

SPONSORED BY COUNCILMEMBER

Dave Aldridge

COUNCILMEMBER'S BILL

ORDINANCE NO.

4.71

No.

Series of 2003

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TITLE: A BILL FOR AN ORDINANCE TO REPEAL AND READOPT CHAPTER 11.01 OF THE PARKER MUNICIPAL CODE CONCERNING THE PARKER ADMINISTRATIVE CODE

WHEREAS, the Parker Administrative Code, as described herein, contains "Fees (effective January 1, 2004)" and "Fees (effective January 1, 2005)" in Table Nos. 3.1, 3.2 and 3.3 (collectively, the "Fees"); and

WHEREAS, the Fees are based upon the recovery of direct and indirect costs, as described in the November 7, 2003, Staff Report prepared by the Finance and Community Development Departments of the Town of Parker and entitled "Building Permit, Plan Check Revenues and Zoning and Subdivision Fees."

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

Section 1. Chapter 11.01 of the Parker Municipal Code is repealed in its entirety and readopted to read as follows:

CHAPTER 11.01

Parker Administrative Code

11.01.010 Title.

The provisions of this Chapter shall be known and cited as the Parker Administrative Code.

11.01.020 Purpose.

This Chapter is adopted to promote the health, safety, convenience, order, prosperity and general welfare of the present and future inhabitants of the Town by providing the administration and enforcement of the technical codes adopted by the Town.

11.01.030 Parker Administrative Code adopted.

Pursuant to Title 31, Article 16, Part 2, C.R.S., the Parker Administrative Code, 2003 Edition, as published by the Town of Parker, Colorado, 20120 E. Mainstreet, Parker, Colorado 80138-7344, is adopted by reference and incorporated into this Chapter as though fully set forth herein. The Parker Administrative Code is adopted in full, including the outline of contents, index and appendices contained therein.

11.01.040 Copies.

At the time of adoption, one (1) copy of the Parker Administrative Code, 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 8:00 a.m. and 5:00 p.m., Monday through Friday, holidays excepted. After final adoption, the Parker Administrative Code shall be available for sale to the public at the Community Development Department Offices, at a price reflecting cost to the Town.

11.01.050 Jurisdiction defined.

Whenever the word *jurisdiction* is used in the Parker Administrative Code, it shall be defined to mean that area included within the corporate limits of the Town or any area hereafter annexed to the Town.

11.01.060 Violation; penalty.

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

11.01.070 Nonliability.

The adoption of this Chapter, and of the Parker Administrative Code provided for herein, shall not create any duty to any person, firm, corporation or other entity with regard to the enforcement or nonenforcement 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 nonenforcement 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, Section 24-10-101, *et seq.*, C.R.S., or to waive any immunities or limitations on liability otherwise available to the Town, or its officers, employees or agents.

11.01.080 Effective date.

The ordinance codified in this Chapter shall take effect on January 1, 2004.

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 obtained.

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 November, 2003.



Carol Baumgartner
Carol Baumgartner, Town Clerk

Gary Lasater
Gary Lasater, Mayor

ADOPTED ON SECOND AND FINAL READING this 1st day of December, 2003.



Carol Baumgartner
Carol Baumgartner, Town Clerk

Gary Lasater
Gary Lasater, Mayor

APPROVED AS TO FORM:

James S. Maloney
James S. Maloney, Town Attorney

PARKER ADMINISTRATIVE CODE, 2003 EDITION

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 codes adopted by the Town of Parker which include the Parker Building Code, Parker Residential Code for One and Two Family Dwellings, Parker Plumbing Code, Parker Mechanical Code, Parker Energy Conservation Code, Parker Fuel Gas Code, Parker Fire Code, and Parker Existing Building Code all of which are hereinafter referred to as the *Parker Technical Codes*.

101.3 Scope. The provisions of the code shall serve as the administrative, organizational and enforcement rules and regulations for the *Parker 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 *Parker 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 *Parker 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 *Parker 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 *Parker Technical Codes* 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 *Parker Technical Codes* for new buildings. A building plus new additions shall not exceed the height, number of stories and area specified by the *Parker Technical Codes* 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 *Parker Technical Codes* except when the addition or alteration will result in the existing building or structure being no more hazardous based on life safety, fire safety 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 chief 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 *Parker Technical Codes* in effect at the time the original installation was made, subject to approval of the chief building official, and provided such additions, alterations and repairs will not cause the existing building service equipment to become unsafe, unsanitary or overloaded.

102.3 Existing Installations. Building service equipment lawfully in existence at the time of the adoption of the *Parker 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 *Parker Technical Codes* may have their existing use or occupancy continued if such use or occupancy was legal at the time of the adoption of the *Parker Technical Codes*, 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 *Parker Technical Codes*.

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 *Parker Technical Codes* shall be maintained in

conformance with the *Parker Technical Codes* 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 chief building official may cause any structure to be re-inspected.

102.5.2 Elevators, Escalators 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 inspections will be conducted by the Denver Regional Council of Governments, Elevator and Escalator Safety Inspection Program. The fee for such registration shall be the current rate charged by the Denver Regional Council of Governments, Elevator and Escalator Safety Inspection Program. 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 Denver Regional Council of Governments, Elevator and Escalator Safety Inspection Program and the Parker Administrative Code.

102.6 Moved Building. Buildings, structures and their building service equipment moved into or within the Town of Parker shall comply with the provisions of the *Parker 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 chief 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 *Parker Technical Codes*. 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 *Parker Technical Codes* when authorized by the chief building official, provided:

1. The building or structure has been designated by official action of the legally constituted authority of the Town of Parker 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 2000, 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 chief 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 chief building official.

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

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 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.

CHIEF BUILDING OFFICIAL is the officer charged with the administration and enforcement of the *Parker Technical Codes*, or his duly authorized representative.

CODE ENFORCEMENT AGENCY is the Parker Building Department which is a department within the Parker Community Development Department.

FIRE DEPARTMENT: The Parker Fire Protection District.

ICC STANDARDS are the International Code Council Standards as promulgated by the International Code Council.

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.

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.

PARKER BUILDING CODE is the 2003 Edition of the International Building Code promulgated by the International Code Council and as adopted and amended by the Town of Parker.

PARKER ELECTRICAL CODE is the 2002 Edition of the National Electrical Code promulgated by the National Fire Protection Association and as adopted and amended by the Town of Parker.

PARKER ENERGY CODE is the 2003 Edition of the International Energy Conservation Code promulgated by the International Code Council and as adopted and amended by the Town of Parker.

PARKER EXISTING BUILDING CODE is the 2003 Edition of the International Existing Building Code promulgated by the International Code Council and as adopted and amended by the Town of Parker.

PARKER FIRE PROTECTION CODE is the 2003 Edition of the International Fire Code promulgated by the International Code Council and as adopted and amended by the Town of Parker.

PARKER FUEL GAS CODE is the 2003 Edition of the International Fuel Gas Code promulgated by the International Code Council and as adopted and amended by the Town of Parker.

PARKER MECHANICAL CODE is the 2003 Edition of the International Mechanical Code promulgated by the International Code Council and as adopted and amended by the Town of Parker.

PARKER PLUMBING CODE is the 2003 Edition of the International Plumbing Code promulgated by the International Code Council and as adopted and amended by the Town of Parker.

PARKER RESIDENTIAL CODE FOR ONE AND TWO FAMILY DWELLINGS is the 2003 Edition of the International Residential Code for One and Two Family Dwellings promulgated by the International Code Council and as adopted and amended by the Town of Parker.

PARKER TECHNICAL CODES refer to those codes adopted by the Town of Parker 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. Refer to definitions for Parker Building Code, Parker Residential Code for One and Two Family Dwellings, Parker Plumbing Code, Parker Mechanical Code, Parker Energy Conservation Code, Parker Fuel Gas Code, Parker Fire Code, and Parker Existing Building Code.

PERMIT is an official document or certificate issued by the chief 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.

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.

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, the *Parker Technical Codes* and any other codes or laws of the Town of Parker, the most restrictive shall govern.

Where conflicts occur between the *Parker 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 *Parker Technical Codes* specify different materials, methods of construction or other requirements, the most restrictive shall govern.

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

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

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

The chief 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 Town of Parker.

106. Modifications. Whenever there are practical difficulties involved carrying out the provisions of the *Parker Technical Codes*, the chief building official may grant modifications for individual cases, provided he shall first find that a special individual reason makes the strict letter of the *Parker Technical Codes* 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 Town of Parker.

107. Tests. Whenever there is insufficient evidence of compliance with any of the provisions of the *Parker Technical Codes* or evidence that materials or construction do not conform to the requirements of the *Parker Technical Codes*, the chief 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 *Parker Technical Codes* or by other recognized test standards. In the absence of recognized and accepted test methods for the proposed alternate, the chief building official shall determine test procedures.

All tests shall be made by an approved agency. Reports of such tests shall be retained by the chief 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 the Town of Parker a Building Department shall be under the administrative and operational control of the chief building official.

