

TITLE 11: BUILDINGS AND CONSTRUCTION

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## **11. 04: INTERNATIONAL BUILDING CODE**

### **11.04.010: ADOPTION OF INTERNATIONAL BUILDING CODE**

**Section 11.04.010** of the Pitkin County code adopting the 2009 edition of the International Building Code is hereby repealed and reenacted to read as follows:

**Pursuant to the powers and authority conferred by the laws of the State of Colorado and Pitkin County, Colorado, there is hereby adopted and incorporated herein by reference as if fully set forth those regulations contained in by reference thereto, the International Building Code, 2015 Edition, including Appendices C, E, I and J, as published by the International Code Council, 4051 West Flossmoor Road, Country Club Hills, Illinois, 60478-5795, except as otherwise provided by amendment or deletion as contained herein.**

### **11.04.020 Copies on file**

The Pitkin County Building Division shall keep on file in its office in Aspen, Colorado, a full and complete copy of the 2015 International Building Code, as adopted by this Article, and said copies shall be open to public inspection at all times during the regular business hours of said Division.

### **11.04.030 Severability**

The provisions of this chapter are declared to be severable so that in the event any section or portion of any section hereof shall be declared by a court of competent jurisdiction to be unconstitutional, unlawful, or otherwise unenforceable, the remaining sections and provisions hereof not so found shall continue in full force and effect.

### **11.04.040 Amendments to the International Building Code**

Section **101.1 Title** is hereby amended to read:

These regulations shall be known as the Building Code of Pitkin County, hereinafter referred to as “this code.”

**Section 101.4 Referenced Codes** is hereby amended to read as follows:

The other codes listed in Sections 101.4.1 through 101.4.7 and referenced elsewhere in this code shall be considered part of the requirements of this code to the prescribed extent of each such reference.

**Section 101.4.4 Property Maintenance** is hereby deleted in its entirety.

**Section 101.4.5 Fire Prevention** is hereby amended to add the following sentence to the end of the section:

As adopted and amended by the Fire District having Jurisdictional Authority.

**Add Section 101.4.8 Electrical:**

The provisions of the most current version of the National Electric Code shall apply to the installation of electrical systems, including alterations, repairs, replacement, equipment, appliances, fixtures, fittings and appurtenances thereto.

**Section 104.6 Right of Entry** is hereby amended to read as follows:

The section shall remain as is except that the last sentence shall read:] If entry is refused, or no person having charge or control over the building or premises can be located, the building official shall obtain a warrant from the Pitkin County Court authorizing the building official to make entry onto the building or premises.

**Section 105.2 Building Item #6** is hereby amended to add the following sentence:

When such work is done as a standalone project and not associated with a required *Building Permit*.

**Section 105.3.2 Time limitation of application** is hereby amended to read as follows:

An application for a permit for any proposed work shall be deemed to have been abandoned one year after the date of filing unless such application has been pursued in good faith or a *permit* has been issued. The building official is not authorized to grant further extensions.

**Section 105.5 Expiration** is hereby amended to read as follows:

A building permit that has been issued shall become invalid if: 1) The work on the structure authorized by such permit is not commenced within 12 months after the date of permit issuance. Evidence of commencement shall be a building inspection of work performed on the structure itself and does not include such peripheral work as infrastructure, grading, access, excavation, etc. 2) The work authorized on the site by such permit is suspended or abandoned for a period of six months after the time the work is commenced. Continuation of work shall be evidenced by a required building inspection. Projects that are not ready for a required inspection shall request a progress inspection to document the performance of significant work in the judgment of the building official. The building official is not authorized to grant an extension.

Add **Section 107.2.7 Improvement Survey**.

The application shall also be accompanied by a survey that is certified by a surveyor registered in the State of Colorado, is no more than two years old, and that contains or indicates the following:

- a) Original wet stamp and signature of the surveyor,
- b) Standard industry language regarding accuracy of the survey,
- c) Property boundaries,
- d) All structures and buildings located on the site,
- e) Topography indicating two foot contour intervals,
- f) Natural water courses that traverse or are adjacent to the lot or parcel,
- g) Average high water mark for such natural water courses,
- h) 100 year Floodplain and/or delineated wetlands (where relevant),

- i) Lot or parcel size,
- j) Legal description,
- k) Location and dimensions of any easements and rights-of-way either contained on the parcel or adjacent to the parcel,
- l) All development envelopes approved through land use review,
- m) Trees within the building envelope that have a greater than 6 inch DBH,
- n) Location of existing well and/or septic system(s) (where applicable),
- o) Legible vicinity map, and
- p) Surveyor notes.

The above requirements shall not be mandatory for a building permit application to reconstruct or remodel totally within the limits of an existing building or structure.

**Section 107.3.3 Phased Approval** shall be deleted in its entirety.

**109.1 Payment of fees** is hereby amended and shall read as follows:

A permit shall not be valid until all fees prescribed by the most current Community Development fee ordinance are paid in full, nor shall an amendment to the permit be released until the additional fees, if any, have been paid. A final job cost audit shall be performed and any deficient permit fees shall be paid in full prior to a final Building Inspection.

**109.3 Building Permit Valuations** A complete Schedule of Values must be submitted at permit application and prior to a final inspection for review. The Schedule of Values shall include the complete project cost including all final finish materials.

**109.4 Work commencing before permit issuance** is hereby amended and shall read as follows: Any person who commences any work on a building, structure, electrical, gas, mechanical or plumbing system before obtaining the necessary permits shall be subject to an investigation fee, in addition to the permit fee, which may be collected whether or not the permit is subsequently issued. The minimum investigation fee in the first instance of violation shall be equal to the amount of the permit fee set forth in the most current adopted Community Development fee ordinance. The second and subsequent times an individual starts work without a permit the minimum fee shall be four times the permit fee.

Add **Section 109.7 Re-inspections.** A re-inspection fee may be assessed when an inspection is called for and the work is not complete, required corrections are not made, field copy of approved plans is not readily available to the inspector, work is not accessible or for deviating from approved plans.

**Section 110.3.10 Final Inspection** is hereby amended to read as follows:

The final inspection shall be made after all work required by the building permit is completed and all applicable referral agencies (i.e., Zoning, Engineering, Fire District, Environmental Health, Water, Sanitation and Historic Preservation) involved in the permit review and issuance have inspected and approved specific permit conditions. It will be the contractor or owner's responsibility to contact the referral departments to arrange the final inspections for permit conditions.

**111.3 Temporary Occupancy** is hereby deleted in its entirety.

**Section 113 BOARD OF APPEALS** is hereby amended and shall read as follows:

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

**113.2 Limitations of Authority.** The board of appeals shall have no authority relative to interpretation of the administrative provisions of this code nor shall the board be empowered to waive requirements of this code.

### **Section 306 Factory Group F**

306.2 F-1 add Marijuana and Cannabis Oil Products to the list of uses.

**Section [F] 903.2 Where required** is hereby amended to read as follows:

Approved automatic sprinkler systems in new buildings and structures shall be provided in the locations described in Section 903.2.1 through 903.2.12 and in all structures 5,000 square feet or greater as defined by fire area (section 902.1). A fire wall, as defined in section 702.1, shall not create separate buildings for this purpose.

Add **Section 1504.9 Snow shed design.** Roofs shall be designed so that they do not shed ice and snow onto the main path of egress to the public way, upon the public way or upon neighboring property.

Exceptions:

- 1) Roofs with mechanical snow retention devices secured to roof framing members or to solid blocking in accordance to manufacturers' instructions or as designed by a licensed structural engineer.
- 2) Roof areas with a horizontal dimension of no more than 48 inches that will not receive snow shedding from a higher roof are exempt from the requirement of design by a licensed structural engineer. The horizontal projection shall be measured perpendicular to the exterior wall line from the edge of the roof or eave to any intersecting vertical surface.
- 3) The re-roofing of legally-existing roofs that are not framed to allow effective installation of snow retention devices is exempt from this requirement.
- 4) Roofs with asphalt shingle roof coverings with a pitch of 6 in 12 or less are exempt from this requirement.

**Section 1505 Fire Classification** is hereby amended and the last sentence of **1505.1 General** shall be replaced with the following sentence: The minimum roof assemblies installed on buildings shall be Class A.

**Table 1505.1 Minimum Roof Covering Classification for Types of Construction** is hereby eliminated in its entirety.

**Section 1507.2.8.2 Ice barrier** is hereby amended to read as follows:

An ice dam barrier that consists of at least two layers of underlayment cemented together or of a self-adhering polymer modified bitumen sheet shall be used in lieu of normal underlayment and shall extend from the roof eave edge at least four and one-half feet inside the exterior wall line as measured along the roof surface, twenty-four inches from the centerline of the valley and up twenty-four inches on the vertical wall at a roof and wall juncture.

**Section 1608 Ground Snow Loads** is hereby deleted and is replaced with the following: The value of roof (or other member) snow load shall be equal to the “recommended basic snow load” as defined in the “2016 Snow Load Design Data for Colorado”, prepared and published by the “Structural Engineers Association of Colorado”.

**Section 1612.3. Establishment of flood hazard areas.** Insert: Pitkin County for [NAME OF JURISDICTION] and insert “June 4, 1987 or the latest study available” for [DATE OF ISSUANCE].

**Section 1809.5** item #1 “Frost protection” is hereby amended to read as follows:

Frost protection depth shall be thirty-six (36) inches.

Add **Section 2111.1.1 Fireplaces allowed.** The number of fireplaces allowed shall be determined by the Pitkin County Code Section 6.12.030.

Add **Section 3001.5 Permits required.** Elevator permits and inspections are required for the installation of elevators.

*(Ord. 99-61 (part); Ord. 007-04 (part); prior code Title VII § 1-; chapter 11.04 repealed and reenacted Ord. 030-10; § 11.04 (part) Ord. 014-2016, 06-22-16)*

## **11.08: INTERNATIONAL MECHANICAL CODE**

### **11.08.010: ADOPTION OF INTERNATIONAL MECHANICAL CODE**

**11.08.010** of the Pitkin County code adopting the 2009 edition of the International Mechanical Code is hereby repealed and reenacted to read as follows:

**Pursuant to the powers and authority conferred by the laws of the State of Colorado and Pitkin County, Colorado, there is hereby adopted and incorporated herein by reference as if fully set**

**forth those regulations contained in by reference thereto, the International Mechanical Code, 2015 Edition, as published by the International Code Council, 4051 West Flossmoor Road, Country Club Hills, Illinois, 60478-5795, except as otherwise provided by amendment or deletion as contained herein.**

**11.08.020 Copies on file**

The Pitkin County Building Division shall keep on file in its office in Aspen, Colorado, a full and complete copy of the 2015 International Mechanical Code, as adopted by this Article, and said copy shall be open to public inspection at all times during the regular business hours of said Division.

**11.08.030 Severability**

The provisions of this chapter are declared to be severable so that in the event any section or portion of any section hereof shall be declared by a court of competent jurisdiction to be unconstitutional, unlawful, or otherwise unenforceable, the remaining sections and provisions hereof not so found shall continue in full force and effect.

**11.08.040 Amendments**

**Section 101.1** Insert: Pitkin County for [NAME OF JURISDICTION]

**Section 104.4 Right of Entry** is hereby amended to read as follows:

The section shall remain as is except that the last sentence shall read:] If entry is refused, or no person having charge or control over the building or premises can be located, the building official shall obtain a warrant from Pitkin County Court authorizing the building official to make entry onto the building or premises.

