

**TOWN OF WIGGINS, COLORADO
ORDINANCE NO. 01-2022**

AN ORDINANCE ADOPTING BY REFERENCE THE 2018 EDITIONS OF THE INTERNATIONAL BUILDING CODE, INTERNATIONAL RESIDENTIAL CODE, INTERNATIONAL MECHANICAL CODE, INTERNATIONAL FUEL GAS CODE, INTERNATIONAL ENERGY CONSERVATION CODE, INTERNATIONAL PROPERTY MAINTENANCE CODE, INTERNATIONAL EXISTING BUILDING CODE, INTERNATIONAL SWIMMING POOL & SPA CODE AND ADOPTING THE EDITIONS OF THE COLORADO PLUMBING CODE AND THE NATIONAL ELECTRIC CODE AS CURRENTLY ADOPTED BY THE STATE OF COLORADO

WHEREAS, the Board of Trustees of the Town of Wiggins has determined that it is in the best interest of the health, safety and welfare of the Town and its citizens that building safety codes, as amended, be adopted; and

WHEREAS, pursuant to Part 2, Article 16, Title 31 of the Colorado Revised Statutes, the Town of Wiggins, Colorado (the "Town") possesses the authority to adopt uniform codes and manuals by reference; and

WHEREAS, pursuant to this authority, the Town previously adopted certain uniform building safety codes; and

WHEREAS, the Board of Trustees of the Town of Wiggins ("Board") possesses the authority to enact ordinances for the promotion of health pursuant to C.R.S. §31-15-401 and has the authority to enact ordinances for the regulation of buildings pursuant to C.R.S. §31-15- 601; and

WHEREAS, after due and proper notice in accordance with C.R.S. § 31-16-203, the Board conducted a public hearing on the date, time and place noticed on the adoption of this Ordinance and said codes, at which all interested parties were afforded an opportunity to be heard; and

WHEREAS, the Board of Trustees has determined, based on the evidence and testimony presented at the public hearing, that the adoption of the building safety codes as amended herein, will further the health, safety and welfare of the inhabitants of the Town.

NOW, THEREFORE BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE TOWN OF WIGGINS AS FOLLOWS:

Section 1. Ordinance 03-05 is hereby repealed in its entirety.

Section 2. The Board of Trustees hereby adopts the following ordinance, which shall be known as the "Building Regulations Ordinance of the Town of Wiggins:"

Building Regulations

- Sec. 1 – International Building Code**
- Sec. 2 – International Residential Code**
- Sec. 3 – International Mechanical Code**

- Sec. 4 – International Fuel Gas Code**
- Sec. 5 – International Energy Conservation Code**
- Sec. 6 – International Property Maintenance Code**
- Sec. 7 – International Existing Building Code**
- Sec. 8 – International Swimming Pool and Spa Code**
- Sec. 9 – Colorado Plumbing Code**
- Sec. 10 – National Electric Code**
- Sec. 11 – Copies available**
- Sec. 12 – Penalties and Violations**

Sec 1. International Building Code

- (a) Adoption. *The International Building Code*, 2018 Edition, as published by the International Code Council, 4051 West Flossmoor Road, Country Club Hills, IL 60478, Chapters 1 through 35 inclusive, and Appendix Chapters C, E, H, I, & J ("IBC"), is hereby adopted by reference as the Town of Wiggins Building Code as if fully set out in this ordinance with the additions, deletions, insertions and changes as set forth in this Section.
- (b) Compliance Required. No building shall be hereafter constructed, erected, enlarged, altered, or moved into the Town unless the same shall, as to design, construction, quality of materials and workmanship, conform with the IBC, as adopted and as amended.
- (c) Purpose. The purpose of the IBC is to provide minimum standards to safeguard life or limb, health, property and public welfare by regulating and controlling the design, construction, quality of materials, use and occupancy, location and maintenance of all commercial and multi-family buildings and structures within the Town of Wiggins and certain equipment specifically regulated in the IBC.
- (d) Amendments. Additions, deletions, amendments and changes to the IBC, as adopted by reference pursuant to Section (a), are hereby adopted as follows:
 - (1) IBC 101.1 (Title) is amended by the addition of the term "TOWN OF WIGGINS" where indicated.
 - (2) IBC 101.4.3 (Plumbing) is amended by the deletion of the last sentence.
"The provisions of the International Private Sewage Disposal Code shall apply to private sewage disposal systems."
 - (3) IBC 101.4.5 (Fire prevention) is amended by replacing "International Fire Code" with "adopted fire code".
 - (4) IBC 101.4.6 (Energy) is amended by replacing the words "International Energy Conservation Code" with "2018 International Energy Conservation Code".
 - (5) IBC 105.1 (Required) is amended by replacing the words "building official" with "Town".
 - (6) IBC 105.2 (Work exempt from permit) is amended by deleting or inserting:

Building

- i. Exception #1 Deleting and replacing with “One-Story detached accessory structures used as tool and storage sheds, playhouses, greenhouses and similar uses, provided the floor area does not exceed 120 square feet and the roof height does not exceed 10 feet above grade measured from a point directly outside the exterior walls of the structure and the structure is not on a permanent slab foundation.”
 - ii. Exception #2 (fences) Deleted in its entirety.
 - iii. Exception #14 is added to read: “Shingle repair or replacement work not exceeding one hundred (100) square feet in area of covering per building.
- (7) 105.5 (Expiration) is amended by the deletion of this section in its entirety and replacing it with:

"Every permit issued by the building official under the provisions of this code shall expire by limitation and become null and void if the building or work authorized by such permit is not commenced within 180 days from the date of such permit, or if the building or work authorized by such permit is suspended or abandoned at any time after the work is commenced for a period of 180 days. Before such work can be recommenced, a new permit shall be first obtained to do so, and the fee therefor shall be one half the amount required for a new permit for such work, provided no changes have been made or will be made in the original plans and specifications for such work, and provided further that such suspension or abandonment has not exceeded one year. In order to renew action on a permit after expiration, the permittee shall pay a new full permit fee."

- (8) IBC 109.2 (Schedule of Permit Fees) is amended by deleting the section in its entirety and replacing as follows:

“On buildings, structures, and mechanical systems or alterations requiring a permit, a fee for each permit shall be paid as required in accordance with the Town of Wiggins Schedule of Fees that is periodically updated from time to time. The determination of value or valuation under any of the provisions of this Code shall be made by the building official.”

- (9) IBC 109.4 (Work commencing before permit issuance) is amended by the deletion of this section in its entirety and replaced with the following:

“Any person who commences any work on a building, structure, electrical, gas, mechanical or plumbing system before obtaining the necessary permits may be subject to an investigation fee in an amount up to the amount of the permit fee that would normally be assessed for the specific type of construction activity, with any such investigation fee being in addition to all other required permit fees. The investigation fee shall be collected whether or not a permit is then subsequently issued.”

- (10) IBC 109.6 (Refunds) is amended by the deletion of this section in its entirety and replaced with the following:

- i. "The town may authorize refunding of any fee paid hereunder which was erroneously paid or collected.
 - ii. The town may authorize refunding of not more than 80 percent (80%) of the permit fee paid when no work has been done under a permit issued in accordance with this code.
 - iii. The town may authorize refunding of not more than 80 percent (80%) of the plan review fee paid when an application for a permit for which a plan review fee has been paid is withdrawn or cancelled before any plan reviewing is done.
 - iv. The town shall not authorize refunding of any fee paid except on written application filed by the original permittee not later than 180 days after the date of fee payment."
- (11) IBC 113.1 (General) is amended by the deletion of the last two sentences and replaced with the following:
- "The members of the Board of Appeals shall be comprised of the members of the Town Board of Trustees."
- (12) IBC 113.3 (Qualifications) is amended by the deletion of this section in its entirety.
- (13) IBC 114.2 (Notice of Violation) is amended by adding a second paragraph with: "Notice of Violations' shall be delivered in accordance with section 107 of the IPMC" after the last paragraph.
- (14) IBC 114.4 (Violation penalties.) is deleted in its entirety and replaced with:
- "It shall be unlawful for any person, firm, corporation or other entity to erect, construct, enlarge, alter, repair, move, improve, remove, convert or demolish, equip, use, occupy or maintain any building, structure, or cause or permit the same to be done in violation of the me. In addition to other sanctions set forth in the IBC, a person or entity that violates the IBC may be fined in an amount not to exceed the maximum fine amount permitted to be imposed by the municipal court or as more fully set forth in Section 12 of this Ordinance. Each day that a violation continues after due notice has been served shall be deemed a separate offense.
- (15) IBC 202 (Definitions) is amended by addition of the following:
- "Sleeping Room" (Bedroom) is any enclosed habitable space within a dwelling unit, which complies with the minimum room dimension requirements of IBC Section 1207 and contains a closet, an area that is useable as a closet, or an area that is readily convertible for use as a closet. Living rooms, family rooms and other similar habitable areas that are so situated and designed so as to clearly indicate these intended uses, shall not be interpreted as sleeping rooms.
- (16) IBC 915.2.1 (Dwelling units) is amended by the deletion of the first sentence and replaced with the following: "Carbon monoxide detection shall be installed in dwelling units within 15 feet of each separate sleeping area and on every level."

