

**ORDINANCE NO.3  
SERIES 2005**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GUNNISON REPEALING AND RE-ENACTING CHAPTER 14, TECHNICAL CODES, ARTICLES 1 THROUGH 5, OF THE CITY CODE OF THE CITY OF GUNNISON, AND ADOPTING BY REFERENCE THE 2003 EDITIONS OF THE INTERNATIONAL BUILDING CODE, INTERNATIONAL RESIDENTIAL CODE, INTERNATIONAL EXISTING BUILDING CODE, INTERNATIONAL ENERGY CONSERVATION CODE, INTERNATIONAL MECHANICAL CODE, INTERNATIONAL FUEL GAS CODE, INTERNATIONAL FIRE CODE, AND INTERNATIONAL PROPERTY MAINTENANCE CODE, AND ESTABLISHING THE PENALTY FOR THE VIOLATION THEREOF.**

**WHEREAS**, the City of Gunnison last updated its building regulations in 1995 by the adoption of Codes published by International Conference of Building Officials, which no longer exists and has been replaced by the International Code Council, Inc.; and

**WHEREAS**, the City of Gunnison wishes to update its building regulations by adopting the 2003 International Codes;

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF GUNNISON, COLORADO, ORDAINS THAT:**

Section 1. Chapter 14, Articles 1 through 5 entitled “Technical Codes” of the City Code of the City of Gunnison, are hereby repealed.

Section 2. Chapter 14, Article 1, of the City Code of the City of Gunnison, is re-enacted to read as follows:

14-1-1. Short Title. This article shall be cited as the “City of Gunnison Building Code”.

14-1-2. Adoption. The City of Gunnison hereby adopts by reference the “International Building Code”, 2003 Edition, including Appendix Chapters E, G, I, and J, and the Errata to the International Building Code, Third Printing, November, 2003, regulating and governing the conditions and maintenance of all property, buildings, and structures; by providing the standards for supplied utilities and facilities and other physical things and conditions essential to ensure that structures are safe, sanitary, and fit for occupation and use; and the condemnation of buildings and structures unfit for human occupancy and use, and the demolition of such structures as herein provided; and providing the issuance of permits and collection of fees therefor; and the “International Residential Code”, 2003 Edition, including Appendix Chapters E, G, H, and J, regulating and governing 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 as herein provided; and providing for the issuance of permits and collection of fees therefor; the “International Existing Building Code”, 2003 Edition, including Appendix Chapters A and B, regulating and governing the repair, alteration, change of occupancy, addition, and relocation of existing buildings, including historic buildings, as provided herein; and providing for the issuance of permits and collection of fees therefor; and the “International Energy Conservation Code”, 2003 Edition, regulating and governing energy efficient building envelopes and installation of energy efficient mechanical, lighting, and power systems as herein provided; and providing for the issuance of permits and collection of fees therefor. All of said Codes are published by International Code Council, Inc., 5203 Leesburg Pike, Suite 708, Falls Church, Virginia 22041-3401.

14-1-3. Amendments. The following amendments to the foregoing Codes are hereby adopted:

## INTERNATIONAL BUILDING CODE

### CHAPTER 1 ADMINISTRATION

Section 101.1 is hereby amended to read as follows:

101.1. Title. These regulations shall be known as the “City of Gunnison’s Building Code”, may be cited as such, and will be referred to herein as “this Code.”

Section 101.4 is hereby amended to read as follows:

101.4. Referenced Codes. The other Codes listed in Sections 101.4.1 through 101.4.9 and referenced elsewhere in this Code shall be considered part of the requirements of this Code to the prescribed extent of each such reference.

101.4.1. Residential. The provisions of the International Residential Code shall apply to the construction, alteration, movement, enlargement, replacement, repair, equipment, use and occupancy, location, removal and demolition of detached one and two family dwellings and multiple single-family dwellings (townhouses) not more than three stories in height with separate means of egress and their accessory structures.

101.4.2. Mechanical. The provisions of the International Mechanical Code shall apply to the installation, alteration, repairs, and replacement of mechanical systems, including equipment, appliances, fixtures, fittings and/or appurtenances, including ventilating, heating, cooling, air-conditioning and refrigeration systems, incinerators, and other energy-related systems.

