provided such additions, alterations and repairs will not cause the existing building service equipment to become unsafe, insanitary or overloaded.

102.3 Existing Installations. Building service equipment lawfully in existence at the time of the adoption of the technical codes where the equipment has been maintained in accordance with the original design, may have their use continued when it is determined that there is no hazard to life, health or property being created by such building service equipment.

102.4 Existing Occupancy. Buildings in existence at the time of the adoption of the Building Code may have their existing use or occupancy continued if such use or occupancy was legal at the time of the adoption of the Building Code, provided such continued use is not dangerous to life, health and safety.

Any change in the use or occupancy of any existing building or structure shall comply with the provisions of Section 308 of this code and the Building Code.

102.5.1 Maintenance. All buildings, structures and building service equipment, existing and new, and all parts thereof shall be maintained in a safe and sanitary condition. All devices or safeguards which are required by the technical codes shall be maintained in conformance with the technical code under which installed. The owner or his designated agent shall be responsible for the maintenance of buildings, structures and their building service equipment. To determine compliance with this subsection, the building official may cause any structure to be re-inspected.

102.5.2 Elevators, etc. In order to determine that proper maintenance has been performed and to assure a continued safe condition, all elevators will be registered with the building department and a yearly re-inspection conducted. The fee for such registration shall be one hundred fifty dollars (\$150.00) per year. A certificate of inspection or re-inspection will be issued after a satisfactory review of the elevator condition. All new elevators, dumbwaiters, escalators, moving walks, etc., shall be permitted, installed, and inspected in accordance with the UBC and the Town of Parker Administrative Code.

102.6 Moved Building. Buildings, structures and their building service equipment moved into or within this jurisdiction shall comply with the provisions of the technical codes for new buildings or structures and their building service equipment.

102.7 Temporary Structures. Temporary structures such as reviewing stands and other miscellaneous structures, sheds, canopies or fences used for the protection of the public around and in conjunction with construction work may be erected by special permit from the building official for a limited period of time. Buildings or structures erected under a special permit need not comply with the type of construction or fire-resistive time periods required by the Building Code. Temporary buildings or structures shall be completely removed upon the expiration of the time limit stated in the permit.

102.8 Historic Buildings. Repairs, alterations and additions necessary for the preservation, restoration, rehabilitation or continued use of a building, structure, or its building service equipment may be made without conforming to the requirements of the technical codes when authorized by the building official, provided:

1. The building or structure has been designated by official action of the legally constituted authority of this jurisdiction as having special historical or architectural significance.
2. Unsafe conditions as described in this code are corrected.
3. The restored building or structure and its building service equipment will be no more hazardous based on life safety, fire safety and sanitation than the existing building.

103. Definitions. For the purpose of this code, certain terms, phrases, words and their derivatives shall be construed as specified in this section. Where terms are not defined, they shall have their ordinarily accepted meanings within the context with which they are used. Webster's Third International Dictionary of the English Language, Unabridged, Copyright 1986, shall be considered as providing ordinarily accepted meanings. Words used in the singular include the plural and the plural the singular. Words used in the masculine gender include the feminine and the feminine the masculine.

ADDITION is an extension or increase in floor area or height of a building or structure.

ALTER or **ALTERATION** is any change or modification in construction or building service equipment.

APPROVED, as to materials, types of construction, equipment and systems, refers to approval by the building official as the result of investigation and tests conducted by him or by reason of accepted principles or tests by recognized authorities, technical or scientific organizations.

APPROVED AGENCY is an established and recognized agency regularly engaged in conducting tests or furnishing inspection services, when such agency has been approved by the building official.

BUILDING is any structure used or intended to be used for supporting or sheltering any use or occupancy.

BUILDING CODE is the Uniform Building Code promulgated by the International Conference of Building Officials.

BUILDING, EXISTING is a building either erected prior to the adoption of this code, or one for which a legal building permit has been issued.

BUILDING OFFICIAL is the officer or other designated authority charged with the administration and enforcement of this code, or his duly authorized representative.

BUILDING SERVICE EQUIPMENT refers to the plumbing, mechanical, electrical and elevator equipment including piping, wiring, fixtures and other accessories which provide sanitation, lighting, heating, ventilation, cooling, refrigeration, fire-fighting and transportation facilities essential for the habitable occupancy of the building or structure for its designated use and occupancy.

DANGEROUS BUILDING CODE is the Uniform Code for the Abatement of Dangerous Buildings promulgated by the International Conference of Building Officials.

ELECTRICAL CODE is the National Electrical Code promulgated by the National Fire Protection Association.

FIRE DEPARTMENT: The Parker Fire Protection District.

LISTED AND LISTING are terms referring to equipment and materials which are shown in a list published by an approved testing agency, qualified and equipped for experimental testing and maintaining an adequate periodic inspection of current production and whose listing states that the equipment complies with recognized safety standards.

MAY, as used in this code, is permissive for compliance.

MECHANICAL CODE is the Uniform Mechanical Code promulgated by the International Conference of Building Officials.

OCCUPANCY is the purpose for which a building, or part thereof, is used or intended to be used.

OWNER is any person, agent, firm or corporation having a legal or equitable interest in the property.

PERMIT is an official document or certificate issued by the building official authorizing performance of a specified activity.

PERSON is a natural person, his heirs, his executors, administrator or assigns, and also includes a firm, partnership or corporation, its or their successors or assigns, or the agent of any of the aforesaid.

PLUMBING CODE is the Plumbing Code as adopted by the Town.

REPAIR is the reconstruction for renewal of any part of an existing building, structure or building service equipment for the purpose of its maintenance.

SHALL, as used in this code, is mandatory.

STRUCTURE, is that which is built or constructed, an edifice or building of any kind, or any piece of work artificially built up or composed of parts joined together in some definite matter.

TECHNICAL CODES refer to those codes adopted by this jurisdiction containing the provisions for design, construction, alteration, addition, repair, removal, demolition, use, location, occupancy and maintenance of all buildings and structures and building service equipment as herein defined.

U.B.C. STANDARDS are the Uniform Building Code Standards as promulgated by the International Conference of Building Officials.

VALUATION or VALUE, as applied to a building and its building service equipment, shall be the estimated cost to replace the building and its building service equipment in kind, based on current replacement costs, except as used in determining the cost of permits in Section 304.1.

- 104. Conflicting Provisions.** Wherever conflicting provisions or requirements occur between this code, the technical codes and any other codes or laws, the most restrictive shall govern.

Where conflicts occur between the technical codes, those provisions providing the greater safety to life shall govern. In other conflicts where sanitation, life safety or fire safety are not involved, the most restrictive provisions shall govern.

Where in any specific case different sections within any of the technical codes specify different materials, methods of construction or other requirements, the most restrictive shall govern.

Where conflicts occur between any specific provisions of the code and any administrative provisions in any technical code which is then applicable within this jurisdiction, those provisions becoming law last in time shall prevail.

- 105. Alternate Materials and Methods of Construction.** The provisions of the technical codes are not intended to prevent the use of any material or method of construction not specifically prescribed by the technical codes, provided any alternate has been approved and its use authorized by the building official.

The building official may approve any alternate, provided he finds that the proposed design is satisfactory and complies with the provisions of the technical codes and that the material, method of work offered is, for the purpose intended, at least the equivalent of the prescribed in the technical codes in suitability, strength, effectiveness, fire resistance, durability, safety and sanitation.

The building official shall require that sufficient evidence or proof be submitted to substantiate any claims that may be made regarding its use. The details of any action granting approval of an alternate shall be recorded and entered in the files of the code enforcement agency.

- 106. Modifications.** Whenever there are practical difficulties involved carrying out the provisions of the technical codes, the building official may grant modifications for individual cases, provided he shall first find that a special individual reason makes the strict letter of the technical code impractical and the modification does not lessen health, life and fire safety requirements or any degree of structural integrity. The details of actions granting modifications shall be recorded and entered in the file of the code enforcement agency.

- 107. Tests.** Whenever there is insufficient evidence of compliance with any of the provisions of the technical codes or evidence that materials or construction do not conform to the requirements of the technical codes, the building official may require tests as evidence of compliance to be made at no expense to the Town.

The test method shall be as specified by the technical codes or by other recognized test standards. In the absence of recognized and accepted test methods for the proposed alternate, the building official shall determine test procedures.

All tests shall be made by an approved agency. Reports of such tests shall be retained by the building official for the period required for the retention of public records.

ORGANIZATION AND ENFORCEMENT

SECTION 201. AUTHORITY.

- 201.1 Creation of Enforcement Agency.** There is hereby established in this jurisdiction a building department which shall be under the administrative and operational control of the building official.
- 201.2 General.** Whenever the term or title “administrative authority”, “responsible official”, “building official”, “chief inspector”, “authority having jurisdiction”, “code enforcement officer”, or other similar designation is used herein or in any of the technical codes, it shall be construed to mean the building official designated by the appointing authority of this jurisdiction.

SECTION 202. POWERS AND DUTIES OF BUILDING OFFICIAL

- 202.1 General.** The building official is hereby authorized and directed to enforce all the provisions of this code and the referenced technical codes. For such purposes, the building official shall have the powers of a law enforcement officer.
- The building official shall have the power to render interpretations of this code and the referenced technical codes, and to adopt and enforce rules and regulations supplemental to this code as may be deemed necessary to clarify the application of the provisions of this code. Such interpretations, rules and regulations shall be in conformity with the intent and purpose of this code.
- 202.2 Deputies.** In accordance with prescribed procedures and with the approval of the appointing authority, the building official may appoint such number of technical officers and inspectors and other employees as shall be authorized from time to time. The building official may deputize such inspectors or employees as may be necessary to carry out the functions of the code enforcement agency.
- 202.3 Right of Entry.** Whenever necessary to make an inspection to enforce any of the provisions of this code and the technical codes, or whenever the building official or his authorized representative has reasonable cause to believe that there exists in any building or upon any premises any condition or code violation which makes such building or premises unsafe, dangerous or hazardous, the building official or his authorized representative may enter such building or premises at all reasonable times to inspect the same or to perform any duty imposed upon the building official by such codes; provided that if such building or premises be occupied, he shall first make a reasonable effort to locate the owner or other persons having charge or control of the building

or premises and demand entry. Should entry be refused, the building official or his authorized representative shall have recourse to every remedy provided by law to secure entry.

When the building official or his authorized representative shall have first obtained a proper inspection warrant or other remedy provided by law to secure entry, no owner or occupant or any other person have charge, care or control of the building or premises shall fail or neglect, after proper demand is made as herein provided, to promptly permit entry therein by the building official or his authorized representative for the purpose of inspection or examination pursuant to this code.

- 202.4 Stop Orders.** Whenever any work is being done contrary to the provisions of this code and the technical code, the building official may order the work stopped by notice in writing served on any person engaged in the doing or causing such work to be done, and any such person shall forthwith stop such work until authorized by the building official to proceed with the work.
- 202.5 Occupancy Violations.** Whenever any building or structure or building service equipment therein regulated by this code and the technical codes is being used contrary to the provisions of such codes, the building official may order such use discontinued by written notice served on any person causing such use to be continued. Such person shall discontinue the use in the time prescribed by the building official after receipt of such notice to make the structure, or portion thereof, comply with the requirements of such codes.
- 202.6 Authority to Disconnect Utilities.** The building official or his authorized representative shall have the authority to disconnect any utility service or energy supplied to the building, structure or building service equipment therein regulated by this code or the technical codes in case of emergency where necessary to eliminate an immediate hazard to life or property. The building official shall whenever possible notify the serving utility, the owner and occupant of the building, structure or building service equipment of the decision to disconnect prior to taking such action, and shall notify such serving utility, owner and occupant of the building, structure or building service equipment, in writing, of such disconnection immediately thereafter.
- 202.7 Authority to Condemn Building Service Equipment.** Whenever the building official ascertains that any building service equipment regulated in the technical codes has become hazardous to life, health, property, or becomes unsanitary, he shall order in writing that such equipment either be removed or restored to a safe or sanitary condition, whichever is appropriate. The written notice itself shall

fix a time limit for compliance with such order. No person shall use or maintain defective building service equipment after receiving such notice.

When such equipment or installation is to be disconnected, a written notice of such disconnection and causes therefore shall be given within 24 hours to the serving utility, the owner and occupant of such building, structure or premises.

When any building service equipment is maintained in violation of the technical codes and in violation of any notice issued pursuant to the provisions of this section, the building official shall institute any appropriate action to prevent, restrain, correct or abate the violation.

202.8 Connection After Order to Disconnect. No person shall make connections from any energy, fuel or power supply nor supply energy or fuel to any building service equipment which has been disconnected or ordered to be disconnected by the building official or the use of which has been ordered to be discontinued by the building official until the building official authorizes the reconnection and use of such equipment.

202.9 Liability. The building official charged with the enforcement of this code and the technical codes, acting in good faith and without malice in the discharge of his duties, shall not thereby be rendered personally liable for damage that may accrue to persons or property as a result of an act or omission in the discharge of the assigned duties. A suit brought against the building official or employee because of such act or omission performed by the building official or employee in the enforcement of the provisions of such codes or other pertinent laws or ordinances implemented through the enforcement of this code or enforced by the code enforcement agency shall be defended by this jurisdiction until final termination of such proceedings, and any judgment resulting therefrom, shall be assumed by this jurisdiction.

This code shall not be construed to relieve from or lessen the responsibility of any person owning, operating or controlling a building, structure or building service equipment therein for damages to persons or property caused by defects, not shall the code enforcement agency or its parent jurisdiction be held as assuming such liability by reason of the inspections authorized by this code or permits or certificates issued under this code.

202.10 Cooperation of Other Officials and Officers. The building official may request, and shall receive, the assistance and cooperation of other officials of this jurisdiction so far as is required in the discharge of the duties required by the code or other pertinent laws or ordinances.

SECTION 203. UNSAFE BUILDINGS, STRUCTURES OR BUILDING SERVICE EQUIPMENT

203 All buildings or structures regulated by this code and the technical codes which are structurally inadequate or have inadequate egress, or which constitute a fire hazard, or are otherwise dangerous to human life, are for the purpose of this section unsafe.

Building service equipment regulated by such codes, which constitutes a fire, electrical or health hazard or unsanitary condition, or is otherwise dangerous to human life is, for the purpose of this section unsafe. Any use of buildings, structures or building service equipment constituting a hazard to safety, health or public welfare by reason of inadequate maintenance, dilapidation, obsolescence, fire hazard, disaster, damage or abandonment is, for the purpose of this section, an unsafe use.

Parapet walls, cornices, spires, towers, tanks, statuary and other appendages or structural members which are supported by, attached to, or a part of a building and which are in deteriorated condition or otherwise unable to sustain the design loads which are specified in the Building Code are hereby designated as unsafe building appendages.

Unsafe buildings, structures or appendages and building service equipment are hereby declared to be public nuisances and shall be abated by repair, rehabilitation, demolition or removal in accordance with the procedures set forth in the Dangerous Buildings Code or such alternate procedure as may be adopted by this jurisdiction. As an alternative, the building official or other employee or official of this jurisdiction as designated by the governing body may institute other appropriate action to prevent, restrain, correct or abate the violation.

SECTION 204 - BOARD OF APPEALS

204.1 General. In order to hear and decide appeals of orders, decisions or determinations made by the building official relative to the application and interpretations of the technical code, there shall be and is hereby created a board of appeals consisting of members who are qualified by experience and training to pass upon matters pertaining to building construction and building service equipment and who are not employees of the jurisdiction. The building official shall be an ex-officio member and shall act as secretary to said board but shall have no vote upon any matter before the board. The board of appeals shall be appointed by the governing body and shall hold office at its pleasure. The board shall adopt rules of procedure for conducting its business and shall render all decisions and finding in writing to the appellant with a duplicate copy to the building official.