- (17) IBC 1015.2 (Where required) is amended by the addition of a second paragraph inserted before the exceptions as follows:

“All area wells, stair wells, window wells and light wells attached to any building that are located less than 36 inches (914.4 mm) from the nearest intended walking surface and deeper than 30 inches (762 mm) below the surrounding ground level, shall be protected with guardrails conforming to this section around the entire opening, or be provided with an equivalent barrier.”

- (18) IBC 1020.1 Table 1020.1 (Corridor Fire-Resistance Rating) is amended to replace the corridor rating for R Occupancies with a sprinkler system from 0.5 to 1- Hour fire rating.
- (19) IBC 1030.1 (General) is amended by deleting exception #4.
- (20) IBC 1109.1.1 is amended by adding Baby Changing Station: All public restrooms will require a baby changing station.
- (21) IBC 1301.1.1 (Criteria) is amended by replacing “International Energy Conservation Code” with the “2018 International Energy Conservation Code”
- (22) IBC 1612.3 (Establishment of flood hazard areas) is amended by the insertion of “TOWN OF WIGGINS” where indicated in [Name of Jurisdiction] and the date of the latest flood insurance study for the Town 04/18/2018 where indicated in [Date of Issuance].
- (23) Appendix J (Grading) is amended by the addition of new sections “J112 Grading Fees” and “J113 Performance Guarantees” which shall read as follows:

Section J112 Grading Fees.

J112.1 General. Fees shall be assessed in accordance with the provisions of this section and in the amount set forth in the fee schedule adopted by the Board of Trustees by resolution.

J112.2 Plan review fees. When a plan or other data are required to be submitted, a plan review fee shall be paid at the time of submitting plans and specifications for review. Said plan review fee shall be as set forth in a fee schedule adopted by the Board of Trustees by resolution. Separate plan review fees shall apply to retaining walls or major drainage structures as required elsewhere in this code. For excavation and fill on the same site, the fee shall be based on the volume of excavation or fill, whichever is greater.

J112.3 Grading permit fees. A fee for each grading permit shall be paid to the Town as set forth in a fee schedule adopted by the Board of Trustees by resolution. Separate permits and fees shall apply to retaining walls or major drainage structures as required elsewhere in this code. There shall be no separate charge for standard terrace drains and similar facilities.

Section J113 Performance Guarantees. The Town may require a performance guarantee in the form of a bond, letter of credit or cash escrow in such form and amounts as may

be deemed necessary to ensure that the work, if not completed in accordance with the approved plans and specifications, will be corrected to eliminate hazardous conditions.

Sec 2. International Residential Code

- (a) Adoption. *The International Residential Code*, 2018 Edition, as published by the International Code Council, 4051 West Flossmoor Road, Country Club Hills, IL 60478, Chapters 1 through 43 inclusive and Appendix Chapters F, G, H, and L (“IRC”) is hereby adopted by reference as the Town of Wiggins Residential Building Code as if fully set out in this ordinance with the additions deletions insertions and changes as follows.

Appendices are:

F- Radon Control Methods

G- Piping Standards

H- Patio Covers

- (b) Compliance Required. No residential building shall be hereafter constructed, erected, enlarged, altered, or moved into the Town unless the same shall, as to design, construction, quality of materials and workmanship, conform with the IRC, as adopted and as amended.
- (c) Purpose. The purpose of the IRC is to provide minimum standards to safeguard life or limb, health, property and public welfare by regulating and controlling the design, construction, quality of materials, use and occupancy, location and maintenance of all one and two-family dwellings and multiple single-family dwellings (town houses) not more than three stories in height with a separate means of egress within the Town of Wiggins and certain equipment specifically regulated in the IRC.
- (d) Amendments. Additions, deletions, amendments and changes to the IRC, as adopted by reference pursuant to Section (a) are hereby adopted as follows:
- (1) IRC R101.1 (Title) is amended by the addition of the term “TOWN OF WIGGINS” where indicated.
 - (2) IRC R105.1 (Required) is amended by replacing the words “building official” with “Town”.
 - (3) IRC R105.2 (Work Exempt from Permit) is amended by deleting or adding the following:

Building

- i. Exception #1 is deleted and replaced with “One-Story detached accessory structures used as tool and storage sheds, playhouses, greenhouses and similar uses, provided the floor area does not exceed 120 square feet and the roof height does not exceed 10 feet above grade measured from a point directly outside the exterior walls of the structure and the structure is not on a permanent slab foundation.”
- ii. Exception #2 (Fences) is deleted in its entirety.
- iii. Exception #3 (Retaining Walls) is deleted and replaced with “Retaining walls that are not over 4 feet (1219 mm) in height measured from the bottom of the footing to the top of the wall and are not less than 12 inches from a public sidewalk, unless supporting a surcharge.”
- iv. Exception #4 (Water tanks) is deleted in its entirety.

v. Exception #5 (Sidewalks & driveways) is deleted in its entirety and replaced with:

“New sidewalks and driveways require a permit. Replacement of driveways and sidewalks are exempt from building permits.”

vi. Exception #10 is deleted and replaced with: “Shingle repair or replacement work not exceeding one hundred (100) square feet in area of covering per building.”

vii. Exception #11 (Concrete slabs) is added to read as follows: “Concrete form and pours that are not attached to a building or structure and are not for the construction of decks, awnings, pergolas, gazebos or any other types of decking or porch structures. Driveways do not fall under this category.”

(4) IRC 105.5 (Expiration) is deleted in its entirety and replaced with:

“Every permit issued by the building official under the provisions of this code shall expire by limitation and become null and void if the building or work authorized by such permit is not commenced within 180 days from the date of such permit, or if the building or work authorized by such permit is suspended or abandoned at any time after the work is commenced for a period of 180 days. Before such work can be recommenced, a new permit shall be first obtained to do so, and the fee therefor shall be one half the amount required for a new permit for such work, provided no changes have been made or will be made in the original plans and specifications for such work, and provided further that such suspension or abandonment has not exceeded one year. In order to renew action on a permit after expiration, the permittee shall pay a new full permit fee.”

(5) IRC 106.2 (Site Plan) is deleted in its entirety and replaced with:

"The construction documents submitted with the application for the permit shall be accompanied by a site plan showing the size and location of new construction and existing structures on the site, distances from lot lines and drainage of the lot based on the master drainage plan for the development. In the case of demolition, the site plan shall show construction to be demolished and the location and size of existing structures and construction that are to remain on the site or plot."

(6) IRC R108.2 (Schedule of Permit Fees) is deleted in its entirety and replaced with:

“On buildings, structures, and mechanical systems or alterations requiring a permit; a fee for each permit shall be paid as required in accordance with the Town of Wiggins Schedule of Fees that is periodically updated from time to time. The determination of value or valuation under any of the provisions of this Code shall be made by the Town.”

(7) IRC R108.4 (Related Fees) is amended by creating a new subsection as follows:

"Any person who commences any work on a building, structure, electrical, gas, mechanical or plumbing system before obtaining the necessary permits may be

subject to an investigation fee in an amount up to the amount of the permit fee that would normally be assessed for the specific type of construction activity, with any such investigation fee being in addition to all other required permit fees. The investigation fee shall be collected whether or not a permit is then subsequently issued.”