201.2 General. Whenever the term or title “administrative authority”, “responsible official”, “chief building official”, “chief inspector”, “authority having jurisdiction”, or other similar designation is used herein or in any of the *Parker Technical Codes*, it shall be construed to mean the chief building official designated by the appointing authority of the Town of Parker.

SECTION 202. POWERS AND DUTIES OF CHIEF BUILDING OFFICIAL

202.1 General. The chief building official is hereby authorized and directed to enforce all the provisions of this code and the referenced *Parker Technical Codes*. For such purposes, the chief building official shall have the powers of a law enforcement officer.

The chief building official shall have the power to render interpretations of the *Parker 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 chief building official may appoint such number of technical officers and inspectors and other employees as shall be authorized from time to time. The chief 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 the *Parker Technical Codes*, or whenever the chief 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 chief 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 chief building official by such *Parker Technical 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 chief building official or his authorized representative shall have recourse to every remedy provided by law to secure entry.

When the chief 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 chief 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 *Parker Technical Codes*, the chief 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 chief building official to proceed with the work.

202.5 Occupancy Violations. Whenever any building or structure or building service equipment therein regulated by the *Parker Technical Codes* is being used contrary to the provisions of such codes, the chief 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 chief building official after receipt of such notice to make the structure, or portion thereof, comply with the requirements of the *Parker Technical Codes*.

202.6 Authority to Disconnect Utilities. The chief 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 the *Parker Technical Codes* in case of emergency where necessary to eliminate an immediate hazard to life or property. The chief 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 chief building official ascertains that any building service equipment regulated in the *Parker 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 *Parker Technical Codes* and in violation of any notice issued pursuant to the provisions of this section, the chief 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 chief building official

or the use of which has been ordered to be discontinued by the chief building official until the chief building official authorizes the reconnection and use of such equipment.

SECTION 203. UNSAFE BUILDINGS, STRUCTURES

OR BUILDING SERVICE EQUIPMENT

203. All buildings or structures regulated by the *Parker 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 the *Parker Technical 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 *Parker Technical Codes* 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 *Parker Technical Codes* or such alternate procedure as may be adopted by the Town of Parker. As an alternative, the chief building official or other employee or official of the 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 chief building official relative to the application and interpretation of this code, there shall be and is hereby created a board of appeals. The Town Council shall appoint a board of appeals composed of as many members and as many alternates as the Town Council may determine sufficient by resolution and a member of the Town Council to serve as an ex officio member of the board of appeals. The Town Council shall appoint the chair of the board of appeals to serve as the chair for a term which is at the discretion of the Town Council. The Chair will usually be appointed when board members are appointed, as provided in this section. After the membership of the board of appeals is determined by the Town Council, it may be expanded or contracted from time to time at the discretion of the Town Council by resolution. Board of appeals members serve at the pleasure of the Town Council and may be removed at any time with or without cause by vote of the Council. All board of appeals members serve without compensation. At the Town Council's discretion, compensation may be established by resolution. Board of appeals members and representatives of the board of appeals need not reside within the boundaries of the Town. The board shall have the authority to adopt rules of procedure for conducting its business consistent with this Code, subject to review by the Town Attorney and Town Council liaison to ensure compliance with the Town Charter and Ordinances.

204.2 Limitations on authority. An application for appeal shall be based on a claim that the true intent of this code or the rules legally adopted thereunder have been incorrectly interpreted, the provisions of this code do not fully apply or an equally good or better form of construction is proposed. The board shall have no authority to waive requirements of this code.

204.3 Qualifications. The board of appeals shall consist of members who are qualified by experience and training to pass on matters pertaining to building construction and are not employees of the Town of Parker.

204.4 Term of office. Members of the board of appeals shall serve for a period of one (1) or two (2) years or until a successor takes office. Terms shall be staggered to permit continuity on the board of appeals.

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 *Parker Technical Codes*, 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 chief 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 the *Parker Technical Codes* shall not be deemed to grant authorization for any work to be done in violation of the provisions of the *Parker Technical Codes* or any other laws or ordinances of the Town of Parker.

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 and if the water depth is less than 24”.

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 Parker 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 Parker 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 *Parker Technical Codes*.
7. Any refrigerating equipment which is part of the equipment for which a permit has been issued pursuant to the *Parker Technical Codes*.
8. Any unit refrigerating system as defined in the Parker 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 will be the current rate as charged by the Denver Regional Council of Governments, Elevator and Escalator Safety Inspection Program.

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 Town of Parker 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 chief 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 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 Parker Fire District 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 chief 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. Plans which do not require a licensed design professional, the permittee shall be responsible for reviewing and coordinating all submittal documents prepared by others.

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 *Parker 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 chief building official. Such plans may be reviewed by other departments of the Town of Parker to verify compliance with any applicable laws under their jurisdiction. If the chief 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 the *Parker 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 chief 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 chief 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 chief 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 *Parker 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 chief 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 chief building official until final approval of the work.

303.3 Red Line Plans or 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; Plans with Building Department ‘Red Lines’ may be built twice and “Master Plans” may be built an unlimited number of times. A Master Plan or a red line 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 the *Parker Technical Codes*, or of any other ordinance of the Town of Parker. No permit presuming to give authority to violate or cancel the provisions of the *Parker Technical Codes* shall be valid.

The issuance of a permit based upon plans, specifications and other data shall not prevent the chief 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 the *Parker Technical Codes* or of any other ordinances of the Town of Parker.

303.5 Expiration. Every permit issued by the chief building official under the provisions of the *Parker 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 chief 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 chief building official may, in writing, suspend or revoke a permit issued under the provisions of this code and the 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 the *Parker Technical 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 the *Parker Technical Codes* shall be made by the chief 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 discipline | 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 Safety Journal of the International Code Council. The cost figures from the Building Valuation Data shall be revised each year as the cost figures are adjusted in the Building Safety Journal. 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 the *Parker Technical Codes* have been adopted by the Town of Parker for which no fee schedule is shown in this code, the fee required shall be in accordance with the schedule established by the Town Council. 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 chief building official. The chief 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 *Parker Technical Codes* nor from any penalty prescribed by law.

304.5 Fee Refunds

304.5.1 The chief building official may authorize the refunding of any fee paid hereunder which was erroneously paid or collected.

304.5.2 The chief 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. The remaining 20% is to cover administrative costs.

304.5.3 The chief building official may authorize the refunding of up to 100 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 chief 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. See Chapter 4.03 of the Town of Parker Municipal Code.

304.6.2 Elevator/Escalator Inspection Fee. . The fees for this will be the current rate as charged by the Denver Regional Council of Governments, Elevator and Escalator Safety Inspection Program.

304.6.3 Development Excise Tax. See Chapter 4.07 of the Town of Parker Municipal Code.

305.1 General. All construction or work for which a permit is required shall be subject to inspection by the chief 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 the *Parker Technical Codes* or of other ordinances of the Town of Parker. Inspections presuming to give authority to violate or cancel the provisions of this code or of other ordinances of the Town of Parker 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 chief building official nor the Town of Parker 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 chief 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 chief building official that such work is ready for inspection. Requests for inspections must be filed by 3:30 pm the day before such inspection is desired. Such request may be in writing or by telephone at the option of the chief building official.

It shall be the duty of the person requesting any inspections required by the *Parker 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 chief 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 chief 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 chief 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 chief building official.

The chief 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 Footing and 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 chief building official. A letter from the engineer of record may be provided in lieu of this inspection.

305.5.2 Foundation damp proofing is required prior to backfilling of foundation. A letter from the engineer of record may be provided in lieu of this inspection.

305.5.3 Perimeter Drain Inspection is required prior to backfilling foundation. A letter from the engineer of record may be provided in lieu of this inspection.

305.5.4 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.

305.5.5 Rough Inspections. 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 complete.

305.5.6 Insulation Inspection. To be made after all rough inspections have passed and insulation has been installed.

305.5.7 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.

305.5.8 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 chief 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 chief 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 chief 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 chief building official may make or require other inspections of any construction work to ascertain compliance with the provisions of the *Parker Technical Codes* and other laws which are enforced by the 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 *Parker 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 chief 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 chief 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 *Parker Technical Codes* and for Group R, Division 3 and Group M, Division 1 Occupancies, provided the chief 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 *Parker Technical Codes*.

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.

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 *Parker Technical Codes*.

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 chief 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 I.C.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 chief 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 chief 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 chief 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 chief 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 chief 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 chief building official.

306.6 Approved Fabricators. Special inspections required by this section and elsewhere in the *Parker Technical Codes* shall not be required where the work is done on the premises of a fabricator registered and approved by the chief building official to perform such work without special inspection. The certificate of registration shall be subject to revocation by the chief building official if it is found that any work done pursuant to the approval is in violation of the *Parker 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 chief 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. 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 *Parker Technical Codes* and for which a permit is required by this code, until approved by the chief building official.

308.2 Temporary Connections. The chief 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 chief building official has issued a certificate of occupancy therefore as provided herein.

Issuance of a certificate of occupancy shall not be construed as an approval of a violation of the provisions of the *Parker Technical Codes* or of other ordinances of the Town of Parker. Certificates presuming to give authority to violate or cancel the provisions of the *Parker Technical Codes* or of other ordinances of the Town of Parker 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 *Parker Technical Codes*.