- 204.2 Limitations of Authority.** The board of appeals shall have no authority relative to interpretation of the administrative provisions of this code or the administrative provisions of the technical codes nor shall the board be empowered to waive requirements of either this code or the technical codes.

SECTION 301. PERMITS AND INSPECTIONS

- 301.1 Permits Required.** It shall be unlawful for any person, firm or corporation to erect, construct, enlarge, alter, repair, move, improve, remove, convert or demolish any building or structure or make any installation, alteration, repair, replacement, or remodel any building service equipment by this code and the technical code, except as specified in 301.2.1 of this section, or cause the same to be done without first obtaining a separate, appropriate permit for each building, structure or building service equipment from the building official.
- 301.2 Exempted Work.** A permit shall not be required for the types of work in each of the separate classes of permit as listed below. Exemption from the permit requirements of this code shall not be deemed to grant authorization for any work to be done in violation of the provisions of the technical codes or any other laws or ordinances of this jurisdiction.
- 301.2.1 Building Permits.** A building permit will not be required for the following:
1. One-story detached accessory buildings used as tool and storage sheds, playhouses and similar use, provided floor area does not exceed 120 square feet.
 2. Fences not over 6 feet high.
 3. Movable cases, counters and partitions not over 5 feet nine inches high.
 4. Retaining walls which are not over 4 feet in height measured from the bottom of the footing to the top of the wall, unless supporting a surcharge or impounding flammable liquids.
 5. Water tanks supported directly upon grade if the capacity does not exceed 5000 gallons and the ratio of height to diameter or width does not exceed two to one.
 6. Painting, papering and similar finish work.
 7. Platforms (other than residential decks), walls and driveways not more than 30 inches above grade and not over any basement or story below.
 8. Temporary motion picture, television and theater stage sets and scenery.

9. Window awnings supported by an exterior wall of Group R, Division 3, and Group U Occupancies when projecting not more than 54 inches (1372 mm).
10. Prefabricated swimming pools accessory to a Group R, Division 3 Occupancy in which the pool walls are entirely above the adjacent grade and if the capacity does not exceed 5000 gallons.

Unless otherwise excepted by this code, separate plumbing, electrical and mechanical permits will be required for the above exempted items.

301.2.2 Plumbing Permits. A plumbing permit will not be required for the following:

1. The stopping of leaks in drains, soil, waste or vent pipe, provided, however, that should any concealed trap, drainpipe, soil, waste or vent pipe become defective and it becomes necessary to remove and replace the same with new material, the same shall be considered as new work and a permit shall be procured and inspection made as provided in this code.
2. The clearing of stoppages or the repairing of leaks in pipes, valves or fixtures, nor for the removal and reinstallation of water closets, provided such repairs do not involve or require the replacement or rearrangement of valves, pipes or fixtures.

301.2.3 Electrical Permits. An electrical permit will not be required for the following:

1. Portable motors or other portable appliances energized by means of a cord or cable having an attachment plug end to be connected to an approved receptacle when that cord or cable is permitted by the Electrical Code.
2. Repair or replacement of fixed motors, transformers or fixed approved appliances of the same type and rating in the same location.
3. Temporary decorative lighting.
4. Repair or replacement of current-carrying parts of any switch, contactor or control device.
5. Reinstallation of attachment plug receptacles, but not the outlets therefore.
6. Repair or replacement of any overcurrent device of the required capacity in the same location.
7. Repair or replacement of electrodes or transformers of the same size and capacity for signs or gas tube systems.
8. Taping Joints

9. Removal of electrical wiring.
10. Temporary wiring for experimental purposes in suitable experimental laboratories.
11. The wiring for temporary theater, motion picture or television stage sets.
12. Electrical wiring, devices appliances, apparatus or equipment operating at less than 25 volts and not capable of supplying more than 50 watts of energy.
13. Low-energy power, control and signal circuits of Classes II and III as defined in the Electrical Code.
14. A permit shall not be required for the installation, alteration or repair of electrical wiring apparatus or equipment or the generation, transmission, distribution or metering of electrical energy or in the operation of signals or the transmission of intelligence by a public or private utility in the exercise of its function as a serving utility.

301.2.4. Mechanical Permits. A mechanical permit will not be required for the following:

1. Any portable heating appliance.
2. Any portable ventilating equipment.
3. Any portable cooling unit.
4. Any portable evaporative cooler.
5. Any closed system of steam, hot or chilled water piping within any heating or cooling equipment regulated by the Mechanical Code.
6. Replacement of any component part or assembly of an appliance which does not alter its original approval and complies with other applicable requirements of the technical codes.
7. Any refrigerating equipment which is part of the equipment for which a permit has been issued pursuant to the requirements of the technical codes.
8. Any unit refrigerating system as defined in the Mechanical Code.

301.2.5 Elevator and Escalator Permits. A separate permit for an elevator or escalator installation is not required when the plans, specifications and support documents for the elevator or escalator are included in the plans reviewed for entire building.

A separate plan review and subsequent inspection will be conducted by the Denver Regional Council of Governments, Elevator and Escalator Safety Inspection Program; said review and inspections will become a part of the construction documents of the department. The fees for this service are defined in 304.6.2.

SECTION 302. APPLICATION FOR PERMIT.

302.1. Application for Permit

302.1.1 Application. To obtain a permit, the applicant shall first file an application therefore in writing on a form furnished by the code enforcement agency for that purpose. Every such application shall:

1. Identify and describe the work to be covered by the permit for which application is made.
2. Describe the land on which the proposed work is to be done by legal description, street address or similar description that will readily identify and definitely locate the proposed building or work.
3. Indicate the use or occupancy for which the proposed work is intended.
4. Be accompanied by plans, diagrams, computations and specifications and other data as required in Section 302.2.
5. State the valuation of any new building or structure of any addition, remodeling or alteration to an existing building.
6. Be signed by permittee, or his authorized agent, who may be required to submit evidence to indicate such authority.
7. Give such other data and information as may be required by the building official.
8. Be accompanied by a recent survey, 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 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. Permanent reference monuments shall be set and marked and shall be made of #5 reinforcing bar with a metal cap at least one and three-eighths (1-3/8) inches in diameter, and shall protrude no more than four (4) inches from the ground. The plat submitted shall reflect the type of monuments set on property corners and the location and the dimension of all

easements or rights-of-way of record or known, except when a building permit is sought to reconstruct or remodel totally within the limits of an existing building or structure.

9. When construction is proposed in a "a flood plain area", the application shall be accompanied by elevations of the lowest floor of new or substantially improved structures in said areas. If the lowest floor is below grade on one or more sides, the elevation of the floor immediately above must also be submitted.
10. Plans and specifications for fire alarm components are to be submitted to the Fire Department for approval. Specifications are to list components by brand name and type whenever possible, and drawings showing actual locations for system components are to accompany the specifications.

302.2. Plans and Specifications

302.2.1 Submittal Documents. Plans, specifications, engineering calculations, diagrams, soil investigation reports, special inspection and structural observation programs and other data shall constitute the submittal documents and shall be submitted in one or more sets with each application for a permit.

EXCEPTION: The building official may waive the submission of plans, calculations, construction inspection requirements and other data if it is found that the nature of the work applied for is such that reviewing of plans is not necessary to obtain compliance with this code.

302.2.2 Plans, computations and specifications are to be prepared and designed by an engineer or architect licensed by the State of Colorado.

EXCEPTION: Plans submitted for review for construction exempted by Section 12-4-112, "Exemptions" CRS.

302.2.3 The architect or engineer of record shall be responsible for reviewing and coordinating all submittal documents prepared by others, including deferred submittal items, for compatibility with the design of the building.

302.2.4 Information on Plans and Specifications. Plans and specifications shall be drawn to scale upon substantial paper or cloth and shall be of sufficient clarity to indicate the location, nature and extent of the work proposed and show in detail that it will conform to the provisions of the technical codes and all relevant laws, ordinances, rules and regulations.

SECTION 303. PERMIT ISSUANCE

303.1 Issuance. Plans shall be reviewed and a permit for the work issued prior to the start of any construction. The application, plans and specifications, and other data, filed by an applicant for permit shall be reviewed by the building official. Such plans may be reviewed by other departments of this jurisdiction to verify compliance with any applicable laws under their jurisdiction. If the building official finds that the work described in the application for a permit and the plans, specifications and other data filed therewith substantially conform to the requirements of this code and the technical codes and other pertinent laws and ordinances, and that the fees specified in Section 304 have been paid, he shall issue a permit therefore to the applicant.

When the building official issues the permit where plans are required, he shall endorse in writing or stamp the plans and specifications "ACCEPTED". Such plans and specifications shall not be changed, modified or altered without authorization from the building official, and all work regulated by this code shall be done in accordance with the approved plans.

In order to simplify the permit issuance and subsequent inspections a single "universal permit" shall be issued for R-3 Occupancies (new buildings and additions or alterations thereto). See Exception to 304.2. The building official may issue a permit for the construction of part of a building, structure or building service equipment before the entire plans and specifications for the whole building, structure or building service equipment have been submitted or approved, provided adequate information and detailed statements have been filed complying with all pertinent requirements of the technical codes. The holder of such permit shall proceed at his own risk without assurance that the permit for the entire building, structure or building service will be granted.

The building official may not issue a permit for any project that requires new or additional utilities without first receiving written evidence that service is readily available upon payment of all required tap fees, and that the proposed new construction can adequately be served.

303.2 Retention of Plans. One set of approved plans and specifications shall be returned to the applicant and shall be kept on the site of the building or work at all times during which the work authorized thereby is in progress. one set of approved plans, specifications and computations shall be retained by the building official until final approval of the work.

303.3 Master Plans. The plans for a single-family dwelling may be used more than once for identical construction on different building sites without rechecking each time. These plans will be identified as "Master Plans" when submitted and will be filed as such in the department. A Master Plan will not be charged a full plan check fee as specified herein after the first initial review; however, there will be a handling charge for each additional use as follows:

303.3.1 Where no additional review is required to process the plans for a permit— \$20.00 per reissue.

303.3.2. Where minor review is required, such as site specific foundation analysis — \$40.00 per review and reissue.

303.4 Validity of Permit. The issuance of a permit or the approval of plans and specifications shall not be construed to be a permit for, or an approval of, any violation of any of the provisions of this code or the technical codes, or of any other ordinance of the jurisdiction. No permit presuming to give authority to violate or cancel the provisions of these codes shall be valid.

The issuance of a permit based upon plans, specifications and other data shall not prevent the building official from thereafter requiring the correction of errors in said plans, specifications and other data, or from preventing building operations being carried on thereunder when in violation of these codes or of any other ordinances of this jurisdiction.

303.5 Expiration. Every permit issued by the building official under the provisions of the technical codes shall expire by limitation and become null and void, if the building or work authorized by such permit is not commenced within 180 days from the date of such permit, or if the building or work authorized by such permit is suspended or abandoned at any time after the work is commenced for a period of 180 days. Before such work can be recommenced, a new permit shall be first obtained so to do, and the fee therefore 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 one year.

Any permittee holding an unexpired permit may apply for an extension of the time within which he may commence work under that permit when he is unable to commence work within the time required by the section for good and satisfactory reasons. The building official may extend the time for action by the permittee showing that circumstances beyond the control of the permittee have prevented action from being

taken. No permit shall be extended more than once. In order to renew action on a permit after expiration, the permittee shall pay a new full permit fee.

303.6 Suspensions or Revocation. The building official may, in writing, suspend or revoke a permit issued under the provisions of this code and the technical codes whenever the permit is issued in error or on the basis of incorrect information supplied, or in violation of any ordinance or regulation or any of the provisions of these codes.

303.7 Electrical and Plumbing Applications. Only State Registered Master Electricians and Plumbers may take out permits for their respective fields.

SECTION 304. FEES

304.1 Permit Fees. The fee for each permit shall be as set forth in this section, and as further set forth in Tables 3.1 through 3.3.

The determination of value or valuation under any of the provisions of these codes shall be made by the building official. The value to be used in computing the building permit and building plan review fees shall be the total value of all construction work for which the permit is issued as well as all finish work, painting, roofing, electrical, plumbing, heating, air conditioning, elevators, fire-extinguishing systems and any other permanent equipment.

EXCEPTION: R-3 Occupancies (Single Family homes and duplexes)

In order to simplify the permit/fee process for applicants only one permit shall be required for work to be done either on the initial construction or subsequent alterations to R-3 Occupancies. The fee for this permit shall be computed using Table 3.1 but shall use also the following multipliers in the computations:

1. New Construction - all permits	1.4
2. Alterations involving only one discipline	1.0
3. Alterations involving two disciplines	1.2
4. Alterations involving three disciplines	1.3
5. Alterations involving more than three disciplines	1.4

The valuation specified above shall be based on the cost figures per square foot shown in the Building Valuation Data Chart published in the Building Standards magazine of the International Conference of Building Officials. The cost figures from the Building Valuation Data

shall be revised each year as the cost figures are adjusted in Building Standards magazine. The new cost data will become effective June 1 of each year.

304.2 Plan Review Fees. When a plan or other data are required to be submitted by Section 302, a preliminary plan review fee shall be established at the time of submitted plans and specifications for review. One-half of this fee shall be paid to the Town at this time. After a complete review of the plans submitted a more accurate evaluation will be made and the plan check fee adjusted accordingly. The balance will be due at the time the permit is issued. Said plan review fee for buildings or structures shall be 65 percent of the building permit fee as shown in this section. The plan review fee for electrical, mechanical and plumbing work shall be based on the contract installation price of the work and using also 65 percent of the figure found in the tables in this section.

Where a technical code has been adopted by this jurisdiction for which no fee schedule is shown in this code, the fee required shall be in accordance with the schedule established by the legislative body. Where plans are incomplete or changed so as to require additional plan review, an additional plan review fee shall be charged at the rate shown in this section.

304.3 Expiration of Plan Review. Applications for which no permit is issued within 180 days following the date of application shall expire by limitation, and plans and other data submitted for review may thereafter be returned to the applicant or destroyed by the building official. The building official may extend the time for action by the applicant for a period not exceeding 180 days upon request by the applicant showing that circumstances beyond the control of the applicant have prevented action from being taken. No application shall be extended more than once. In order to renew action on an application after expiration, the applicant shall resubmit plans and pay a new plan review fee.

304.4 Investigation Fees: Work Without a Permit.

304.4.1 Investigation. Whenever any work for which a permit is required by this code has been commenced without first obtaining said permit, a special investigation shall be made before a permit may be issued for such work.

304.4.2 Fee. An investigation fee in addition to the permit fee, shall be collected whether or not a permit is then or subsequently issued. The permit investigation fee shall be equal to the amount of the permit fee required by this code. The minimum investigation fee shall be the same as the minimum fee set forth in the tables in this

section. The payment of such investigation fee shall not exempt any person from compliance with all other provisions of either this code or the technical codes nor from any penalty prescribed by law.

304.5 Fee Refunds

- 304.5.1** The building official may authorize the refunding of any fee paid hereunder which was erroneously paid or collected.
- 304.5.2** The building official may authorize the refunding of not more than 80 percent of the permit fee paid when no work has been initiated under a permit issued in accordance with this code.
- 304.5.3** The building official may authorize the refunding of not more than 80 percent of the plan review fee paid when an application for a permit for which a plan review fee has been paid is withdrawn or canceled before any plan reviewing is initiated.