**Section 106.4.443 Expiration** is hereby amended to read as follows:

Every permit issued shall become invalid unless the work on the site authorized by such permit is commenced within 12 months after its issuance, or if the work authorized on the site by such permit is suspended or abandoned for a period of 180 days after the time the work is commenced. The building official is not authorized to grant an extension.

**Section 106.4.4 Extensions** is hereby deleted.

**Section 106.5.2 Fee schedule** is hereby amended to read as follows:

A permit shall not be valid until all fees prescribed by the most current Pitkin County Community Development fee ordinance are paid in full, nor shall an amendment to the permit be released until the additional fees, if any, have been paid.

**Section 106.5.3 Fee refunds.** Insert: 80% for [SPECIFY PERCENTAGE] in 1. and 2.

**109 Means of Appeal** is deleted in its entirety and shall read as follows:

Section 109.1 Appeals shall be in accordance with IBC Section 113 as amended by this ordinance.

**Section 306.3 Appliances in attics.** Exception 2 is hereby amended and shall read in its entirety: Where the passageway is unobstructed and not less than 5'6" high and 30" wide for its entire length, the passageway shall not be greater than 50 feet in length.

**Section 306.4 Appliances under floors.** Exception 2 is hereby amended and shall read in its entirety: Where the passageway is unobstructed and not less than 5'6" high and 30" wide for its entire length, the passageway shall not be limited in length.

**Section 307.1 Fuel-burning appliances** is hereby amended and the following sentence is added at the end of the paragraph: All condensate shall be neutralized, collected and discharged.

**Section 501.3 Exhaust discharge.**

Add to the end of the paragraph: Bath Fans shall be defined as environmental air exhausts and shall use termination clearances from IMC Section 501.3.1, Item #3.

**Section 504.1 Installation.**

Add to the end of the paragraph: Dryer exhausts shall be defined as environmental air exhausts and shall use termination clearances from IMC Section 501.2.1, Item #3.

**Section 505.1 Domestic systems.**

Add to the end of the paragraph: Kitchen Hoods shall be defined as environmental air exhaust and shall use termination clearances from IMC Section 501.2.1, Item #3.

*(Ord. 99-61 (part); Ord. 007-04 (part); prior code Title VII § 1-1; Chapter 11.08 repealed and reenacted Ord. 030.10; 11.08 (part) Ord. 014-2016, 06-22-16)*

## **11.12: NATIONAL ELECTRICAL CODE AND ICC ELECTRICAL CODE ADMINISTRATIVE PROVISIONS**

### **11.12.010: ADOPTION OF THE NATIONAL ELECTRICAL CODE**

**Section 11.12.010** of the Pitkin County code adopting the National Electrical Code is hereby repealed and reenacted to read as follows:

**Pursuant to the power and authority conferred by the laws of the State of Colorado and Pitkin County, Colorado, there is hereby adopted and incorporated herein by reference as if fully set forth those regulations contained in by reference thereto, the National Electrical Code, most current edition, published by the National Fire Protection Association, Batterymarch Park, Quincy, Massachusetts, 02269.**

### **11.12.020 Copies on file**



The Pitkin County Building Division shall keep on file in its office in Aspen, Colorado, a full and complete copy of the National Electrical Code, most current edition, as adopted by this Article, and said copy shall be open to public inspection at all times during the regular business hours of said Division.

### **11.12.030 Severability**

The provisions of this chapter are declared to be severable so that in the event any section or portion of any section hereof shall be declared by a court of competent jurisdiction to be unconstitutional, unlawful, or otherwise unenforceable, the remaining sections and provisions hereof not so found shall continue in full force and effect.

### **11.12.050 Amendments to the National Electrical Code**

**690.10 Stand-Alone Systems** is hereby amended and shall read as follows:

The premises wiring system shall be adequate to meet the requirements of this Code for a similar installation connected to a service. The wiring on the supply side of the building or structure disconnecting means shall comply with this Code except as modified by 690.10(A) through (D).

**(A) Inverter Output.** The ac output from a stand-alone inverter(s) shall be permitted to supply ac power to the building or structure disconnecting means at current levels less than the calculated load connected to that disconnect. The inverter output rating or the rating of an alternate energy source for dwellings less than 1000square feet shall be equal to or greater than 50% of the load as calculated by NEC 220.40 General.

The calculated load of a feeder or service shall not be less than the sum of the loads on the branch circuits supplied, as determined by Part II of this article, after any applicable demand factors permitted by Part III or IV or required by Part V have been applied.

For all other dwellings NEC 220.40 shall apply

For non-dwellings the calculated load shall be equal to or greater than the load posed by the largest single utilization equipment connected to the system.

**(B) Sizing and Protection** is not amended.

**(C) Single 120-Volt Supply** is not amended.

**(D) Energy Storage or Backup Power System Requirements** is amended and shall read as follows: Energy storage or backup power supplies are not required except for dwellings.

**(E) Back-Fed Circuit Breakers** is not amended.

*(Ord. 99-61 (part); Ord. 007-04 (part); prior code Title VII § 1-1; chapter 11.12 repealed and replaced Ord. 030-10)*

## **11.16: INTERNATIONAL PLUMBING CODE**

### **11.16.010: ADOPTION OF INTERNATIONAL PLUMBING CODE**

**Section 11.16.010** of the Pitkin County code adopting the 2009 edition of the International Plumbing Code is hereby repealed and reenacted to read as follows:

**Pursuant to the powers and authority conferred by the laws of the State of Colorado and Pitkin County, Colorado, there is hereby adopted and incorporated herein by reference as if fully set forth those regulations contained in by reference thereto, the International Plumbing Code, 2009 Edition, as published by the International Code Council, 4051 West Flossmoor Road, Country Club Hills, Illinois, 60478-5795, except as otherwise provided by amendment or deletion as contained herein.**

#### **11.16.020 Copies on file.**

The Pitkin County Building Division shall keep on file in its office in Aspen, Colorado, a full and complete copy of the 2015 International Plumbing Code, as adopted by this Article, and said copy shall be open to public inspection at all times during the regular business hours of said Division.

#### **11.16.030 Severability**

The provisions of this chapter are declared to be severable so that in the event any section or portion of any section hereof shall be declared by a court of competent jurisdiction to be unconstitutional, unlawful, or otherwise unenforceable, the remaining sections and provisions hereof not so found shall continue in full force and effect.

### **11.16.040 AMENDMENTS TO THE 2003 INTERNATIONAL PLUMBING CODE**

**Section 101.1 Title.** Insert: Pitkin County for [NAME OF JURISDICTION]

**Section 104.4 Right of Entry** is hereby amended to read as follows:

The section shall remain as is except that the last sentence shall read:] If entry is refused, or no person having charge or control over the building or premises can be located, the building official shall obtain a warrant from the Pitkin County Court authorizing the building official to make entry onto the building or premises.

**Section 106.5.3 Expiration** is hereby amended to read as follows:

Every permit issued shall become invalid unless the work on the site authorized by such permit is commenced within 12 months after its issuance, or if the work authorized on the site by such permit is suspended or abandoned for a period of 180 days after the time the work is commenced. The building official is not authorized to grant an extension.

**Section 106.5.4 Extension** is hereby deleted.

**Section 106.6.2 Fee schedule** is hereby amended and to read as follows: A permit shall not be valid until all fees prescribed by the most current Pitkin County Community Development fee ordinance are paid in full, nor shall an amendment to the permit be released until the additional fees, if any, have been paid.

**Section 106.6.3 Fee refunds.** Insert: 80% for [SPECIFY PERCENTAGE] in 1. 2. and 3.

**Section 109 Means of Appeal** is hereby amended and shall read in its entirety as follows:

**Section 109.1 Appeals** shall be in accordance with IBC Section 113 as amended by this ordinance.

**Section 305.4.1 Sewer Depth.** Insert 48 for [NUMBER].

**Section 314.1 Fuel burning appliances** is hereby amended and the following sentence is added at the end of the paragraph: All condensate shall be neutralized, collected and discharged.

**Section 412.2 Floor Drains** is hereby amended and the following sentence added to the end of the paragraph: All emergency, mechanical room and basement floor drains shall be plumbed to an approved sanitary drainage system, except that garage floor drains may drain to a drywell.

Add **Section 412.5 Floor Drains for Storage Tank.** Crawlspace containing large capacity storage tanks shall have emergency floor drains or some other means of catastrophic draining provided. Such drainage shall go to a drywell or to daylight.

**Table 702.3 Building Sewer Pipe** is amended to delete “Vitrified clay pipe” as an allowed material.

**Section 9043.1 Roof Extension.** Insert 12 for [NUMBER].

*(Ord. 99-61 (part); Ord. 007-04 (part); prior code Title VII § 1-1; Chapter 11.16 repealed and reenacted Ord. 030-10 11.04 (part) §11.16 (part) Ord. 014-2016, 06-22-16)*

## **11.20: INTERNATIONAL RESIDENTIAL CODE**

### **11.20.010: ADOPTION OF INTERNATIONAL RESIDENTIAL CODE**

**Section 11.20.010** of the Pitkin County code adopting the 2009 edition of the International Residential Code is hereby repealed and reenacted to read as follows:

**Pursuant to the powers and authority conferred by the laws of the State of Colorado and Pitkin County, Colorado, there is hereby adopted and incorporated herein by reference as if fully set forth those regulations contained in by reference thereto, the International Residential Code, 2015 Edition, including Appendices E, F, H and K, as published by the International Code Council, 4051 West Flossmoor Road, Country Club Hills, Illinois, 60478-5795, except as otherwise provided by amendment or deletion as contained herein.**

**11.20.020 Copies on file.**

The Pitkin County Building Division shall keep on file in its office in Aspen, Colorado, a full and complete copy of the 2015 International Residential Code as adopted by this Article, and said copies shall be open to public inspection at all times during the regular business hours of said Division.

**11.20.030 Severability**

The provisions of this chapter are declared to be severable so that in the event any section or portion of any section hereof shall be declared by a court of competent jurisdiction to be unconstitutional, unlawful, or otherwise unenforceable, the remaining sections and provisions hereof not so found shall continue in full force and effect.

**11.20.040 AMENDMENTS TO 2015 INTERNATIONAL RESIDENTIAL CODE.**

**R101.1 Title.** Insert Pitkin County for [NAME OF JURISDICTION].

**Section R104.6 Right of Entry** is hereby amended to read as follows:

The section shall remain as is except that the last sentence shall read:] If entry is refused, or no person having charge or control over the building or premises can be located, the building official shall obtain a warrant from the Pitkin County Court authorizing the building official to make entry onto the building or premises.

**Section R105.2 Work exempt form permit.**

Item 6 Only when this work is performed as a standalone project and is not part of the scope of work for a permitted project.

**Section R105.3.2 Time limitation of application** is hereby amended to read as follows:

An application for a permit for any proposed work shall be deemed to have been abandoned one year after the date of filing. The building official is not authorized to grant further extensions.

**Section R105.5 Expiration** is hereby amended to read as follows:

A building permit that has been issued shall become invalid if: 1) The work on the structure authorized by such permit is not commenced within 12 months after the date of permit issuance. Evidence of commencement shall be a building inspection of work performed on the structure itself and does not include such peripheral work as infrastructure, grading, access, excavation, etc. 2) The work authorized on the site by such permit is suspended or abandoned for a period of six months after the time the work is commenced. Continuation of work shall be evidenced by a required building inspection. Projects that are not ready for a required inspection shall request a progress inspection to document the performance of significant work in the judgment of the building official. The building official is not authorized to grant an extension.