309.3 Certificate Issued. After the chief 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 Town of Parker, the chief 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 chief building official.

309.4 Temporary Certificate. If the chief 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 chief building official.

309.6 Revocation. The chief 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 all occupancies may be issued prior to the issuance of the construction permit for the building provided:

310.1.1 Drawings for the proposed superstructure containing sufficient detail relating to the design of the foundation or substructure are submitted to the chief building official. Complete calculations shall be submitted to validate the design of footings, caissons and all other structural elements.

310.1.2 All approvals required (administrative review form) are obtained prior to the issuance of the permit.

EXCEPTION: The chief 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 chief 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 chief 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 the *Parker Technical Codes* 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 (Effective January 1, 2004)

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 ----- \$17.25

| | |
|--------------------------------------|---|
| \$501.00 to \$2,000.00 ----- | \$17.25 for the first \$500.00 plus \$2.30 for each additional \$100.00 or fraction thereof, up to and including \$2,000.00. |
| \$2,001.00 to \$25,000.00 ----- | \$51.75 for the first \$2,000.00 plus \$10.35 for each additional \$1,000.00 or fraction thereof, up to and including \$25,000.00. |
| \$25,001.00 to \$50,000.00 ----- | \$289.75 for the first \$25,000.00 plus \$7.50 for each additional \$1,000.00 or fraction thereof, up to and including \$50,000.00. |
| \$50,001.00 to \$100,000.00 ----- | \$476.50 for the first \$50,000.00 plus \$5.20 for each additional \$1,000.00 or fraction thereof, up to and including \$100,000.00. |
| \$100,001.00 to \$500,000.00 ----- | \$735.50 for the first \$100,000.00 plus \$4.00 for each additional \$1,000.00 or fraction thereof, up to and including \$500,000.00. |
| \$500,001.00 to \$1,000,000.00 ----- | \$2,345.50 for the first \$500,000.00 plus \$3.50 for each additional \$1,000.00 or fraction thereof, up to and including \$1,000,000.00. |
| \$1,000,001.00 and up ----- | \$4,070.50 for the first \$1,000,000.00 plus \$2.30 for each additional \$1,000.00 or fraction thereof. |

FEES (Effective January 1, 2005)

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 ----- | \$19.50 |
| \$501.00 to \$2,000.00 ----- | \$19.50 for the first \$500.00 plus \$2.60 for each additional \$100.00 or fraction thereof, up to and including \$2,000.00. |
| \$2,001.00 to \$25,000.00 ----- | \$58.50 for the first \$2,000.00 plus \$11.70 for each additional \$1,000.00 or fraction thereof, up to and including \$25,000.00. |
| \$25,001.00 to \$50,000.00 ----- | \$327.50 for the first \$25,000.00 plus \$8.50 for each additional \$1,000.00 or fraction thereof, up to and including \$50,000.00. |

| | |
|--------------------------------------|---|
| \$50,001.00 to \$100,000.00 ----- | \$539.00 for the first \$50,000.00 plus \$6.00 for each additional \$1,000.00 or fraction thereof, up to and including \$100,000.00. |
| \$100,001.00 to \$500,000.00 ----- | \$831.50 for the first \$100,000.00 plus \$4.50 for each additional \$1,000.00 or fraction thereof, up to and including \$500,000.00. |
| \$500,001.00 to \$1,000,000.00 ----- | \$2,651.50 for the first \$500,000.00 plus \$4.00 for each additional \$1,000.00 or fraction thereof, up to and including \$1,000,000.00. |
| \$1,000,001.00 and up ----- | \$4,601.50 for the first \$1,000,000.00 plus \$2.60 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) \$50.00 per hour*
4. Re-inspection fees assessed under provisions Section 305.8 \$50.00 per hour*
5. Inspections for which no fee is specifically indicated
(minimum charge - one hour) \$50.00 per hour*
6. Additional plan review required by changes, additions or revisions to approved plans
(minimum charge - one hour) \$50.00 per hour*

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

SPONSORED BY COUNCILMEMBER

Dave Albridge

COUNCILMEMBER'S BILL

ORDINANCE NO.

4.75

No.

Series of 2003

Series of 2003

TITLE: A BILL FOR AN ORDINANCE TO REPEAL AND READOPT CHAPTER 11.05 OF THE PARKER MUNICIPAL CODE CONCERNING THE PARKER 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 repealed in its entirety and readopted to read as follows:

CHAPTER 11.05

Parker Electrical Code

11.05.010 Title.

The provisions of this Chapter shall be known and cited as the Parker Electrical Code.

11.05.020 National Electrical Code adopted.

Pursuant to Title 31, Article 16, Part 2, C.R.S., the National Electrical Code, 2002 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. 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 (1) copy of the National Electrical Code, 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 8:00 a.m. and 5:00 p.m., Monday through Friday, holidays excepted. After final adoption, the National

Electrical Code shall be available for sale to the public at the Community Development Department Offices, at a price reflecting cost to the Town.

11.05.040 Jurisdiction defined.

Whenever the word *jurisdiction* is used in the Code, it shall be defined to 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) Amend Article 210.52(A)(2), Wall space, by the addition of a new subparagraph (4) to read: Wall of any landing entry or like space that exceeds 4'6" in width at any point.

(2) Amend Article 220.3(B), Other loads – all occupancies, by the addition of a new subparagraph (12) to read: 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) Amend Article 408.16(A), Lighting and appliance branch – circuit panelboard individually protected, by the addition of a new second paragraph to read: 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 408.16(A) Exceptions 1 and 2 do not apply.

11.05.060 Violation; penalty.

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

11.05.070 Nonliability.

The adoption of this Chapter, and of the Code provided for herein, shall not create any duty to any person, firm, corporation or other entity with regard to the enforcement or nonenforcement 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 nonenforcement 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, Section 24-10-101, *et seq.*, C.R.S., or to waive any immunities or limitations on liability otherwise available to the Town, or its officers, employees or agents.

11.05.080 Effective date.

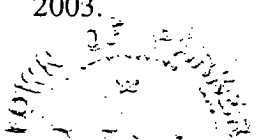
The ordinance codified in this Chapter shall take effect on January 1, 2004.

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 obtained.

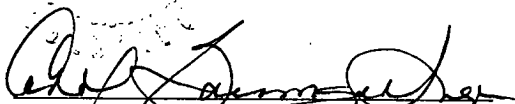
Section 3. Severability. If any clause, sentence, paragraph or part of this Ordinance or the application thereof to any person or circumstances shall for any reason be adjudged by a court of competent jurisdiction invalid, such judgment shall not affect application to other persons or circumstances.

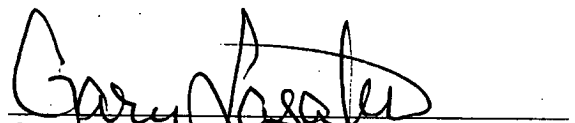
Section 4. This Ordinance shall become effective ten (10) days after final publication.

INTRODUCED AND PASSED ON FIRST READING this 3rd day of November, 2003.




ATTEST:


Carol Baumgartner, Town Clerk


Gary Lasater, Mayor

ADOPTED ON SECOND AND FINAL READING this 1st day of December, 2003.


Gary Lasater, Mayor



ATTEST:

Carol Baumgartner
Carol Baumgartner, Town Clerk

APPROVED AS TO FORM:

James S. Maloney
James S. Maloney, Town Attorney

SPONSORED BY COUNCILMEMBER

Dave Aldredge

COUNCILMEMBER'S BILL

ORDINANCE NO.

4.73

No.

Series of 2003

Series of 2003

TITLE: A BILL FOR AN ORDINANCE TO REPEAL AND READOPT CHAPTER 11.03 OF THE PARKER MUNICIPAL CODE CONCERNING THE PARKER 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 repealed in its entirety and readopted to read as follows:

CHAPTER 11.03

Parker Building Code

11.03.010 Title.

The provisions of this Chapter shall be known and cited as the Parker Building Code.

11.03.020 International Building Code adopted.

Pursuant to Title 31, Article 16, Part 2, C.R.S., the International Building Code, 2003 Edition, as published by the International Code Council (ICC), 5203 Leesburg Pike, Falls Church VA 22041, is adopted by reference and incorporated into this Chapter as though fully set forth herein. Except as otherwise provided hereafter, such code is adopted in full, including the outline of contents, index and appendices contained therein.

11.03.030 Copies.

At the time of adoption, one (1) copy of the International Building Code, 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 8:00 a.m. and 5:00 p.m., Monday through Friday, holidays excepted. After final adoption, the International Building Code shall be available for sale to the public at the

Community Development Department Offices, at a price reflecting cost to the Town.

11.03.040 Jurisdiction defined.

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

11.03.050 Amendments.

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

(1) Delete all appendix chapters.

(2) Amend 101.1, Title, to read: These regulations shall be known as the Parker Building Code, hereinafter referred to as the "code."