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

304.6 Additional Fees.

- 304.6.1** Use Tax. A use tax for materials used in the construction will be collected by the Town at the time of the issuance of the permit. The amount collected will be based on four percent (4%) of the job material valuation. The valuation of material is established as one-half (1/2) of the job valuation as determined in 304.1.

In the alternative, an applicant may elect to pay for the use tax on the materials used using the actual cost of materials, based upon a complete audit under the following conditions:

- (1) The applicant must declare prior to the issuance of the building permit that they will develop an actual materials/equipment valuation at the conclusion of the project upon which the use tax will be levied.
- (2) The fee charged in the formula prescribed in Section 304.1 will be paid at the time the permit is issued. Adjustments will be made after the project and the audit is completed.
- (3) At the completion of the project the applicant will submit all receipts for materials and equipment in the project. These receipts will include materials and equipment supplied by all subcontractors and suppliers of materials and equipment used in the project. Failure to provide all receipts will disqualify the applicant from calculation of use tax under this method and the applicant will pay the use tax calculated under the method described in Section 304.1.

- (4) The Town will conduct an audit in conjunction with a third party estimator from an independent contractor selected by the Town. The cost of this audit will be borne by the Town.
- (5) Adjustment up or down from the deposit made will be made after the audit is complete.

304.6.2 Elevator/Escalator Inspection Fee. A fee of \$150.00 shall be paid for each separate elevator/escalator installed in the Town. Said fee shall cover the plan review and bi-annual inspections of the installed conveyance. A fee of \$150.00 per conveyance is required every year thereafter for further bi-annual inspections. Yearly notice of this fee will be given to each conveyance owner by the building department.

304.6.3 Development Excise Tax. See copy in Section IV

SECTION 305. INSPECTIONS

305.1 General. All construction or work for which a permit is required shall be subject to inspection by the building official, and certain types of construction may have continuous inspection by special inspectors as specified in Section 306.

Approval as a result of an inspection shall not be construed to be an approval of a violation of the provisions of this code or of other ordinances of the jurisdiction. Inspections presuming to give authority to violate or cancel the provisions of this code or of other ordinances of the jurisdiction shall not be valid.

It shall be the duty of the permit applicant to cause the work to remain accessible and exposed for inspection purposes. Neither the building official nor this jurisdiction shall be liable for expense entailed in the removal or replacement of any material required to allow inspection.

A survey of the lot may be required by the building official to verify that the structure is located in accordance with the approved plans.

305.2 Inspection requests. 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. The building official may require that every request for inspection be filed at least one day before such inspection is desired. Such request may be in writing or by telephone at the option of the building official.

It shall be the duty of the person requesting any inspections required either by this code or the technical codes to provide access to and means for proper inspection of such work.

305.3 Inspection Record Card. Work requiring a building permit shall not be commenced until the permit holder or his agent shall have posted an inspection record card in a conspicuous place on the premises and in such position as to allow the building official conveniently to make the required entries thereon regarding inspection of the work. This card shall be maintained in such position by the permit holder until final approval has been issued by the building official.

305.4 Approval Required. No work shall be done on any part of the building or structure beyond the point indicated in each successive inspection without first obtaining the approval of the building official. Such approval shall be given only after an inspection shall have been made of each successive step in the construction as indicated by each of the inspections required in Section 305.5.

There shall be a final inspection and approval on all buildings and building service equipment when completed and ready for occupancy and use.

305.5 Required Building Inspections. Reinforcing steel or structural framework of any part of any building or structure shall not be covered or concealed without first obtaining the approval of the building official.

The building official, upon notification from the permit holder or his agent, shall make the following inspections and shall either approve that portion of the construction as completed or shall notify the permit holder or his agent wherein the same fails to comply with this code.

305.5.1 Foundation Inspection. To be made after excavations for footings are complete and required reinforcing steel is in place. For concrete foundations, required forms shall be in place prior to inspection. All materials for the foundation shall be on the job, except when concrete is ready-mixed in accordance with approved nationally recognized standards, the concrete need not be on the job. When the foundation is to be constructed of approved treated wood, additional inspections may be required by the building official.

305.5.2 Concrete Slab or Under-Floor Inspection. To be made after all in-slab or under-floor building service equipment, conduit, piping accessories and other ancillary equipment items are in place but before any concrete is placed or floor sheathing installed, including the subfloor.

305.5.3 Frame Inspection. To be made after the roof, all framing, fire blocking and bracing are in place and all pipes, chimneys and vents are complete and the rough electrical, plumbing, and heating wires, pipes and ducts are approved.

305.5.4 Lath and/or Wallboard Inspection. To be made after all lathing and wallboard, interior and exterior, is in place but before any plastering is applied or before wallboard joints and fasteners are taped and finished.

305.5.5 Final Inspection. To be made after finish grading and the building is completed and ready for occupancy.

305.6 Required Building Service Equipment Inspections.

305.6.1 General. All building service equipment for which a permit is required by this code shall be inspected by the building official. No portion of any building service equipment intended to be concealed by any permanent portion of the building shall be concealed until inspected and approved. When the installation of any building service equipment is complete, an additional and final inspection shall be made. Building service equipment regulated by the mechanical codes shall not be connected to the water, fuel or power supply or sewer system until authorized by the building official.

305.6.2 Operation of Building Service Equipment. The requirements of this section shall not be considered to prohibit the operation of any building service equipment installed to replace existing building service equipment serving an occupied portion of the building in the event a request for inspection of such building service equipment has been filed with the building official not more than 48 hours after such replacement work is completed, and before any portion of such building service equipment is concealed by any permanent portion of the building.

305.7 Other Inspections. In addition to the called inspections specified above, the building official may make or require other inspections of any construction work to ascertain compliance with the provisions of this code or technical codes and other laws which are enforced by the code enforcement agency.

305.8 Re-inspections. A re-inspection fee may be assessed for each inspection or re-inspection when such portion of work for which inspection is called for are not made.

This subsection is not to be interpreted as requiring re-inspection fees the first time a job is rejected for failure to comply with the requirements of the technical codes, but as controlling the practice of calling for inspections before the job is ready for such inspection or re-inspection.

Re-inspection may be assessed when the permit card is not properly posted on the work site, the approved plans are not readily available to the inspector, for failure to provide access on the date for which the inspection is requested, or for deviating from plans requiring the approval of the building official.

To obtain re-inspection, the applicant shall file an application therefore in writing upon a form furnished for that purpose, and pay the re-inspection fee in accordance with Table 3.3.

In instances where re-inspection fees have been assessed, no additional inspection of the work will be performed until the required fees have been paid.

SECTION 306. SPECIAL INSPECTIONS

306.1 General. In addition to the inspections required by Section 305, the owner or the engineer or architect of record acting as the owner's agent shall employ one or more special inspectors who shall provide inspections during construction on the following types of work:

EXCEPTION: The building official may waive the requirement for the employment of a special inspector if the construction is of a minor nature.

306.1.1 Concrete: During the taking of test specimens and placing of all reinforced concrete and pneumatically placed concrete.

EXCEPTIONS:

1. Concrete for foundations conforming to the minimum requirements of the Building Code and for Group R, Division 3 and Group M, Division 1 Occupancies, provided the building official finds no special hazards exist.
2. For foundation concrete when the structural design is based on an $f'c$ no greater than 2000 psi.
3. Nonstructural slabs on grade, including pre-stressed slabs on grade when effective pre-stress in concrete is less than 150 pounds per square inch.
4. Site work concrete fully supported on earth and concrete where no special hazard exists.

306.1.2 Ductile Moment-Resisting Concrete Frame. As required by the Building Code.

306.1.3 Reinforcing Steel and Pre-stressing Steel.

306.1.3.1 During all stressing and grouting of pre-stressed concrete.

306.1.3.2 During placing of reinforcing steel, placing of tendons and pre-stressing steel for all concrete required to have special inspection by Item No.1.

EXCEPTION: The special inspector need not be present during entire reinforcing steel and pre-stressing steel placing operation, provided he has inspected for conformance with the approved plans, prior to the closing of forms or the delivery of concrete to the job site.

306.1.4 Welding.

306.1.4.1 A ductile moment-resisting steel frame. As required by the Building Code.

306.1.4.2 All structural welding including welding of reinforcing steel.

EXCEPTIONS:

1. When welding is done in an approved fabricator's shop.
2. When approved by the building official, single pass fillet welds when stressed to less 50 percent of allowable stresses and floor and roof deck welding and welding studs when used for structural diaphragm or composite systems may have periodic inspections as defined in Section 306 of this code. For periodic inspection, the inspector shall check qualification of welders at start of work and then make final inspection of all welds for compliance prior to completion of welding.

306.1.5 High-Strength Bolting. During all bolt installations and tightening operations.

EXCEPTIONS:

- A.** The special inspector need not be present during the entire installation and tightening operation provided he has:
- (i) Inspected the surface and bolt type for conformance to plans and specifications prior to start of bolting.
 - (ii) And will upon completion of all bolting, verify the minimum specified bolt tension for 10 percent of the bolts for each "type" of connection for a representative number of total connections established by the plans and specifications.
 - (iii) In bearing type connections when threads are not required by design to be excluded from the shear plane, inspections prior to or during installation will not be required.

- 306.1.6 Structural Masonry.** During preparation of masonry wall prisms, sampling and placing of all masonry units, placement of reinforcement, inspection of grout space immediately prior to closing of cleanouts, and during all grouting operation. Where the $f'c$ is less than 2600 and special inspection stresses are used, test specimens may consist of either one prism test for each 5000 square feet of wall area or a series of tests based on both grout and mortar for the first three consecutive days and each third day thereafter.
- EXCEPTION.** Special inspection will not be required for structures designed in accordance with the values in appropriate tables for non-continuous inspection.
- 306.1.7 Reinforced Gypsum Concrete.** When cast-in-place Class B gypsum concrete is being mixed and placed.
- 306.1.8 Insulating Concrete Fill.** During the application of insulating concrete fill when used as part of a structural system.
- EXCEPTION:** The special inspections may be limited to an initial inspection to check the deck surface and placement of reinforcing. The special inspector shall supervise the preparation of compression test specimens during this initial inspection.
- 306.1.9 Sprayed-on Fireproofing.** As required by the U.B.C. Standard.
- 306.1.10 Piling, Drilled Piers and Caissons.** During driving and testing of piles and construction of cast-in place drilled piles or caissons. See 306.1.1 and 306.1.3 for concrete and reinforcing steel inspection.
- 306.1.11 Special Grading, Excavation and Filling.** During earthwork excavations, grading and filling operations inspection to satisfy requirements of the code.
- 306.1.12 Special Cases.** Work which, in the opinion of the building official, involves unusual hazards or construction techniques.
- 306.2 Special Inspector.** The special inspector shall be a qualified person who shall demonstrate his competence, to the satisfaction of the building official, for inspection of the particular type of construction or operation requiring special inspection.
- 306.3 Duties and Responsibilities of the Special Inspector.**
- 306.3.1** The special inspector shall observe the work assigned to be certain it conforms to the design drawings and specifications.

- 306.3.2** The special inspector shall furnish inspection reports to the building official, the engineer or architect of record, and other designated persons. All discrepancies shall be brought to the immediate attention of the contractor for correction, then, if uncorrected, to the proper design authority and to the building official.
- 306.3.3** The special inspector shall submit a final signed report stating whether the work requiring special inspection was, to the best of his knowledge, in conformance with the approved plans and specifications and the applicable workmanship provision of these codes.
- 306.4 Waiver of Special Inspection.** The building official may waive the requirement for the employment of a special inspector if he finds that the construction is of minor nature.
- 306.5 Periodic Special Inspection.** Some inspections may be made on a periodic basis and satisfy the requirements of continuous inspection, provided this periodic scheduled inspection is performed as outlined in the project plans and specifications and approved by the building official.
- 306.6 Approved Fabricators.** Special inspections required by this section and elsewhere in this code or the technical codes shall not be required where the work is done on the premises of a fabricator registered and approved by the building official to perform such work without special inspection. The certificate of registration shall be subject to revocation by the building official if it is found that any work done pursuant to the approval is in violation of the technical codes. The approved fabricator shall submit a Certificate of Compliance that the work was performed in accordance with the approved plans and specifications to the building official and to the engineer or architect of record. The approved fabricator's qualifications shall be contingent on compliance with the following:
- 306.6.1** The fabricator has developed and submitted a detailed fabrication procedural manual reflecting key quality control procedures which will provide a basis for inspection control of workmanship and the fabricator plant.
- 306.6.2** Verification of the fabricator's quality control capabilities, plant and personnel as outlined in the fabrication procedural manual shall be by an approved inspection or quality control agency.
- 306.6.3** Periodic plant inspections shall be conducted by an approved inspection or quality control agency to monitor the effectiveness of the quality control program.

- 306.6.4** It shall be the responsibility of the inspection or quality control agency to notify the approving authority in writing of any change to the procedural manual. Any fabricator approval may be revoked for just cause. Re-approval of the fabricator shall be contingent on compliance with quality control procedures during the past year.

SECTION 307. SITE MAINTENANCE.

- 307** No Certificate of Occupancy shall be issued until cleanup, grading, drainage, paving and lighting have been completed. Provided, further, in the case of buildings or structures completed during the months of November through April, a Temporary Certificate of Occupancy may be issued if necessary and cleanup and landscaping may be completed by the end of the ensuing June.

Job sites shall be kept clean and orderly at all times. If it becomes necessary for the Town of Parker to clean and/or haul debris or material from the site, after reasonable notice to do so, a reasonable sum for such services shall be charged to the permit holder, which sum will be payable at the time a Certificate of Occupancy is issued. Construction debris shall be stored in one general location on the site and shall be removed weekly by the permit holder or his agent.

SECTION 308. CONNECTION TO UTILITIES.

- 308.1 Energy Connections.** Persons shall not make connections from a source of energy, fuel or power to building service equipment which is regulated by the technical codes and for which a permit is required by this code, until approved by the building official.
- 308.2 Temporary Connections.** The building official may authorize the temporary connection of the building service equipment to the source of energy, fuel or power for the purpose of testing building service equipment, or for use under a temporary certificate of occupancy.

SECTION 309. CERTIFICATE OF OCCUPANCY.

- 309.1 Use or Occupancy.** Buildings or structures shall not be used or occupied nor shall a change in the existing occupancy classification of a building or structure or portion thereof be made until the building official has issued a certificate of occupancy therefor as provided herein.

EXCEPTION: Group R, Division 3, and Group U Occupancies.

Issuance of a certificate of occupancy shall not be construed as an approval of a violation of the provisions of this code or of other ordinances of the jurisdiction. Certificates presuming to give authority to violate or cancel the provisions of this code or of other ordinances of the jurisdiction shall not be valid.

- 309.2 Change in Use.** Changes in the character or use of a building shall not be made except as specified in the Building Code.
- 309.3 Certificate Issued.** After the building official inspects the building or structure and finds no violations of the provisions of this code or other laws which are enforced by the code enforcement agency, the building official shall issue a certificate of occupancy which shall contain the following:
1. The building permit number.
 2. The address of the building.
 3. The name and address of the owner.
 4. A description of that portion of the building for which the certificate is issued.
 5. A statement that the described portion of the building has been inspected for compliance with the requirements of this code for the group and division of occupancy and the use for which the proposed occupancy is classified.
 6. The name of the building official.
- 309.4 Temporary Certificate.** If the building official finds that substantial hazard will not result from occupancy of a building or portion thereof before the same is completed, a temporary certificate of occupancy for the use of a portion or portions of a building or structure may be issued prior to the completion of the entire building or structure.
- 309.5 Posting.** The certificate of occupancy shall be posted in a conspicuous place on the premises and shall not be removed except by the building official.
- 309.6 Revocation.** The building official may, in writing, suspend or revoke a certificate of occupancy issued under the provisions of this code when the certificate is issued in error, or on the basis of incorrect information, or when it is determined that the building or structure or portion thereof is in violation of an ordinance, regulation or the provisions of this code.