Add **Section R106.2.1 Improvement Survey.**

The application shall also be accompanied by a survey that is certified by a surveyor registered in the State of Colorado, is no more than two years old, and that contains or indicates the following:

- a) Original wet stamp and signature of the surveyor,
- b) Standard industry language regarding accuracy of the survey,
- c) Property boundaries,
- d) All structures and buildings located on the site,
- e) Topography indicating two foot contour intervals,
- f) Natural water courses that traverse or are adjacent to the lot or parcel,
- g) Average high water mark for such natural water courses,
- h) 100 year Floodplain and/or delineated wetlands (where relevant),
- i) Lot or parcel size,
- j) Legal description,
- k) Location and dimensions of any easements and rights-of-way either contained on the parcel or adjacent to the parcel,
- l) All development envelopes approved through land use review,
- m) Trees within the building envelope that have a greater than 6 inch DBH,
- n) Location of existing well and/or septic system(s) (where applicable),
- o) Legible vicinity map, and
- p) Surveyor notes.

The above requirements shall not be mandatory for a building permit application to reconstruct or remodel totally within the limits of an existing building or structure.

**Section R106.3.3 Phased Approval** is hereby deleted in its entirety.

**Section R108.1 Payment of fees** is hereby amended and shall read as follows:

A permit shall not be valid until all fees prescribed by the most current Pitkin County Community Development fee ordinance are paid in full, nor shall an amendment to the permit be released until the additional fees, if any, have been paid.

**Section R108.3 Building Permit Valuations.** A complete Schedule of Values must be submitted at permit application and prior to a final inspection for review and auditing purposes. The Schedule of Values shall include the complete project cost including all final finish materials.

**108.6 Work commencing before permit issuance** is amended and shall read as follows:

Any person who commences any work on a building, structure, electrical, gas, mechanical or plumbing system before obtaining the necessary permits shall be subject to an investigation fee, in addition to the permit fee, which may be collected whether or not the permit is subsequently issued. The minimum investigation fee shall be equal to the amount of the permit fee set forth in the most current adopted Community Development fee ordinance. The second time and subsequent times an individual starts work without a permit the minimum fee shall be four times the permit fee.

**Section R109.1.6 Final Inspection** is hereby amended and shall read as follows:

The final inspection shall be made after all work required by the building permit is completed and all applicable referral agencies have accepted the work to comply with conditions of approval and any specific regulations.

Add **Section R109.5 Re-inspections.** A re-inspection fee may be assessed when an inspection is called for and the work is not complete, required corrections are not made, field copy of approved plans is not readily available to the inspector, work is not accessible or for deviating from approved plans.

**Section R110.4 Temporary Occupancy** is hereby deleted.

**Section R112 BOARD OF APPEALS** is hereby amended and shall read as follows:

**R112.1 General.** In order to hear and decide appeals of orders, decisions or determinations made by the building official relative to the application and interpretation of this code, there shall be and is hereby created a board of appeals consisting of members who are qualified by experience and training to pass on matters pertaining to building construction and who are not employees of the jurisdiction. The building official shall be an ex officio member of and shall act as secretary to said board but shall have no vote on any matter before the board. The board of appeals shall be appointed by the governing body and shall hold office at its pleasure. The board shall adopt rules of procedure for conducting its business, and shall render all decisions and findings in writing to the appellant with a duplicate copy to the building official.

**R112.2 Limitations of Authority** is hereby amended and the last sentence shall read: The board of appeals shall have no authority relative to interpretation of the administrative provisions of this code nor shall the board be empowered to waive requirements of this code.

**R202 Definitions. Habitable Space** is hereby amended. The definition shall remain as written, with the following sentence appended to the end: Unfinished basements with a ceiling height of 80 inches or more are considered habitable space.

**R301.2(1) Climatic and Geographical Design Criteria**

Ground Snow Load	Wind Design				Seismic Design Category	Subject to Damage From			Winter Design Temp	Ice Barrier Underlayment Required	Flood Hazards	Air Freezing Index	Mean Annual Temp
	Speed (mph)	Topographic Effects	Special Wind Region	Windborne Debris Zone		Weathering	Frost Line Depth	Termite					
Varies*	Varies**	No	No	No	Varies***	Severe	36"	None to slight	-16	Yes- refer to R902.7.1 as amended	1987 or latest available study	2000	40.8

**Table 301.2(1)** shall read as follows:

\*The value of roof (or other structural member) snow load shall be equal to the recommended basic snow load as defined in the 2016 Snow load Design Data for Colorado, prepared and published by the Structural Engineers Association of Colorado

\*\*Engineered per ASCE 7-10 Standard

\*\*\*As Verified on map(s) located in the 2015 International Residential Code

**R313.1 Townhouse automatic fire sprinkler systems** is hereby amended and shall read as follows:

An automatic residential fire sprinkler system shall be installed in structures 5,000 square feet or greater in gross floor area as defined by the 2015 International Building Code or two (2) stories of more in height and containing four (4) or more dwelling units. Fire separations shall not constitute separate buildings for this purpose.

**R313.2 One- and two-family dwellings automatic fire sprinkler systems** is hereby amended and shall read as follows:

An approved automatic fire-extinguishing system shall be installed in all structures 5,000 square feet or greater as defined by fire area (IBC section 702.1). A fire wall, as defined in IBC section 702.1, shall not create separate buildings for this purpose.

**R315 Carbon monoxide alarms** is hereby amended and shall read in its entirety:

**R315.1 Carbon monoxide alarms.** Carbon monoxide alarms shall be installed in new and existing buildings in compliance with the Pitkin County Carbon Monoxide Ordinance No. 039-2008.

**Section R902.1** is hereby amended and shall read as follows:

The second sentence is replaced with the following: The minimum roof assemblies installed on buildings shall be Class A. Third sentence amended to delete Class B and C.

Add **Section R903.5 Snow shed design.**

Roofs shall be designed so that they do not shed ice and snow onto the main path of egress to the public way, upon the public way or upon neighboring property.

Exceptions:

- 1) Roofs with mechanical snow retention devices secured to roof framing members or to solid blocking in accordance to manufacturers' instructions or as designed by a licensed structural engineer.
- 2) Roof areas with a horizontal dimension of no more than 48 inches that will not receive snow shedding from a higher roof are exempt from the requirement of design by a licensed structural engineer. The horizontal projection shall be measured perpendicular to the exterior wall line from the edge of the roof or eave to any intersecting vertical surface.
- 3) The re-roofing of legally-existing roofs that are not framed to allow effective installation of snow retention devices is exempt from this requirement.
- 4) Roofs with asphalt shingle roof coverings with a pitch of 6 in 12 or less are exempt from this requirement.

**Section R905.2.7.1 Ice barrier** is hereby amended to read as follows:

An ice dam barrier that consists of at least two layers of underlayment cemented together or of a self-adhering polymer modified bitumen sheet shall be used in lieu of normal underlayment and shall extend from the roof eave edge at least four and one-half feet inside the exterior wall line as measured along the roof surface, twenty-four inches from the centerline of the valley and up twenty-four inches on the vertical wall at a roof and wall juncture.

Add **Section R1003.1.1 Fireplaces allowed.** The number of fireplaces allowed shall be determined by the Pitkin County Code Section 6.12.030.

**Chapter 11** is deleted in its entirety and replaced with the following:

**Chapter 11 Energy Efficiency.** The provisions of the 2015 International Energy Conservation Code shall apply to all matters governing the design and construction of buildings for energy efficiency.

**M1305.1.3 Appliances in attics.** Exception 2 is hereby amended and shall read:

Where the passageway is unobstructed and not less than 5' 6" high and 30" wide for its entire length, the passageway shall be not more than 50' long.

**M1305.1.4 Appliances under floors.** Exception 2 is hereby amended and shall read as follows:

Where the passageway is unobstructed and not less than 5' 6" high and 30" wide for its entire length, the passageway shall not be limited in length.

Add **M1307.7 Fuel-burning appliances.** All condensate shall be neutralized, collected and discharged.

**Section G2406.2 Appliance location** is amended as follows:

Exceptions 3 & 4 are hereby deleted.

**Section G2425.8** item #7 is hereby amended to read as follows:

Unvented room heaters shall not be installed.

**Section G2445 Unvented room heaters** and decorative fuel burning appliances are prohibited in Pitkin County and this section is hereby deleted in its entirety.

**Section P2904.1 General.** Is hereby amended and shall read as follows:

The design and installation of Residential Fire Sprinkler Systems shall be in accordance with NFPA13D or P2904, which will be considered equivalent to NFPA13D when reviewed, approved, installed and inspected to the satisfaction of the Fire District having jurisdictional authority.

**Section P3103.1 Roof extension** is hereby amended and shall read as follows:



All open vent pipes which extend through a roof shall be terminated at least 12 inches above the roof or 6 inches above the anticipated snow accumulation, except where a roof is to be used for any purpose other than weather protection, the vent extensions shall be run at least 7 feet above the roof.

*(Ord. 99-61 (part); Ord. 007-04 (part); prior code Title VII § 1-1; Chapter 11.20 repealed and reenacted Ord. 030-10; Amended (part) Ord. 025-2012; Amended (part) 014-16, 06-22-16)*

## **11.24: INTERNATIONAL BUILDING CODE**

### **11.24.010: ADOPTION OF THE 2015 INTERNATIONAL EXISTING BUILDING CODE**

Pursuant to the powers and authority conferred by the laws of the State of Colorado and Pitkin County, Colorado, there is hereby adopted and incorporated herein by reference as if fully set forth those regulations contained in by reference thereto, the International Existing Building Code, 2003 Edition, as published by the International Code Council, 4051 West Flossmoor Road, Country Club Hills, Illinois, 60478-5795, except as otherwise provided by amendment or deletion as contained herein. *(Ord. 99-61 (part); Ord. 007-04 (part); prior code Title VII § 1-1) Ord. 14-16 (part) Amended (part) 014-16, 06-22-16)*

### **11.24.020: COPIES ON FILE.**

The Pitkin County Building Division shall keep on file in its office in Aspen, Colorado, a full and complete copy of the International Existing Building Code, 2015 edition, as adopted by this Article, and said copies shall be open to public inspection at all times during the regular business hours of said Division. *(Ord. 99-61 (part); Ord. 007-04 (part); prior code Title VII § 1-1) Amended (part) 014-16, 06-22-16)*

### **11.24.030: SEVERABILITY**

The provisions of this chapter are declared to be severable so that in the event any section or portion of any section hereof shall be declared by a court of competent jurisdiction to be unconstitutional, unlawful, or otherwise unenforceable, the remaining sections and provisions hereof not so found shall continue in full force and effect. *(Ord. 99-61 (part); Ord. 007-04 (part); prior code Title VII § 1-1)*

### **11.24.040: AMENDMENTS TO THE 2015 EXISTING BUILDING CODE**

**Section 101.1** Insert: Pitkin County for [NAME OF JURISDICTION]

SECTION 103 DEPARTMENT OF BUILDING SAFETY is hereby amended to read as follows:

#### **SECTION 103 DIVISION OF BUILDING SAFETY**

**Section 103.1** The Division of Building Safety is hereby created and the official in charge thereof shall be known as the building official.