(8) IRC R108.5 (Refunds) is amended by the deletion of this section in its entirety and replaced with the following:

- i. “The town may authorize refunding of any fee paid hereunder which was erroneously paid or collected.
- ii. The town may authorize refunding of not more than 80 percent (80%) of the permit fee paid when no work has been done under a permit issued in accordance with this code.
- iii. The town may authorize refunding of not more than 80 percent (80%) of the plan review fee paid when an application for a permit for which a plan review fee has been paid is withdrawn or cancelled before any plan reviewing is done.
- iv. The town shall not authorize refunding of any fee paid except on written application filed by the original permittee not later than 180 days after the date of fee payment.”

(9) IRC R108.6 (Work commencing before permit issuance) is deleted in its entirety and replaced with:

“Any person who commences any work on a building, structure, electrical, gas, mechanical or plumbing system before obtaining the necessary permits may be subject to an investigation fee in an amount up to the amount of the permit fee that would normally be assessed for the specific type of construction activity, with any such investigation fee being in addition to all other required permit fees. The investigation fee shall be collected whether or not a permit is then subsequently issued.”

(10) IRC R109.1.5 (Other inspections) is amended by the addition of a new subsection as follows:

“IRC R109.1.5.2 Insulation inspection shall be made after a completed and approved rough inspection, following the installation of the wall, ceiling and floor insulation and exterior windows and before wall coverings are installed.”

(11) IRC R112.1 (General) is amended by the deletion of the last three sentences and replaced with:

“The members of the Board of Appeals shall be comprised of the members of the Town Board of Trustees.”

(12) IRC R112.3 (Qualifications) is amended by the deletion of this section in its entirety.

(13) IRC R113.2 (Notice of Violation) is amended by the addition of

“Notice of Violations shall be delivered in accordance with section 107 of the IPMC” after the last paragraph.

- (14) IRC 113.4 (Violation penalties.) is amended by the deletion of this section and replaced with:

“Penalties for Violation. It shall be unlawful for any person, firm or corporation to erect, construct, enlarge, alter, repair, move, improve, remove, convert or demolish, equip, use, occupy or maintain any building or structure or cause or permit the same to be done in violation of the IRC. In addition to other sanctions set forth in the IRC, a person or entity that violates the IRC may be fined in an amount not to exceed the maximum fine amount permitted to be imposed by the municipal court or, as more fully set forth in Section 12 of this Ordinance. Each day that a violation continues after due notice has been served shall be deemed a separate offense.”

- (15) IRC R202 (Definitions) is amended by addition of the following:

“Sleeping Room” (Bedroom) is any enclosed habitable space within a dwelling unit, which complies with the minimum room dimension requirements of IRC Sections R304 and R305 and contains a closet, an area that is useable as a closet, or an area that is readily convertible for use as a closet. Living rooms, family rooms and other similar habitable areas that are so situated and designed so as to clearly indicate these intended uses, shall not be interpreted as sleeping rooms.”

- (16) IRC Table R301.2 (1) is completed to provide the following:

**Table R301.2(1)
CLIMATIC & GEOGRAPHIC 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					
30spf	115	No		B	Severe	30 in	Slight to Moderate	1	Yes	26713	1000	43F
MANUAL J DESIGN CRITERIA												
Elevation			Latitude	Winter Heating	Summer cooling	Altitude correction factor	Indoor design temperature	Design temperature cooling	Heating temperature difference			
	4659		40	1	91		70	75	69			
Cooling temperature difference			Wind velocity heating	Wind velocity cooling	Coincident wet bulb	Daily range	Winter humidity	Summer humidity				
	14		15	7.5	62	H						

For S1: 1 pound per square foot = 0.0479 kPa, 1 mile per hour = 0.447 m/s.

- Where weathering requires a higher strength concrete or grade of masonry than necessary to satisfy the structural requirements of this code, the frost line depth strength required for weathering shall govern. The weathering column shall be filled in with the weathering index, "negligible," "moderate" or "severe" for concrete as determined from Figure R301.2(4). The grade of masonry units shall be determined from ASTM C34, C55, C62, C73, C90, C129, C145, C216 or C652.
- Where the frost line depth requires deeper footings than indicated in Figure R403.1(1), the frost line depth strength required for weathering shall govern. The jurisdiction shall fill in the frost line depth column with the minimum depth of footing below finish grade.
- The jurisdiction shall fill in this part of the table to indicate the need for protection depending on whether there has been a history of local subterranean termite damage.
- The jurisdiction shall fill in this part of the table with the wind speed from the basic wind speed map [Figure R301.2(5)A]. Wind exposure category shall be determined on a site-specific basis in accordance with Section R301.2.1.4.
- The outdoor design dry-bulb temperature shall be selected from the columns of 971/2-percent values for winter from Appendix D of the International Plumbing Code. Deviations from the Appendix D temperatures shall be permitted to reflect local climates or local weather experience as determined by the building official. [Also see Figure R301.2(1).]
- The jurisdiction shall fill in this part of the table with the seismic design category determined from Section R301.2.2.1.
- The jurisdiction shall fill in this part of the table with (a) the date of the jurisdiction's entry into the National Flood Insurance Program (date of adoption of the first code or ordinance for management of flood hazard areas), (b) the date(s) of the Flood Insurance Study and (c) the panel numbers and dates of the currently effective FIRMs and FBFMs or other flood hazard map adopted by the authority having jurisdiction, as amended.
- In accordance with Sections R905.1.2, R905.4.3.1, R905.5.3.1, R905.6.3.1, R905.7.3.1 and R905.8.3.1, where there has been a history of local damage from the effects of ice damming, the jurisdiction shall fill in this part of the table with "YES." Otherwise, the jurisdiction shall fill in this part of the table with "NO."
- The jurisdiction shall fill in this part of the table with the 100-year return period air freezing index (BF-days) from Figure R403.3(2) or from the 100-year (99 percent) value on the National Climatic Data Center data table "Air Freezing Index-USA Method (Base 32°F)."
- The jurisdiction shall fill in this part of the table with the mean annual temperature from the National Climatic Data Center data table "Air Freezing Index-USA Method (Base 32°F)."
- In accordance with Section R301.2.1.5, where there is local historical data documenting structural damage to buildings due to topographic wind speed-up effects, the jurisdiction shall fill in this part of the table with "YES." Otherwise, the jurisdiction shall indicate "NO" in this part of the table.
- In accordance with Figure R301.2(5)A, where there is local historical data documenting unusual wind conditions, the jurisdiction shall fill in this part of the table with "YES" and identify any specific requirements. Otherwise, the jurisdiction shall indicate "NO" in this part of the table.
- In accordance with Section R301.2.1.2 the jurisdiction shall indicate the wind-borne debris wind zone(s). Otherwise, the jurisdiction shall indicate "NO" in this part of the table.
- The jurisdiction shall fill in these sections of the table to establish the design criteria using Table 1a or 1b from ACCA Manual J or established criteria determined by the jurisdiction.
- The jurisdiction shall fill in this section of the table using the Ground Snow Loads in Figure R301.2(6).

(17) IRC R302.1 (Exterior walls) is amended by the deletion of the following wording only:

"or dwellings equipped throughout with an automatic sprinkler system installed in accordance with section P2904 shall comply with Table R302.1(2)."

(18) IRC Table R302.1 (2) is deleted in its entirety.

(19) IRC R302.3 (Two-family dwelling) is amended by replacing "1-Hour fire-resistance rating" with "2-Hour fire-resistance rating" and by deleting exception #1.

(20) IRC R302.13 (Fire Protection of Floors) is amended by the addition of exceptions 5, 6, and 7 as follows:

i. Exception #5- For floor assemblies located over a basement or crawlspace, mechanical equipment rooms not larger than 80 square feet constructed per sections R302.13 with minimum 1/2-inch gypsum wallboard on the enclosing ceiling, walls and self-closing weather-stripped solid door.

ii. Exception #6- Floor assemblies located over a basement or crawlspace, with mechanical equipment rooms not larger than 80 square feet may be constructed per Exception #4, using fire treated I joists only above furnace closet area with minimum 5/8-inch Type X gypsum wallboard on the enclosing walls and a self-closing weather-stripped solid core 20-minute rated door and frame.

iii. Exception #7- For floor assemblies located over a basement or crawl space with a mechanical equipment room not larger than 80 square feet may be unprotected if a fire sprinkler head is installed in accordance with section P2904 or the International Building Code sections 903.3.1.2 or 903.3.1.3, installed within the equipment room on a domestic water loop.