SECTION 310. FOUNDATION PERMITS

- 310.1 General.** A foundation permit for Group A through Group B occupancies may be issued prior to the issuance of the construction permit for the building provided:
- 310.1.1** The total valuation of the product, excluding utilities, exceeds two hundred thousand dollars (\$200,000.00).
- 310.1.2** Drawings for the proposed superstructure containing sufficient detail relating to the design of the foundation or substructure are submitted to the building official. Complete calculations shall be submitted to validate the design of footings, caissons and all other structural elements.

310.1.3 All approvals required are obtained prior to the issuance of the permit.

EXCEPTION: The building official may allow foundation work to commence on R Occupancies prior to acceptance and approval of plans if he feels that no material changes will occur upon completion of the plans that will affect the construction commenced. Construction will not continue beyond the foundation work and the associated utility base work until released by the building official.

310.2 Fee. The fee charged at the time of issuance of the foundation permit shall be based on the total valuation of the construction for both the substructure and the superstructure, plus an additional 25 percent. See Table 3.1.

310.3 Deviations. Any deviation from the approved foundation permit drawings must be approved by the building official.

310.4 Responsibility. The contractor shall assume full responsibility for the installation of all utilities in the substructure. Any changes in design or construction to meet the requirements of this Building Code for combined substructure and superstructure shall be the sole responsibility of the contractor. A permit issued under this Section shall not be construed, as approval for any portion of the structure not covered by the foundation permit.

FEES

TABLE NO. 3.1 - BUILDING PERMIT FEES

FOR ALL OCCUPANCIES EXCEPT GROUP R, DIVISION 3(FOR ELECTRICAL – SEE TABLE 3.2)

Total Valuation	Fees
\$1.00 to \$500.00	\$15.00
\$501.00 to \$2,000.00	\$15.00 for the first \$500.00 plus \$2.00 for each additional \$100.00 or fraction thereof, to and including \$2,000.00.
\$2,001.00 to \$25,000.00	\$45.00 for the first \$2,000.00 plus \$9.00 for each additional \$1,000.00 or fraction thereof, to and including \$25,000.00.
\$25,001.00 to \$50,000.00	\$252.00 for the first \$25,000.00 plus \$6.50 for each additional \$1,000.00 or fraction thereof, to and including \$50,000.00.
\$50,001.00 to \$100,000.00	\$414.50 for the first \$50,000.00 plus \$4.50 for each additional \$1,000.00 or fraction thereof, to and including \$100,000.00.
\$100,001.00 to \$500,000.00	\$639.50 for the first \$100,000.00 plus \$3.50 for each additional \$1,000.00 or fraction thereof, to and including \$500,000.00.
\$500,001.00 to \$1,000,000.00	\$2,039.50 for the first \$500,000.00 plus \$3.00 for each additional \$1,000.00 or fraction thereof, to and including \$1,000,000.00.
\$1,000,001.00 and up	\$3,539.50 for the first \$1,000,000.00 plus \$2.00 for each additional \$1,000.00 or fraction thereof.

TABLE 3.2

ELECTRICAL PERMIT FEES

Residential: This includes modular homes, also duplexes and condominiums and townhouses. Construction and extensive remodeling and additions to, (based on the enclosed living area).

Not more than 1,000 Sq. Ft.....	\$35.00
Over 1,000 Sq. Ft. and not more than 1,500 Sq. Ft.....	\$55.00
Over 1,500 Sq. Ft. and not more than 2,000 Sq. Ft.....	\$70.00
Per 100 Sq. Ft. in excess of 2,000 Sq. Ft.....	\$ 3.00

ALL OTHER FEES, except for inspection in mobile home and travel parks, shall be computed on the dollar value of the electrical installation, including time and material (total cost to the customer), and such fees shall be computed as follows:

Valuation of Work (Actual cost to customer - Labor and Materials)

Not more than \$300.00.....	\$30.00
More than \$300.00 but not more than \$2,000.00.....	\$35.00
More than \$2,000.00 but not more than \$50,000.....	\$15.00 per thousand or fraction thereof of total valuation.
More than \$50,000.00 but not more than \$500,000.....	\$14.00 per thousand or fraction thereof of total valuation, PLUS \$50
More than \$500,000.00.....	\$13.00 per thousand or fraction thereof of total valuation, PLUS \$550
Mobile homes and travel parks per space.....	\$30.00
Re-inspection on all the above.....	\$35.00

TABLE 3.3

Other Inspections and Fees:

- 1. Demolition.....\$ 10.00
- 2. Tents, Temporary Buildings, Mobile Units \$10.00 per 1,000 square feet or fraction thereof
- 3. Inspections outside of normal business hours (minimum charge - two hours).....\$20.00 per hour*
- 4. Re-inspection fees assessed under provisions Section 305.8.....\$20.00 per hour*
- 5. Inspections for which no fee is specifically indicated (minimum charge - one-half hour).....\$20.00 per hour*
- 6. Additional plan review required by changes, additions or revisions to approved plans (minimum charge - one-half hour).....\$20.00 per hour*

*or the total hourly cost to the jurisdiction whichever is greatest. This cost shall include supervision, overhead, equipment, hourly wages and fringe benefits of the employees involved.

SPONSORED BY COUNCILMEMBER

COUNCILMEMBER'S BILL

ORDINANCE NO.4.24.1

**TITLE: A BILL FOR AN ORDINANCE
AMENDING CHAPTER 11.03 OF THE
PARKER MUNICIPAL CODE TO
ADOPT BY REFERENCE THE 1997
EDITION OF THE UNIFORM
BUILDING CODE**

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

Section 1. Chapter 11.03 of the Parker Municipal Code is hereby amended
to read as follows:

11.03.010. Title.

The provisions of this ordinance shall be known and cited as the Parker
Building Ordinance.

11.03.020. Uniform Building Code adopted.

The Uniform Building Code, Volumes 1, 2 and 3, 1997 Edition, as
published by the International Conference of Building Officials, 5360
S. Workman Mill Road, Whittier, CA 90601, is adopted by reference
and incorporated into this Chapter as though fully set forth herein as
the building code of the Town. Except as otherwise provided hereafter,
such code is adopted in full, including the outline of contents, index and
appendices, contained therein.

11.03.030. Copies.

At the time of adoption, one copy of the Uniform Building Code, Volumes
1, 2 and 3, 1997 Edition, including outline of contents, index, appendices
and amendments shown herein, certified to be a true copy, is on file in the
office of the Town Clerk and may be inspected by any interested person
between the hours of eight a.m. and five p.m., Monday through Friday,
holidays excepted. After final adoption, the Code shall be available for
sale to the public at the Building Department Offices, at a price reflecting
cost to the Town. The Town shall keep a copy of the adopted code in the
office of the Building Official for public inspection.

11.03.040. Jurisdiction defined.

Whenever the word jurisdiction is used in the, Uniform Building Code, it
shall mean that area within the corporate limits of the Town or any area
hereafter annexed to the Town.

11.03.050. Amendments.

The Uniform Building Code, as adopted by this Chapter, is amended as follows; (section numbers correspond with those in the Uniform Building Code):

- (1) Delete the following:
 - a. All of Chapter 1, Administration (These Sections are covered in the Town of Parker Administrative Code);
 - b. Appendix Chapter 3, Division III-Requirements for Group R, Division 3 Occupancies (Sections 331 and 332);
 - c. Appendix Chapter 9, Basement Pipe Inlets;
 - d. Appendix Chapter 10, Building Security;
 - e. Appendix Chapter 11, Division II-Accessibility for Existing Buildings;
 - f. Appendix Chapter 12, Interior Environment, Divisions I and II;
 - g. Appendix Chapter 16, Structural Forces, Div II, Earthquake Recording Instrumentation;
 - h. Appendix Chapter 30 Section 3011.5 Fees - Refer to Parker Administrative Code Section 304.5.2;
 - i. Appendix Chapter 33, Excavation and Grading; and
 - j. Appendix Chapter 34, Existing Structures, Div. I and II.
- (2) Additions and modifications as follows:
 - a. Volume 1:
 1. Section 203, Basement - At the end of the paragraph, add: "When the main living level is below grade it shall be classified as a story."
 2. Section 310.2.2 - Add to the first paragraph: "and openings protected as per corridor doors (1004.3.4.3.2.1 Doors)."
 3. Section 310.6.1 - Add an exception to paragraph three: "Exception. The ceiling height in basements may be reduced to six feet eight inches (6'8") over a width of five feet under furred down areas around beams, pipes and ducts."
 4. Section 312, Group U Occupancies - Add a new Section 312.7: "Recreation Areas. Areas of buildings intended for recreational use, such as tennis courts, basketball courts, skating rinks

and horse arenas, where the intended use makes it apparent that the occupant load will be light and where space or seating for spectators is not provided and where the contents are entirely noncombustible, may be classified U-1 Occupancies when approved by the Building Official. The occupancy separation between such areas and adjacent offices, showers, locker rooms, restaurants and other use ancillary to the above uses and having an occupant load less than one hundred (100) persons, may be omitted.”

5. Section 807. 1,1 - In the first sentence delete: “such Portland cement, concrete, ceramic tile or other”. Add the word “of” and revise “5 inches” to “4 inches.”
6. Section 807.1.2 - In the first sentence delete: “of Portland cement, concrete, ceramic tile or other smooth, hard nonabsorbent surface.”
7. Section 1203.1 - “When window wells are used to provide light and ventilation for basements, the area of the well in plan shall be equal in area to the portion of the window below grade and shall extend out from the wall at least sixteen (16) inches. Overhangs above required escape windows shall be at least twenty four inches above grade. They may be a minimum of eighteen (18) inches elsewhere.

Window wells located in patios, porches or along sidewalks or within three (3) feet of the normal walking path shall be protected by a grate over the opening or a guardrail around it except when the opening is an escape window.

8. Section 1203.2 - Add an exception two- “Basements in Group R Occupancies require only one twentieth of the floor area in natural light (minimum five square feet).”
9. Section 1203.3 - Add an exception to paragraph one. “Natural ventilation in basements need only be one-half of the natural light (minimum 2 1/2 square feet).”

10. Section 1203.3 - Add an exception to the last paragraph: "When mechanical ventilation is used in a Group R Occupancy the exhaust system may terminate in a properly ventilated attic.

When two or more bathroom facilities are ventilated by a single fan, the fan shall be wired so as to operate continuously when the bathroom light is on."

11. Section 3103 - Add as the second and third paragraphs: "Temporary use of other nonconforming structures may be granted by the Building Official with the concurrence of the Board of Appeals and the Planning Department, when it has been determined that the structure in use will not be detrimental to the public health, safety or welfare, Such use will be subject to annual review and will be revocable.

Manufactured housing constructed in accordance with standards other than those set forth in this ordinance may be erected in approved locations. The site constructed foundation, porches, decks, utilities and other functions must meet the standards set forth in this and other related ordinances, Permits may be issued for these elements of the building, however a Certificate of Occupancy will not be issued as the conformance with the Town's standards of the manufactured home is not known to the department. No additions shall be made to a manufactured home unless said addition meets the standards set forth in this ordinance."

12. Section 3102.2, Definitions - Add as new definitions: **SOLID FUEL BURNING DEVICE:** is any fireplace, stove, firebox or device intended and/or used for the purpose of burning wood, coal, pulp, paper or other non-liquid or nongaseous fuel.

CERTIFIED SOLID FUEL BURNING DEVICE, is a solid fuel burning device which is certified by the Air Pollution Control Division of the Colorado Department of Health to meet the Emissions Standards set forth in Section IV of Regulation

No, 4 of Volume I of Colorado Air Quality Control Commission, hereinafter referred to as "State Regulations".

WOOD BURNING FIREPLACE: is an open hearth or fire chamber or similar prepared place in which a fire may be made and which is built in conjunction with a chimney.

13. Section 3101.12 - "Installation of certified solid fuel burning device will be permitted within the Town of Parker when such device meets the EPA Phase 11 or Colorado Phase III emissions testing as defined in the State Regulations."
14. Appendix, Chapter 13, Energy Conservation in New Building Construction.
 - i. Add as criteria for use of the Model Energy Code the following:

Elevation	5870 ASL
Latitude	39 degrees-5 minutes North Lat.
Degree Days	
Heating	6283
Summer	91 Dry bulb 2 ½%
	63 Wet bulb 2 ½%
Winter	1 97 ½%
 - ii. Building Design By Prescriptive Method
Building Envelope Requirements for R-3 Occupancies

COMPLIANCE: Adherence to all of the requirements of this section constitutes compliance with this code. The provisions of this section are not intended to prevent the use of any material or method not specifically prescribed. The Building Official may approve alternative methods from the prescriptive standard whereby the owner or the owner's agent provides calculations as evidence that the alternate materials and/or methods will not result in any greater overall thermal transmittance and/or use of energy than if the structure were to be constructed in accordance with the prescriptive standards found herein.

WALLS: a) Exterior walls constructed above grade and rim joists shall be insulated with minimum R-16 thermal resistance. Plywood, for the purpose of structural bracing, may be used over an area not exceeding 20% of the total wall area. b) All walls adjacent to unconditioned space shall be insulated with R- II thermal resistance. c) Exterior walls abutting

any finished, conditioned space portions of basements shall be insulated with R-11 thermal resistance from the top of the interior floor level to the top of the walls. d) All crawl space walls that support uninsulated floors shall have a thermal resistance of minimum R-11. Insulation shall extend from the top of the wall to the top of the footing.

ROOFS OR CEILINGS: Roofs or ceilings shall be insulated with R-30 thermal resistance. Attic access hatches shall have the same thermal resistance value as that of the section in which they are installed.

FLOORS: a) All wood frame floors over unconditioned space, such as crawl spaces, basements, enclosed garages or porches, shall have a thermal resistance of minimum R-19. Floors over basements are not required to be insulated when basement walls are insulated. Floors over crawl spaces are not required to be insulated when the crawl space walls are insulated. b) Slab-on-Grade Floors. The perimeter of unheated slabs shall have insulation with a thermal resistance of minimum R-5 beginning at the top surface and extending two (2) feet in any combination of vertical and horizontal continuous sections, The perimeter of heated slabs shall have a thermal resistance of minimum R-10 beginning at the top surface and extending two (2) feet in any combination of vertical and horizontal continuous sections.

b. Volume 2:

1. Section 1614, Division II, Snow Loads - Delete the second and last paragraph and substitute the following;

“SNOW LOADS: Buildings, structures and portions thereof shall be designed and constructed to sustain, within the stress limitations of this Code, all dead loads plus the GREATER effect produced by one of the two following methods of calculating snow load distributions on roofs and decks.

Uniform loading: For all buildings and structures the uniform snow load shall be thirty (30) pounds per square foot of horizontal protected area of roof. The uniform snow loads may be reduced for slopes exceeding 20 degrees according to the 1997 UBC Section 1614, Formula 14-1. Uniform snow loads shall not be reduced by any other method.