101.4.3. Plumbing. The International Plumbing Code, as adopted by the State of Colorado, shall apply to the installation, alterations, repairs, and replacement of plumbing systems, including equipment, appliances, fixtures, fittings, and appurtenances, where connected to a water or sewage system and all aspects of medical gas system.

101.4.4. Gas. The provisions of the International Fuel Gas Code shall apply to the installation of gas piping from the point of delivery, gas appliances, and related accessories as covered in the Code. These requirements apply to gas piping systems extending from the point of delivery to the inlet connections of appliances and the installation and operation of residential and commercial gas appliances and related accessories.

101.4.5. Electrical. The provisions of the National Electrical Code, as adopted by the State of Colorado, shall apply to the installation of electrical systems, including alterations, repairs, replacement, equipment appliances, fixtures, fittings, and appurtenances thereto.

101.4.6. Energy. The provisions of the International Energy Conservation Code shall apply to all matters governing the design and construction of buildings for energy efficiency, unless the building is built to the City of Gunnison’s Prescriptive Energy Code for multi-family and commercial buildings.

101.4.7. Existing Buildings. The provisions of the International Existing Building Code shall apply to the repair, alteration, change of occupancy, addition, and relocation of existing buildings, including historic buildings.

101.4.8. Property Maintenance. The provisions of the International Property Maintenance Code shall apply to existing structures and their premises, providing standards for supplied utilities and facilities and other physical things and conditions essential to ensure that structures are safe, sanitary, and fit for occupation and use; and the condemnation of buildings and structures unfit for human occupancy and use, and the demolition of such existing structures.

101.4.9. Fire Code. The provisions of the International Fire Code as amended by the City of Gunnison.

Section 105.2. Work Exempt From Permit. Is hereby amended by adding the following Exceptions 14 and 15.

14. Re-roofing without alteration of roof deck structure.

15. Re-siding without alteration of wall structure.

Section 105.5. Expiration. Is hereby amended by adding a new Section 105.5.1, to read as follows:

105.5.1. Expired Work. All below grade excavation done in advance of construction shall be filled and made safe within thirty (30) days of an abandoned project. Where construction has advanced beyond excavation, all foundation work and above grade construction shall be secured against the weather and the construction site shall be otherwise returned to that condition as existed before the permit was issued.

Section 108.2 is hereby amended by adding the following new Sections 108.2.1 and 108.2.2:

108.2.1. Schedule of Permit Fees. On buildings, structures, mechanical, and/or alterations requiring a permit, a fee for each permit shall be paid as required, in accordance with the attached fee schedule Table 1-A. (This fee schedule is administrative and subject to change by City Council). The determination of value or valuation under any provisions of this Code shall be eighty five dollars (\$85.00) per square foot for site built structures, and the actual cost paid for any factory-built housing or factory-built non-residential unit, as those terms are defined in C.R.S. 24-32-703, plus the actual cost of the foundation. For valuation of construction of unfinished space or less than the full structure, a determination of value shall be made by the Building Official.

108.2.2. Plan Review Fees. When submittal documents are required by Section 106.1, a plan review fee deposit shall be paid at the time of submitting the submittal documents for plan review. Said plan review fee shall be 65 percent (65%) of the building permit fee as shown in Table 1-A for all multi-family and commercial projects. A plan review fee of 30 percent (30%) of the building permit fee shall be paid for buildings that fall under the International Residential Code. If an applicant applies for a building permit for a building that falls under the International Residential Code, which building plan is identical to the plan of a building for which a plan review fee has been paid by the applicant within the prior twelve months, then in that event, the plan review fee for such identical building shall be One Hundred Dollars (\$100.00). When the submittal documents are incomplete or changed so as to require additional plan review or when the project involves deferred submittal items as defined in Section 106.4.3, an additional plan review fee shall be charged at the rate shown in Table 1-A.

Section 108.4 is hereby amended by adding the following at the end of the last sentence: The amount of the fee will be equal to the permit fee.