(21) IRC Section R309.5 (Fire sprinklers) is amended by the deletion of this section in its entirety.

(22) IRC Section R310.1 (Emergency Escape and Rescue Openings)

i. Exception #2 is amended by the deletion of the exception and its conditions.

(23) IRC Section R312.1 (Where required) is deleted and replaced with the following:

R312.1.1 Where required. Guards shall be provided for those portions of open-sided walking surfaces, including stairs, ramps and landings, that are located more than 30-inches (762 mm) measured vertically to the floor or grade below at any point within 36-inches (914 mm) horizontally to the edge of the open side. Insect screening shall not be considered as a guard.

All area wells, stairwells, window wells and light wells attached to any building that are located less than 36 inches (914 mm) from the nearest intended walking surface and deeper than 30-inches (762 mm) below the surrounding ground level, creating an opening greater than 24-inches (610 mm) measured perpendicular from the building, shall be protected with guardrails conforming to this section around the entire opening, or be provided with an equivalent barrier.

Exceptions:

- i. The access side of stairways need not be protected.
 - ii. Area and window wells provided for emergency escape and rescue windows may be protected with approved grates or covers that comply with Section R310.4 of this code.
 - iii. Covers and grates may be used over stairways and other openings used exclusively for service access or for admitting light or ventilation."
- (24) IRC R313.1 (Townhouse automatic fire sprinkler systems) is amended by the deletion of this section in its entirety.
- (25) IRC R313.2 (One-and two-family dwellings automatic fire sprinkler systems) is amended by the deletion of this section in its entirety.
- (26) IRC 315.3 (Location) The first paragraph is amended as follows: "Carbon monoxide detection shall be installed in dwelling units within 15-feet of each separate sleeping area."
- (27) IRC R401.2 (Requirements) is amended by the addition of the following after the first paragraph:
- "Foundations shall be designed, and the construction drawings stamped by a Colorado registered design professional. The foundation design must be based on an engineer's soils report. The drawings must be noted with the engineering firm name, specific location for design and soils report number. A site certification prepared by State of Colorado registered design professional is required for setback verification on all new Group R Division 3 occupancies."
- (28) IRC R405.1 (Concrete or masonry foundations) is amended with the addition of the following after the first sentence: All foundation drains shall be designed and inspected by a State of Colorado registered design professional.
- (29) IRC Chapter 11 (Energy Efficiency) is deleted in its entirety and replaced with the 2018 International Energy Conservation Code.
- (30) IRC G2415.12 (Minimum burial depth) is amended by the addition of the following: All plastic fuel gas piping shall be installed a minimum of 18-inches (457 mm) below grade.
- (31) IRC G2417.4.1 (Test pressure) is amended by changing 3 psig to 10 psig.
- (32) IRC G2417.4.2 (Test Duration) is amended by replacing "10 Minutes" with "15 Minutes".
- (33) IRC P2503.5.1 (Rough plumbing) is amended by deleting the first paragraph and replacing with "DWV systems shall be tested on completion of the rough piping installation by water or air with no evidence of leakage."
- (34) IRC P2603.5.1 (Sewer depth) is amended by filling in both areas where indicated to read "12-inches (305 mm)".

(35) IRC P3103.1.1 (Roof extension) is amended by replacing the words "6-inches" with "12-inches".

Sec 3. International Mechanical Code

- a) Adoption. *The International Mechanical Code*, 2018 Edition as published by the International Code Council, 4051 West Flossmoor Road, Country Club Hills, IL 60478, Chapters 1 through 15 inclusive, (“IMC”) is hereby adopted by reference as the Town of Wiggins Mechanical Code as if fully set out in this ordinance with the additions, deletions, insertions and changes as follows.
- b) Compliance Required. No building shall be hereafter constructed, erected, enlarged, altered, or moved into the Town unless the same shall, as to design, construction, quality of materials and workmanship, conform with the IMC, as adopted and as amended.
- c) Purpose. The purpose of the IMC is to provide minimum standards to safeguard life or limb, health, property and public welfare by regulating and controlling the design, construction, quality of materials, use and occupancy, location and maintenance of mechanical systems and structures within the Town of Wiggins and certain equipment specifically regulated in the IMC.
- d) Amendments. The following deletions, additions, insertions, and changes are hereby made to the IMC as adopted by reference by Section (a):
 - (1) IMC 101.1 Title is amended by the addition of the term "TOWN OF WIGGINS" where indicated.
 - (2) IMC 106.4.3 (Expiration) is deleted in its entirety and replaced with:

“Every permit issued by the building official under the provisions of this code shall expire by limitation and become null and void if the building or work authorized by such permit is not commenced within 180 days from the date of such permit, or if the building or work authorized by such permit is suspended or abandoned at any time after the work is commenced for a period of 180 days. Before such work can be recommenced, a new permit shall be first obtained to do so, and the fee therefor shall be one half the amount required for a new permit for such work, provided no changes have been made or will be made in the original plans and specifications for such work, and provided further that such suspension or abandonment has not exceeded one year. In order to renew action on a permit after expiration, the permittee shall pay a new full permit fee.”
 - (3) IMC 106.5.1 (Work commencing before a permit issuance.) is deleted in its entirety and replaced with:

“Any person who commences any work on a building, structure, electrical, gas, mechanical or plumbing system before obtaining the necessary permits may be subject to an investigation fee in an amount up to the amount of the permit fee that would normally be assessed for the specific type of construction activity, with any such investigation fee being in addition to all other required permit fees. The investigation fee shall be collected whether or not a permit is then subsequently issued.”
 - (4) IMC 106.5.2 (Fee Schedule) is deleted in its entirety and replaced with:

“On buildings, structures, and mechanical systems or alterations requiring a permit; a fee for each permit shall be paid as required in accordance with the Town of Wiggins Schedule of Fees that is periodically updated from time to time. The determination of value or valuation under any of the provisions of this Code shall be made by the Town.”

(5) 106.5.3 (Fee Refunds) is amended by the deletion of this section in its entirety and replaced with the following:

- i. “The town may authorize refunding of any fee paid hereunder which was erroneously paid or collected.
- ii. The town may authorize refunding of not more than 80 percent (80%) of the permit fee paid when no work has been done under a permit issued in accordance with this code.
- iii. The town may authorize refunding of not more than 80 percent (80%) of the plan review fee paid when an application for a permit for which a plan review fee has been paid is withdrawn or cancelled before any plan reviewing is done.
- iv. The town shall not authorize refunding of any fee paid except on written application filed by the original permittee not later than 180 days after the date of fee payment.”

(6) IMC 108.4 (Violation penalties) is deleted in its entirety and replaced with:

“Penalties for Violation. It shall be unlawful for any person, firm or corporation to erect, construct, enlarge, alter, repair, move, improve, remove, convert or demolish, equip, use, occupy or maintain any building or structure or cause or permit the same to be done in violation of the IMC. In addition to other sanctions set forth in the IMC, a person or entity that violates the IMC may be fined in an amount not to exceed the maximum fine amount permitted to be imposed by the municipal court or, as more fully set forth in Section 12 of this Ordinance. Each day that a violation continues after due notice has been served shall be deemed a separate offense.”

(7) IMC 109.2 Membership of board is deleted in its entirety and replaced with:

“The members of the Board of Appeals shall be comprised of the members of the Town Board of Trustees.”

(8) IMC 109.2.1 through 109.2.6 are deleted in their entirety.

(9) IMC 109.3 Notice of Meeting is deleted in its entirety and replaced with: “The Board of Trustees shall meet upon notice from the Town Manager, within 20 days of the filing of an appeal, or at stated periodic meetings.”

Sec 4. International Fuel Gas Code

- a) Adoption. *The International Fuel Gas Code*, 2018 Edition as published by the International Code Council, 4051 West Flossmoor Road, Country Club Hills, IL 60478, Chapters 1 through 8 inclusive, (“IFGC”) is hereby adopted by reference as the Town of Wiggins Fuel Gas Code as if fully set out in this ordinance with the additions, deletions, insertions and changes as follows.
- b) Compliance Required. No building shall be hereafter constructed, erected, enlarged, altered, or moved into the Town unless the same shall, as to design, construction, quality of materials and workmanship, conform with the IFGC, as adopted and as amended.
- c) Purpose. The purpose of the IFGC is to provide minimum standards to safeguard life or limb, health, property and public welfare by regulating and controlling the design, construction, quality of materials, use and occupancy, location and maintenance of fuel gas piping systems and fuel gas utilization equipment within the Town of Wiggins and related accessories specifically regulated in the IFGC.
- d) Amendments. The following deletions, additions, insertions, and changes are hereby made to the IFGC as adopted by reference by Section (a):

(1) IFGC 101.1 (Title) is amended by the addition of the term "TOWN OF WIGGINS" where indicated.