(3) Amend 101.2, Scope, to read: The provisions of this code shall apply to the construction, alteration, movement, enlargement, replacement, repair, equipment, use and occupancy, location, maintenance, removal and demolition of every building or structure or any appurtenances connected or attached to such buildings or structures.

Exceptions:

1. Detached one- and two-family dwellings and multiple single-family dwellings (town houses) not more than three stories above grade plane in height with a separate means of egress and their accessory structures shall comply with the Parker Residential Code for One- and Two-Family Dwellings Building Code.

2. Existing buildings undergoing repair, alterations or additions and change of occupancy may be permitted to comply with the Parker Existing Building Code.

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

(4) Amend Subsection 1609.4, Exposure category, to read: Exposure C shall be used for the design of all structures in the Town of Parker.

(5) Amend Section 1608.1, General, to read: Design snow loads shall be determined in accordance with Section 7 of ASCE 7, but the design roof load shall not be less than that determined by Section 1607. The snow load within the Town of Parker shall be a minimum of 30 pounds per square foot.

(6) Amend Section 1608.2, Ground snow loads, to read: The Ground snow load for the Town of Parker shall be a minimum of 30 pounds per square foot.

(7) Amend 1609.3, Basic wind speed, to read: The Basic wind speed for the Town of Parker shall be 105 mph, 3 second gust.

(8) Amend Section 3103.1, General, to add a new second paragraph to read: 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.

(9) Amend Chapter 32 to add a new Section 3110, Manufactured housing, to read: 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.

11.03.060 Violation; penalty.

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

11.03.070 Nonliability.

The adoption of this Chapter, and of the Code provided for herein, shall not create any duty to any person, firm, corporation or other entity with regard to the enforcement or nonenforcement 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 or of in any way connected with the adoption, enforcement or nonenforcement 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, Section 24-10-101, *et seq.*, C.R.S., or to waive any immunities or limitations on liability otherwise available to the Town, or its officers, employees or agents.

11.03.080 Effective date.

The ordinance codified in this Chapter shall take effect on January 1, 2004.

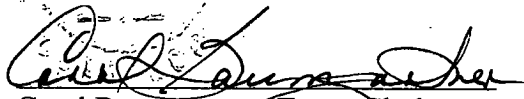
Section 2. Safety Clause. The Town Council hereby finds, determines and declares that this Ordinance is promulgated under the general police power of the Town of Parker, that it is promulgated for the health, safety and welfare of the public, and that this Ordinance is necessary for the preservation 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 obtained.

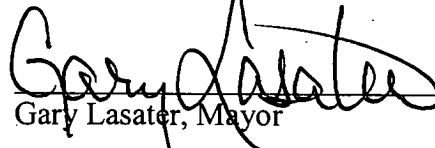
Section 3. Severability. If any clause, sentence, paragraph or part of this Ordinance or the application thereof to any person or circumstances shall for any reason be adjudged by a court of competent jurisdiction invalid, such judgment shall not affect application to other persons or circumstances.

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

INTRODUCED AND PASSED ON FIRST READING this 3rd day of November, 2003.




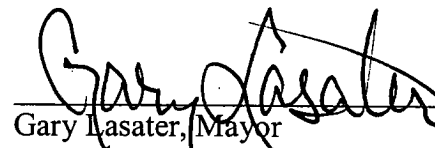

Carol Baumgartner, Town Clerk


Gary Lasater, Mayor


ADOPTED ON SECOND AND FINAL READING this 1st day of December, 2003.




Carol Baumgartner, Town Clerk


Gary Lasater, Mayor

APPROVED AS TO FORM:


James S. Maloney, Town Attorney

SPONSORED BY COUNCILMEMBER

David Casiano

COUNCILMEMBER'S BILL

ORDINANCE NO.

4.72

No.

Series of 2003

Series of 2003

TITLE: A BILL FOR AN ORDINANCE TO ADD A NEW CHAPTER 11.02 OF THE PARKER MUNICIPAL CODE CONCERNING THE PARKER RESIDENTIAL CODE FOR ONE- AND TWO-FAMILY DWELLINGS

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

Section 1. The Parker Municipal Code is amended by the addition thereto of a new Chapter 11.02, which is to read as follows:

CHAPTER 11.02

**Parker Residential Code for
One- and Two-Family Dwellings**

11.02.010 Title.

The provisions of this Chapter shall be known and cited as the Parker Residential Code for One- and Two-Family Dwellings.

11.02.020 International Residential Code adopted.

Pursuant to Title 31, Article 16, Part 2, C.R.S., the International Residential Code for One- and Two-Family Dwellings, 2003 Edition, as published by the International Code Council (ICC), 5203 Leesburg Pike, Falls Church, VA 22041, is adopted by reference and incorporated into this Chapter as though fully set forth herein. Except as otherwise provided hereafter, such code is adopted in full, including the outline of contents, index and appendices contained therein.

11.02.030 Copies.

At the time of adoption, one (1) copy of the International Residential Code for One- and Two-Family Dwellings, 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 8:00 a.m. and 5:00 p.m., Monday through Friday, holidays excepted. After final adoption, the International Residential Code for One- and Two-Family

Dwellings shall be available for sale to the public at the Community Development Department Offices, at a price reflecting cost to the Town.

11.02.040 Jurisdiction defined.

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

11.02.050 Amendments.

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

(1) Delete appendix chapters A, B, C, D, E, F, I and K.

(2) Amend R101.1, Title, to read: These provisions shall be known as the Parker Residential Code for One- and Two-Family Dwellings, and shall be cited as such and will be referred to herein as this "Code."

(3) Amend R101.2, Scope, to read: The provisions of the Parker Residential Code for One- and Two-Family Dwellings shall apply to the construction, alteration, movement, enlargement, replacement, repair, equipment, use and occupancy, location, removal and demolition of detached one- and two-family dwellings and multiple single-family dwellings (townhouses) not more than three stories in height with a separate means of egress and their accessory structures.

Exception: Existing buildings undergoing repair, alteration or additions, and change of occupancy may be permitted to comply with the Parker Existing Building Code.

(4) Amend R101.3, Purpose, to read: The purpose of this Code is to provide minimum requirements to safeguard the public safety, health and general welfare, through affordability, structural strength, means of egress facilities, stability, sanitation, light and ventilation, energy conservation and safety to life and property from fire and other hazards attributed to the built environment.

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

(6) Amend Table R301.2(1), Climatic and Geographic Design Criteria, to read:

| Wind Speed ^c (mph) | Seismic Design Category ^g | SUBJECT TO DAMAGE FROM | | | | Winter Design Temp ^f | Ice Shield Under- layment Required ⁱ | Flood Hazards ^h | Air Freezing Index ^j | Mean Annual Temp ^k |
|--|--------------------------------------|-------------------------|-------------------------------|----------------------|--------------------|---------------------------------|--|---|---------------------------------|-------------------------------|
| | | Weathering ^a | Frost line depth ^b | Termite ^c | Decay ^d | | | | | |
| 105 mph (3 Second Gust) Exposure C | B | Severe | 36 inches | Slight to Moderate | None to Slight | 1 degree | No | Adopted 12/12/1991 Class 7 NFIP# 080310 | 532 | 50.5 |

Footnotes remain unchanged.

(7) Amend section R303.1, Habitable rooms, to add a new exception #3, to read:

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

(8) Amend R305.1, Minimum height, to read: Habitable rooms and basements shall have a ceiling height of not less than 7 feet 6 inches (2287 mm). Hallways, corridors, bathrooms, toilet rooms, laundry rooms shall have a ceiling height of not less than 7 feet (2134 mm). The required height shall be measured from the finish floor to the lowest projection from the ceiling.

Exceptions:

1. Beams and girders spaced not less than 4 feet (1219mm) on center may project not more than 6 inches (152 mm) below the required ceiling height.
2. Furred beams, girders, ducts or other obstructions in basements may project to within 6 feet, 8 inches (2032 mm) of the finished floor for a maximum width of 5 feet.
3. Not more than 50 percent of the required floor area of a room or space is permitted to have a sloped ceiling less than 7 feet 6 inches (2287mm) in height with no portion of the required floor area less than 5 feet (1524 mm) in height.
4. Bathrooms shall have a minimum ceiling height of 6 feet 8 inches (2036 mm) over the fixture and at the front clearance area for fixtures as shown in Figure R307.2.A shower or tub equipped with a showerhead shall have a

minimum ceiling height of 6 feet 8 inches (2036 mm) above a minimum area 30 inches (762mm) by 30 inches (762 mm) at the showerhead.

(9) Amend subsection R309.1, Opening protection, to by adding a third sentence to read: Such doors shall be tight fitting and self-closing.

(10) Amend Section R309.2, Separation required, to read: The garage shall be separated from the residence and its attic area by not less than 5/8-inch (15.9 mm) Type X gypsum board applied to the garage side. Garages beneath habitable rooms shall be separated from all habitable rooms above by not less than 5/8-inch (15.9 mm) Type X gypsum board or equivalent. Where the separation is a floor-ceiling assembly, the structure supporting the separation shall also be protected by not less than 5/8-inch (15.9 mm) Type X gypsum board or equivalent.