Section 108.6 is hereby amended to read as follows:

108.6. Fee Refunds. The Building Official may authorize refunding of any fee paid hereunder which was erroneously paid or collected. The Building Official may authorize refunding of not more than 90 percent (90%) of the permit fee paid when no work has been done under a permit issued in accordance with this Code. The Building Official may authorize refunding of not more than 90 percent (90%) of the plan review fee paid when an application for a permit for which a plan review fee has been paid is withdrawn or canceled before any plan reviewing is done. The Building Official 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.

Section 108 is hereby amended by adding the following new Section 108.7:

108.7. Re-Inspection. A re-inspection fee may be assessed for each inspection or re-inspection when such portion of work for which inspection is called is not complete or when correction called for is not made.

Section 109.3.5, Lath and Gypsum Board Inspection, is hereby amended to delete the Exception. Section 109.5, Inspection Requests, is hereby amended by adding the following sentence after the last line of existing Section 109.5: Inspection requests shall be made twenty four (24) hours in advance.

Section 113.3 is hereby amended by adding the following sentence: Violation Penalties shall include payment of investigation fees. Such fees shall include all costs incurred by the City of Gunnison in investigating any violation of the building codes, including reasonable attorney fees.

## CHAPTER 15 ROOF ASSEMBLIES AND ROOFTOP STRUCTURES

Section 1503.4 is hereby amended by adding the following new subsection 1503.4.2:

1503.4.2. Public and Private Property. To the greatest extent practicable, water, snow, or ice draining from a roof shall not be allowed to flow or shed over or onto public or private property or rights-of-way or any other area deemed to be a safety hazard.

## CHAPTER 18 FOUNDATIONS AND RETAINING WALLS

Section 1807.1.2.1 is hereby amended so that the Exception therein reads as follows: Exception: Under-floor spaces of Group R-1 through Group R-4 buildings that meet requirements of FEMA/FIA-TB-11.

## CHAPTER 27 ELECTRICAL

Section 2701.1 is hereby amended so as to replace the term "ICC Electrical Code" with the term "National Electrical Code".

**BUILDING PERMIT FEES CITY OF GUNNISON**

**TABLE I-A**

| TOTAL VALUATION                | FEE  |
|--------------------------------|--|
| \$1.00 to \$500.00             | \$22.00  |
| \$501.00 to \$2,000.00         | \$22.00 for the first \$500.00 plus \$2.75 for each additional \$100.00, or fraction thereof, to and Including \$2,000.00.         |
| \$2,001.00 to \$25,000.00      | \$63.00 for the first \$2,000.00 plus \$12.50 for each additional \$1,000.00, or fraction thereof, to and Including \$25,000.00.   |
| \$25,001.00 to \$50,000.00     | \$352.00 for the first \$25,000.00 plus \$9.00 for each additional \$1,000.00, or fraction thereof, to and Including \$50,000.00.  |
| \$50,001.00 to \$100,000.00    | \$580.00 for the first \$50,000.00 plus \$6.25 for each additional \$1,000.00, or fraction thereof, to and Including \$100,000.00. |
| \$100,001.00 to \$500,000.00   | \$895.00 for the first \$100,000.00 plus \$5.00 for each Additional \$1,000.00 or fraction thereof.                                |
| \$500,001.00 to \$1,000,000.00 | \$2855.00 for the first \$500,000.00 plus \$4.25 for each additional \$1,000.00, or fraction thereof, to and Including \$1,000.00. |
| \$1,000,001.00 and up          | \$4,955.00 for the first \$1,000,000.00 plus \$2.75 for Each additional \$1,000.00 or fraction thereof.                            |

Other Inspections and Fees:

1. Inspections outside of normal business hours (2 hours min. charge)..... \$42.00 per hr.\*
2. Reinspection fees assessed under provisions of Section 108.7, 2003 I.B.C..... \$42.00 per hr.\*
3. Inspections for which no fee is specifically indicated (1 hr. minimum charge)..... \$42.00 per hr.\*
4. Additional plan review required by changes, additions or revisions to plans (1hr. min. charge) \$42.00 per hr.\*
5. For use of outside consultants for plan checking and inspections or both..... Actual costs\*\*

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

\*\* Actual costs include administrative and overhead costs.