Unbalanced loading and drifts: Provisions shall be made for potential accumulation of snow at valleys, parapets, roof structures and offsets in roofs of

uneven configuration in accordance with Appendix 16, Division 1. The ground snow load (Pg) shall be set at 30 psf, NOTE: Appendix Chapter 16,

Table A-16-A, Snow Exposure Coefficient (Ce), the factor shall be 0.7 for all structures,”

2. Section 1618 - The basic wind speed found in Figure 16-1 shall be 85 MPH.
3. Section 1619 - The exposure factor for the entire Town shall be Exposure C, unless otherwise approved by the Building Official.
4. Section 1801-1 - Add as second paragraph: “Retaining walls four feet or less in height need not obtain a permit.”
5. Section 1806.1. General, First paragraph - Delete the last sentence and substitute the following: “All foundations will be a minimum of 36” below finished grade (frost line).”

11.03.060. Violation; penalty.

In addition to the penalty provisions contained in the Uniform Building 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.

11.03.070. Non-liability.

The adoption of this Chapter, and of the Uniform Building Code provided for herein, shall not create any duty to any person, firm, corporation or other entity with regard to the enforcement or non-enforcement of this Chapter or said code, No person, firm, corporation or other entity shall have any civil liability remedy against the Town, or its officers, employees or agents, for any damage arising out of or in any way connected with the adoption, enforcement or non-enforcement of this Chapter or said code, Nothing in this Chapter or in said code shall be construed to create any liability, or to waive any of the immunities, limitations on liabilities, or other provisions of the Governmental Immunity Act, C.R.S, § 24-10-101, *et seq.*, or to waive any immunities or limitations on liability otherwise available to the Town, or its officers, employees or agents.

Section 2. 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 attained.

Section 3. 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 4. This Ordinance shall become effective ten (10) days after final publication.

INTRODUCED AND PASSED ON FIRST READING this 3rd day of August, 1999.

ADOPTED ON SECOND AND FINAL READING this 16th day of August, 1999.

SPONSORED BY COUNCILMEMBER

COUNCILMEMBER'S BILL

ORDINANCE NO. 4.42.2

**TITLE A BILL FOR AN ORDINANCE
 AMENDING CHAPTER 11.04 OF THE
 PARKER MUNICIPAL CODE TO
 ADOPT BY REFERENCE THE 1997
 EDITION OF THE UNIFORM FIRE
 CODE**

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

Section 1. Chapter 11.04 of the Parker Municipal Code is hereby amended to read as follows:

11.04.010. Title.

The provisions of this ordinance shall be known and cited as the Town of Parker Fire Protection Ordinance.

11.04.020. Uniform Fire Code adopted.

The 1997 Edition of the Uniform Fire Code, Volumes I and 2, as published by the International Fire Code Institute, 5360 Workman Mill Road, Whittier, CA 90601, is adopted by reference and incorporated into this Chapter as though fully set forth herein as the fire code of the Town. Except as otherwise provided hereafter, such code is adopted in full, including the outline of contents, index and appendices, contained therein.

11.04.030. Copies.

At the time of adoption, one copy of the Uniform Fire Code Volumes I and 2, 1997 Edition, including outline of contents, index, appendices and amendments shown herein, certified to be a true copy, is on file in the office of the Town Clerk and may be inspected by any interested person between the hours of eight a.m. and five p.m., holidays excepted. After final adoption, the Code shall be available for sale to the public at the Building Department Offices at a price reflecting the cost to the Town. The Town shall keep a copy of the adopted code in the office of the Building Official for public inspection.

11.04.040. Definitions.

- (1) Jurisdiction. Whenever the word *jurisdiction* is used in the Uniform Fire Code, it shall mean that area within the corporate limits of the Town or any area hereafter annexed to the Town.

- (2) Chief, Where the Chief is referred to in the Uniform Fire Code, it shall mean the Chief of the Parker Fire Protection District.
- (3) The Board of Appeals referred to in Section 103.1.4 shall be the Board of Appeals established by the Town in the Parker Administrative Code to hear appeals from both the building and fire codes.

11.04.050. Amendments.

The Uniform Fire Code, as adopted by this Chapter, is hereby amended as follows (Article numbers correspond with those in the Uniform Fire Code):

- (1) Fireworks and Pyrotechnic Special Effects Material, Article 78 - This article is revised to be consistent with the Colorado State Statutes, which allows the sale and use of "safe and sane" fireworks in the Town (sparklers, fountains and other devices that do not explode or leave the ground as they are used).
- (2) Liquefied Petroleum Gases, Article 82. - Add as Section 8205.3 the following: "Restricted Use. Bulk Storage of liquefied petroleum gas within all residential, business and commercial zones is restricted for the protection of heavily populated or congested commercial areas, The aggregate capacity of any one installation shall not exceed two thousand (2,000) gallons water capacity except that in particular installations this capacity limit may be altered at the discretion of the Chief after consideration of special features, such as topographical conditions, nature of occupancy and proximity of buildings, capacity of proposed tanks, degree of private fire protection to be provided and the facilities of the local fire department. The storage of liquefied petroleum gas shall also conform to the provisions of the Town of Parker Zoning Ordinance."

11.04.060. Violation; penalty.

In addition to the penalty provisions contained in the Uniform Fire Code, any person who violates any of the provisions of this ordinance 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.

11.04.070. Non-liability.

The adoption of this Chapter, and of the Uniform Fire Code provided for herein, shall not create any duty to any person, firm, corporation or other entity with regard to the enforcement or non-enforcement of this

Chapter or said code. No person, firm, corporation or other entity shall have any civil liability remedy against the Town, or its officers, employees or agents, for any damage arising out of or in any way connected with the adoption, enforcement or non-enforcement of this Chapter or said code. Nothing in this Chapter or in said code shall be construed to create any liability, or to waive any of the immunities, limitations on liabilities, or other provisions of the Governmental Immunity Act C.R.S. § 24-10-101, *et seq.*, or to waive any immunities or limitations on liability otherwise available to the Town, or its officers, employees or agents.

Section 2. 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 attained.

Section 3. 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 4. This Ordinance shall become effective ten (10) days after final publication.

INTRODUCED AND PASSED ON FIRST READING this 3rd day of August, 1999.

ADOPTED ON SECOND AND FINAL READING this 16th day of August, 1999.

SPONSORED BY COUNCILMEMBER

COUNCILMEMBER'S BILL

ORDINANCE NO. 4.26.1

Series of 1999

Series of 1999

**TITLE: A BILL FOR AN ORDINANCE
AMENDING CHAPTER 11.07 OF THE
PARKER MUNICIPAL CODE TO
ADOPT BY REFERENCE THE 1997
EDITION OF THE UNIFORM
PLUMBING CODE**

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

Section 1. Chapter 11.07 of the Parker Municipal Code is hereby amended
to read as follows:

11.07.010. Title.

The provisions of this ordinance shall be known and cited as the Parker
Plumbing Ordinance.

11.07.020. Uniform Plumbing Code adopted.

The Uniform Plumbing Code, 1997 Edition, as published by The Interna-
tional Association of Plumbing and Mechanical Officials, 20001 Walnut
Drive South, Walnut, CA, 91789-2825, is adopted by reference and incor-
porated in this Chapter as though fully set forth herein as the plumbing
code of the Town. Except as otherwise provided hereafter, such code is
adopted in full, including the outline of contents, index and appendices,
contained therein.

11.07.030. Copies.

At the time of adoption, one copy of the Uniform Plumbing Code, includ-
ing appendices and amendments shown herein, certified to be a true copy,
is on file in the office of the Town Clerk and may be inspected by any
interested person between the hours of eight a.m. and five p.m., Monday
through Friday, holidays excepted. After final adoption, the Code shall be
available for sale to the public at the Building Department Offices, at a
price reflecting the cost to the Town. The Town shall keep a copy of the
adopted code in the office of the Building Official for public inspection.

11.07.040. Jurisdiction defined.

Whenever the word *jurisdiction* is used in the Uniform Plumbing Code, it
shall mean that area within the corporate limits of the Town or any area
hereafter annexed to the Town.

11.07.050 Amendments

- (1) Delete Chapter 1. Administration (This is covered by the Parker Administrative Code).
- (2) The Uniform Plumbing Code, as adopted by this Chapter, is hereby amended as follows (section numbers correspond with those in the Uniform Plumbing Code);
 - a. Section 603. 1, Approval of Devices - Add as a third paragraph: "All devices installed for the prevention of backflow shall remain accessible for inspection."
 - b. Section 609. 1, Installation - Add as the last sentence: "All water lines shall be installed at a minimum of four feet and six inches (4'6") below the finished grade to reduce the possibility of freezing."
 - c. Table 6-5 - Add: Footnote to read "Not more than 4 WFU on a 1/2" pipe."
 - d. Section 902.0, Vents Not Required - Add as new section:

"Section 902.3. Each building drain in a Group R, Division 3 Occupancy may have one unvented floor drain if both of the following requirements are met:

 1. The unvented floor drain must branch off of a three inch (3") or larger building drain or building drain branch.
 2. The developed length of the floor drain branch must be between eighteen inches (18") and five feet (5') if a two-inch floor drain is used."
 - e. Section 908.1, Vertical Wet Venting - Add as an exception to the first sentence, "Exception: Horizontal wet venting is permitted provided not more than 1 DFU discharges into a 1 1/2 inch diameter pipe and 4 DFU discharges into a 2 inch diameter pipe."
 - f. Section 909.0, Special Venting for Island Fixtures - Add as an exception: "Exception: Foot vents are not required if the island vent is one pipe size larger than specified in Table 7-5".

11.07.060. Violation; penalty.

In addition to the penalty provisions contained in the Uniform Plumbing Code, any person who violates any of the provisions of this ordinance 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.

11.07.070. Non-liability.

The adoption of this Chapter, and of the Uniform Plumbing Code provided for herein, shall not create any duty to any person, firm, corporation or other entity with regard to the enforcement or non-enforcement of this Chapter or said code. No person, firm, corporation or other entity shall have any civil liability remedy against the Town, or its officers, employees or agents, for any damage arising out of or in any way connected with the adoption, enforcement or non-enforcement of this Chapter or said code. Nothing in this Chapter or in said code shall be construed to create any liability, or to waive any of the immunities, limitations on liabilities, or other provisions of the Governmental Immunity Act, C.R.S. § 24-10-101, *et seq.*, or to waive any immunities or limitations on liability otherwise available to the Town, or its officers, employees or agents.

Section 2. 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 attained.

Section 3. 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 4. This Ordinance shall become effective ten (10) days after final publication.

INTRODUCED AND PASSED ON FIRST READING this 3rd day of August, 1999.

ADOPTED ON SECOND AND FINAL READING this 16th day of August, 1999.

SPONSORED BY COUNCIL MEMBER

COUNCIL MEMBER'S BILL

ORDINANCE NO. 4.25.1

Series 1999

Series of 1999

**TITLE: A BILL FOR AN ORDINANCE
AMENDING CHAPTER 11.06 OF THE
PARKER MUNICIPAL CODE TO
ADOPT BY REFERENCE THE 1997
EDITION OF THE UNIFORM
MECHANICAL CODE**

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

Section 1. Chapter 11.06 of the Parker Municipal Code is hereby amended to read as follows:

11.06.010. Title.

The provisions of this ordinance shall be known and cited as the Parker Mechanical Ordinance.

11.06.020. Uniform Mechanical Code adopted.

The Uniform Mechanical Code, 1997 Edition, as published by the International Conference of Building Officials, 5360 Workman Mill Road, Whittier, CA 90601, is adopted by reference and incorporated into this Chapter as though fully set forth herein as the mechanical code of the Town. Except as otherwise provided hereafter, such code is adopted in full, including the outline of contents, index and appendices, contained therein.

11-06-030. Copies.

At the time of adoption, one copy of the Uniform Mechanical Code, 1997 Edition, including outline of contents, index, appendices and amendments shown herein, certified to be a true copy, is on file in the office of the Town Clerk and maybe inspected by any interested person between the hours of eight a.m. and five p.m., Monday through Friday, holidays excepted. After final adoption, the Code shall be available for sale to the public at the Building Department Offices, at a price reflecting the cost to the Town. The Town shall keep a copy of the adopted code in the office of the Building Official for public inspection.

11.06.040. Jurisdiction defined.

Whenever the word *jurisdiction* is used in the Uniform Mechanical Code, it shall mean that area within the corporate limits of the Town or any area hereafter annexed to the Town.

11.06.05. Amendments.

The Uniform Mechanical Code, as adopted by this Chapter, is hereby amended as follows (section numbers correspond with those of the Uniform Mechanical Code):

- (1) Delete Chapter 1, Administration. (These Sections are covered in the Town of Parker Administrative Code).
- (2) Section 601.6 - Add an Exception: "Only crimped joints need to be sealed in R Occupancies."
- (3) Section 603.9 - Add a new section titled "Installation of Duct Outlets in R Occupancies" to read: "603.9 Installation of Duct Outlets in R Occupancies.

The floor outlets of supply air ducts in R1 and R3 Occupancies shall not be located in the walking path of a door opening or other access path in a building."

- (4) Section 1305.3.2 - Revise the second paragraph to test piping at not less than 20 psi for at least 12 hours.
- (5) Section 601.1, Duct Systems - Add as the second paragraph the following: "Supply or return air ducts shall not be penetrated by gas piping unless approved by the Building Official."

11.06.060. Violation; penalty.

In addition to the penalty provisions contained in the Uniform Mechanical 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.

11.06.070. Nonliability.

The adoption of this Chapter, and of the Uniform Mechanical Code provided for herein, shall not create any duty to any person, firm, corporation or other entity with regard to the enforcement or non-enforcement of this Chapter or said code. No person, firm, corporation or other entity shall have any civil liability remedy against the Town, or its officers, employees or agents, for any damage arising out of or in anyway connected with the adoption, enforcement or non-enforcement of this Chapter or said code. Nothing in this Chapter or in said code shall be construed to create any liability, or to waive any of the immunities, limitations on liabilities or other provisions of the Governmental Immunity Act, C.R.S. § 24-10-101, *et seq.*, or to waive any immunities or limitations on liability otherwise available to the Town, or its officers, employees or agents.

Section 2. 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 attained.

Section 3. 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 4. This Ordinance shall become effective ten (10) days after final publication.

INTRODUCED AND PASSED ON FIRST READING this 3rd day of August 1999.

ADOPTED ON SECOND AND FINAL READING this 16th day of August 1999.

SPONSORED BY COUNCILMEMBER

COUNCILMEMBER'S BILL

ORDINANCE NO. 4.27.1

**TITLE: A BILL FOR AN ORDINANCE
AMENDING CHAPTER 11.05 OF THE
PARKER MUNICIPAL CODE TO
ADOPT BY REFERENCE THE 1999
NATIONAL ELECTRICAL CODE**

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

Section 1. Chapter 11.05 of the Parker Municipal Code is hereby amended
to read as follows:

11.05.010. Title.

The provisions of this ordinance shall be known and cited as the Parker
Electrical Ordinance.

11.05.020. National Electrical Code adopted.

The National Electrical Code, 1999 Edition, as published by the National
Fire Protection Association, One Batterymarch Park, Quincy, MA, 02269,
is hereby adopted by reference and incorporated into this Chapter as
though fully set forth herein as the electrical code of the Town. Except
as otherwise provided hereafter, such code is adopted in full, including the
outline of contents, index and appendices, contained therein.