(11) Amend Section R310.1, Emergency escape and rescue required, by the deletion of "with habitable space" in the first sentence, so that the first sentence reads: "Basements and every sleeping room shall . . ." (remainder of paragraph remains unchanged).

(12) Amend Section R310.1.1, Minimum opening area, by deleting the exception.

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

Exception: In basements of existing R-3 occupancies, Window wells may have a minimum horizontal projection of 24 inches (610 mm) and must be the full width of the window.

(14) Add a new Section R401.6, Placement of backfill, to read: The excavation outside the foundation, including utility trenches and excavation ramp, shall be backfilled with soil that is free of organic material, construction debris, cobbles, boulders, clods over 6" diameter, or frozen soil. Water shall be added uniformly to the stockpiled materials or as backfill is placed so that water content at the time of compaction is within tolerances established by the engineering documents. The backfill shall be placed in lifts and compacted as set forth in the engineering documents. The backfill shall be placed in a manner that does not damage the foundation or the waterproofing or damp-proofing material.

(15) Amend Section R703.2, Weather-resistant sheathing paper, by deletion of Exceptions 1, 2 and 3.

(16) Amend Table R703.4 and Footnotes by deleting and replacing the Table and Footnotes with the following:

TABLE R703.4
WEATHER-RESISTANT SIDING ATTACHMENT AND MINIMUM THICKNESS

| SIDING MATERIAL | NOMINAL THICKNESS ^a (inches) | JOINT TREATMENT | GHEATH-ING PAPER REQUIRED | TYPE OF SUPPORTS FOR THE SIDING MATERIAL AND FASTENERS ^{b,c,d} | | | | | Number or spacing of fasteners | |
|---|---|--------------------|---------------------------|---|---|--|---|--|---|------------------------------------|
| | | | | Wood or wood structural panel sheathing | Fiberboard sheathing into stud | Gypsum sheathing into stud | Form. plastic sheathing into stud | Direct to studs | | |
| Horizontal aluminum ^e | Without insulation | 0.019 ^f | Lap | Yes | 0.120 nail 1 1/2" long | 0.120 nail 2" long | 0.120 nail 2" long | 0.120 nail ^g | Not allowed | Same as stud spacing |
| | With insulation | 0.024 | Lap | Yes | 0.120 nail 1 1/2" long | 0.120 nail 2" long | 0.120 nail 2" long | 0.120 nail ^g | Not allowed | |
| | | 0.019 | Lap | Yes | 0.120 nail 1 1/2" long | 0.120 nail 2 1/2" long | 0.120 nail 2 1/2" long | 0.120 nail ^g | 0.120 nail 1 1/2" long | |
| Brick veneer | 2 | | Section R703 | Yes | See Section R703 and Figure R703.7 ^h | | | | | |
| Concrete masonry veneer | 2 | | Section R703 | Yes | See Section R703 and Figure R703.7 ^h | | | | | |
| Hardboard ⁱ Panel sidings vertical | 7/16 | Note g | Yes | Note o | Note o | Note o | Note o | Note o | Note o | 6" panel edges 12" inter. sup. |
| Hardboard ⁱ Lap siding horizontal | 7/16 | Note r | Yes | Note q | Note q | Note q | Note q | Note q | Note q | Same as stud spacing 2 per bearing |
| Steel | 29 ga. | Lap | Yes | 0.113 nail 1 1/2" Staples-1 1/2" | 0.113 nail 2 1/2" Staples-2 1/2" | 0.113 nail 2 1/2" Staples-2 1/2" | 0.113 nail ^g Staple ^g | Not allowed | Not allowed | Same as stud spacing |
| Stone veneer | 2 | | Section R703 | Yes | See Section R703 and Figure R703.7 ^h | | | | | |
| Particleboard panels | 3/8, 1/2 | Note g | Yes | 6d box nail | 6d box nail | 6d box nail | box nail ^g | 6d box nail. 3/8 not allowed | 6d box nail | 6" panel edge 12" inter. sup. |
| | 3/8 | Note g | Yes | 6d box nail | 6d box nail | 6d box nail | box nail ^g | 6d box nail | 6d box nail | |
| Physwood panel (exterior grade) | 3/8 | Note g | Yes | 0.069 nail-2" | 0.113 nail-2 1/2" | 0.069 nail-2" | 0.113 nail ^g | 0.069 nail-2" | 0.069 nail-2" | 6" on edges |
| Vinyl siding ^a | 0.035 | Lap | Yes | 0.120 nail 1 1/2" Staples-1 1/2" | 0.120 nail 2" Staples-2 1/2" | 0.120 nail 2" Staples-2 1/2" | 0.120 nail ^g Staple ^g | Not allowed | Not allowed | Same as stud spacing |
| Wood ^a Rustic, drop | 3/8 Min | Lap | Yes | Fastener penetration into stud-1" | | | | 0.113 nail-2 1/2" Staples-2" | Face nailing up to 6" widths, 1 nail per bearing; 8" widths and over, 2 nails per bearing | |
| Shiplap | 1 1/2 Average | Lap | Yes | | | | | | | |
| Bevel | 3/16 | Lap | Yes | | | | | | | |
| Butt fit | 3/16 | Lap | Yes | | | | | | | |
| Fiber cement panel siding ^a | 3/16 | Note t | Yes | 6d corrosion resistant nail ^g | 6d corrosion resistant nail ^g | 6d corrosion resistant nail ^g | — | 4d corrosion resistant nail ^g | 6" oc on edges, 12" oc on intermed. studs | |
| Fiber cement lap siding ^a | 3/16 | Note w | Yes | 6d corrosion resistant nail ^g | 6d corrosion resistant nail ^g | 6d corrosion resistant nail ^g | — | 6d corrosion resistant nail ^g | Note a | |

For SI: 1 inch = 25.4 mm.

For SI: 1 inch = 25.4 mm.

Footnotes to Table R703.4:

- a. Based on stud spacing of 16 inches on center. Where studs are spaced 24 inches, siding shall be applied to sheathing approved for that spacing.
- b. Nail is a general description and shall be T-head, modified round head, or round head with smooth or deformed shanks.
- c. Staples shall have a minimum crown width of 7/16-inch outside diameter and be manufactured of minimum No. 16 gage wire.
- d. Nails or staples shall be aluminum, galvanized, or rust-preventive coated and shall be driven into the studs for fiberboard or gypsum backing.
- e. Aluminum nails shall be used to attach aluminum siding.
- f. Aluminum (0.019 inch) shall be unbacked only when the maximum panel width is 10 inches and the maximum flat area is 8 inches. The tolerance for aluminum siding shall be +0.002 inch of the nominal dimension.

- g. Deleted
- h. All attachments shall be coated with a corrosion-resistive coating.
- i. Shall be of approved type.
- j. Three-eighths-inch plywood shall not be applied directly to studs spaced greater than 16 inches on center when long dimension is parallel to studs. One-half-inch plywood shall not be applied directly to studs spaced greater than 24 inches on center. The stud spacing shall not exceed the panel span rating provided by the manufacturer unless the panels are installed with the face grain perpendicular to studs or over sheathing approved for that stud spacing.
- k. Woodboard sidings applied vertically shall be nailed to horizontal nailing strips or blocking set 24 inches on center. Nails shall penetrate 1.5 inches into studs, studs and wood sheathing combined, or blocking. A weather-resistant membrane shall be installed weatherboard fashion under the vertical siding.
- l. Hardboard siding shall comply with AHA A135.6.
- m. Deleted
- n. Vinyl siding shall comply with ASTM D 3679.
- o. Minimum shank diameter of 0.092 inch, minimum head diameter of 0.225 inch, and nail length must accommodate sheathing and penetrate framing 1.5 inches.
- p. When used to resist shear forces, the spacing must be 4 inches at panel edges and 8 inches on interior supports.
- q. Minimum shank diameter of 0.099 inch, minimum head diameter of 0.240 inch, and nail length must accommodate sheathing and penetrate framing 1.5 inches.
- r. Vertical end joints shall occur at studs and shall be covered with a joint cover or shall be caulked.
- s. Fiber cement siding shall comply with the requirements of ASTM C 1186.
- t. See Section R703.10.1.
- u. Minimum 0.102 inch smooth shank, 0.255 inch round head.
- v. Minimum 0.099 inch smooth shank, 0.250 inch round head.
- w See Section R703.10.2.
- x. Face nailing: 2 nails at each stud. Concealed nailing: one 11 gage 11/2 galv. roofing nail (0.371 inch head diameter, 0.120 inch shank) or 6d galv. box nail at each stud.
- y. See Section R703.2, Exceptions.
- z. Minimum nail length must accommodate sheathing and penetrate framing 1.5 inches.

(17) Amend Subsection R907.3.3, Recovering versus replacement, to read: Where the existing roof has three or more applications of any type of roof covering.

(18) Section P3105.3, Vertical leg for waste fixture drains, and Figure P3105.3 are deleted in their entirety.