City of Gunnison Use Tax Formula = Valuation of project x 50% x .03% = Use Tax

**INTERNATIONAL RESIDENTIAL CODE**

**CHAPTER 1  
ADMINISTRATION**

Section R101.1 is hereby amended to read as follows:

Section R101.1. Title. These provisions shall be known as the “Residential Code for One and Two Family Dwellings of the City of Gunnison”, and shall be cited as such and will be referred to herein as “this Code”.

Section R102.4 is hereby amended by the addition of a second exception to read as follows:

Section R102.4. Referenced Codes and Standards. Exception: The State of Colorado shall provide electrical and plumbing inspection services until appropriate notice is provided to the State of Colorado Plumbing and Electrical Boards that City of Gunnison will perform either of the inspection services at a specified date.

Section R105.2 is hereby amended by adding the following:

10. Greenhouses less than 400 square feet;
11. Decks, platforms, walkways, etc., that measure 30 inches or less from the standing surface to the adjacent grade;
12. Re-roofing without alteration of roof deck structure;
13. Re-siding without alteration of wall structure.

Section R108.2 is hereby amended to read as follows:

Section R108.2. Schedule of Permit Fees. On buildings, structures, electrical, gas, mechanical, and plumbing systems or alterations requiring a permit, a fee for each permit shall be paid as required in accordance with the provisions of 108.2.1 and 108.2.2 of the International Building Code.

Section R108.5 is hereby amended to read as follows:

Section R108.5. Fee Refunds. The Building Official may authorize refunding of any fee paid hereunder which was erroneously paid or collected. The Building Official may authorize refunding of not more than 90 percent (90%) of the permit fee paid when no work has been done under a permit issued in accordance with this Code. The Building Official may authorize refunding of not more than 90 percent (90%) of the plan review fee paid when an application for a permit for which a plan review fee has been paid is withdrawn or canceled before any plan reviewing is done. The Building Official 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.

Section R109.1.1, Foundation Inspection, is hereby amended so that the last sentence of the section reads as follows: The foundation inspection shall include all slabs except non-supporting unheated exterior walkways, patios and driveways.

### CHAPTER 3 BUILDING PLANNING

Table R301.2(1) is hereby amended to add the following values in the spaces provided:

Ground Snow Load: 40 lbs./sq. ft.  
Wind Speed: 90 mph, 3 sec. gust  
Seismic Design Category: C  
Weathering: Severe  
Frost Line Depth: 30 inches  
Termites: Slight  
Decay: Slight  
Winter Design Temp: -20 degrees F  
Ice Shield: Underlayment required in roof valleys  
Flood Hazards: FIRM 1983-1985  
Air Freezing Index: 4,000 (BF/days)  
Mean Annual Temp: 40 degrees F

Section R303.3, Bathrooms, is hereby amended to add the following sentence to the Exception: Bathrooms that contain only a water closet, lavatory, or combination thereof and similar rooms may be ventilated with an approved mechanical re-circulating fan or similar device designed to remove odors from the air.

Section R310, Emergency Escape and Rescue Openings, is hereby amended to add a new section, to read as follows:

Section R310.2.2 Roof Section Required. No window well will be approved as a means of egress unless a roof section that extends past the window well footprint is installed.

Section R311.4.1, Exit Door Required, is hereby amended to add the following sentence: Exit doors shall be provided with protection from ice and snow shedding.

Section R312.2, Guard Opening Limitations, is hereby amended to add a third exception, to read as follows:

3. Cable, rope or similar type materials that do not maintain the rigidity necessary to meet the requirements of Section R312.2 are prohibited.

Section R313 is hereby amended to add the following subsection:

Section R313.3 Carbon Monoxide Detectors. Carbon monoxide detectors shall be installed in all new construction, additions, remodels, and renovations where gas appliances are installed. Detectors shall receive primary power from the building's wiring and be equipped with a battery backup. Location of detectors shall be in accordance with the manufacturer's instructions.

## CHAPTER 11 ENERGY EFFICIENCY

Section N1102.1. Compliance. is hereby amended so that the first sentence of the section reads as follows: Compliance with this chapter shall be demonstrated by meeting the requirements of the applicable sections and tables of this chapter, or meeting the requirements of the City of Gunnison Prescriptive Energy Code.

## CHAPTER 24 FUEL GAS

Section G2406.2, Prohibited Locations, is hereby amended by deletion of Exceptions numbered 3 and 4.