(2) IFGC 106.5.3 (Expiration.) is deleted in its entirety and replaced with:

“Every permit issued by the building official under the provisions of this code shall expire by limitation and become null and void if the building or work authorized by such permit is not commenced within 180 days from the date of such permit, or if the building or work authorized by such permit is suspended or abandoned at any time after the work is commenced for a period of 180 days. Before such work can be recommenced, a new permit shall be first obtained to do so, and the fee therefor shall be one half the amount required for a new permit for such work, provided no changes have been made or will be made in the original plans and specifications for such work, and provided further that such suspension or abandonment has not exceeded one year. In order to renew action on a permit after expiration, the permittee shall pay a new full permit fee.”

(3) IFGC 106.6.1 (Work Commencing before permit issuance.) is deleted in its entirety and replaced with:

“Any person who commences any work on a building, structure, electrical, gas, mechanical or plumbing system before obtaining the necessary permits may be subject to an investigation fee in an amount up to the amount of the permit fee that would normally be assessed for the specific type of construction activity, with any such investigation fee being in addition to all other required permit fees. The investigation fee shall be collected whether or not a permit is then subsequently issued.”

(4) IFGC 106.6.2 (Fee Schedule.) is deleted in its entirety and replaced with:

“On buildings, structures, and mechanical systems or alterations requiring a permit; a fee for each permit shall be paid as required in accordance with the Town of Wiggins Schedule of Fees that is periodically updated from time to time. The determination of value or valuation under any of the provisions of this Code shall be made by the Town.”

(5) IFGC 106.6.3 (Refunds) deleted in its entirety and replaced with:

- i. “The town may authorize refunding of any fee paid hereunder which was erroneously paid or collected.
- ii. The town may authorize refunding of not more than 80 percent (80%) of the permit fee paid when no work has been done under a permit issued in accordance with this code.
- iii. The town may authorize refunding of not more than 80 percent (80%) of the plan review fee paid when an application for a permit for which a plan review fee has been paid is withdrawn or cancelled before any plan reviewing is done.
- iv. The town shall not authorize refunding of any fee paid except on written application filed by the original permittee not later than 180 days after the date of fee payment.”

(6) IFGC 108.4 (Violation Penalties.) is deleted in its entirety and replaced with:

“It shall be unlawful for any person, firm or corporation to erect, construct, enlarge, alter, repair, move, improve, remove, convert or demolish, equip, use, occupy or maintain any building or structure or cause or permit the same to be done in violation of the IFGC. In addition to other sanctions set forth in the IFGC, a person or entity that violates the IFGC may be fined in an amount not to exceed the maximum fine amount permitted to be imposed by the municipal court or, as more fully set forth in Section 12 of this Ordinance. Each day that a violation continues after due notice has been served shall be deemed a separate offense.”

(7) IFGC 109.2 (Membership of board) is deleted in its entirety and replaced with:

“The members of the Board of Appeals shall be comprised of the members of the Town Board of Trustees.”

(8) IFGC 109.2.1 through 109.2.6 are hereby deleted in their entirety.

(9) IFGC 109.3 (Notice of Meeting) is deleted in its entirety and replaced with: “The Board of Trustees shall meet upon notice from the Town Manager, within 20 days of the filing of an appeal, or at stated periodic meetings.”

(10) IFGC 404.12 (Minimum burial depth) is amended by the addition of the following: All plastic fuel gas piping shall be installed a minimum of 18 inches (457 mm) below grade.

- (11) IFGC 404.12.1 (Individual outdoor appliances) is deleted in its entirety.
- (12) IFGC 406.4.1 (Test pressure) is amended by changing 3 psig to 10 psig.
- (13) IFGC 406.4.2 (Test duration) is amended by changing the second sentence to read:

"When testing a system having a volume less than 10 cubic feet or a system in a single-family dwelling, the test duration shall be not less than 15 minutes".

Sec 5. International Energy Conservation Code

- a) Adoption. *The International Energy Conservation Code*, 2018 Edition as published by the International Code Council, 4051 West Flossmoor Road, Country Club Hills, IL 60478, Chapters I through 13 inclusive, (“IECC”) is hereby adopted by reference as the Town of Wiggins Energy Conservation Code as if fully set out in this ordinance with the additions, deletions, insertions and changes as follows.
- b) Compliance Required. No building shall be hereafter constructed, erected, enlarged, altered, or moved into the Town unless the same shall, as to design, construction, quality of materials and workmanship, conform with the IECC, as adopted and as amended.
- c) Purpose. The purpose of the IECC is to regulate the design and construction of buildings for the effective use of energy. The IECC is not intended to abridge safety, health or environmental requirements contained in other applicable codes or ordinances.
- d) Amendments. The following deletions, additions, insertions, and changes are hereby made to the IECC as adopted by reference by Section (a):
 - (1) IECC C101.1 (Title) is amended by the addition of the term "TOWN OF WIGGINS" where indicated.
 - (2) IECC C104.2 (Fees.) is deleted in its entirety and replaced with:

“On buildings, structures, and mechanical systems or alterations requiring a permit; a fee for each permit shall be paid as required in accordance with the Town of Wiggins Schedule of Fees that is periodically updated from time to time. The determination of value or valuation under any of the provisions of this Code shall be made by the Town.”
 - (3) IECC C104.3 (Work commencing before permit issuance.) is deleted in its entirety and replaced with:

“Any person who commences any work on a building, structure, electrical, gas, mechanical or plumbing system before obtaining the necessary permits may be subject to an investigation fee in an amount up to the amount of the permit fee that would normally be accessed for the specific type of construction activity, with any such investigation fee being in addition to all other required permit fees. The investigation fee shall be collected whether or not a permit is then subsequently issued.”
 - (4) IECC C104.5 (Refunds.) deleted in its entirety and replaced with:

“The town may authorize refunding of any fee paid hereunder which was erroneously paid or collected.

 - i. The town may authorize refunding of not more than 80 percent (80%) of the permit fee paid when no work has been done under a permit issued in accordance with this code.

- ii. The town may authorize refunding of not more than 80 percent (80%) of the plan review fee paid when an application for a permit for which a plan review fee has been paid is withdrawn or cancelled before any plan reviewing is done.
 - iii. The town shall not authorize refunding of any fee paid except on written application filed by the original permittee not later than 180 days after the date of fee payment.”
- (5) IECC C109.1 (General) is amended by deleting the last three paragraphs and inserting the following:
- "The members of the Board of Appeals shall be comprised of the members of the Town Board of Trustees."
- (6) IECC C109.3 (Qualifications) is amended by the deletion of this section in its entirety.
- e) Penalties for Violation. It shall be unlawful for any person, firm or corporation to erect, construct, enlarge, alter, repair, move, improve, remove, convert or demolish, equip, use, occupy or maintain any building or structure or cause or permit the same to be done in violation of the IECC. In addition to other sanctions set forth in the IECC, a person or entity that violates the IECC may be fined in an amount not to exceed the maximum fine amount permitted to be imposed by the municipal court or, as more fully set forth in Section 12 of this Ordinance. Each day that a violation continues after due notice has been served shall be deemed a separate offense.