11.02.060 Violation; penalty.

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

11.02.070 Nonliability.

The adoption of this Chapter, and of the Code provided for herein, shall not create any duty to any person, firm, corporation or other entity with regard to the enforcement or nonenforcement 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 nonenforcement 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, Section 24-10-101, *et seq.*, C.R.S.; or to waive any immunities or limitations on liability otherwise available to the Town, or its officers, employees or agents.

11.02.080 Effective date.

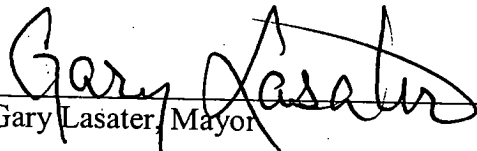
The ordinance codified in this Chapter shall take effect on January 1, 2004.

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 obtained.

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 November, 2003.



Gary Lasater, Mayor



ATTEST:

Carol Baumgartner
Carol Baumgartner, Town Clerk

ADOPTED ON SECOND AND FINAL READING this 1st day of December, 2003.

Gary Lasater
Gary Lasater Mayor



ATTEST:

Carol Baumgartner
Carol Baumgartner, Town Clerk

APPROVED AS TO FORM:

James S. Maloney
James S. Maloney, Town Attorney

SPONSORED BY COUNCILMEMBER

Dave Aldridge

COUNCILMEMBER'S BILL

ORDINANCE NO.

4.74

No.

Series of 2003

Series of 2003

TITLE: A BILL FOR AN ORDINANCE TO REPEAL AND READOPT CHAPTER 11.04 OF THE PARKER MUNICIPAL CODE CONCERNING THE PARKER FIRE PROTECTION 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 repealed in its entirety and readopted to read as follows:

CHAPTER 11.04

Parker Fire Protection Code

11.04.010 Title.

The provisions of this Chapter shall be known and cited as the Parker Fire Protection Code.

11.04.020 International Fire Code adopted.

Pursuant to Title 31, Article 16, Part 2, C.R.S., the International Fire Code, 2003 Edition, as published by the International Code Council (ICC), 5203 Leesburg Pike, Falls Church, VA 22041, is adopted by reference and incorporated into this Chapter as though fully set forth herein. Except as otherwise provided hereafter, such code is adopted in full, including the outline of contents, index and appendices contained therein.

11.04.030 Copies.

At the time of adoption, one (1) copy of the International Fire Code, 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 8:00 a.m. and 5:00 p.m., Monday through Friday, holidays excepted. After final adoption, the International Fire Code shall be available for sale to the public at the Community Development Department Offices, at a price reflecting cost to the Town.

11.04.040 Definitions.

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

b. Chief. Where the *chief* is referred to in the International Fire Code, it shall mean the Chief of the Parker Fire Protection District.

c. The *Board of Appeals* referred to in the International Fire Code shall be the Board of Appeals established by the Parker Administrative Code to hear appeals from both the building and fire codes of the Town.

11.04.050 Amendments.

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

(a) Delete Appendix Chapters A and D.

(b) Section 3204.3.1.1 (geographic limits in which the storage of flammable cryogenic fluids in stationary containers is prohibited): Storage of flammable cryogenic fluids in stationary containers outside of buildings is prohibited.

(c) Section 3404.2.9.5.1 (geographic limits in which the storage of Class I and Class II liquids in above-ground tanks outside of buildings is prohibited): The storage of Class I and Class II liquids in above-ground tanks outside of buildings shall conform to the provisions of the Town of Parker Zoning Ordinance.

(d) Section 3406.2.4.4 (geographic limits in which the storage of Class I and Class II liquids in above-ground tanks is prohibited): The storage of Class I and Class II liquids in above-ground tanks outside of buildings shall conform to the provisions of the Town of Parker Zoning Ordinance.

(e) Section 3804.2 (geographic limits in which the storage of liquefied petroleum gas is restricted for the protection of heavily populated or congested areas): 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 Parker Fire Protection District. 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 Code, any person who violates any of the provisions of this Chapter shall be guilty of a misdemeanor and, upon conviction thereof, shall be fined the sum of not more than four hundred ninety-nine dollars (\$499.00) for each such violation. Each day that a violation continues after due notice has been served shall be deemed a separate offense.

11.04.070 Nonliability.

The adoption of this Chapter, and of the Code provided for herein, shall not create any duty to any person, firm, corporation or other entity with regard to the enforcement or nonenforcement 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 nonenforcement 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, Section 24-10-101, *et seq.*, C.R.S., or to waive any immunities or limitations on liability otherwise available to the Town, or its officers, employees or agents.

11.04.080 Effective date.

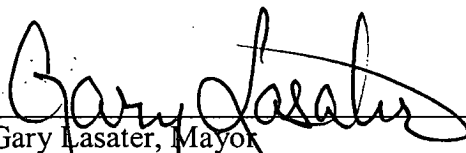
The ordinance codified in this Chapter shall take effect on January 1, 2004.

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 obtained.


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.

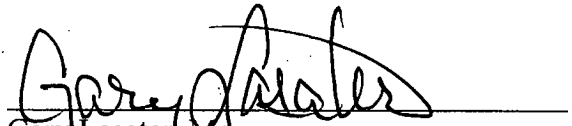
INTRODUCED AND PASSED ON FIRST READING this 3rd day of November, 2003.


Gary Lasater, Mayor

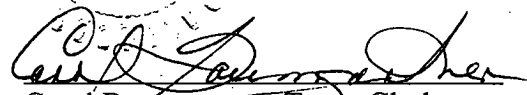
ATTEST:


Carol Baumgartner, Town Clerk

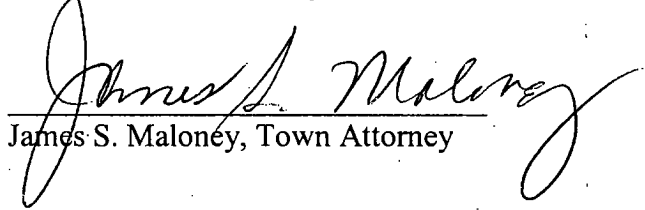
ADOPTED ON SECOND AND FINAL READING this 1st day of December 2003.


Gary Lasater, Mayor

ATTEST:


Carol Baumgartner, Town Clerk

APPROVED AS TO FORM:


James S. Maloney, Town Attorney

SPONSORED BY COUNCILMEMBER

Dave Aldredge

COUNCILMEMBER'S BILL

ORDINANCE NO.

4.76

No.

Series of 2003

Series of 2003

TITLE: A BILL FOR AN ORDINANCE TO REPEAL AND READOPT CHAPTER 11.06 OF THE PARKER MUNICIPAL CODE CONCERNING THE PARKER 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 repealed in its entirety and readopted to read as follows:

CHAPTER 11.06

Parker Mechanical Code

11.06.010 Title.

The provisions of this Chapter shall be known and cited as the Parker Mechanical Code.

11.06.020 International Mechanical Code adopted.

Pursuant to Title 31, Article 16, Part 2, C.R.S., the International Mechanical Code, 2003 Edition, as published by the International Code Council (ICC), 5203 Leesburg Pike, Falls Church, VA 22041, is hereby adopted by reference and incorporated into this Chapter as though fully set forth herein. Except as otherwise provided hereafter, such code is adopted in full, including the outline of contents, index and appendices contained therein.

11.06.030 Copies.

At the time of adoption, one (1) copy of the International Mechanical Code, 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 8:00 a.m. and 5:00 p.m., Monday through Friday, holidays excepted. After final adoption, the International Mechanical Code shall be available for sale to the public at the

Community Development Department Offices, at a price reflecting cost to the Town.

11.06.040 Jurisdiction defined.

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

11.06.050 Amendments.

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

- (1) Delete Appendix Chapters A and B.
- (2) Amend 101.1, Title, to read: These regulations shall be known as the Parker Mechanical Code, hereinafter referred to as the "code."
- (3) Amend 101.2, Scope, to read: This code shall regulate the design, installation, maintenance, alteration and inspection of mechanical systems that are permanently installed and utilized to provide control of environmental conditions and related processes within buildings. This code shall also regulate those mechanical systems, system components, equipment and appliances specifically addressed herein. The installation of fuel gas distribution piping and equipment, fuel gas-fired appliances and fuel gas-fired appliance venting systems shall be regulated by the Parker Fuel Gas Code.

Exceptions:

- a. Detached one- and two-family dwellings and multiple single-family dwellings (townhouses) not more than three stories high with separate means of egress and their accessory structures shall comply with the International Residential Code.
- b. Mechanical systems in existing buildings undergoing repair, alterations, or additions, and change of occupancy may be permitted to comply with the Parker Existing Building Code.

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

(5) Amend Section 202, General definitions, to add new definitions to read:

Solid Fuel Burning Device shall mean any fireplace, stove, firebox or device intended and/or used for the purpose of burning wood, coal, pulp, paper or other nonliquid or nongaseous fuel.

Certified Solid Fuel Burning Device shall mean 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 shall mean 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.

(6) Amend Section 905.1, General, to add a new second paragraph to read: Installation of certified solid fuel burning device will be permitted within the Town of Parker when such device meets the EPA Phase II or Colorado Phase III emissions testing as defined in the State Regulations.