Section G2425.8, Equipment Not Required to be Vented, is hereby amended by deletion of item number 7.

Section G2445, Unvented Room Heaters, is hereby amended in its entirety to read as follows:

G2445.1 Prohibited. Unvented room heaters are prohibited in all locations throughout all occupancies.

## INTERNATIONAL ENERGY CONSERVATION CODE

### CHAPTER 1 ADMINISTRATION

Section 101.1. Title is hereby amended to read as follows:

Section 101.1. Title. These regulations shall be known as the “Energy Conservation Code of the City of Gunnison”, and shall be cited as such. It is referred to herein as “this Code”.

Section 101.4 is hereby amended to read as follows:

Section 101.4. Compliance. Compliance with this Code shall be determined in accordance with Sections 101.4.1 and 101.4.2 or by compliance with the City of Gunnison Prescriptive Energy Code, which is attached hereto and adopted hereby.

14-1-4. Penalties. Penalties for the violation of the terms of this ordinance are as set forth in Section 4-2-1 of the City Code of the City of Gunnison.

14-1-5. Appeal. Chapter 2, Article 8, of the City Code of the City of Gunnison, sets forth the appeal procedures.

### PRESCRIPTIVE ENERGY CODE TABLE

The Prescriptive Energy Code requirements for City of Gunnison new construction are listed below. In lieu of the Prescriptive Code, energy calculations provided by a registered Colorado Engineer demonstrating compliance with the International Energy Code will be required prior to permit issuance.

| ITEM  | Insulation Value                                | Total Value        |
|---|---|--------------------|
| Frame walls and rim joist (log homes require energy analysis) | R 21 <sup>11</sup>                              | R 21 <sup>12</sup> |
| Window in frame walls and basement                            | Low-E double glazed <sup>1,2</sup>              |                    |
| Doors in frame walls and basement                             | R 2.86  |                    |
| Ceilings or rafters   | R 38 <sup>12</sup>                              | R 38               |
| Air infiltration  | Prescriptive air sealing <sup>3</sup>           |                    |
| Walls to garage or unheated buffer spaces                     | R 19  | R 21               |
| Heated garages <sup>10</sup>                                  | Same as house                                   |                    |
| Heated basement areas (walls)                                 | R 13  |                    |
| Floors over unheated spaces, except insulated crawlspaces     | R 21 <sup>10</sup>                              |                    |
| Floors over unvented spaces with insulated walls              | None  |                    |
| Crawl space walls   | R 19  |                    |
| Cantilever floors   | R 30  | R 30               |
| Slabs in heated area (except garages)                         | R 7.5 <sup>5</sup>                              |                    |
| Heat in slab  | R 10 <sup>14</sup>                              |                    |
| Exposed slab edges  | R 7.5 - R 10 <sup>5</sup>                       |                    |
| Slabs in unheated areas                                       | None  |                    |
| <b>SPACE HEATING SYSTEM PERFORMANCE</b>                       |   |                    |
| Gas furnaces  | 80% AFUE  |                    |
| Gas boilers (Including snow-melt boilers)                     | 80% AFUE  |                    |
| <b>DUCTS:</b>   |   |                    |
| Inside envelope, outside conditioned space                    | R 5 <sup>17</sup>                               |                    |
| Outside building envelope                                     | R 8 <sup>17</sup>                               |                    |
| Wood-Burning fireplaces/stoves                                | Tight fitting enclosures                        |                    |
| Gas log sets in masonry fireplaces                            | Tight fitting doors with outside combustion air |                    |
| <b>Water heater performance</b>                               |   |                    |
| Gas   | .60 energy factor                               |                    |
| Electric  | .93 energy factor                               |                    |
| Hot water piping in unconditioned spaces                      | 1" foam insulation or equivalent                |                    |

Air source heat pumps

9.7 SEER

Ground heat pumps

11.5 SEER

The R values given above are the total R values. The R values of different materials are added together including air films, air spaces and building materials. The R value is reduced by the effects of thermal bridging through framing. For instance, unless special methods or rigid insulation sheathing are used, the R value for walls must be decreased due to thermal bridging. Multiply the R value of ceilings at the depth of the framing members by .94 and the wall by .87.