**Section 104.6** Right of Entry is hereby amended to read as follows:

The section shall remain as is except that the last sentence shall read:] If entry is refused, or no person

having charge or control over the building or premises can be located, the building official shall obtain a warrant from the City of Aspen Municipal Court authorizing the building official to make entry onto the building or premises.

**Section 105.3.2** Time limitation of application is hereby amended to read as follows:

An application for any proposed work shall be deemed to have been abandoned six (6) months after the date of filing, unless such application has been pursued in good faith or a permit has been issued. The building official is authorized to grant an extension not exceeding six (6) months. The extension shall be requested in writing and justifiable cause demonstrated.

**Section 105.5** Expiration is hereby amended to read as follows:

Every permit issued shall become invalid unless the work on the site authorized by such commenced within 12 months after its issuance, or if the work authorized on the site by such permit is suspended or abandoned for a period of 180 days after the time the work is commenced. The building official is not authorized to grant an extension.

**Section 106.3.3** Phased Approval is hereby deleted in its entirety.

**Section 110.3** Temporary Occupancy is hereby deleted in its entirety.

**Section 112.1** Board of Appeals, General is hereby amended to read as follows:

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

**112.2** Limitations of Authority. The board of appeals shall have no authority relative to interpretation of the administrative provisions of this code nor shall the board be empowered to waive requirements of this code. (*Ord. 99-61 (part); Ord. 007-04 (part); prior code Title VII § 1-1*)

## **11.28: INTERNATIONAL FUEL GAS CODE**

### **11.28.010: ADOPTION OF THE 2015 INTERNATIONAL FUEL GAS CODE**

**Section 11.28.010** of the Pitkin County code adopting the 2009 edition of the International Fuel Gas Code is hereby repealed and reenacted to read as follows:

**Pursuant to the powers and authority conferred by the laws of the State of Colorado and Pitkin County, Colorado, there is hereby adopted and incorporated herein by reference as if fully set forth those regulations contained in by reference thereto, the International Fuel Gas Code, 2015 Edition, as published by the International Code Council, 4051 West Flossmoor Road, Country Club Hills, Illinois, 60478-5795, except as otherwise provided by amendment or deletion as contained herein.**

#### **11.28.020 Copies on file**

The Pitkin County Building Division shall keep on file in its office in Aspen, Colorado, a full and complete copy of the International Fuel Gas Code 2015 edition, as adopted by this Article, and said copies shall be open to public inspection at all times during the regular business hours of said Division.

#### **11.28.030 Severability**

The provisions of this chapter are declared to be severable so that in the event any section or portion of any section hereof shall be declared by a court of competent jurisdiction to be unconstitutional, unlawful, or otherwise unenforceable, the remaining sections and provisions hereof not so found shall continue in full force and effect.

#### **11.28.040 AMENDMENTS TO 2015 INTERNATIONAL FUEL GAS CODE**

**Section 106.6.2 Fee schedule** is hereby amended and to read as follows:

A permit shall not be valid until all fees prescribed by the most current Pitkin County Community Development fee ordinance are paid in full, nor shall an amendment to the permit be released until the additional fees, if any, have been paid.

**Section 106.6.3 Fee refunds** is hereby amended as follows: insert 80% for [SPECIFY PERCENTAGE] in items 2. and 3.

**Section 109 (IFGC) Means of Appeal** is deleted in its entirety and shall read as follows:

**Section 109.1** Appeals shall be in accordance with IBC Section 113 as amended by this ordinance.

**Section 306.3 Appliances in attics.** Exception 2 is hereby amended and shall read as follows:

Where the passageway is unobstructed and not less than 5' 6" high and 30" wide for its entire length, the passageway shall be not more that 50' long.

**Section 306.4 Appliance under floors.** Exception 2 is hereby amended and shall read in its entirety:

Where the passageway is unobstructed and not less than 5'6" high and 30" wide for its entire length, the passageway shall not be limited in length.

**Add Section 402.6.2 Liquefied petroleum gas facilities and equipment.**

Liquefied petroleum gas (LPG) gas facilities and equipment shall not be located in any pit or basement, under show windows or interior stairways, in engine, boiler, heater or electric meter rooms.

Exception: Equipment may be installed in such locations when an approved means of detection and removal of unburned LPG gas, consisting of an engineered mechanical exhaust system or other approved evacuation method designed by a Colorado-licensed mechanical engineer with a propane sensor and an automatic safety shut-off is provided.

**Section 503.4.1.1 Plastic vent joints** is hereby amended and the following shall be added to the end of the first sentence: and shall be tested with water at a minimum 10’ of head pressure or air at a minimum of 5 psi for 15 minutes.

**Section 621 (IFGC) Unvented Room Heaters** is hereby deleted in its entirety and shall read as follows:

**Section 621.1 General.** Unvented room heaters or decorative fuel burning appliances shall not be installed.

*(Ord. 99-61 (part); Ord. 007-04 (part); prior code Title VII § 1-1; chapter 11.28 repealed and reenacted Ord. 030-10; amended (part) 014-16, 06-22-16)*

**11.32: INTERNATIONAL ENERGY CONSERVATION CODE**

**Section 101.1 Jurisdiction, Pitkin County**

Section 107.1 Fees is hereby amended and shall read as follows: “A permit shall not be valid until all fees as prescribed in the Pitkin County Community Development Fee Ordinance that is in effect at the time of permit submittal are paid in full, nor shall an amendment to the permit be released until the additional fees, if any, have been paid.”

**Section 107.5 Refunds** is hereby amended and shall read as follows:

The building official shall authorize the refund for the full amount of any fee paid which was erroneously paid or collected. Not more than 80% of a permit fee paid may be refunded when no work has been done under a permit issued in accordance with this code. The building official shall not authorize refunding any fee paid except on written application filed by the original permittee not later than six months after the date of payment.

Refunds may be approved for up to 100% of a fee paid for REMP. No refund will be approved when requested more than 180 days after the Certificate of Occupancy or Letter of Completion is issued.

**Section 109 Board of Appeals**

109.1 General is deleted in its entirety and shall read as follows: Appeals shall be in accordance with Pitkin County Code Title 11, Chapter 11.04, Section 112.1.

**Section 110 Liability: Repealed Ord. 014-2016 Reenacted Ord. No. 003-2019**

The Building Official or his authorized representative charged with the enforcement of this code, acting in good faith and without malice in the discharge of his duties, shall not thereby render himself personally liable for any damage that may accrue to persons or property as a result of any act or omission in the discharge of his duties.

This code shall not be construed to relieve or lessen the responsibility of any person owning, operating or controlling any building or structure for any damage to persons or property caused by defects on or in such premises, nor shall the code enforcement agency, any employee thereof, or Pitkin County be held as assuming any such responsibility or liability by reason of the adoption of this code or by the exercise of inspections authorized and carried out thereunder, or by the issuance of any permits or certificates issued pursuant to this code.

**Section 301** Climate Zones shall be deleted in its entirety and shall read as follows:

“Pitkin County, Colorado shall use Climate Zone 7 in determining the applicable requirements from Chapters 4 and 5”.

**Section 402.4** Air sealing and insulation is hereby amended and shall read as follows:

Building envelope air tightness and insulation installation shall be demonstrated to comply with the testing option section 402.4.2.1.

**Section 402.4.2** Fireplaces is hereby amended and shall read as follows:

New wood-burning fireplaces and gas log fireplaces shall have gasketed doors and outdoor combustion air. Exception: Listed and Labeled automatic damper interlocked with a gas log set.

**Section 402.4.3** Fireplaces is hereby amended and shall read as follows:

New wood-burning fireplaces and masonry gas log fireplaces shall have gasketed doors and outdoor combustion air.

Exception: Listed and labeled equipment installed per manufacturer’s instruction that meet the requirements for combustion air and heat loss through an automatic damper system.

## **Energy Addendum (aka: the Matrix)**

### **Section 100 General Requirements**

The purpose of this Energy Addendum (Matrix) is to establish certain code requirements that address issues specific to this jurisdiction that are not already addressed in the currently adopted 2015 International Energy Conservation Code (IECC). These requirements include increased energy conservation measures to offset additional energy use and consumption in houses above a certain size or that contain large amounts of glazing. The Matrix also addresses energy upgrades in existing houses when feasible and removes certain exemptions found in the 2015 IECC. The Matrix also establishes certain minimum equipment efficiencies and renewable energy preparation requirements per Appendix RB of the 2015 IECC.

## **Section 101** Scope and Administration

**Section 101.1** Scope All Residential and Commercial Residential (multi-family dwellings or the Residential portions of mixed use occupancy) buildings in Pitkin County shall be required to comply with the requirements of the Matrix as applicable.

## **Section 200** Definitions

**Air Sealing (Leakage)** The buildings thermal envelope shall be constructed to limit air leakage in accordance with the requirements of Section 402.4 (f) 2015 IECC

**AFUE Annual Fuel Utilization Efficiency** A measure of how efficiently your furnace can utilize its fuel. The more efficient your furnace, the more heat you will get per unit of fuel.

**Commissioning** Project *commissioning* is the process of assuring that all systems and components of a building or industrial plant are designed, installed, tested, operated, and maintained according to the operational requirements of the owner or final client.

**Continuous Insulation** (as defined by Section R202 2015 IECC)

**ERI Energy Rating Index** (as defined by Section 406.3 2015 IECC)

**Glazing** Windows, doors and skylights or other similar glass components

**Home Energy Assessment (Home Energy Audit)** A **home energy audit** is a service where the **energy** efficiency of a house is evaluated by a person using professional equipment (such as blower doors and infrared cameras), with the aim to suggest the best ways to improve **energy** efficiency in heating and cooling the house.

**R-Value** A measure of thermal resistance, or how well a material or series of materials resist the flow of heat. The R-value is the reciprocal of the U-factor.

**Sustainable Construction Methods** Using processes that are environmentally responsible and resource-efficient throughout a buildings construction.

**Thermal Bridging** A component, or assembly of components, in a building envelope through which heat is transferred at a substantially higher rate than through the surrounding envelop area.

**U-Factor** A measure of how well a material or series of materials conducts heat. U-factors for window and door assemblies are the reciprocal of the assembly R-value. The smaller the number, the less the heat flow.

## **Section 300** Application and Enforcement

### **Section 301** Submittal Requirements and Inspections

**Section 301.2 Plan Submittal.** Compliance with the Matrix shall be demonstrated by appropriate notations or details represented on the set of documents submitted to the Building Department for review, approval and issuance.

**Section 301.2 Inspection Process.** Compliance with the Matrix shall be demonstrated by review of the approved permit documents and field inspection of the indicated requirements.