Sec 6. International Property Maintenance Code

- a) Adoption. *The International Property Maintenance Code*, 2018 Edition as published by the International Code Council, 4051 West Flossmoor Road, Country Club Hills, IL 60478, Chapters 1 through 8 inclusive, (“IPMC”) is hereby adopted by reference as the Town of Wiggins Property Maintenance Code as if fully set out in this ordinance with the additions, deletions, insertions and changes as follows.
- b) Compliance Required. All existing residential and nonresidential structures and premises shall conform to the requirements of the IPMC, as adopted and as amended.
- c) Purpose. The purpose of the IPMC is to promulgate minimum requirements and standards for all existing residential and nonresidential structures, premises, equipment and facilities for light, ventilation, space, heating, sanitation, protection from the elements, life safety, safety from fire and other hazards, and for safe and sanitary maintenance; the responsibility of owners, operators and occupants; the occupancy of existing structures and premises, and for administration, enforcement and penalties.
- d) Amendments. The following deletions, additions, insertions, and changes are hereby made to the IPMC as adopted by reference by Section (a):
 - (1) IPMC 101.1 (Title) is amended by the addition of the term "TOWN OF WIGGINS" where indicated.
 - (2) IPMC 102.3 (Application of Other Codes) is deleted in its entirety and replaced with:

“Repairs, additions or alterations to a structure, or changes of occupancy, shall be done in accordance with the procedures and provisions of the current adopted building and zoning codes.”
 - (3) IPMC 103.5 (Fees) is amended by the deletion of the section and is replaced with:

“Costs incurred for the performance of work shall be paid by the applicant in an amount set forth in the Town of Wiggins Schedule of Fees that is periodically updated from time to time.”
 - (4) IPMC 106.4 (Violation penalties.) is deleted in its entirety and replaced with:

“It shall be unlawful for a person, firm or corporation to be in conflict with or in violation of any of the provisions of the IPMC. In addition to other sanctions set forth in the IPMC, a person or entity that violates the IPMC may be fined in an amount not to exceed the maximum fine amount permitted to be imposed by the municipal court or, as more fully set forth in Section 12 of this Ordinance. Each day that a violation continues after due notice has been served shall be deemed a separate offense.”
 - (5) IPMC 111.2 (Membership of board) is deleted in its entirety and replaced with:

"The members of the Board of Appeals shall be comprised of the members of the Town Board of Trustees."

- (6) IPMC 111.3 (Notice of Meeting) is deleted in its entirety and replaced with:

“The Board of Trustees shall meet upon notice from the Town Manager, within 20 days of the filing of an appeal, or at stated periodic meetings.”

- (7) IPMC 302.4 (Weeds) is amended to insert the height of weeds and excessive plant growth to be:

“Premises and exterior property shall be maintained free from weeds or plant growth within the guidelines set forth by the Town of Wiggins Health & Safety Ordinance.”

- (8) IPMC 302.4 (Weeds). The second paragraph is deleted in its entirety.

- (9) IPMC 308.2.2 (Refrigerators) is amended by the addition of the following at the end of said section:

“Refrigerators, appliances and similar equipment shall not be discarded, stored, or abandoned on outdoor premises.”

- (10) IPMC 604.2 (Service) is amended by replacing "NFPA 70" with "NFPA 70 Electrical Code adopted by the state of Colorado."

Sec 7. International Existing Building Code

- a) Adoption. *The International Existing Building Code*, 2018 Edition as published by the International Code Council, 4051 West Flossmoor Road, Country Club Hills, IL 60478, Chapters 1 through 16 inclusive, (“IEBC”) is hereby adopted by reference as the Town of Wiggins Existing Building Code as if fully set out in this ordinance with the additions, deletions, insertions and changes as follows.
- b) Compliance Required. No existing building shall be hereafter repaired, altered, have a change of occupancy, be enlarged or relocated in the Town unless the same shall conform with the IEBC, as adopted and as amended.
- c) Purpose. The purpose of the IEBC is to regulate the repair, alteration, change of occupancy, addition and relocation of all existing buildings, regardless of occupancy, subject to the criteria set forth in the IEBC.
- d) Amendments. The following deletions, additions, insertions, and changes are hereby made to the IEBC as adopted by reference by Section (a):
 - (1) IEBC 101.1 (Title) is amended by the addition of the term "TOWN OF WIGGINS" where indicated.
 - (2) IEBC 105.2 (Work Exempt from Permit) is amended as follows:
 - Building:
 - i. Exception #1 (Sidewalks and driveways) section is deleted entirely.
 - ii. Exception #5 (Window awnings) section is deleted entirely.
 - (3) IEBC 105.5 (Expiration.) is deleted in its entirety and replaced with:

“Every permit issued by the building official under the provisions of this code shall expire by limitation and become null and void if the building or work authorized by such permit is not commenced within 180 days from the date of such permit, or if the building or work authorized by such permit is suspended or abandoned at any time after the work is commenced for a period of 180 days. Before such work can be recommenced, a new permit shall be first obtained to do so, and the fee therefor shall be one half the amount required for a new permit for such work, provided no changes have been made or will be made in the original plans and specifications for such work, and provided further that such suspension or abandonment has not exceeded one year. In order to renew action on a permit after expiration, the permittee shall pay a new full permit fee.”
 - (4) IEBC 108.6 (Refunds) is deleted in its entirety and replaced with:
 - i. “The town may authorize refunding of any fee paid hereunder which was erroneously paid or collected.

- ii. The town may authorize refunding of not more than 80 percent (80%) of the permit fee paid when no work has been done under a permit issued in accordance with this code.
 - iii. The town may authorize refunding of not more than 80 percent (80%) of the plan review fee paid when an application for a permit for which a plan review fee has been paid is withdrawn or cancelled before any plan reviewing is done.
 - iv. The town shall not authorize refunding of any fee paid except on written application filed by the original permittee not later than 180 days after the date of fee payment.”
- (5) IEBC 112.3 (Qualifications) is deleted in its entirety and replaced with “The members of the Board of Appeals shall be comprised of the members of the Town Board of Trustees.”
- (6) IEBC 1401.2 (Conformance) is amended by deleting the section in its entirety and replacing it with the following: "Structures moved into or within the jurisdiction shall comply with the provision of this code."
- e) Penalties for Violation. It shall be unlawful for a person, firm or corporation to be in conflict with or in violation of any of the provisions of the IEBC. In addition to other sanctions set forth in the IEBC, a person or entity that violates the IEBC may be fined in an amount not to exceed the maximum fine amount permitted to be imposed by the municipal court or, as more fully set forth in Section 12 of this Ordinance. Each day that a violation continues after due notice has been served shall be deemed a separate offense.

Sec 8. International Swimming Pool and Spa Code

- a) Adoption. *The International Swimming Pool and Spa Code*, 2018 Edition as published by the International Code Council, 4051 West Flossmoor Road, Country Club Hills, IL 60478, Chapters 1 through 11 inclusive, (ISPSC”) is hereby adopted by reference as the Town of Wiggins Swimming Pool and Spa Code as if fully set out in this ordinance with the additions, deletions, insertions and changes as follows.
- b) Compliance Required. It shall be unlawful for any person, firm or corporation to erect, construct, alter, repair, remove, demolish or utilize any system covered by the ISPSC, or cause the same to be done, in conflict with or in violation of any provision of the ISPSC.
- c) Purpose. The purpose of the ISPSC is to establish minimum standards to provide a reasonable level of safety and protection of public health, property and public welfare by regulating and controlling the design, construction, installation, quality of materials, location and maintenance or use of pools and spas.
- d) Amendments. The following deletions, additions, insertions, and changes are hereby made to the ISPSC as adopted by reference by Section (a):
 - (1) ISPSC 101.1 (Title) is amended by the addition of the term "TOWN OF WIGGINS" where indicated.
 - (2) ISPSC 105.6.2 (Fee schedule.) is amended to add: “Fees for work shall be set forth in the Town of Wiggins Schedule of Fees that is periodically updated from time to time.”
 - (3) ISPSC 105.5.3 (Expiration.) is deleted in its entirety and replaced with:

“Every permit issued by the building official under the provisions of this code shall expire by limitation and become null and void if the building or work authorized by such permit is not commenced within 180 days from the date of such permit, or if the building or work authorized by such permit is suspended or abandoned at any time after the work is commenced for a period of 180 days. Before such work can be recommenced, a new permit shall be first obtained to do so, and the fee therefor shall be one half the amount required for a new permit for such work, provided no changes have been made or will be made in the original plans and specifications for such work, and provided further that such suspension or abandonment has not exceeded one year. In order to renew action on a permit after expiration, the permittee shall pay a new full permit fee.”
 - (4) ISPSC 105.6.1 (Working commencing before permitting issuance.) is deleted in its entirety and replaced with:

“Any person who commences any work on a building, structure, electrical, gas, mechanical or plumbing system before obtaining the necessary permits may be subject to an investigation fee in an amount up to the amount of the permit fee that would normally be accessed for the specific type of construction activity, with any such investigation fee being in addition to all other required permit

fees. The investigation fee shall be collected whether or not a permit is then subsequently issued.”