11.05.030. Copies.

At the time of adoption, one copy of the National Electrical Code, 1999
Edition, including outline of contents, index, appendices and amendments
shown herein, certified to be a true copy, is on file in the office of the
Town Clerk and may be inspected by any interested person between the
hours of eight a.m. and five p.m. holidays excepted. After final adoption,
the Code shall be available for sale to the public at the Building Depart-
ment Offices at a price reflecting the cost to the Town. The town shall
keep a copy of the adopted code in the office of the Building Official for
public inspection.

11.05.040. Jurisdiction defined.

Whenever the word jurisdiction is used in the National Electrical Code, it
shall mean that area included within the corporate limits of the Town or
any area hereafter annexed to the Town.

11.05.050. Amendments.

The National Electrical Code, as adopted by this Chapter is hereby
amended as follows (article numbers correspond with those in the
National Electrical Code):

- (1) Article 210-52(a)(2) - Add paragraph (d). "Wall of any landing entry or like space that exceeds 4'6" in width at any point."
- (2) Article 220-3(b) - Add as new Paragraph: "For dwellings, general purpose outlets. The number of outlets per circuit shall not exceed ten (10) on a 15 ampere circuit nor thirteen (13) on a 20 ampere circuit,"
- (3) Article 384-16(a) - Add as a second paragraph. "A main breaker or set of fuses must be provided in the panel or on the building for services regardless of whether or not the serving utility provides the same. NOTE: Article 384-16(a) Exceptions 1 and 2 do not apply."

11.06.060. Violation; penalty.

In addition to the penalty provisions contained in the National Electrical Code, any person who violates any of the provisions of this ordinance 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.

11.06.070. Non-liability.

The adoption of this Chapter, and of the National Electric Code provided for herein, shall not create any duty to any person, firm, corporation or other entity with regard to the enforcement or non-enforcement of this Chapter or said code. No person, firm, corporation or other entity shall have any civil liability remedy against the Town, or its officers, employees or agents, for any damage arising out of or in any way connected with the adoption, enforcement or non-enforcement of this Chapter or said code. Nothing in this Chapter or in said code shall be construed to create any liability, or to waive any of the immunities, limitations on liabilities, or other provisions of the Governmental Immunity Act, C.R.S. Section 24-10-101, *et seq.*, or to waive any immunities or limitations on liability otherwise available to the Town, or its officers, employees or agents.

Section 2. 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 attained.

Section 3. 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 4. This Ordinance shall become effective ten (10) days after final publication.

INTRODUCED AND PASSED ON FIRST READING this 3rd day of August 1999.
ADOPTED ON SECOND AND FINAL READING this 16th day of August, 1999.

SPONSORED BY COUNCILMEMBER

COUNCILMEMBER'S BILL

ORDINANCE NO.3.01.25.2

Series 2000

Series 2000

**TITLE: A BILL FOR AN ORDINANCE
AMENDING THE TOWN OF PARKER
LAND DEVELOPMENT CODE BY
ADDING NEW DEFINITIONS TO
SECTION 13.02.010, AND ADDING A
NEW SECTION 13.10.161, ENTITLED
RESIDENTIAL DESIGN MININIUMS.**

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

Section 1. Section 13.02.010 of the Town of Parker Land Development Code is hereby amended by the addition of the following definitions:

Building elevation: A fully dimensioned, to scale drawing of the front, rear or side of a building showing all visible buildings features such as windows, doors, dormers, gables, chimneys, covered porches, decks and relationship to grade level.

Building form: There are three building forms: ranch, two-story and tri-level.

Building mass: The height, width and depth of a structure.

Roof plan: A drawing, to scale, of the entire roof of a structure as viewed from above, which identifies ridge lines, valleys, dormers, cupolas and any other roof feature which can be viewed from above, with the exception of vents and other mechanical equipment.

Roof type: The style of roof on a structure, which can be flat, gable, hip, gambrel or shed.

Section 2. The Parker Land Development Code is hereby amended by the addition of the following new Section 13.10.161:

13.10.161 Residential design minimums.

- (a) Intent. The intent of this Section is to require that buildings along the same side of a street or public open space in the Town be designed to provide a varied street scene and to eliminate the reuse of identical or substantially similar buildings in close proximity to each other.
- (b) Applicability. As of the effective date of the ordinance codified in this Section, this Section shall apply to all new single-family detached residential structures in the Town. If

this Section applies, Section 13.10.160 shall not, and vice-versa. For pending developments, the applicable section is listed in Exhibit A to the Land Development Code, in the chart entitled Residential Design Minimums Applicability.

- (c) Building, variation requirements.
 - (1) Identical or similar buildings may not be repeated more frequently than every sixth (6th) house along the same side of any street in a residential subdivision.
 - (2) Buildings shall be considered similar if they have similar building mass and building form. Guidelines for what shall be considered similar building mass and building form are contained in the Residential Design Minimums Handbook, which is contained in Exhibit B to the Land Development Code.
- (d) Soffit design. No roof overhang or soffit, as measured from the finished side of the siding or premium material of the structure to the inside of the fascia board, shall be less than eight (8) inches, unless: the structure embodies architectural styles of an historical nature; for example, a Santa Fe style which has a flat roof without any overhang; or a Tudor style which has a roof pitch of a ten (10) vertical inch rise over a twelve (12) horizontal inch run (10/12) or greater. Requests for such an exemption shall be presented to the Building Department prior to the issuance of a building permit, and documentation may be required.
- (e) Building trim.
 - (1) Trim around windows shall be minimum of three and one-half (3 1/2) inches wide and trim around doors shall be a minimum of two (2) inches wide. If premium materials such as brick or stone are used on the front of a house, the premium material need not be used on the other sides.
 - (2) Trim details such as special moldings, colors and related details shall be used in the same manner on all sides of the structure as they appear on any side of the structure. However, shutters and any detail exclusively associated with the use of shutters and muntins may be used on the front without being carried to the other sides.

- (f) Landscaping. The minimum front yard landscaping that shall be provided for each new house is as follows:

Plant Quantity and Type Size

1 tree 1.5" caliper or larger
and

3 shrubs 5 gallon container or larger

- (g) The front building setback of one lot shall be varied by a minimum of two (2) feet from the front building setback of any house within two (2) lots on either side of the subject lot.
- (h) After the effective date of the ordinance codified in this Section, the Building Department shall withhold the certificate of occupancy for any residential structure that does not meet the requirements of this Section.
- (i) Exceptions. The design minimums of this Section shall not apply to:
- (1) Any residential structure for which a building permit was-issued or applied for on or before December 1, 1997;
 - (2) Any residential lot that was under written contract on or before December 1, 1997, for the construction of a residential structure to be occupied by the person that was a party to such written contract; or
 - (3) Any lot or subdivision that is governed by Section 13.60.160.
- (j) Multi-family housing. Only subsections (d) and (e) shall apply to multi-family housing, unless the Uniform Building Code requires separation between units.
- (k) Creation of residential design plan. A residential design plan shall be created for the entire filing, as provided in the Residential Design Minimums Handbook.
- (l) Approval of residential design plan - Submittal requirements. Approval of a residential design plan for the entire subdivision shall be required prior to issuance of a building permit for any residential structure within the subdivision. For each subdivision, the applicant shall submit the following information to the Planning Department:
- (1) A complete copy of the residential design plan. The page size of the residential design plan shall be the same as the page size of the building elevations.

- (2) Separate copies of the front and rear building elevations for each model unit that will be constructed in a filing. The respective building elevations and roof plan shall be included on the same page. Only one set of elevations and roof plan shall be shown on any page. Pages shall be no larger than eleven inches (11") by seventeen inches (17"). All elevations shall be accurately drawn using an identical scale of not less than $1/8" = 1'$. Roof plans shall be no smaller than $1/16" = 1'$.
 - (3) Application fee. The applicant shall submit an application fee as established by resolution of the Town Council.
- (m) Residential design plan - Review process.
- (1) All proposed models in the residential design plan shall be evaluated for similarities and differences.
 - (2) The Planning and Building Departments shall confer regarding the similarities and differences between the proposed models.
- (n) After review, if the Planning Department finds that the residential design plan complies with this Section, the Planning Department shall approve the residential design plan.
- (o) Upon approval of the residential design plan, the applicant shall provide four (4) bound original sets of the residential design plan to the Town. One copy of the signed residential design plan shall be maintained at each of the following locations: the Planning Department, the Building Department, the regional offices of the applicant homebuilder, and the applicant's sales office.
- (p) Building permit.
- (1) When applying for a building permit for a new residential structure on any lot within the subdivision, the applicant shall submit the following information to the Planning Department:
 - A. a copy of the approved residential design plan; and
 - B. a portion of the approved subdivision plat which shows the proposed unit and all units within six (6) lots on either side of the subject lot, identifying the legal description, proposed model, elevation and garage right or left for each lot.

- (2) The Planning and/or Building Departments shall review the proposed permit for compliance with the approved residential design plan. Applications in compliance with the approved residential design plan shall be approved for a building permit.
- (q) Appeals.
- (1) If a building permit or certificate of occupancy is denied based on the failure of a residential structure to meet the design minimums set forth in this Section, the aggrieved owner may appeal to the Town Council after a hearing and recommendation by the Planning Commission.
 - (2) The appeal shall follow the same procedure as a request for a variance, but both the Planning Commission and the Town Council shall limit their consideration to whether the decision of the Building Department was arbitrary and capricious based on the evidence presented.
 - (3) If the Town Council finds that the decision of the Building Department was arbitrary and capricious, the decision shall be reversed and remanded with instructions. If the Town Council sustains the denial of the building permit or certificate of occupancy, the Town Council's decision shall be final.

Section 3. 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 attained.

Section 4. Severability. If any clause, sentence, paragraph, or part of this Ordinance or the application thereof to any person or circumstances shall for any reason be adjudged by a court of competent Jurisdiction invalid, such judgment shall not affect application to other persons or circumstances.

Section 5. This Ordinance shall become effective ten (10) days after final publication.

INTRODUCED AND PASSED ON FIRST READING this 6th day of December, 1999.

ADOPTED ON SECOND AND FINAL READING this 7th day of February, 2000

EXHIBIT A

Residential Design Minimum Ordinance Applicability

<u>Subdivision</u>	<u>Filing</u>	<u>Applicable Section</u>	<u>Lots Subject to Section 13.10.161</u>
Bradbury Ranch	1	13.10.160	
	2A	13-10.160	
	2B	13.10.160	
	2C	13.10.160	
	2D	13-10.160	
	2E	13-10.160	
	2F	13.10.160	
	2G	13-10.160	
	2H	both	B 1, L 5-14; B 2; B 3; B 4, L 8-12
	2I	13.10.160	
	2J	13.10.160	
	2K	13.10.160	
	3A	13.10.161	
	3B	13.10.161	
4	13.10.161		
Challenger Park	F1	13.10.161	
	F2	13.10.161	
Cottonwood	All	13.10.160	
Clarke Farms	All	13-10.160	
Country Meadows	All	13-10.160	
		13-10.160	
Hidden River	Sagewood	13.10.160	
	4	13.10.160	
	5	13.10.160	
	6	13.10.160	
	7	13.10.160	
	8	13.10.160	
	9	13.10.160	
	10	both	B1;B2,L7-15; B3,L3-6;B4,L 1-14 & 6-14
	11	13.10.160	
	12	13.10.161	
	3	13.10.161	
Mead's Cross	All	13.10.160	
Parker Vista	All	13.10.160	
Quail Creek	1	13.10.160	
	2	13.10.161	
Rampart Station	1-2nd amend.	13.10.160	
Robinson Ranch	1	13.10.161	

Rowley Downs	All	13.10.160	
Saddlebrook	All	13.10.160	
Stroh Ranch	2	13.10.160	
	3	13.10.160	
	4	13.10.160	
	5A	13.10.160	
	5B	13.10.160	
	6A	13.10.160	
	6B	13.10.160	
	7A	13.10.161	
	7B	13.10.160	
	9 A-H	13.10.161	
	12	13.10.161	
	13	13.10.161	
	Villages of Parker	1	13.10.160
2		13.10.160	
3		13.10.160	
3A		13.10.160	
4A		13.10.160	
4B		13.10.160	
4C		13.10.160	
5A		both	B 1, L 1-18; B 2, L 25-33
5B		13.10.160	
5C		13.10.160	
6		13.10.160	
6A		13.10.160	
6B		13.10.160	
7A		13.10.160	
7B		13.10.160	
8A		13.10.160	
8B		13.10.160	
8C		13.10.160	
9		both	L 1-4, 33-52
10		both	L 1-19, 26-30
11	both	L 2-8, 10-19	
13	both	L 1 -26, 35-48	
15A	13.10.161		
15B	13.10.161		
16A	both	L 1-6, 9-28, 30-38	
16B	13.10.161		
17	13.10.161		
18	13.10.161		
19	13.10.161		
Willow Park	All	13.10.160	
Willow Ridge	All	13.10.160	

Exhibit B

Residential Design Minimums Handbook

(Ref. 13.10.161 of Land Development Code)

Intent: The Residential Design Minimums Ordinance was adopted to prevent the repetition of the same or similar single family homes along a street scene. To accomplish this, the ordinance sets forth parameters for Building Mass and Form, and Building Variation Requirements to place models of homes into Groups and Sub-categories. A chart will be used to distinguish which models will go on which subdivision lots. This handbook begins with defining the criteria for establishing the chart:

Criteria: The criteria that differentiate the six categories are:

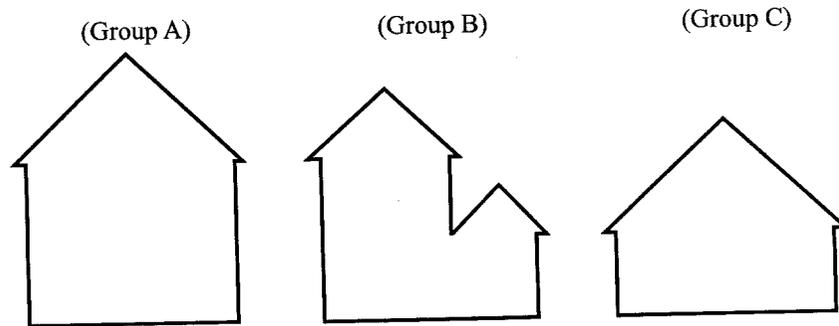
- Substantially different building, mass and building, form, and
- Building Variation Requirements:
 1. Substantially different roof type
 2. Elevation plane variation
 3. Exterior surface material schemes

All models of structures are initially evaluated for mass and form. The building mass and building form place each model into the 3 groups (A, B, and C).

- a. Building Mass: Considered to be the outline of the structure. This is determined by the height, width, and depth of the structure.

Building Form: The style of the home; including ranch, tri-level, or two-story structures.

Illustration A:

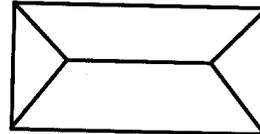
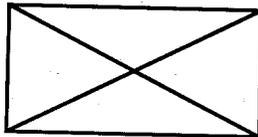
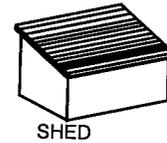
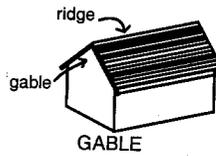
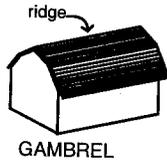
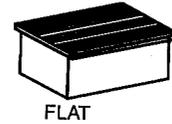
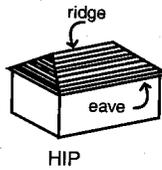
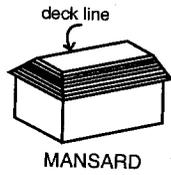


All of these structures differ in mass and form

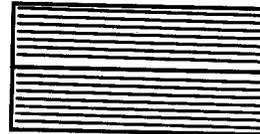
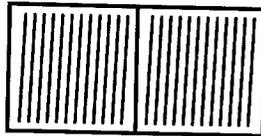
If building mass or building form are similar, then the front and rear of each model is required to meet 2 of the 3 following criteria in order to be considered under a different group:

b. Building Variations Requirements:

1. Substantially different roof type: Roof types consist of mansard, hip (full or clip), flat, gambrel, ,-Cable, and front-to-back (shed style).