**MATRIX**

	Building Tier 1	Building Tier 2	
<b>Insulation R-Values</b>	<b>&lt;5750</b>	<b>&gt;5751</b>	<b>Compliance Explanation</b>
Walls	Current code	C.I. or equivalent	Required >5751 ft2. Continuous Insulation (CI) shall be installed to improve the cumulative R value at exterior walls for larger homes and/or homes containing >15% glazing. Equivalent = full depth foam with incorporation of sustainable construction methods indicated below. Basic Prescriptive or UA trade off paths are not allowed.
<b>Windows</b>	<b>&lt;5750</b>	<b>&gt;5751</b>	<b>Compliance Explanation (glazing percentages must be provided per wall section)</b>
Maximum Glazing	>15%* requires offset	>15%** requires offset	Adjusted U-factors below and Continuous Insulation requirements apply for all house sizes with >15% total glazing.
Required U-Factor	0.28	0.28	ONLY apply for >15% glazing, this becomes the new prescriptive value. Energy Rating Index (ERI) is also an alternative pathway.
Skylights U-Factor	0.40	0.40	ONLY apply for >15% glazing, this becomes the new prescriptive value. ERI is also an alternative pathway.
	*prescriptive method not allowed. Must use UA trade off or ERI modeling for energy compliance.		
	**prescriptive method not allowed. Must model using Energy Rating Index path with a maximum score of 50		
<b>Sustainable Construction Methods</b>	<b>&lt;5750</b>	<b>&gt;5751</b>	<b>Compliance Explanation</b>
Materials	Engineered lumber	Engineered Lumber	Minimum 50% engineered materials required for projects under 5750 ft2 with >15% glazing. Projects 5751 ft2 and over and/or >15% glazing require a minimum of 75% engineered materials.
Framing Practices	Insulated Header	Insulated Header	Required when >5751 ft2 or >15% glazing and continuous exterior insulation is substituted by an equivalency. (when structurally feasible)
Framing Practices	24" o.c. Framing	24" o.c. Framing	Required when >5751 ft2 or >15% glazing and continuous exterior insulation is substituted by an equivalency.
Framing Practices	Three Stud Corners	Three Stud Corners	Required when >5751 ft2 or >15% glazing and continuous exterior insulation is substituted by an intended equivalency.
Framing Practices	Other: SIPs, Strawbale, etc.	Other: SIPs, Strawbale, etc.	Alternatives to Continuous Insulation
<b>Equipment</b>	<b>&lt;5750</b>	<b>&gt;5751</b>	<b>Compliance Explanation</b>
Appliance Efficiency	eStar	eStar	All major appliances.
Boiler AFUE	Min 92%	Min 92%	All projects and equipment replacements when feasible.
Boiler Operation	Sequential	Sequential	All projects and equipment replacements when feasible.
	Outdoor Reset	Outdoor Reset	All projects and equipment replacements when feasible.

Furnace AFUE	Min 92%	Min 92%	All projects and equipment replacements when feasible.
Water Heater	Min Efactor 91	Min Efactor 91	All projects and equipment replacements when feasible.
Commissioning	Multiple Systems, or over 5 thermal zones	Multiple Systems, or over 5 thermal zones	If more than 5 zones (heating or cooling) OR if multiple boilers OR heating and cooling
Mechanical Rooms	Sealed and Vented to Exterior	Sealed and Vented to Exterior	Vent to be continuous low, and thermally activated to high.
Sealed Ductwork	Mandatory	Mandatory	Stud and joist bays must be lined or panned.
Exhaust fan in Garage	1 ACH/Day	1 ACH/Day	Controlled by an occupancy sensor with timer. Fan and timer combo to be sized to provided 1 ACH for each operation. (For example: 600 ft2 garage, 10 ft tall, would require a 100 cfm fan to run for 1 hr).



Upgrades to Existing Homes	<5750	>5751	Compliance Explanation
Remodels affecting Building Envelope	Prescriptive Minimum Insulation and U-factor	Prescriptive Minimum Insulation and U-factor	Must meet current adopted energy code with all requirements for house size and maximum glazing.
Remodels interior only	lighting, heating and ventilation systems	lighting, heating and ventilation systems	Must meet current adopted code with all requirements for house size and maximum glazing.
Additions greater than 1000 sf or 20% of existing floor area (whichever is less) require the following to existing portion of the house:			
Home Energy Assessment	Required	Full ERI compliance method required	Must meet current adopted code and obtain a HERS score of 58.
Building Envelope of existing portions affected by project	Prescriptive Minimum Insulation and U-factor	Prescriptive Minimum Insulation and U-factor	The Addition and any altered existing elements must meet current code including all requirements for house size and maximum glazing.
Air Sealing	Existing house to be air sealed with a minimum 15% air leakage reduction. Test-in of existing and test-out with addition required.	Existing house to be air sealed with a minimum 15% air leakage reduction. Test-in of existing and test-out with addition required.	Blower door test before and after addition work.
Crawlspace ventilation	Existing passively vented crawlspaces to be converted to meet 2015 prescriptive crawlspace requirements	Existing passively vented crawlspaces to be converted to meet 2015 prescriptive crawlspace requirements	2015 International Residential Code section R408.3 for Unvented Crawlspaces requires mechanical exhaust ventilation or conditioned air supply with a return to the common interior area.
Attic ventilation and insulation	Accessible existing vented attics must comply with an approvable method of ventilation and insulation consistent with current code if possible.	Accessible existing vented attics must comply with an approvable method of ventilation and insulation consistent with current code if possible.	The Home Energy Assessment will be used to determine appropriate path for correction of any attic insulation or ventilation deficiencies that will need to be addressed to bring to IECC 2015.
Lighting	75% of lighting must be high-efficacy luminaires or LEDs	75% of lighting must be high-efficacy luminaires or LEDs	The Exception in Section 404.1 (2015 IECC) for Low Voltage Lighting that does not equate to high efficacy shall be deleted.
Renewable Preparation	<5750	>5751	Compliance Explanation
Solar Hot Water	Prepiping	Prepiping	Provide a Solar Ready Zone per 2015 IECC Appendix RB
Photovoltaic	Conduit pre run	Conduit pre run	Provide a Solar Ready Zone and Electrical provisions per 2015 IECC Appendix RB.
Garage Electric Vehicle Station	provide vehicle charging outlet for one vehicle space	provide vehicle charging outlet for each vehicle space	Provide appropriate circuitry and outlet location for a standard EV station.

## “Appendix A”

### 11.48: 2015 INTERNATIONAL SWIMMING POOL AND SPA CODE

#### “Residential Renewable Energy Mitigation Program”

#### Section 101 SCOPE AND ADMINISTRATION

**Section 101.1 Scope.** Residential snowmelt, outside pool, or outside spa systems and equipment may be installed only if the supplemental energy meets the requirements of the Residential Renewable Energy Mitigation Program (RREMP) Appendix A. This applies to all installations for which an application for a permit or renewal of an existing permit is filed or is by law required to be filed with or without an associated Building Permit that include systems described in section 101.1.

**Section 101.2** Residential Renewable Energy Mitigation Program (RREMP) Option – Exterior energy use for residential snowmelt systems, outdoor spas, and outdoor pools are calculated as directed by Section 201.

**Section 101.2.1.** The maximum area of snowmelt is capped at 6,000 square feet per parcel.

Exception: Residences with Ground Source Heat Pump (GSHP) systems complying with Section 301.3 are exempt from this cap.

**Section 101.2.2.** R-10 insulation shall be installed under all areas to be snowmelted. R-5 insulation may be used when the insulation extends up the sides of the slab.

**Section 101.3** On-site Renewable Credits Option – Renewable credit options are calculated as directed by Section 301.

**Section 102 Payment option.** The RREMP payment option is the difference in energy use calculated in section 202 and on-site renewable credits calculated in section 302 and shall be paid at the time of issuance of the building permit. The payment, if any, is based on the amount of energy required, expressed as dollars per square foot, to operate the exterior energy use systems. No payment shall be made to an applicant that exceeds the energy use with on-site renewable credits. All monies collected pursuant to this section shall be recorded in a separate fund and shall be spent in accordance with a joint resolution by the Aspen City Council and Pitkin County Board of County Commissioners.

**Section 103** Credits for on-site renewable energy. This RREMP payment option is voluntary. Applicants interested in exterior energy use systems can alternatively choose to produce on-site renewable energy (Section 301) with solar photovoltaics and/or solar hot water or micro-hydro. The energy efficient technology of ground source heat pumps is also permitted for supplemental on-site energy.

## **SECTION 104 PRE-EXISTING SYSTEMS**

Pre-existing snowmelt, pools or spas installed prior to Aspen Pitkin Energy Conservation Code (APECC adopted in 1995) which are being replaced, overhauled or renovated qualify for exterior energy credit. This credit can only be applied towards an installation of exterior energy on the same parcel. The calculation of the credit shall be based on section 301. The maximum allowable replacement credit shall be 6000 square feet of snowmelt (or 240,000,000 BTU's). The replacement credit may be applied to other exterior energy consumption. Systems installed after the adoption of APECC 1995 without permit approval are not eligible for replacement credit and are subject to all applicable fees.

**Section 105 - Residential repairs.** Repairs to building components, systems, or equipment which do not increase their pre-existing energy consumption need not comply with RREMP. All replacement mechanical equipment shall be Energy Star® rated.

**Section 106 Residential Renewable Energy Mitigation Program (RREMP)** for houses 5,000 square feet and more. A new residence 5,000 sq ft or more in area (as defined by the building code), or a residence receiving an addition which brings the area of the residence to 5,000 sq ft or more, is required to offset a portion of its fossil fuel energy consumption through the use of on-site renewable energy or through a fee payment to REMP. Renewable energy systems installed for this requirement do not qualify for credit for exterior energy use.

**Section 106.2.** The on-site renewable energy requirement can be met by the installation of a two-kilowatt solar photovoltaic or equivalent renewable energy system. This requirement can alternatively be satisfied off-site by

payment of a REMP fee as follows. The fee for buildings over 4,999 sq ft shall equal the floor area as defined by the building code. For example:

5,000 sq ft	\$5,000
8,255 sq ft	\$8,255

## **Section 201 EXTERIOR ENERGY USE CALCULATIONS**

**Section 201.1** Snowmelt energy consumption shall be calculated as a RREMP payment option at \$34.00 per square foot divided by the boiler efficiency (AFUE).

**Section 201.2** Outdoor pool energy use shall be calculated as a RREMP payment option at \$136.00 per square foot divided by the boiler efficiency (AFUE).

**Section 201.3** Spa energy use shall be calculated as a RREMP payment option at \$176.00 per square foot divided by the boiler efficiency (AFUE). Package spas not more than 64 square feet are exempt.

**Section 202** The total RREMP payment option is the total sum of exterior energy use of sections 201.1, 201.2 and 201.3.

## **Section 301 ON-SITE RENEWABLE CREDITS**

**Section 301.1** Photovoltaic Systems – On-site renewable credit shall be calculated as \$6,241.20 per 1 kilowatt of the system design. Solar electric (photovoltaic) systems tied to the electric grid, are eligible for on-site renewable credit. Systems must be sited, oriented and installed for solar electric panels to supply at least 90% of rated capacity of the installed KW. System designer/installer must be certified by COSEIA (Colorado Solar Energy Industries Association) or NABCEP, (North American Board of Certified Energy Practitioners).

**Section 301.2 Solar Hot Water** - On-site renewable credit shall be calculated as \$224.65 per 1 square foot of the system design. The size of solar hot water systems is limited to 500 square feet of collector area.

**Section 301.3 Ground Source Heat Pump** - On-site renewable credit shall be calculated as \$6.84 per 100,000 BTU per year of the system design. In order to use a GSHP for on-site renewable credit the GSHP system must supply at least 20% of the peak load for heating the house and all the exterior energy uses. Each ground source heat pump system shall be tested and balanced and the design engineer shall certify in writing that it meets a design coefficient of performance of 3.0 inclusive of source pump power.

The ground loop system must be designed by a CGD (Certified GeoExchange Designer certified by the Association of Energy Engineers) or a professional engineer with IGSHPA (International Ground Source Heat Pump Association). The mechanical system must be installed by a certified IGSHPA contractor.