(5) ISPSC 105.6.2 (Fee Schedule.) is deleted in its entirety and replaced with:

“Costs incurred for the performance of work shall be paid by the applicant in an amount set forth in the Town of Wiggins Schedule of Fees that is periodically updated from time to time.”

(6) ISPSC 105.6.3 (Refunds) is deleted in its entirety and replaced with:

- i. “The town may authorize refunding of any fee paid hereunder which was erroneously paid or collected.
- ii. The town may authorize refunding of not more than 80 percent (80%) of the permit fee paid when no work has been done under a permit issued in accordance with this code.
- iii. The town may authorize refunding of not more than 80 percent (80%) of the plan review fee paid when an application for a permit for which a plan review fee has been paid is withdrawn or cancelled before any plan reviewing is done.
- iv. The town shall not authorize refunding of any fee paid except on written application filed by the original permittee not later than 180 days after the date of fee payment.”

(7) ISPSC 107.4 (Violation penalties.) is deleted in its entirety and replaced with:

“It shall be unlawful for a person, firm or corporation to be in conflict with or in violation of any of the provisions of the ISPSC. In addition to other sanctions set forth in the ISPS Code, a person or entity that violates the ISPSC may be fined in an amount not to exceed the maximum fine amount permitted to be imposed by the municipal court or, as more fully set forth in Section 12 of this Ordinance. Each day that a violation continues after due notice has been served shall be deemed a separate offense.”

(8) ISPSC 108.2 (Membership of board) is deleted in its entirety and replaced with:

“The members of the Board of Appeals shall be comprised of the members of the Town Board of Trustees.”

(9) ISPSC Section 108.3 (Notice of Meeting) is deleted in its entirety and replaced with:

“The Board of Trustees shall meet upon notice from the Town Manager, within 20 days of the filing of an appeal, or at stated periodic meetings.”

Sec 9. Colorado Plumbing Code

- a) Adoption. The *Colorado Plumbing Code*, the edition currently adopted by the State Plumbing Board of the Colorado Department of Regulatory Agencies, Division of Professions and Occupations, 1560 Broadway, Suite 1350, Denver, CO 80202 (“CPC”). The purpose and subject matter of which include regulation of plumbing installations in or in connection with new and existing structures and provision of international plumbing standards for the purpose of protecting the public health, safety and general welfare.
- b) Compliance Required. It shall be unlawful for any person, firm or corporation to erect, construct, alter, repair, remove, demolish or utilize any plumbing installations covered by the CPC, or cause the same to be done, in conflict with or in violation of any provision of the CPC.
- c) Purpose. The purpose and subject matter of the CPC is to regulate plumbing installations in or in connection with new and existing structures and providing uniform plumbing standards for the purpose of protecting the public health, safety and general welfare.
- d) Amendments. None
- e) Penalties for Violation. It shall be unlawful for a person, firm or corporation to be in conflict with or in violation of any of the provisions of the CPC. In addition to other sanctions set forth in the CPC, a person or entity that violates the CPC may be fined in an amount not to exceed the maximum fine amount permitted to be imposed by the municipal court or, as more fully set forth in Section 12 of this Ordinance. Each day that a violation continues after due notice has been served shall be deemed a separate offense.

Sec 10. National Electrical Code

- a) The National Fire Protection Association standard number 70, hereafter known as the *National Electrical Code*, published by the National Fire Protection Association, 1 Batterymarch Park, Quincy, Massachusetts, 02169-7471 (NEC), is hereby adopted by reference as the Town of Wiggins Electrical Code as if fully set out in the ordinance codified herein. The effective edition of such *National Electrical Code* shall be the 2020 Edition or the edition currently adopted by the State Electrical Board of the Colorado Department of Regulatory Agencies, Division of Professions and Occupations as updated from time to time.
- b) Compliance Required. It shall be unlawful for any person, firm or corporation to erect, construct, alter, repair, remove, demolish or utilize any electrical systems covered by the NEC, or cause the same to be done, in conflict with or in violation of any provision of the NEC.
- c) Purpose. The purpose and subject matter of the NEC includes minimum regulations for the practical safeguarding of persons and property from the hazards arising from the use of electricity and minimum standards relating to the installation of electrical conductors and equipment within or on public and private buildings and other structures, including mobile homes, recreational vehicles and floating dwelling units, and other premises such as yards, carnivals, parking and other lots, and industrial substations. The NEC provides for the issuance of permits, inspections and the collection of fees therefor.

- d) Amendments. None
- e) Penalties for Violation. It shall be unlawful for a person, firm or corporation to be in conflict with or in violation of any of the provisions of the NEC. In addition to other sanctions set forth in the NEC, a person or entity that violates the NEC may be fined in an amount not to exceed the maximum fine amount permitted to be imposed by the municipal court or, as more fully set forth in Section 12 of this Ordinance. Each day that a violation continues after due notice has been served shall be deemed a separate offense.

Sec 11. Copies Available. Copies of the International Building Code, 2018 edition; the International Residential Code, 2018 Edition; the International Mechanical Code, 2018 edition; the International Fuel Gas Code, 2018 edition; the International Existing Building Code, 2018 edition; the International Property Maintenance Code, 2018 edition; the International Swimming Pool and Spa Code, 2018 Edition; the International Energy Conservation Code, 2018 Edition; the International Plumbing Code, as currently adopted by the State of Colorado; and the National Electrical Code NFPA 70, the current edition adopted by the State of Colorado (the "Codes") are open for public inspection and available for purchase in accordance with C.R.S. § 31-16-206, said copies being available at the Town Hall, 304 E Central Avenue, Wiggins, CO 80654.

Sec 12. Penalties and Violations.

- a) It shall be unlawful for any person, firm, corporation or other entity to violate any of the provisions of this Ordinance.
- b) Any person, firm, corporation or other entity violating any of the provisions of this Ordinance shall be deemed guilty of a misdemeanor and each such person, firm, corporation or entity, upon conviction of any violation of this Ordinance, shall be punished by a fine of not more than two thousand six hundred and fifty dollars (\$2,650.00), as shall be adjusted for inflation from time to time pursuant to C.R.S. § 13-10-113.,
- c) When a violation of any section of this Ordinance or any part of the adopted code occurs and continues for more than one (1) day, each day such violation occurs or continues shall constitute a separate offense.

Section 3. Severability. Should any one or more sections or provisions of this Ordinance or of any of the primary or secondary codes adopted by reference be judicially determined invalid or unenforceable, such judgment shall not affect, impair or invalidate the remaining provisions of this Ordinance or the codes adopted by reference hereby, the intention being that the various sections and provisions are severable.

Section 4. Repeal. Any and all ordinances or codes or parts thereof in conflict or inconsistent herewith are, to the extent of such conflict or inconsistency, hereby repealed; provided, however, that the repeal of any such ordinance or code or part thereof shall not revive any other section or part of any ordinance or code heretofore repealed or superseded and this repeal shall not affect or prevent the prosecution or punishment of any person for any act done or committed in violation of any ordinance hereby repealed prior to the effective date of this Ordinance.


Section 5. Effective Date. Except as otherwise expressly provided herein, the provisions enacted by this Ordinance shall become effective at 12:01 a.m. on March 28, 2022.

INTRODUCED, READ, ADOPTED ON FIRST READING THIS 26th day of JANUARY, 2022.

PUBLIC HEARING AND SECOND READING WILL BE HELD THE 23rd day of FEBRUARY, 2022, AT 7:00 P.M.

READ, ADOPTED ON SECOND READING, APPROVED, SIGNED, AND ORDERED PUBLISHED BY TITLE ONLY this 23rd day of FEBRUARY, 2022.

TOWN OF WIGGINS


Jeffrey Palmer, Mayor

ATTEST:


Deborah Lee, Town Clerk



I, Deborah Lee, Town Clerk of the Town of Wiggins, Colorado, hereby certify and attest that the foregoing Ordinance No. 01-2022 was introduced, read, adopted and ordered published by title only, at a regular meeting of the Board of Trustees of the Town of Wiggins, Colorado on the 23rd day of February, 2022. This Ordinance was published in The Fort Morgan Times on Feb 2 + 14, 2022.