11.06.060 Violation; penalty.

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

11.06.070 Nonliability.

The adoption of this Chapter, and of the Code provided for herein, shall not create any duty to any person, firm, corporation or other entity with regard to the enforcement or nonenforcement 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 nonenforcement 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, Section 24-10-101, *et seq.*, C.R.S., or to waive any immunities or limitations on liability otherwise available to the Town, or its officers, employees or agents.

11.06.080 Effective date.

The ordinance codified in this Chapter shall take effect on January 1, 2004.

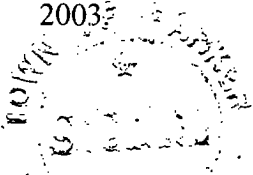
Section 2. Safety Clause. The Town Council hereby finds, determines and declares that this Ordinance is promulgated under the general police power of the Town of Parker, that it is promulgated for the health, safety and welfare of the public, and that this Ordinance is necessary for the preservation 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 obtained.

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 November,

2003.



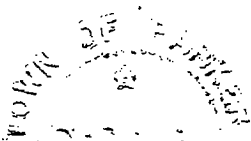
ATTEST:


Carol Baumgartner, Town Clerk

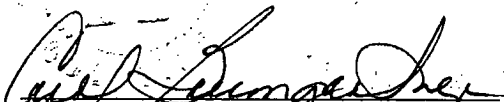

Gary Lasater, Mayor


ADOPTED ON SECOND AND FINAL READING this 1st day of December,

2003.

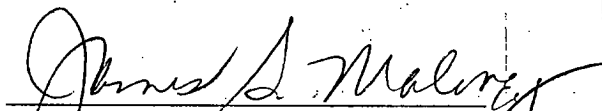


ATTEST:


Carol Baumgartner, Town Clerk


Gary Lasater, Mayor

APPROVED AS TO FORM:


James S. Maloney, Town Attorney

SPONSORED BY COUNCILMEMBER

Race Lakee

COUNCILMEMBER'S BILL

ORDINANCE NO.

4.77

No.

Series of 2003

Series of 2003

TITLE: A BILL FOR AN ORDINANCE TO REPEAL AND READOPT CHAPTER 11.07 OF THE PARKER MUNICIPAL CODE CONCERNING THE PARKER 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 repealed in its entirety and readopted to read as follows:

CHAPTER 11.07

Parker Plumbing Code

11.07.010 Title.

The provisions of this Chapter shall be known and cited as the Parker Plumbing Code.

11.07.020 International Plumbing Code adopted.

Pursuant to Title 31, Article 16, Part 2, C.R.S., the International Plumbing Code, 2003 Edition, as published by the International Code Council (ICC), 5203 Leesburg Pike, Falls Church, VA 22041, is hereby adopted by reference and incorporated into this Chapter as though fully set forth herein. Except as otherwise provided hereafter, such code is adopted in full, including the outline of contents, index and appendices contained therein.

11.07.030 Copies.

At the time of adoption, one (1) copy of the International Plumbing Code, 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 8:00 a.m. and 5:00 p.m., Monday through Friday, holidays excepted. After final adoption, the International Plumbing Code shall be available for sale to the public at the

Community Development Department Offices, at a price reflecting cost to the Town.

11.07.040 Jurisdiction defined.

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

11.07.050 Amendments.

The International Plumbing Code, as adopted by this Chapter, is hereby amended as follows (section numbers correspond with those in the International Plumbing Code):

(1) Delete all Appendix chapters.

(2) Amend 101.1, Title, to read: These regulations shall be known as the Parker Plumbing Code, hereinafter referred to as the "code."

(3) Amend 101.2, Scope, to read: The provisions of this code shall apply to the erection, installation, alteration, repairs, relocation, replacement, addition to, use or maintenance of plumbing systems within this jurisdiction. This code shall also regulate nonflammable medical gas, inhalation anesthetic, vacuum piping, nonmedical oxygen systems and sanitary and condensate vacuum collection systems. The installation of fuel gas distribution piping and equipment, fuel gas-fired water heaters and water heater venting systems shall be regulated by the Parker Fuel Gas Code. Provisions in the appendices shall not apply unless specifically adopted.

Exceptions:

a. Detached one- and two-family dwellings and multiple single-family dwellings (townhouses) not more than three stories high with separate means of egress and their accessory structures shall comply with the Parker Existing Building Code.

b. Plumbing systems in existing buildings undergoing repair, alterations or additions, and change of occupancy may be permitted to comply with the Parker Existing Building Code.

(4) Amend 101.3, Intent, to read: The purpose of this code is to provide minimum standards to safeguard life or limb, health, property and public welfare by regulating and controlling the design, construction, installation, quality of

materials, location, operation and maintenance or use of plumbing equipment and systems.

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

(6) Amend Section 913.3, Vent installation below the fixture flood level rim, by adding a new exception to read: Exception: Foot vents are not required if the island drain is the upper most fixture on a 3" branch drain.

11.07.060 Violation; penalty.

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

11.07.070 Nonliability.

The adoption of this Chapter, and of the Code provided for herein, shall not create any duty to any person, firm, corporation or other entity with regard to the enforcement or nonenforcement 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 nonenforcement 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, Section 24-10-101, *et seq.*, C.R.S., or to waive any immunities or limitations on liability otherwise available to the Town, or its officers, employees or agents.

11.07.080 Effective date.

The ordinance codified in this Chapter shall take effect on January 1, 2004.

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 obtained.

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 NOVEMBER,

2003.



Carol Baumgartner
Carol Baumgartner, Town Clerk

Gary Lasater
Gary Lasater, Mayor

ADOPTED ON SECOND AND FINAL READING this 1st day of December,

2003.



Carol Baumgartner
Carol Baumgartner, Town Clerk

Gary Lasater
Gary Lasater, Mayor

APPROVED AS TO FORM:

James S. Maloney
James S. Maloney, Town Attorney

SPONSORED BY COUNCILMEMBER

Dave Aldridge

COUNCILMEMBER'S BILL

ORDINANCE NO:

4.80

No.

Series of 2003

Series of 2003

TITLE: A BILL FOR AN ORDINANCE TO ADD A NEW CHAPTER 11.15 OF THE PARKER MUNICIPAL CODE CONCERNING THE PARKER FUEL GAS CODE

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

Section 1. The Parker Municipal Code is amended by the addition thereto of a new Chapter 11.15, which is to read as follows:

CHAPTER 11.15

Parker Fuel Gas Code

11.15.010 Title.

The provisions of this Chapter shall be known and cited as the Parker Fuel Gas Code.

11.15.020 International Fuel Gas Code adopted.

Pursuant to Title 31, Article 16, Part 2, C.R.S., the International Fuel Gas Code, 2003 Edition, as published by the International Code Council (ICC), 5203 Leesburg Pike, Suite 708, Falls Church, VA 22041-3401, is hereby adopted by reference as though fully set forth herein. Except as otherwise provided hereafter, such code is adopted in full, including the outline of contents, index and appendices contained therein.

11.15.030 Copies.

At the time of adoption, one (1) copy of the International Fuel Gas Code, 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 8:00 a.m. and 5:00 p.m., Monday through Friday, holidays excepted. After final adoption, the International Fuel Gas Code shall be available for sale to the public at the

Community Development Department Offices, at a price reflecting cost to the Town.

11.15.040 Jurisdiction defined.

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

11.15.050 Amendments.

The International Fuel Gas Code, as adopted by this Chapter, is amended as follows (section numbers correspond with those in the International Fuel Gas Code):

(1) Amend 101.1, Title, to read: These regulations shall be known as the Parker Fuel Gas Code, hereinafter referred to as the "code."

(2) Amend 101.2, Scope, to read: This code shall apply to the installation of fuel-gas piping systems, fuel-gas utilization equipment and related accessories in accordance with Sections 101.2.1 through 101.2.5.

Exceptions:

a. Detached one- and two-family dwellings and multiple single-family dwellings (townhouses) not more than three stories high with separate means of egress and their accessory structures shall comply with the Parker Residential Code for One- and Two-Family Dwellings Building Code.

b. As an alternative to the provisions of this code, fuel-gas piping systems, fuel-gas utilization equipment and related accessories in existing buildings that are undergoing repairs, alterations, changes in occupancy or construction of additions may be permitted to comply with the provisions of the Parker Existing Building Code.

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

11.15.060 Violation; penalty.

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

11.15.070 Nonliability.

The adoption of this Chapter, and of the Fuel Code provided for herein, shall not create any duty to any person, firm, corporation or other entity with regard to the enforcement or nonenforcement 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 or of in any way connected with the adoption, enforcement or nonenforcement 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, Section 24-10-101, *et seq.*, C.R.S., or to waive any immunities or limitations on liability otherwise available to the Town, or its officers, employees or agents.

11.15.080 Effective date.

The ordinance codified in this Chapter shall take effect on January 1, 2004.

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 obtained.

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.