**Section 302** The total RREMP on-site renewable credit is the total sum of sections 301.1, 301.2 and 301.3.

## **PUBLIC DOMAIN SOFTWARE**

**Section 401** A free calculation program known as RREMP 2009 shall be made available to the public.

## EXAMPLE CALCULATION FOR RESIDENTIAL RENEWABLE ENERGY MITIGATION PROGRAM

Snowmelt Example  
(Snowmelt requested 800 sq. ft.)  
 $\$34.00 \times 800 / .91$  (efficiency rating of boiler) = \$29,890.11  
RREMP payment option for exterior energy use will be \$29,890.11

ON-SITE RENEWABLE CREDITS  
96 square feet of solar hot water panels \* \$224.65 per square foot = \$21,566.24  
RREMP payment option will be \$8,323.87

OR  
4.8 KW photovoltaic system \* \$6,241.20 per kilowatt = \$29,957.76  
RREMP payment option will be \$0

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“Appendix B” (*added*)

“Commercial Renewable Energy Mitigation Program”

### SECTION 101 SCOPE AND ADMINISTRATION

**Section 101.1 Scope.** Commercial snowmelt, outside pool, or outside spa systems and equipment may be installed only if the supplemental energy meets the requirements of the Commercial Renewable Energy Mitigation Program (CREMP) Appendix B. This applies to all installations for which an application for a permit or renewal of an existing permit is filed or is by law required to be filed with or without an associated Building Permit that include systems described in section 101.1.

**Section 101.2 Commercial Renewable Energy Mitigation Program (CREMP) Option** – Exterior energy use for commercial snowmelt systems, outdoor spas, and outdoor pools are calculated as directed by Section 201.

**Section 101.2.1.** R-10 insulation shall be installed under all areas to be snow melted. R-5 insulation may be used when the insulation extends up the sides of the slab.

**Section 101.3** On-site Renewable Credits Option – Renewable credit options are calculated as directed by Section 301.

### SECTION 102 PAYMENT OPTION

The CREMP payment option is the difference in energy use calculated in section 202 and on-site renewable credits calculated in section 302 and shall be paid at the time of issuance of the building permit. The payment, if

any, is based on the amount of energy required, expressed as dollars per square foot, to operate the exterior energy use systems. No payment shall be made to an applicant that exceeds the energy use with on-site renewable credits. All monies collected pursuant to this section shall be recorded in a separate fund and shall be spent in accordance with a joint resolution by the Aspen City Council and Pitkin County Board of County Commissioners.

### **SECTION 103 CREDITS FOR ON-SITE RENEWABLE ENERGY**

This CREMP payment option is voluntary. Applicants interested in exterior energy use systems can alternatively choose to produce on-site renewable energy (Section 301) with solar photovoltaics and/or solar hot water or micro-hydro. The energy efficient technology of ground source heat pumps is also permitted for supplemental on-site energy.

### **SECTION 104 PRE-EXISTING SYSTEMS**

Pre-existing snowmelt, pools or spas installed prior to Aspen Pitkin Energy Conservation Code (APECC adopted in 1995) which are being replaced, overhauled or renovated qualify for exterior energy credit. This credit can only be applied towards an installation of exterior energy on the same parcel. The calculation of the credit shall be based on section 301. The maximum allowable replacement credit shall be 6000 square feet of snowmelt (or 240,000,000 BTU's). The replacement credit may be applied to other exterior energy consumption. Systems installed after the adoption of APECC 1995 without permit approval are not eligible for replacement credit and are subject to all applicable fees.

### **SECTION 105 - COMMERCIAL REPAIRS**

Repairs to building components, systems, or equipment which do not increase their pre-existing energy consumption need not comply with CREMP.

### **SECTION 201 EXTERIOR ENERGY USE CALCULATIONS**

**Section 201.1** Snowmelt energy consumption shall be calculated as a CREMP payment option at \$60.00 per square foot divided by the boiler efficiency (AFUE) with the following exception:

**Section 201.2** Outdoor pool energy use shall be calculated as a CREMP payment option at \$170.00 per square foot divided by the boiler efficiency (AFUE).

**Section 201.3** Spa energy use shall be calculated as a CREMP payment option at \$176.00 per square foot divided by the boiler efficiency (AFUE). Package spas with not more than 64 square feet of water surface area are exempt.

**Section 202** The total CREMP payment option is the total sum of exterior energy use of sections 201.1, 201.2 and 201.3.

### **Section 301 ON-SITE RENEWABLE CREDITS**

**Section 301.1** Photovoltaic Systems – On-site renewable credit shall be calculated as \$6,241.20 per 1 kilowatt of the system design. Solar electric (photovoltaic) systems tied to the electric grid are eligible for on-site renewable credit. Systems must be sited, oriented and installed for solar electric panels to supply at least 90% of rated capacity of the installed KW. System designer/installer must be certified by COSEIA (Colorado Solar Energy Industries Association) or NABCEP (North American Board of Certified Energy Practitioners).

**Section 301.2** Solar Hot Water - On-site renewable credit shall be calculated as \$224.65 per 1 square foot of the system design. The size of solar hot water systems is limited to 500 square feet of collector area.

**Section 301.3** Ground Source Heat Pump - On-site renewable credit shall be calculated as \$6.84 per 100,000 BTU per year of the system design. In order to use a GSHP for on-site renewable credit the GSHP system must supply at least 20% of the peak load for heating the building and all the exterior energy uses. Each ground source heat pump system shall be tested and balanced and the design engineer shall certify in writing that it meets a design coefficient of performance of 3.0 exclusive of source pump power.

The ground loop system must be designed by a CGD (Certified GeoExchange Designer certified by the Association of Energy Engineers) or a professional engineer with IGSHPA (International Ground Source Heat Pump Association). The mechanical system must be installed by a certified IGSHPA contractor.

**Section 302** The total CREMP on-site renewable credit is the total sum of sections 301.1, 301.2 and 301.3.

## **PUBLIC DOMAIN SOFTWARE**

**Section 401** A free calculation program known as CREMP 2009 shall be made available to the public.

### **EXAMPLE CALCULATION FOR COMMERCIAL RENEWABLE ENERGY MITIGATION PROGRAM**

Snowmelt area 1200 sq. ft.  
 $\$60.00 * 1,200 / .92$  (efficiency rating of boiler) = \$78,260.87

Pool area 700 sq. ft.  
 $\$170.00 * 700 / .92$  (efficiency rating of boiler) = \$119,000.00

Spa area 80 sq. ft.  
 $\$176.00 * 80 / .92$  (efficiency rating of boiler) = \$15,304.35

CREMP payment option for exterior energy use will be \$222,913.04

#### **ON-SITE RENEWABLE CREDITS**

448 square feet of solar hot water panels \* \$224.65 per square foot = \$100,642.44

20 KW photovoltaic system \* \$6,241.20 per kilowatt = \$124,824.00

CREMP payment option will be \$0

Add Section 403.81. to Section 403.8 Snow melt systems controls:

1. Electric roof and gutter deicing systems shall include automatic controls capable of shutting off the system when outdoor temperature is above 50 degrees F and below 25 degrees F, or which limit the use of the system to daylight hours by means of a programmable timer.

2. Hydronic roof and gutter deicing systems shall be considered snowmelt systems and shall comply with Appendix A “Residential Renewable Energy Mitigation Program” of the 2009 International Energy Conservation Code, as amended.

**SECTION 501** Governmental Renewable Energy Mitigation Program (GREMP)

Local, State and Federal Government Buildings and Structures may be exempted from mitigation payments and offsets defined previously in this code for a percentage of the requested snowmelt when there is a demonstrated risk to public safety related to snow and ice removal.

The following items and any related documentation will be reviewed and evaluated to determine the potential exemption. A percentage of exempted area will be determined and any remaining requested snowmelt will need to be paid for or mitigated in the typical format. Upon recommendation by the Chief Building Official, a formal request will be compiled by the applicant and presented to the Board of County Commissioners for final approval at a regularly scheduled meeting.

**501.1** An application for review and approval would include the following:

1. Demonstration and declaration that typical mitigation methods were researched and proven not feasible.
2. Demonstration that the public service being service provided by the entity applying offsets the energy consumption being requested in this application including any cumulative offset exemption requests for REMP mitigation.
3. Demonstration of safety risk to the General Public if exterior snowmelt is not installed including:
  - a. 2. Providing the ratio of total paved area vs. Snowmelted pavement
  - b. Illustrating that the project minimizes the total amount of exterior energy used; and
  - c. The installation of snowmelt only in critical public safety areas.
4. Demonstration that BTU’s saved through other means (existing equipment upgrades, envelope improvements, or other energy saving measures) translate to mitigation BTU’s for snowmelt credit. Examples include:
  - a. Hybrids

- b. Wind Poser
  - c. Hydro-Electric
  - d. Waste Oil Boilers
  - e. Pellet Boilers
5. Demonstration that offsite mitigation alternatives have been considered at other offsite locations within Pitkin County for the installation of typical mitigation methods.
- a. Typical Ground Source Heat Pump, Solar, or PhotoVoltaic methods that are not feasible on site could be installed at a more feasible location
6. Other creative or innovative alternatives proposed by the applicant.

Upon review and recommendation by the Chief Building Official, areas associated with these buildings or structures that are critical to pedestrian ingress, egress, or life safety may, at the discretion of the Board of County Commissioners, be exempted from REMP payments for all or a portion of the area snowmelted.

*(Ord. 99-61 (part); prior code Title VII § 9-4); Chapter 11.32 repealed/replaced Ord. 001-10; Chapter 11.32 amended (part) Ord. 030-10) Chapter 11.32 amended (part) Ord. 016-13*

**11.36: CONTRACTOR LICENSING**

It is unlawful for any person to violate any provisions of this chapter or to violate or refuse to obey any order issued by the chief building official or neglect to pay any fee assessed by the chief building official. *(Ord. 99-61 (part); prior code Title VII § 1-1)*

**11.36.020: REVOCATION AND SUSPENSION**

A. The chief building official shall have the authority to issue an order to show cause why the license issued hereunder to any licensee should not be suspended or revoked. Any such order shall grant the licensee ten (10) days in which to show cause and shall inform the licensee of the basis for issuance of the order.

B. The following acts or omissions of any person or firm holding a license under this chapter or any applicant for a license under this chapter shall constitute grounds for which the chief building official may suspend, revoke or refuse renewal of any license or deny an application for the license:

- 1. Causing or allowing to exist conditions hazardous to the health, safety and welfare of workmen and the public;
- 2. Violation of Pitkin County Code, including but not limited to the Land Use Code, the Uniform Building Code and related Uniform Codes as adopted, and the Colorado Revised Statutes; relating to buildings or construction or contractor licensing;
- 3. Failure to comply with any lawful order of the building official or his or her designated representative;



4. Misrepresentation or falsification of a material fact in an application to obtain a license or permit under this and other applicable codes;
5. Conviction of a misdemeanor or felony relating to the contractor's performance of construction work or the contractor's conduct of his or her construction business;
6. Failure to obtain a building or other applicable permit for any work as required by Pitkin County Code, including but not limited to the Land Use Code, and the Uniform Building Code and Uniform Codes as adopted;
7. Failure to ensure that the person with whom a subcontractor contracts has obtained valid building or other applicable permit for any work required by this code;
8. Contracting for or performing construction work that requires a particular license without holding a valid license for that work;
9. Use of a contractor's license to obtain building permits for another person's project for which the contractor will not be responsible;
10. Disregard or deviation from the plans and specifications approved by the building official for which the permit was issued without the approval of the building official;
11. Failure to ensure that any subcontractor hired by the contractor is licensed in compliance with the regulations set forth in this section;
12. Failure to appear after proper notice, as set forth in this section, at a building official hearing.
13. Failure to obtain and maintain a current Pitkin County use tax license through the county finance office. (*Ord. 99-61 (part); prior code Title VII § 1-1*)

**11.36.030: ISSUANCE OF PERMITS ONLY TO LICENSE HOLDERS OR AGENTS AND OWNER/BUILDERS**

A. On any work requiring a building permit(s), the permit(s) shall be issued only to licensed contractors, authorized representatives of licensed contractors, and owner-builders.