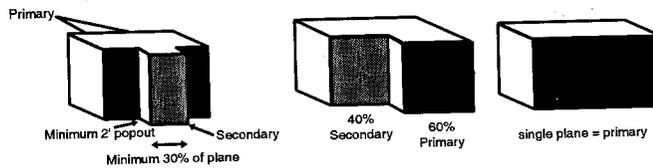


A full hipped roof is considered to be substantially different from a partial hip, or clip



Gables with side- to-side trusses are substantially different than gables with front-to-back trusses

2. **Elevation Plane Variation:** The elevation plane is identified as the exterior wall of the structure. For an elevation plane to be considered substantially different from another model, the secondary plane must project at least 24 inches from the primary plane and constitute at least 30% of the entire elevation plane:



3. **Exterior surface material schemes:** Exterior surface materials on a structure such as brick, stone, stucco, siding, or combination thereof may be used to create a distinctive differentiation between structures.

Example:

- a.) Different uses of masonry material
- b.) Trim treatment

(Contemporary vs. Victorian styles)



- c. **Creation of Residential Design Plan:**

This section identifies the system for laying out the types and styles of homes throughout the subdivision. There are 3 groups (A, B, and C) used to disperse dissimilar buildings by one of 2 methods:

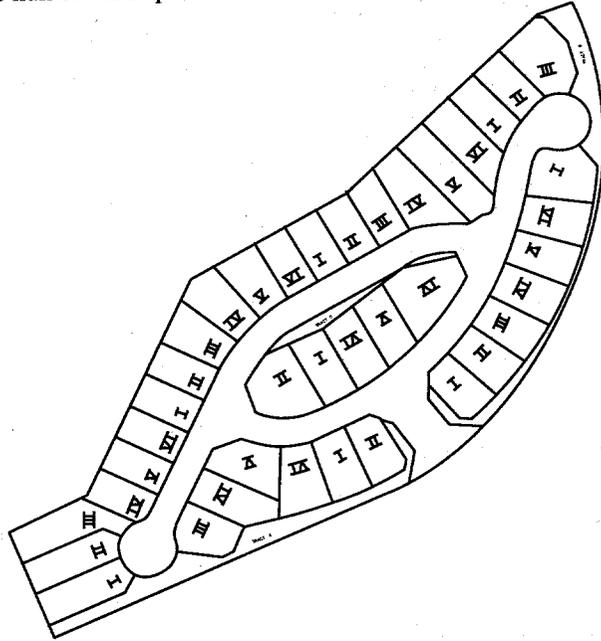
- 1) Models are evaluated for the difference in mass and form (see Illustration A on page 1), or
- 2) The front and rear of each model must meet two (2) of the three (3) building variation criteria, as identified on pages 2 and 3.

A group is a structure that can be built on adjacent lots. Each group is then divided into respective lot designation sub-categories (I-VI). Group A becomes lot designations I and IV, Group B becomes lot designations II and V, and Group C becomes lot designations III and VI. For a model to qualify for a separate sub-category, both the front and rear elevations of the structure must meet one (1) of the first two (2) building variation criteria (either roof type or elevation plane variation). This establishes a two-lot minimum separation between similar structures. The purpose of this chart is to ensure that similar or identical models are not located next door to one another, (or repeated more frequently than every 6th house).

Group A	Group B	Group C
Lot Designation I	Lot Designation II	Lot Designation III
Lot Designation IV	Lot Designation V	Lot Designation VI

Once the model numbers of each type of structure are categorized for lot designation based on the Ordinances criteria, these categories are then layed out onto the subdivision map for the filing being developed.

Note: The numerical sequence I, II, III, IV, V, and VI must be maintained:



NOTE: Once the groups and sub-categories have been established by model and elevation, the only change allowed is to add a model to the subcategories I-VI, and/or a change in the designation of lot sequence in the subdivision (for vacant lots).

Series of 1997

**TITLE: A BILL FOR AN ORDINANCE
ADDING A NEW CHAPTER 13.11
TO THE PARKER MUNICIPAL CODE
PROVIDING FOR THE DESIGNATION
OF STRUCTURES AND PLACES
HAVING HISTORICAL, CULTURAL,
OR ARCHITECTURAL
SIGNIFICANCES AS LANDMARKS
WITHIN THE TOWN OF
PARKER, COLORADO.**

WHEREAS, the State of Colorado recognizes the value of designating, protecting, and preserving structures and places of historical, cultural, and architectural importance to the citizens of and visitors to the state in its support of the Colorado Historical Society and State Historical Fund, and in its empowering of communities to adopt ordinances addressing the designation and preservation of such places;

WHEREAS, the recognition and designation of those structures or places that have special character or special historical interest or value as landmarks suggest that their perpetuation, protection, enhancement, and use contribute to the identity, welfare, and prosperity of communities at large;

WHEREAS, the Town Council of Parker recognizes that the Town of Parker is, and shall be always, the product of unique historical and cultural development;

WHEREAS, within the Town of Parker there are structures and places that have a significant historical, cultural, or architectural interest and value reflecting the heritage or interests of the Town and its citizens;

WHEREAS, rapid population and development growth and changes increasingly impact such structures and places, and the failure to acknowledge their importance may contribute to their loss to the Town and its citizens forever;

WHEREAS, commercial activity and economic prosperity in the Town are enhanced by the recognition and preservation of the Town's unique character as portrayed in its landmarks; and

WHEREAS, it is desirable as well to recognize these reminders of the heritage and culture of the Town of Parker for the enlightenment of its citizens and the enjoyment of its visitors.

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

Section 1. That there be established and adopted the criteria and a process for the formal recognition and designation of landmarks of historical, cultural, or architectural interest or value within the Town of Parker. Chapter 13.11 of the Parker Municipal Code is hereby added to read as follows:

13.11.010 Purpose.

The purpose of this Ordinance is to promote the educational, cultural, economic, and general welfare of the community in order to:

- (1) Provide a mechanism to effect and accomplish the recognition and designation of structures or places that represent or reflect elements of the Town's cultural, social, economic, political, and architectural history as landmarks;
- (2) Lend credence to and supporting efforts to safeguard the Town's historic and cultural heritage as embodied and reflected in such landmarks;
- (3) Foster civic pride in the accomplishments of the past, and increasing public appreciation of the Town's unique heritage;
- (4) Enhance the Town's attractions to residents, tourists, and other visitors;
- (5) Serve as a support and stimulus to business and industry by recognizing the value of designated landmarks; and
- (6) Promote the use of landmarks for the education, pleasure, and welfare of the people of the Town of Parker.

13.11.020 Landmarks Commission.

There is hereby created a Landmarks Commission, hereinafter referred to as the "Commission," which shall have responsibility for matters of landmark recognition and designation as set forth in this Chapter.

- (a) The commission shall consist of seven (7) voting members and one (1) ex-officio non voting member who shall be appointed by the Town Council. Every reasonable effort shall be made to achieve a balanced, community-wide representation yet emphasize the appointment of persons with a demonstrated interest in the history or architecture of the Town of Parker. The Commission shall include: (1) an ex officio non-voting member of the Town Council; and (2) an official representative of the local historical society. At least two (2) of the remaining members shall have extensive expertise in a preservation-related discipline including, but not limited to, history, archaeology, or architecture. At least

four (4) of the members shall be citizens of the Town of Parker, while others may come from the wider Parker-area community.

- (b) The Town Council shall appoint a Landmarks Commission composed of as many members and as many alternates as the Town Council may determine sufficient by Resolution. Every reasonable effort shall be made to achieve a balanced, community-wide representation yet emphasize the appointment of persons with a demonstrated interest in the history or architecture of the Town. The Commission shall include: (1) an ex officio nonvoting member of the Town Council; and (2) an official representative of the local historical society. At least two (2) members shall have extensive expertise in a preservation-related discipline including, but not limited to, history, archaeology or architecture. The remaining members shall be citizens of the Town and/or the wider Parker-area community.
- (c) The members of the Commission shall serve terms as determined by the Town Council by Resolution, which terms may be staggered. Members may continue to serve until their successors have been appointed. Members may be appointed to serve successive terms without limitation. Vacancies shall be filled for the unexpired term only.
- (d) The Commission shall hold at least one (1) regularly scheduled meeting each month. Minutes shall be kept of all Commission proceedings. A quorum shall consist of a majority of the entire voting membership of the Commission, excluding vacant seats. A quorum is necessary for the Commission to take official action. Vote shall be by majority of those present and fulfilling a quorum. A roll call vote shall be taken upon the request of any member. A tie vote shall be considered a negative vote. No member shall vote if his or her property or other material interest is affected. Meetings shall be open to the Public. In addition, the Commission may establish additional rules of operation as necessary.

Sec. 13.11.030 Powers and duties.

The Commission shall:

- (1) Adopt criteria for the review of historic resources and determination of eligibility for landmark designation;
- (2) Conduct an ongoing survey to identify structures and places that are significant to the cultural, social, economic, political, archaeological, or architectural history of the nation, state, or Town, and prioritize the importance of these identified structures or places to the heritage of the Town;
- (3) Review any resource nominated for designation as a landmark, and make recommendations as to designation qualifications and eligibility in accord with the procedures laid out in this Ordinance;
- (4) Keep a register of all properties and structures that have been designated as landmarks, including all information required for each designation;
- (5) Determine an appropriate and standard system of markers for landmarks, and make recommendations for the design and implementation of specific markings of the streets and routes leading from one landmark to another;
- (6) Advise and assist owners of designated landmarks on the physical and financial aspects and benefits of preservation, renovation, rehabilitation, and reuse, and on procedures for inclusion on the National Register of Historic Places or the State Register of Historic Places;
- (7) Develop guidelines for the alteration, construction or removal of landmarks;
- (8) Nominate landmarks when appropriate to do so, to the National Register of Historic Places and/or the State Register of Historic Places, and review or comment upon nominations submitted by others for said properties.
- (9) Inform and educate the citizens of the Town concerning the historic and architectural heritage of the Town by publishing appropriate maps, newsletters, brochures, and pamphlets, and by holding programs and seminars, or by participating in and assisting with the local historical society's efforts in these endeavors;
- (10) Advise the Town Council as requested on matters related to preserving the historic and cultural character of the Town;

- (11) Apply on behalf of the Town for gifts, grants, and money as may be appropriate for the purposes of this Ordinance. Such money may be authorized for use by the Town Council and administered by staff for publishing, for hiring staff persons or consultants, or for performing other appropriate functions for the purpose of carrying out the duties and powers of the Commission and the purposes of this Chapter;
- (12) Periodically review the status of this Chapter and recommend amendments appropriate for the protection and continued use of landmarks; and
- (13) Undertake any other action or activity necessary or appropriate to the implementation of the powers and duties of the Commission or to the implementation of the purpose of this Chapter.

13.11.040 Procedures for nomination and designation.

The Town may designate as a landmark an individual structure or other feature, or an integrated group of structures and features on a single site, having a special historical, cultural, archaeological or architectural value in accord with the following procedures:

- (1) Nominations shall be made to the Commission on a form prepared by it and may be submitted by the owner of record of the nominated property or structure or by a member of the Commission, members of the Town Council, or any other person or organization. All nominations will include statements from the owner of record consenting to the nomination and owners of immediately adjacent property acknowledging the nomination, addressing the desirability of designation, and, preferably, consenting to a designation.
- (2) In addition to the nomination form, a report shall be submitted which includes the following information:
 - a. A map showing the location of the nominated landmark.
 - b. Explanation of the significance of the nominated landmark as it relates to the criteria for designation.
 - c. Explanation of the physical integrity of the nominated landmark.
 - d. The relationship of the nominated landmark to the ongoing effort of the Commission to identify and nominate all potential structures and places that meet the criteria for designation.

- (3) The Commission shall, within forty-five (45) days from receipt of a contemplated nomination form, request and receive from the Town Planning Department a report on the permitted uses and other regulations applicable to the nominated property insofar as these might affect the status or perpetuation of the landmark.
- (4) The Commission shall, within sixty (60) days from receipt of a completed nomination form, adopt by resolution a recommendation that specifies whether or not the nominated landmark meet the criteria for designation in Chapter 13.11.050 of this Ordinance. The resolution shall be accompanied by a report containing the following information:
- a. Written or transcribed oral testimony, if such has been received, as to the significance of the nominated landmark and the desirability of landmark designation from the owner of record, owners of immediately adjacent property, and nominating party.
 - b. Written consent from the owner of record.
 - c. A map showing the location of the nominated landmark.
 - d. Explanation of the significance or lack of significance of the nominated landmark as it relates to the criteria for designation.
 - e. Explanation of the physical integrity or lack of integrity of the nominated landmark.
 - f. In the case of a nominated landmark found to meet the criteria for designation:
 1. The significant exterior architectural features of the nominated landmark;
 2. The types of construction, alteration, demolition, and removal that might affect a continued designation as a landmark; and
 3. Applicable suggested design guidelines acceptable alterations, construction, or removal of the landmark.
 - g. The relationship of the nominated landmark to the ongoing effort of the Commission to identify and nominate all potential structures and places that meet the criteria for designation.

- (5) Upon the recommendation of the commission for designation, the Town Council shall approve, modify and approve, or disapprove the proposed designation. Such action shall be by resolution of the Council at a public meeting. When a landmark recommendation has been acted upon by the Council, the Commission shall be so notified, and shall in turn notify the nominating party and owner of record of the landmark designation status.
- (6) Following a successful landmark designation, the property so designated shall be marked appropriately and in the manner adopted as standard by the Commission.

13.11.050 Criteria for considering nomination and designation.

The Commission shall, upon such investigation as it deems necessary, make a determination as to whether a nominated property, structure, or place meets at least two of the following criteria:

- (1) Its character, interest, or value lies in the part it played in the development, heritage, or cultural characteristics of the Town, county, state, or nation;
- (2) Its unique location or singular physical characteristics make it an established or familiar visual feature, or are geographically or regionally important;
- (3) Its location is a site of a significant local, county, state, or national event;
- (4) It is identified with a person or persons who significantly contributed to the development of the Town, county, state, or nation;
- (5) It embodies and exemplifies, whether in residential, special purpose, or utilitarian form, distinguishing and specific elements of an architectural style or period;
- (6) It is identified as the work of a master builder, designer, architect, or landscape architect whose work has influenced the development the Town, county, state, or nation; and/or
- (7) It demonstrates superior craftsmanship or high artistic value, or represents an innovation in construction, materials, or design;
- (8) It is representative of a people or activity associated with a particular era of history, or has the potential to make an important contribution to the knowledge of a particular era of history or prehistory; and

- (9) It is at least fifty (50) years old, and thus qualifies as a "historic" structure or place.

Any structure or place that meets two of the above criteria shall also be evaluated for its physical integrity, and shall be deemed to retain original design features, material, or character, to be located in their original location or to have the same historic context after having been moved; and if reconstructed or restored, to have been adequately reconstructed or restored based on documentation of its original construction.