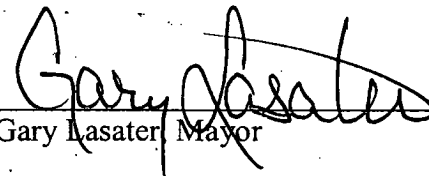
Section 4. This Ordinance shall become effective ten (10) days after final publication.

INTRODUCED AND PASSED ON FIRST READING this 3rd day of November,

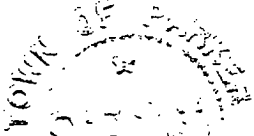
2003

ATTEST:


Carol Baumgartner, Town Clerk


Gary Lasater, Mayor

ADOPTED ON SECOND AND FINAL READING this 1st day of December,
2003.



ATTEST:

Gary Lasater
Gary Lasater, Mayor

Carol Baumgartner
Carol Baumgartner, Town Clerk

APPROVED AS TO FORM:

James S. Maloney
James S. Maloney, Town Attorney

SPONSORED BY COUNCILMEMBER

Dave Aldridge

COUNCILMEMBER'S BILL

ORDINANCE NO.

4.78

No:

Series of 2003

Series of 2003

TITLE: A BILL FOR AN ORDINANCE TO ADD A NEW CHAPTER 11.08 OF THE PARKER MUNICIPAL CODE CONCERNING THE PARKER EXISTING BUILDING CODE

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

Section 1. The Parker Municipal Code is amended by the addition thereto of a new Chapter 11.08, which is to read as follows:

CHAPTER 11.08

Parker Existing Building Code

11.08.010 Title.

The provisions of this Chapter shall be known and cited as the Parker Existing Building Code.

11.08.020 International Existing Building Code adopted.

Pursuant to Title 31, Article 16, Part 2, C.R.S., the International Existing Building Code, 2003 Edition, as published by the International Code Council (ICC), 5203 Leesburg Pike, Falls Church, VA 22041, is adopted by reference and incorporated into this Chapter as though fully set forth herein. Except as otherwise provided hereafter, such code is adopted in full, including the outline of contents, index and appendices contained therein.

11.08.030 Copies.

At the time of adoption, one (1) copy of the International Existing Building Code, 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 8:00 a.m. and 5:00 p.m., Monday through Friday, holidays excepted. After final adoption, the International Existing Building Code shall be available for sale to the public at the

Community Development Department Offices, at a price reflecting cost to the Town.

11.08.040 Jurisdiction defined.

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

11.08.050 Amendments.

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

(1) Delete appendix A.

(2) Amend 101.1, Title, to read: These regulations shall be known as the Parker Existing Building Code, hereinafter referred to as the "code."

(3) Amend 101.2, Scope, to read: The provisions of the Parker Existing Building Code shall apply to the repair, alteration, change of occupancy, addition, and relocation of existing buildings. A building or portion of a building that has not been previously occupied or used for its intended purpose shall comply with the provisions of the Parker Building Code for new construction. Repairs, alterations, change of occupancy, existing buildings to which additions are made, historic buildings, and relocated buildings complying with the provisions of the Parker Building Code, Parker Mechanical Code, Parker Plumbing Code, and Parker Residential Code for One- and Two-Family Dwellings Building Code as applicable may be considered in compliance with the provisions of this code.

(4) Amend 101.3, Intent, to read: The purpose of this code is to establish the minimum requirements to safeguard the public health, safety, and welfare insofar as they are affected by the repair, alteration, change of occupancy, addition, and relocation of existing buildings.

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

11.08.060 Violation; penalty.

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

11.08.070 Nonliability.

The adoption of this Chapter, and of the Code provided for herein, shall not create any duty to any person, firm, corporation or other entity with regard to the enforcement or nonenforcement 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 nonenforcement 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, Section 24-10-101, *et seq.*, C.R.S., or to waive any immunities or limitations on liability otherwise available to the Town, or its officers, employees or agents.

11.08.080 Effective date.

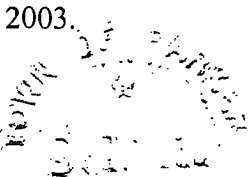
The ordinance codified in this Chapter shall take effect on January 1, 2004.

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 obtained.

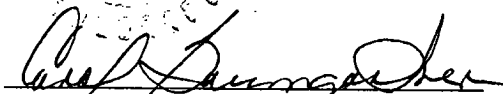
Section 3. Severability. If any clause, sentence, paragraph or part of this Ordinance or the application thereof to any person or circumstances shall for any reason be adjudged by a court of competent jurisdiction invalid, such judgment shall not affect application to other persons or circumstances.

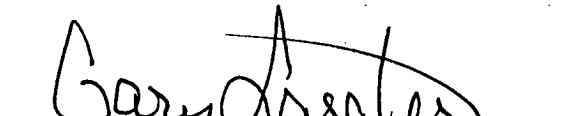
Section 4. This Ordinance shall become effective ten (10) days after final publication.

INTRODUCED AND PASSED ON FIRST READING this 3rd day of November, 2003.

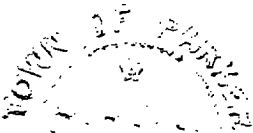


ATTEST: -

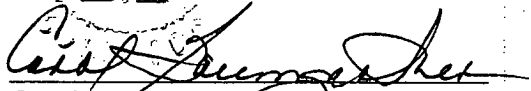

Carol Baumgartner, Town Clerk


Gary Lasater, Mayor

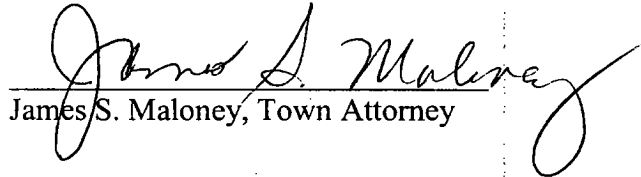
ADOPTED ON SECOND AND FINAL READING this 1st day of December, 2003.

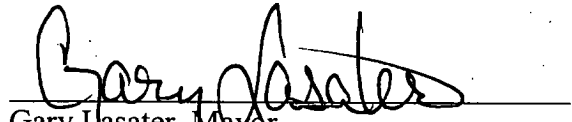


ATTEST:


Carol Baumgartner, Town Clerk

APPROVED AS TO FORM:


James S. Maloney, Town Attorney


Gary Lasater, Mayor

SPONSORED BY COUNCILMEMBER

Dave Aldridge

COUNCILMEMBER'S BILL

ORDINANCE NO.

4.79

No.

Series of 2003

Series of 2003

TITLE: A BILL FOR AN ORDINANCE TO ADD A NEW CHAPTER 11.14 OF THE PARKER MUNICIPAL CODE CONCERNING THE PARKER ENERGY CODE

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

Section 1. The Parker Municipal Code is amended by the addition thereto of a new Chapter 11.14, which is to read as follows:

CHAPTER 11.14

Parker Energy Code

11.14.010 Title.

The provisions of this Chapter shall be known and cited as the Parker Energy Code.

11.14.020 International Energy Conservation Code adopted.

Pursuant to Title 31, Article 16, Part 2, C.R.S., the International Energy Conservation Code, 2003 Edition, as published by the International Code Council (ICC), 5203 Leesburg Pike, Suite 708, Falls Church, VA 22041-3401, is adopted by reference and incorporated into this Chapter as though fully set forth herein. Except as otherwise provided hereafter, such code is adopted in full, including the outline of contents, index and appendices contained therein.

11.14.030 Copies.

At the time of adoption, one (1) copy of the International Energy Conservation Code, 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 8:00 a.m. and 5:00 p.m., Monday through Friday, holidays excepted. After final adoption, the International Energy Conservation Code shall be available for sale to the public at

the Community Development Department Offices, at a price reflecting cost to the Town.

11.14.040 Jurisdiction defined.

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

11.14.050 Amendments.

The International Energy Conservation Code, as adopted by this Chapter, is hereby amended as follows:

(1) Amend Table 302.1, Exterior Design Parameters, by adding the following criteria to read:

| | | |
|------------------------|------|------|
| Winter Design | 1* | 97½% |
| Summer Design Dry Bulb | 91* | 2½% |
| Summer Design Wet Bulb | 63* | 2½% |
| Degree Days Heating | 6343 | |

11.14.060 Violation; penalty.

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

11.14.070 Nonliability.

The adoption of this Chapter, and of the Energy Code provided for herein, shall not create any duty to any person, firm, corporation or other entity with regard to the enforcement or nonenforcement 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 or of in any way connected with the adoption, enforcement or nonenforcement 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, Section 24-10-101, *et seq.*, C.R.S., or to waive any immunities or limitations on liability otherwise available to the Town, or its officers, employees or agents.

11.14.080 Effective date.

The ordinance codified in this Chapter shall take effect on January 1, 2004.

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 obtained.

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 November, 2003.



Carol Baumgartner
Carol Baumgartner, Town Clerk

Gary Lasater
Gary Lasater, Mayor

ADOPTED ON SECOND AND FINAL READING this 1st day of December, 2003.



Carol Baumgartner
Carol Baumgartner, Town Clerk

Gary Lasater
Gary Lasater, Mayor

APPROVED AS TO FORM:

James S. Maloney
James S. Maloney, Town Attorney