B. For purposes of this chapter, an "owner-builder" is an individual personally engaged in the construction (new or remodel) of a single-family residence or accessory, building for his or her own use. The following requirements shall apply to owner-builders seeking permits for construction:

1. The owner-builder shall not be issued more than one building permit for new home construction in any two-year period and not more than one building permit at a time;

2. The owner-builder has read applicable regulations and provisions of this chapter and applicable state law and affirmed in writing that the proposed project will comply with all such requirements;
3. It is the responsibility of the owner-builder to see that all paid personnel shall be covered by workman's compensation insurance as required by state law;
4. The owner-builder must be present at the work site during all inspections and conferences with the building division, unless prior arrangements have been made with the building officials.

In the event that any of the above listed requirements are not met at any time during the course of a permitted project, the chief building official may suspend or revoke the owner-builder's permit. In the case of a suspended building permit the owner-builder shall have a reasonable time to correct the problem. If not corrected within the time period, the permit may be revoked. In the case of either a suspended or revoked building permit, the owner-builder may ask for a review at the next scheduled building code board of appeals meeting. (*Ord. 99-61 (part); prior code Title VII § 1-1*)

**11.36.040: COMPLIANCE WITH LAW AND SUPERVISORY CLAUSES AS REQUIRED**

All licenses enumerated in this chapter shall be issued by the chief building official in accordance with the provisions of this code, and shall be subject to the supervisory clauses contained in this chapter. The chief building official is authorized to administer tests for the licenses and owner-builders as required by this chapter, as per the standards and regulations promulgated by the Board of Examiners for Standardized Testing. The chief building official is further authorized to recognize, for purposes of contractor licensing and owner builder permits, results of tests administered by other jurisdictions. (*Ord. 99-61 (part); prior code Title VII § 1-1*)

**11.36.050: APPROVAL OF BUILDING OFFICIAL REQUIRED FOR ISSUANCE OF CERTAIN LICENSES**

- A. No person may be issued a license to engage in the following listed trades, jobs, or contractual service as hereinafter enumerated unless approved by the chief building official.
  1. General contractor (unlimited);
  2. General contractor (commercial);
  3. General contractor (light commercial);
  4. General contractor (home builder);
  5. Specialty.
- B. All persons having valid licenses with the community development department to engage in the aforementioned trades, jobs, or contractual services, shall not be required to be examined by the chief building official. All persons must hold a license from the state, if required by the state,

before engaging in any trade, job, or contractual services within the county. (*Ord. 99-61 (part); prior code Title VII § 1-1*)

**11.36.060: BUILDER’S LICENSES GENERALLY.**

- A. General Contractor (Unlimited). This classification qualifies the holder to contract for the construction, alteration or repair of any structure of any type of construction and occupancy group as permitted by the International Building Code.
- B. General Contractor (Commercial). This classification qualifies the holder to contract for the construction of any structure of any type of construction and occupancy group as permitted by the International Building Code, with the exception of Type I and Type II buildings. Also this classification qualifies the holder for the alteration or repair of any structure of any type of construction and occupancy group permitted by the Building Code.
- C. General Contractor (Light Commercial). This classification qualifies the holder to contract for the construction, alteration, or repair of A-2, A-3, B, E, M, R, S-1, or U occupancy groups of any type of construction with the exception of Type I and Type II fire-resistive construction as permitted by the International Building Code.
- D. General Contractor (Home Builder). This classification qualifies the holder for the construction, alteration, or repair of buildings regulated by the International Residential Code.
- E. Specialty. This classification qualifies the holder to contract for work involving specialty trades regulated by the International Codes, including the following:
  - (1) Alteration & Maintenance;
  - (2) Concrete;
  - (3) Fire Alarm System Installation;
  - (4) Fire Sprinkler System Installation;
  - (5) Mechanical Contractor;
  - (6) Roofing;
  - (7) Solid Fuel & Gas Appliance;
  - (8) Temporary Contractor;
  - (9) Historic Preservation
- F. For the purposes of this section a contractor or sub-contractor hired specifically for one job, may be issued a Temporary Contractors License. It shall only be valid for six months. The applicant for a Temporary Contractors License shall only be required to complete an application; no testing shall be required. Only one Temporary Contractors License can be applied for within one year. (*Ord. 99-61 (part); Ord. 007-04 (part); Ord. 023-04 (part) prior code Title VII § 1-1*)

**11.36.070: APPLICATION FOR LICENSEES WHO EMPLOY QUALIFIED SUPERVISORS**

Each individual who acts as a supervisor on any work for which a permit is required must be tested in accordance with the provisions of this chapter for the work proposed to be done. *(Ord. 99-61 (part); prior code Title VII § 1-1)*

#### **11.36.080: EXAMINATION FEE**

Applications for licenses required by this chapter shall be accompanied by a fee of according to the most current Community Development Department's fee ordinance. *(Ord. 99-61 (part); Ord. 007-04 (part) Ord. 023-04; prior code Title VII § 1-1)*

#### **11.36.090: EXAMINATIONS**

- A. The chief building official, before issuing any license required by this chapter, shall require the applicant to take such examinations, written or oral, as the chief building official may determine to be appropriate. In lieu of such examination, the chief building official may recognize and accept the results of examinations administered by other governmental jurisdictions with which the county is a party to an intergovernmental agreement regarding recognition of such test results.
- B. Examinations shall be given at reasonable intervals. *(Ord. 99-61 (part); prior code Title VII § 1-1)*

#### **11.36.100: INSURANCE**

Every contractor granted a license under the terms of this chapter shall be required to maintain at all times employee liability and public liability insurance with minimum limits of not less than one hundred thousand dollars (\$100,000.00) for one person and three hundred thousand dollars (\$300,000.00) for any one accident, and property damage insurance with a minimum limit of not less than one hundred thousand dollars (\$100,000.00) for any one accident. *(Ord. 99-61 (part); prior code Title VII § 1-1)*

#### **11.36.110: ANNUAL FEES**

Holders of contractors' licenses shall be required to pay a registration fee according to the most current Community Development Department's Fee Ordinance. *(Ord. 99-61 (part); Ord. 007-04 (part); Ord. 023-04 (part) prior code Title VII § 1-1)*

#### **11.36.120: COMPLIANCE WITH CHAPTER REQUIRED FOR ISSUANCE OF PERMIT**

- A. No permit shall be issued to any contractor who has not first obtained a license as required in this chapter or who is delinquent in the payment of annual license fees, or use taxes, or whose license has been suspended or revoked by action of the chief building official.
- B. A licensed contractor may apply for and be issued permits to only such work as he or she is entitled to do under their respective licenses.

- C. Any application for a permit or license filed in derogation of this section shall be deemed to have been filed with fraudulent intent and shall be a nullity. Any permit or license issued on the basis of such fraudulent application shall be null and void. (*Ord. 99-61 (part); prior code Title VII § 1-1*)

### **11.36.130: STATE LICENSE REQUIRED**

All persons performing plumbing or electrical work of any type regulated or licensed by the state of Colorado must hold valid state licenses before engaging in any trade, job or contractual service within the unincorporated county. (*Ord. 99-61 (part); prior code Title VII § 1-1*)

### **11.36.140: REGISTRATION OF ELECTRICAL AND PLUMBING CONTRACTORS**

As a condition of performing services within the county, electrical and plumbing contractors shall register with the chief building official. Applicants for registration must demonstrate that they hold a valid contractor's license issued by the state. Registrations made under this section shall terminate every two years on the month and year of the State of Colorado license expiration.

Appeals of any final decision of the building official may be made pursuant to the bylaws of the building code board of appeals. (*Ord. 99-61 (part); Ord. 023-04 (part) prior code Title VII § 1-1*)

### **11.38: CARBON MONOXIDE DETECTORS**

#### **11.38.010: PURPOSE AND SCOPE**

This chapter is enacted for the purpose of protecting the health and safety of the residents of the County, its visitors and employees, by requiring operable carbon monoxide detectors in existing residential occupancies thereby hopefully reducing the number of injuries and fatalities resulting from carbon monoxide (CO) poisoning.

The provisions of this ordinance shall apply to: 1) all new residential construction containing a sleeping unit; 2) additions to residential buildings containing a sleeping unit; 3) remodels of residential buildings containing a sleeping unit for which a building permit is required; 4) residential units where a fuel burning appliance is added or replaced and for which a permit is required; 5) all existing residential buildings, including single family, duplex, townhome and multifamily.

#### **11.38.030: DEFINITIONS**

The following terms as used in this chapter shall have the indicated meaning:

**BUILDING CODES:** The building and other technical codes adopted pursuant to Title 11 of this code.

**CO DETECTOR:** A device sensing invisible particles of carbon monoxide that is either battery powered, AC powered with battery backup or connected to a system via an approved control panel that

has been installed in accordance with its manufacturer's recommendations, which, when activated, will provide some form of visual or audible signal, and which has been either UL (Underwriters Laboratories Inc.) listed or CSA (Canadian Standards Association) approved.

**DWELLING:** Any building or portion thereof containing one or more dwelling units occupied as, or designed or intended for occupancy as, a residence by one or more families.

**DWELLING UNIT:** Any building or portion thereof designed, occupied, or intended as a residence, with complete and independent living facilities for one or more persons including permanent provisions for living, sleeping, eating, cooking and sanitation.

**RESIDENTIAL OCCUPANCIES:**

- A. Any of the residential uses as such terms are defined and described in International Building Code and the International Residential Code as amended by the Pitkin County Code in Chapters 11.04 and 11.20.
- B. Any residential occupancy or any institutional occupancy with sleeping units as such terms are defined in the building codes.
- C. Any other occupancy used for sleeping purposes.

**SEPARATE SLEEPING AREA:** Bedrooms or sleeping rooms separated by other use areas, such as a kitchen or living room, but not including bathrooms.

**SLEEPING UNIT:** A room or space in which people sleep, which can also include permanent provisions for living, eating, and either sanitation or kitchen facilities but not both.

**11.38.040: RESPONSIBILITIES**

- A. All existing residential occupancies and all residential occupancies to be constructed in the future shall be equipped with CO detectors in accordance with the requirements of this chapter.
- B. The owner of a residential occupancy shall be responsible to: 1) Install and maintain required CO detector(s) in such residential occupancy in accordance with the requirements of this chapter; 2) Test and replace all batteries necessary for operation of a required CO detector, except for dwellings or dwelling units where the tenant has been notified of such responsibility; 3) Immediately repair or replace any defective CO detector required under the provision of this chapter.
- C. The owner of a dwelling or dwelling unit that is rented or leased to a tenant, shall: 1) Immediately, upon notice from the tenant, repair or replace a defective CO detector required to be located within such dwelling or dwelling unit, except that the owner need not repair or replace any CO detector where the defective condition was caused by the tenant, the tenant's family, or the tenant's guests or invitees, by inappropriate use or misuse of the dwelling or dwelling unit during the rental term or any extension of it; 2) Install new batteries in any required CO detector at the beginning of a new lease or tenancy; 3)

Furnish to the tenant at the beginning of a new lease or new tenancy written notice of the owner's responsibility to install and maintain a required CO detector on the premises.