13.11.060 Post-designation actions reviewable by the Commission, and revocation of designation.

- (1) It is desirable that proposed alterations, rehabilitations, restorations, reconstructions, additions to, and demolitions of designated landmarks retain their historical significance. It is preferred that any plan for such actions be shared with the Commission, and that those wishing to carry out such work follow the advice and opinions of the Commission before proceeding. However, there shall be no established criteria or procedures for review of post-designation actions.
- (2) A recommendation that a landmark designation be revoked may be made by the Commission if the members become aware that the landmark has been removed from its location at the time of designation, the landmark has been demolished, or if the landmark has been altered such that it no longer meets the purposes and standards of the designation criteria. Such recommendation shall be forwarded to the Town Council in accord with the processes addressing the original nomination and Town Council shall consider such recommendation. Any action to revoke a designation shall be by resolution of the Town Council. Revocation of a designation shall be final.

13.11.070 Legal effects of review, nomination, designation, and consideration of economic effect of designation.

This Ordinance imposes no mandatory post-designation review processes additional to those of the established planning, zoning, and building department regulations of the Town of Parker upon the owner of a designated landmark. While it includes provision for dissemination of design guidelines, it sets no regulatory standards for alteration, renovation, or demolition of a landmark. A decision by an owner to alter or demolish a designated landmark in the absence of discussion, however voluntary, with the Commission beforehand or in opposition to the opinion of the Commission regarding such action that results in the revocation of landmark designation must be considered the responsibility of the owner. Such revocation may not be deemed to cause a "loss" of any economic value by the owner, nor may the bestowal of a landmark be deemed a guarantee of added economic value.

Section 2. 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 attained.

Section 3. 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 4. This Ordinance shall become effective ten (10) days after final publication.

INTRODUCED AND PASSED ON FIRST READING this 3rd day June of 1997.

ADOPTED ON SECOND AND FINAL READING this 16th day of June of 1997.

Series of 1999

**TITLE: A BILL FOR AN ORDINANCE REPEALING
CHAPTER 4.07 OF THE PARKER MUNICIPAL
CODE, ENTITLED DEVELOPMENT FEES FOR
MAJOR STREETS AND PARKS AND RECREATION,
AND ADOPTING A REPLACEMENT CHAPTER
4.07, ENTITLED DEVELOPMENT EXCISE TAXES,
SUBJECT TO THE APPROVAL OF THE
REGISTERED ELECTORS OF THE TOWN AT
THE GENERAL MUNICIPAL ELECTION OF
NOVEMBER 2, 1999**

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

Section 1. Chapter 4.07 of the Parker Municipal Code, entitled Development Fees for Major Streets and Parks and Recreation, is hereby repealed in its entirety.

Section 2. The Parker Municipal Code is hereby amended by the adoption of the following replacement Chapter 4.07, entitled Development Excise Tax.

**CHAPTER 4.07
Development Excise Tax**

4.07.010 Purpose and intent.

- (a) This Chapter is adopted pursuant to the approval of the registered electors of the Town of Parker at the general municipal election held November 2, 1999, at which the question of whether the Town should impose the development excise tax contained in this Chapter was submitted to the registered electors of the Town of Parker.
- (b) The Town is experiencing rapid growth which increases the cost to the Town of providing facilities necessitated by such growth. The Town Council has determined, and a majority of the registered electors of the Town have agreed, that a tax upon new development which is causing said increased costs is a proper method of paying for such costs. The tax imposed by this Chapter bears a reasonable relationship to the need for additional improvements created by the development which will pay the tax.
- (c) The purpose of the development excise tax is to impose an excise tax on new development within the Town of Parker as set forth in this Chapter. The intent of this Chapter is to

impose a greater excise tax on new residential development than on new nonresidential development, because of the greater impact on the provision of Town services caused by new residential development.

- (d) The development excise tax is not an *ad valorem* tax on real property.
- (e) The development excise tax shall apply regardless of the value of the property developed.

4.07.020 Definitions.

- (a) *Apartment building* means a structure that contains three (3) or more dwelling units, excluding attached dwellings.
- (b) *Attached dwelling* means attached houses including duplexes, townhomes, patio homes and condominiums.
- (c) *Building permit* means an official document or certification which is issued by the Building Official and which authorizes the construction, alteration, enlargement, conversion, reconstruction, remodeling, rehabilitation, erection, demolition, moving or repair of a building or structure and will require the issuance of a certificate of occupancy.
- (d) *Certificate of occupancy* means an official document or certification which is issued by the Building Official and which authorizes the occupancy, temporary or otherwise, of a building or structure.
- (e) *Development* and *developed property* mean the new construction of any structure on real property.
- (f) *Nonresidential* means any use other than residential use, such as, but not limited to, commercial or industrial.
- (g) *Single-family dwelling* means a detached house.
- (h) *Usable space* means the floor area within a building. The floor area shall be determined from the plans and specifications submitted to the Building Official as a part of the application for a building permit, and shall include storage, restrooms, hallways and similar spaces, as measured from the outside dimensions.

4.07.030 Residential development excise tax.

- (a) There is hereby levied and imposed on all residential development within the Town a residential development excise tax, in the following amount:

For each single-family dwelling:	\$3,500.00
For each attached dwelling:	\$2,700.00
For each dwelling unit within an apartment building:	\$2,400.00

4.07.040 Nonresidential development excise tax.

There is hereby levied and imposed on all nonresidential development within the Town a nonresidential development excise tax in the amount of \$0.25 per square foot of usable space.

4.07.050 Procedure.

- (a) Any person who applies for a building permit for any development within the Town shall pay the applicable development excise tax.
- (b) The development excise tax shall be due and collectable on one occasion only.
- (c) The Building Official shall not issue a building permit unless and until the applicable development excise tax has been paid in full to the Town.

4.07.060 Development excise tax fund.

- (a) There is hereby established a development excise tax fund into which shall be deposited all revenue collected by the Town from payments of the development excise tax set forth in this Chapter.
- (b) Revenue from the development excise tax fund may be expended for the following purposes only:
- (1) Capital improvements for major streets necessary to meet the health, safety and welfare of the Town, which includes, but is not limited to, expansion of the Town's street network and capital equipment;
 - (2) Parks and recreation purposes necessary to meet the health, safety and welfare of the Town, which includes, but is not limited to, the expansion of regional parks and associated infrastructure and capital equipment;
 - (3) Expansion of administrative facilities;

- (4) The provision of law enforcement services, including facilities;
- (5) Cost accounting, management and government of the development excise tax fund; and
- (6) Payment of obligations issued for major street purposes, parks and recreational facilities, administrative facilities or law enforcement facilities.

4.07.070 Annual tax adjustment.

In 2000 and every year thereafter, the tax described in this Chapter shall be recomputed by raising the tax in an amount equal to the percentage of change for the preceding year in the U.S. Bureau of Labor Statistics Consumer Price Index for the Denver-Boulder, All Items, All Consumers, or its successor index. The Town Council may waive an annual increase for any particular year or years. This adjustment shall not be considered a new tax or tax increase, but a method of accounting to ensure that the value of the revenue collected pursuant to this Chapter is maintained.

Section 3. 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 attained.

Section 4. Severability. If any clause, sentence, paragraph, or part of this Ordinance or the application thereof to any person or circumstances shall for any reason be adjudged by a court of competent jurisdiction invalid, such judgment shall not affect application to other persons or circumstances.

Section 5. This Ordinance shall become effective immediately upon the favorable majority vote of the registered electors of the Town of Parker at the general municipal election to be held on November 2, 1999.

INTRODUCED AND PASSED ON FIRST READING this 5th day of April, 1999.

ADOPTED ON SECOND AND FINAL READING this 3rd day of May, 1999.

SPONSORED BY Rob Tinnes

COUNCILMAN'S BILL ORDINANCE NO. 3.120

**TITLE: A BILL FOR AN ORDINANCE
ADDING SECTION 13.10.150 TO THE
TOWN OF PARKER MUNICIPAL
CODE REQUIRING THE SUBMITTAL
OF A FOUNDATION LOCATION
CERTIFICATE IN ORDER TO VERIFY
THAT AN IMPROVEMENT MEETS
SETBACK REQUIREMENTS.**

WHEREAS, the Town of Parker seeks to prevent structures from being built within setbacks; and

WHEREAS, a Foundation Location Certificate, executed and stamped by a professional licensed surveyor, which measures the location of the foundation after the forms are set, would prevent structures from being constructed within setbacks.

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

Section 1. Section 13.10.150, entitled "Submittal of a Foundation Location Certificate," of the Municipal Code of the Town of Parker is hereby enacted as follows:

Sec. 13.10.150. Submittal of a Foundation Location Certificate.

(a) Definitions

- i. "*Foundation Location Certificate*" shall be a certificate in the same form as an improvement location certificate, bearing the signature and seal of a licensed professional surveyor, which contains setbacks dimensioned on each lot from all property lines to the location the foundation forms are set, to ensure that the improvement being constructed meets setback requirements, is consistent with the approved plot plan, and does not encroach on any easements.
- ii. "*Third inspection*" shall be the final inspection prior to frame construction, and after completion of the third inspection, the applicant will have obtained inspection and approval for base, drain and damp-proofing.

- (b) Submittal of Foundation Location Certificate. No later than the scheduling of the third inspection with the Town of Parker Building Department, a Foundation Location Certificate shall be submitted to the Town of Parker Planning Department to

confirm that the location of the improvement meets setbacks, is consistent with the approved plot plan, and does not encroach on any easements; review by the Town of the Foundation Location Certificate will occur prior to the third scheduled inspection.

- (c) Third Inspection and Frame Construction Contingent on Approval of Foundation Location Certificate The Town of Parker Building Department shall not schedule a third inspection until the Foundation Location Certificate has been submitted, reviewed and verified by the Town of Parker Planning Department; in no event shall any frame construction commence prior to the Foundation Location Certificate being approved by the Town of Parker Planning Department.
- (d) Removal of Foundation if Location Improper. If the Foundation Location Certificate indicates the location of the improvement either does not meet setbacks, is not consistent with the approved plot plan, or encroaches on any easements, the foundation shall be removed.

Section 2. 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 attained.

Section 3. 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.

January 29, 1998

To: Parker Building Community
From: Town of Parker Planning Department

RE: New Administrative Procedures

The Planning Department will implement several new procedures regarding the Design Minimum ordinance 13.10.130 that went into effect on December 2, 1997. Most of the changes related to the new ordinance will be monitored by the Building Department through plan check of blueprints. The two issues that the Planning Department will monitor are landscaping and front setbacks.

According to 13.10.130 (d) of the code, one tree and three shrubs must be provided for each new house. Section 13.10.130 (e) states that no two out of three consecutive lots can have the same front setback when they are located on a straight section of street with five or more lots. The front setback must be varied by a minimum of two feet between adjacent lots. The Planning Department will track setbacks when the administrative review is performed on each building permit. As of **February 2, 1998**, please submit one additional plot plan with your building permit paperwork when you drop it off at the Planning Department. This additional plot plan will be used at a later time in the process, to confirm that the house meets setback requirements and that it does not encroach into easements. The landscaping will be checked when the final Grading Certificate is submitted prior to issuing a CO.

Beginning February 2, 1998, additional information will be required on Grading Certificates when they are presented to the Planning Department for sign-off. The Grading Certificate will be logged in and stamped after staff confirms that the landscaping is reflected on the Certificate. The trees and shrubs can be hand-drawn, but they must represent the size and location accurately. The building superintendent's signature will be required to verify that the landscaping is in place.

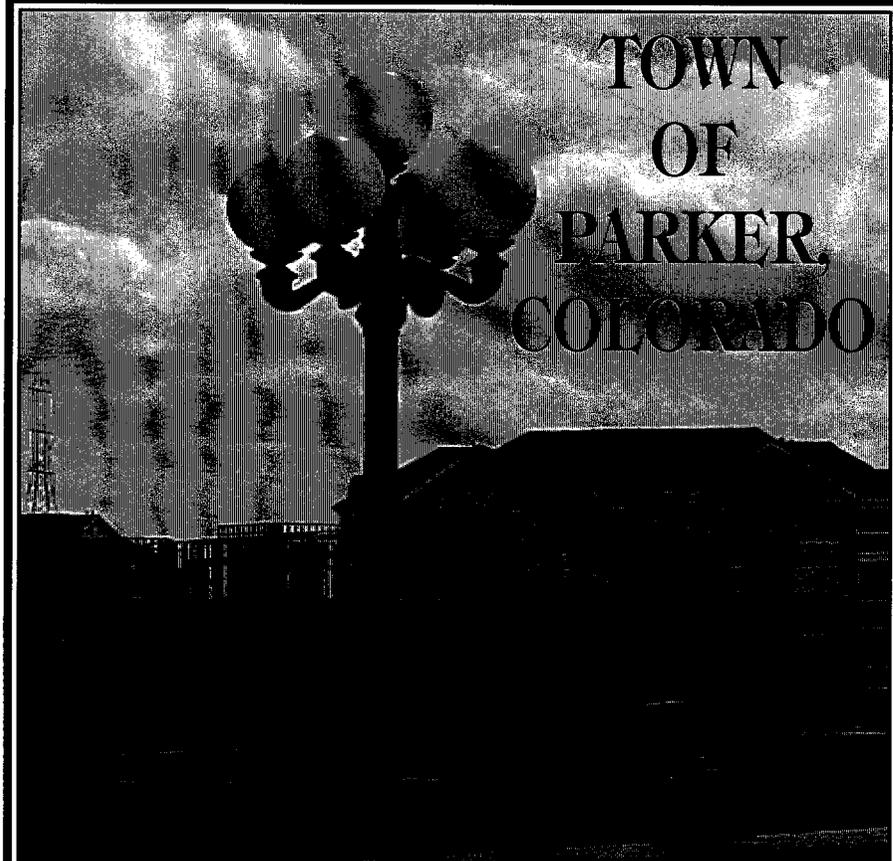
The Ordinance does not apply to lots that had a building permit submitted before December 2, 1997, or that were sold before that date. There are two options to verify that the Ordinance does not apply: (1) Attach a copy of the pages of a signed contract that show the date sold, address of the property and signatures of the buyers, or (2) Attach a copy of the signed and dated administrative review form. Please attach one of these two forms of verification to all building permits submitted as of **February 2, 1998**.

Attached to this letter is a new Grading Compliance Agreement form. This form should be used beginning February 2, 1998 during long periods of inclement weather. The new procedures regarding grading are outlined on the Compliance form.

Beginning **March 2, 1998**, a Foundation Location Certificate (FLC) will be required on each residential lot. The document should be produced after the forms are set and prior to scheduling the first inspection with the Building Department. The only exception to this will be the inspection for electric meters. The FLC can be in the same format as an Improvement Location Certificate as long as all setbacks are properly dimensioned from the front property line to the building and it is stamped and signed by a registered surveyor.

The certificates will be reviewed, logged in, stamped, and returned to the superintendent. The Building Department will verify that the FLC signoff occurs before the first inspection by comparing the documents. The Planning Department will not sign-off on Grading Compliance Agreements or Grading Certificates until this document is completed and submitted as described above.

It is the intent of the Planning Department to continue to offer an immediate turn-around on these sign-offs. However, it may not always be possible due to staff constraints so the superintendents are well advised to complete the FLC as soon as the foundation forms are in place. If an error is discovered at this early stage, it will be much less expensive to rectify.



TOWN
OF
PARKER,
COLORADO

**BUILDING
REGULATIONS**

2000 EDITION