Dated February 24, 2022

TOWN OF WIGGINS, COLORADO
NOTICE OF PUBLIC HEARING

NOTICE is hereby given that the Board of Trustees of the Town of Wiggins will hold a Public Hearing commencing at 7:00 p.m., Wednesday, February 23, 2022. Such hearing will either be conducted at Wiggins Town Hall, 304 Central Avenue, Wiggins, Colorado, 80654, or electronically. If the hearing will be held as part of an electronic meeting, instructions for joining and participating in the electronic meeting will be posted on the Town's website - www.wigginsco.com - at least twenty-four (24) hours before the electronic meeting. Comments may also be emailed to the Town Clerk at clerk@wigginsco.com prior to the hearings.

The purpose of the hearing will be to consider adoption of an ordinance to adopt by reference the following codes:

1. *The International Building Code*, 2018 Edition, published by the International Code Council, 4051 West Flossmoor Road, Country Club Hills, Illinois, 60478-5795. The purpose and subject matter of which include regulating construction aspects of building through comprehensive provisions and standards regulating the erection, construction, enlargement, alteration, equipping, use, height, area, and maintenance of buildings and structures and providing greater safety to the public by uniformity in building laws.

2. *The International Residential Code for One-and-Two Family Dwellings*, 2018 Edition, published by the International Code Council, 4051 West Flossmoor Road, Country Club Hills, Illinois, 60478-5795. The subject matter of which is to regulate and govern the construction, alteration, movement, enlargement, replacement, repair, equipment, location, removal and demolition of detached one- and two-family dwellings and multiple single-family dwellings (townhouses) not more than three stories in height with separate means of egress, and providing for the issuance of permits and collection of fees therefor.

3. *The International Mechanical Code*, 2018 Edition, published by the International Code Council, 4051 West Flossmoor Road, Country Club Hills, Illinois, 60478-5795. The purpose and subject matter of which include minimum standards relating to the mechanical installations in or in connection with the construction, alteration and repair of new and existing structures including design, construction, installation, quality of materials, location, operation, and maintenance or use of heating, ventilation, cooling refrigeration systems, incinerators and other miscellaneous heat-producing appliances.

4. *The Colorado Plumbing Code*, the edition currently adopted by the State Plumbing Board of the Colorado Department of Regulatory Agencies, Division of Professions and Occupations, 1560 Broadway, Suite 1350, Denver, CO 80202, The purpose and subject matter of which include regulation of plumbing installations in or in connection with new and existing structures and provision of international plumbing standards for the purpose of protecting the public health, safety and general welfare.

5. *The International Existing Building Code*, 2018 Edition, published by the International Code Council, 4051 West Flossmoor Road, Country Club Hills, Illinois, 60478-5795. The subject matter of which is to regulate and govern existing buildings and installation of electrical, plumbing, mechanical, lighting, energy conservation systems and power systems, and providing for the issuance of permits and collection of fees therefor.

6. *The International Fuel Gas Code*, 2018 Edition, published by the International Code Council, 4051 West Flossmoor Road, Country Club Hills, Illinois, 60478-5795. The purpose and subject matter of which include minimum standards relating to the mechanical installations in or in connection with the construction, alteration and repair of new and existing structures including design, construction, installation, quality of materials, locations, operation, and maintenance or use of fuel-gas piping systems, fuel-gas utilization equipment and related accessories.

7. *The International Energy Conservation Code*, 2018 Edition, published by the International Code Council, 4051 West Flossmoor Road, Country Club Hills, Illinois, 60478-5795. The subject matter of which is to regulate and govern energy efficient building envelopes and the installation of energy efficient mechanical, lighting and power systems, and to provide for the issuance of permits and collection of fees therefor.

8. *The National Electrical Code*, 2020 Edition, or the edition currently adopted by the State Electrical Board of the Colorado Department of Regulatory Agencies, Division of Professions and Occupations, published by the National Fire Protection Association, 1 Batterymarch Park, Quincy, Massachusetts, 02169-7471. The subject matter of which includes minimum regulations for the practical safeguarding of persons and property from the hazards arising from the use of electricity and minimum standards relating to the installation of electrical conductors and equipment within or on public and private buildings and other structures, including mobile homes, recreational vehicles and floating dwelling units, and other premises such as yards, carnivals, parking and other lots, and industrial substations.

9. *The International Property Maintenance Code*, 2018 Edition, as published by the International Code Council, 4051 West Flossmoor Road, Country Club Hills, IL 60478. The subject matter of which is to promulgate minimum requirements and standards for all existing residential and nonresidential structures, premises, equipment and facilities for light, ventilation, space, heating, sanitation, protection from the elements, life safety, safety from fire and other hazards, and for safe and sanitary maintenance; the responsibility of owners, operators and occupants; the occupancy of existing structures and premises; and for administration, enforcement and penalties.

10. *The International Swimming Pool and Spa Code*, 2018 Edition as published by the International Code Council, 4051 West Flossmoor Road, Country Club Hills, IL 60478. The subject matter of which is to establish minimum standards to provide a reasonable level of safety and protection of public health, property and public welfare by regulating and controlling the design, construction, installation, quality of materials, location and maintenance or use of pools and spas.

Copies of the codes proposed to be adopted by reference are available for public inspection at the office of the Town Clerk by appointment only.

Dated the 1st day of February, 2022.

TOWN OF WIGGINS, COLORADO
Deborah Lee, Town Clerk

Published: Fort Morgan Times February 7, 14, 2022-1865718

Prairie Mountain Media, LLC


PUBLISHER'S AFFIDAVIT

County of Morgan
State of Colorado

The undersigned, Agent, being first duly sworn under oath, states and affirms as follows:

- 1. He/she is the legal Advertising Reviewer of Prairie Mountain Media LLC, publisher of the *Fort Morgan Times*.
- 2. The *Fort Morgan Times* is a newspaper of general circulation that has been published continuously and without interruption for at least fifty-two weeks in Morgan County and meets the legal requisites for a legal newspaper under Colo. Rev. Stat. 24-70-103.
- 3. The notice that is attached hereto is a true copy, published in the *Fort Morgan Times* in Morgan County on the following date(s):

Feb 7, 14, 2022



Signature

Subscribed and sworn to me before me this
14th day of February, 2022.



Notary Public

SHAYLA NAJERA
NOTARY PUBLIC
STATE OF COLORADO
NOTARY ID 20174031965
MY COMMISSION EXPIRES July 31, 2025

(SEAL)

Account: 1050049
Ad Number: 1865718
Fee: \$206.98

ORDINANCE NO. 01-2022 AN ORDINANCE ADOPTING BY REFERENCE THE 2018 EDITIONS OF THE INTERNATIONAL BUILDING CODE, INTERNATIONAL RESIDENTIAL CODE, INTERNATIONAL MECHANICAL CODE, INTERNATIONAL FUEL GAS CODE, INTERNATIONAL ENERGY CONSERVATION CODE, INTERNATIONAL PROPERTY MAINTENANCE CODE, INTERNATIONAL EXISTING BUILDING CODE, INTERNATIONAL SWIMMING POOL & SPA CODE AND ADOPTING THE EDITIONS OF THE COLORADO PLUMBING CODE AND THE NATIONAL ELECTRIC CODE AS CURRENTLY ADOPTED BY THE STATE OF COLORADO

Published: Fort Morgan Times February 26, 2022-1872199

Prairie Mountain Media, LLC

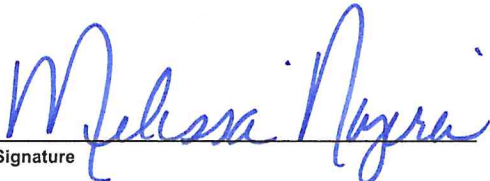
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**County of Morgan
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3. The notice that is attached hereto is a true copy, published in the *Fort Morgan Times* in Morgan County on the following date(s):

Feb 26, 2022



Signature

Subscribed and sworn to me before me this
28th day of February, 2022.



Notary Public

(SEAL)

SHAYLA NAJERA NOTARY PUBLIC STATE OF COLORADO NOTARY ID 20174031965 MY COMMISSION EXPIRES July 31, 2025

Account: 1050049
Ad Number: 1872199
Fee: \$11.04