D. A tenant in possession of a dwelling or dwelling unit shall be responsible for: 1) Testing and replacing any batteries necessary for operation of a required CO detector; 2) Informing the owner of a CO detector malfunction; and 3) Repairing or replacing defective CO detectors in the event that the defective condition was caused by the tenant, the tenant's family, or the tenant's guests or invitees, by inappropriate use or misuse of the dwelling or dwelling unit during the rental term or any extension of it.

#### **11.38.050: CO DETECTOR / INSTALLATION REQUIREMENTS**

A. CO detector(s) shall be centrally located outside of each separate sleeping area in the immediate vicinity of the bedrooms or sleeping rooms and on each level of the residence. Residential occupancies shall be considered to be in compliance with this requirement if CO detector(s) are installed within a dwelling unit such that an audible signal not less than 70 decibels reaches each sleeping area. CO detectors shall be hard wired or connected to a system via an approved control panel in new construction. In interior alterations, repairs or additions requiring a permit, or when one or more sleeping rooms are added or created in existing dwellings, detectors shall be hard wired or connected to a system via an approved control panel where the alterations or repairs result in the removal of interior wall or ceiling finishes unless there is an attic, crawlspace or basement available which would provide access for hard wiring.

B. CO detectors are required in sleeping units containing fuel burning appliances, e.g. gas clothes dryer, decorative gas fireplace, wood burning appliance, etc.

C. It is the intention of this chapter to implement the requirements of the existing building codes, including the latest edition of National Fire Protection Association #720, to the greatest extent practicable for existing residential occupancies. The building official or the fire marshal may approve alternative locations or methods for the installation of CO detectors, if the result would meet the spirit and intent of the building codes and NFPA #720. The building official, in coordination with the fire marshal, may also adopt written guidelines illustrating or describing required locations of CO detectors, and any approved alternative locations or methods for bringing residential occupancies into compliance with the requirements of this chapter.

D. A CO detector is deemed approved for purposes of this chapter if it complies with all applicable state and federal regulations, and bears the label of a nationally recognized standard testing laboratory and meets the revised standard of at least ANSI/UL 2034, Single and Multiple Station Carbon Monoxide Alarms, or ANSI/UL 2075, Gas and Vapor Detectors and Sensors, and subsequent revision or its equivalent. The CO detector may be a combination smoke/gas/CO device.

E. Each CO detector will be mounted in accordance with the manufacturer's instructions, though ceiling mounting is preferred. CO detector(s) will not be mounted in areas of low air movement (dead air spaces),

F. If a CO detector is required to be installed in a common hallway and found to be tampered with it shall be replaced with a hard-wired device (missing or inoperable batteries shall not constitute tampering) or replaced with a system-connected detector.

G. In new construction, the required CO detector shall receive its primary power from the building wiring when such wiring is served from a commercial source, and when primary power is interrupted, shall receive power from a battery or from an approved control panel. Wiring shall be permanent and without a disconnecting switch other than those required for over current protection. CO detectors shall be permitted to be battery operated when installed in buildings without commercial power or in buildings that undergo alterations, repairs or additions as stipulated in Section 11.38.050 A.

### **11.38.060: PROHIBITIONS**

A. It shall be unlawful for any owner of a residential occupancy to fail to install and maintain an operable CO detector when required under the provisions of this chapter.

B. It shall be unlawful for any person to remove or render ineffective a CO detector installed to satisfy the requirements of this ordinance. This provision shall not apply to a building owner, manager or his/her agent in the normal procedure of repairing or replacing a CO detector.

C. No person shall, without privilege to do so, knowingly move, deface, damage, destroy or otherwise improperly tamper with a CO detector required to be installed pursuant to the provisions of this chapter so as to destroy or diminish its effectiveness or availability for its intended purpose.

### **11.38.070: ENFORCEMENT RESPONSIBILITY**

The building official and the fire code official, or their designees, shall monitor compliance with this chapter and may perform enforcement inspections upon, but not limited to, the following instances: when notified of a change in occupancy; when reviewing or inspecting the construction, repair, rehabilitation or renovation of the interior of a residential occupancy pursuant to a required permit, when inspecting at the request of the building owner or his representative; when inspecting for any other purpose under the provisions of this code; or when on the premises for any lawful purpose, including but not limited to such purposes as responding to a fire or other request for fire department services.

### **11.38.080: PENALTIES AND REMEDIES FOR VIOLATIONS**

#### **A. Violations, Criminal Enforcement and Penalties**

- 1) Violations of any section of §11.38 of the Pitkin County Code shall be a Class 2 Petty Offense with a maximum fine of \$1000 and /or imprisonment for a period not to exceed 90 days or the maximum allowable by state law. The building official and the fire code official, or their designees, shall be authorized to serve either a Summons and Complaint or Penalty Assessment, as specified in this Section on any person who violates the provisions of this Ordinance.
- 2) Failure to provide carbon monoxide detectors as specified by this Ordinance



shall be subject to penalty assessment as follows:

-First Offense: \$250.00

-Second Offense: \$500.00

-Third and additional offenses: Summons and Complaint to appear before the Pitkin County Court.

- 2) Summonses and Complaints shall be referred to the District Attorney for prosecution in Pitkin County Court. Nonpayment of a Penalty Assessment shall result in prosecution of the Penalty Assessment as a Summons and Complaint pursuant to § 16-2-201, C.R.S., as amended. In such case the penalty schedule set forth in this § 11.38.070 (2) shall be followed
- 4) Any Person who aids, assists or abets any other Person in committing a violation of these regulations shall be subject to the penalties specified in §11.38.070 (2) dependent upon on whether the person aided or assisted is subject to Penalty Assessment or Summons and Complaint.
- 5) Each day a violation of §11.38 of the Pitkin County Code continues shall be considered a separate offense for purposes of penalties.
- 6) In the case of a property being designed such that multiple rooms require a detector and there are multiple violations within that property, together they shall constitute one violation for the given day

#### B. Violations, Civil Enforcement.

- 1) Notice of Violation. In addition to utilizing the enforcement procedures authorized by this Ordinance, the building official and the fire code official or their designees may deliver a Notice of Violation (NOV) to any person who violates this Ordinance. The NOV shall specify the violation, and may require that the violator either cease and desist immediately from all acts or omissions relating to the violation, or correct the violation within a specified time not to exceed 90 days. Failure to comply with the terms of an NOV shall result in enforcement pursuant to §11.38.080 (2-6). Issuance of a Notice of Violation shall not be deemed a condition precedent to enforcement pursuant to the procedures set forth in §11.38.080, nor shall it preclude later enforcement action pursuant to §11.38.080.
- 2) Civil Enforcement. In the event of any act or omission that violates any section of this Ordinance, the County Attorney, in addition to other remedies provided by law or specified herein, may institute an injunction, mandamus, abatement, or other appropriate civil action or proceeding to prevent, enjoin, or abate any unlawful activity, or to remove any improvements or construction resulting from such unlawful activity. In the event that such unlawful activity has damaged any county property, the violator shall be liable for any damage to county property resulting from any such unlawful activity, including, but not limited to, compensation for staff time and for use of county equipment or contracted services to repair such damage. Any civil action or proceeding may include a claim to recover all such money damages in addition to any and all claims for injunctive or other equitable relief.

- 3) **Withdrawing or Withholding Permits.** In the event that Community Development or designee, Code Enforcement Officer, or designee has personal knowledge of any violation of this Ordinance, any Community Development issued permit may be withdrawn after the violator is provided notice and an opportunity for hearing before the Board of County Commissioners. No further permits or approvals from the County shall be issued for any property generating a violation until the violation is brought into compliance with the standards of this Ordinance.

#### **11.38.090: EFFECTIVE DATE**

All owners of residential occupancies shall come into compliance with the requirements of this chapter on or before March 2, 2009. (*enacted ord. 03-09*)

#### **11.40: EFFICIENT BUILDING CODE**

(*adopted by ord. 009-03 repealed Ord. 003-2019, 01-23-2019*)

#### **11.44: INTERNATIONAL FIRE CODE**

##### **11.44.010: ADOPTION OF INTERNATIONAL FIRE CODE – 2015 EDITION.**

The County of Pitkin hereby adopts that certain Code known as the International Fire Code, 2015 edition, as published by the International Code Council Inc. 4051 West Flossmoor Road, Country Club Hills, Illinois, 60478-5795, save and except such portions as are hereinafter deleted, modified or amended as set forth herein (hereinafter "International Fire Code"). The International Fire Code shall include Appendix Chapters B and C, and shall specifically exclude Appendix Chapters A and D. In lieu of Appendix Chapter D, the Pitkin County Asset Management Plan shall be incorporated herein by reference. The Board further determines that the remaining Appendix Chapters E, F, and G shall be utilized by the Fire Districts as guidelines to the extent such appendices are applicable. Three (3) copies of the International Fire Code and this Ordinance shall be filed in the administrative office of the Pitkin County Building Department and the same are hereby adopted and incorporated as fully as if set forth verbatim herein, and from the date on which this Ordinance shall take effect, the provisions hereof shall be controlling within the boundary limits of the County.

The implementation, enforcement and administration of the International Fire Code within the County shall be the responsibility of the respective fire protection districts within their own jurisdiction consistent with each fire protection district's set of amendments. The County recognizes that each fire protection district maintains non-substantive variations with respect to their individual implementation, enforcement and administration of the International Fire Code and their respective Amendments.

##### **11.44.020: PURPOSE**

The International Fire Code establishes the minimum requirements consistent with nationally recognized good practice for providing a reasonable level of life safety and property protection from the hazards of fire, explosion or dangerous conditions in new and existing buildings, structures and premises and to provide safety to firefighters and emergency responders during emergency operations.

**11.44.030: COPIES ON FILE**

The Pitkin County Community Development Department shall keep on file in its office in Aspen, Colorado, a full and complete copy of the 2009 International Fire Code, as adopted by this Article, and said copies shall be open to public inspection at all times during the regular business hours of said Department.

**11.44.040: SEVERABILITY**

If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held invalid or unconstitutional in a court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision and shall not affect the validity of the remaining portions thereof.

**11.44.050: AMENDMENTS TO INTERNATIONAL FIRE CODE – 2015 EDITION**

Adopted in its entirety with local amendments provided and maintained by each fire district.

**Section 101.1** is hereby amended to provide that “County of Pitkin” shall be the proper name of the jurisdiction.

**Section 103.2** - Appointment – The following language is added to this section:

“The designated fire code official for those portions of unincorporated Pitkin County not within a fire jurisdiction, shall be the Pitkin County Sheriff’s Office who is permitted to consult and receive assistance from the closest adjacent responding fire authority.”

**11.44.060: AMENDMENTS TO INTERNATIONAL FIRE CODE – 2015 EDITION**

Adopted in its entirety with local amendments provided and maintained by each fire district.

*(adopted by Ord. 004-12)(amended (part) ord. 014-2016, 6-22-16)*