1. Metal framed windows must demonstrate a 0.37 minimum U-value.
2. Allowable percentage of window area measured by rough opening sizes. R values for windows are a combination of glass, frame and spacer certified by the National Fenestration Research Council (NFRC). If window area is 15% then the window must provide a U valve of 0.37 or lower.
3. All exterior joints in the building envelope shall be caulked, gasketed, weather stripped, or otherwise sealed in an approved manner. For the performance approach, use Colorado HERS and a .40 air change per hour rate. All switches and outlets to have UL approved sealing gaskets.
4. The slab edge perimeter must be protected with insulation per the requirements for heated areas. Insulation must extend downward to the bottom of the slab and then out horizontally to the exterior for a minimum total of 24". Slabs adjacent to foundation walls may be uninsulated.
5. Foundation insulation and slab insulation where required shall cover all slab edges.
6. All heated basement area slabs are to be insulated to R 7 under slab insulation required to be a minimum of 4 ft. inside perimeter. Slab edges require a thermal break at the wall. Slabs adjacent to foundation walls may be uninsulated.
7. All furnace ducts need to be air tight and constructed with commercial grade mastic and fiberglass mesh. Supply ducts must be insulated to minimum of R-11 return ducts shall be insulated to a minimum of R-6 in unheated spaces. Fiberglass ducts which expose fibers to the air stream are not permitted.
8. Recirculation pumps shall be provided with timers and a manual on/off switch.
9. All heated garages shall be constructed to the same requirements as the home.
10. Water lines must be protected from freezing, except in floors over insulated basements.
11. An energy rating is required of all log structures, i.e., E-Star or other approved energy analysis. E-Star rating must be 80 or better.
12. Insulation must extend over top plates.
13. Ducts are to be sealed substantially airtight with tapes, (not duct tape) mastics, or gasketing.

The R values given above are the total R values. The R values of different materials are added together including air films, air spaces and building materials. The R value is reduced by the effects of thermal bridging through framing. For instance, unless special methods or rigid insulation sheathing are used, the R value for walls must be decreased due to thermal bridging. Multiply the R value of ceilings at the depth of the framing members by .94 and the wall by .87.

14. Metal framed windows must demonstrate a 0.37 minimum U-value.
15. Allowable percentage of window area measured by rough opening sizes. R values for windows are a combination of glass, frame and spacer certified by the National Fenestration Research Council (NFRC). If window area is 15% then the window must provide a U valve of 0.37 or lower.
16. All exterior joints in the building envelope shall be caulked, gasketed; weather stripped, or otherwise sealed in an approved manner. For the performance approach, use Colorado HERS and a .40 air change per hour rate. All switches and outlets to have UL approved sealing gaskets.
17. The slab edge perimeter must be protected with insulation per the requirements for heated areas. Insulation must extend downward to the bottom of the slab and then out horizontally to the exterior for a minimum total of 24". Slabs adjacent to foundation walls may be uninsulated.
18. Foundation insulation and slab insulation where required shall cover all slab edges.
19. All heated basement area slabs are to be insulated to R 7 under slab insulation required to be a minimum of 4 ft. inside perimeter. Slab edges require a thermal break at the wall. Slabs adjacent to foundation walls may be uninsulated.
20. All furnace ducts need to be air tight and constructed with commercial grade mastic and fiberglass mesh. Supply ducts must be insulated to minimum of R-11 return ducts shall be insulated to a minimum of R-6 in unheated spaces. Fiberglass ducts which expose fibers to the air stream are not permitted.
21. Wood stoves shall have a catalytic burner, EPA certified or other method to substantially reduce emission which is approved for use within the City of Gunnison.
22. Recirculation pumps shall be provided with timers and a manual on/off switch.
23. All heated garages shall be constructed to the same requirements as the home.
24. Water lines must be protected from freezing, except in floors over insulated basements.
25. An energy rating is required of all log structures, i.e., E-Star or other approved energy analysis. E-Star rating must be 80 or better.
26. Opaque doors only. (Impenetrable to radiant energy other than visible light)
27. Insulation must extend over top plates.
28. Ducts are to be sealed substantially airtight with tapes, (not duct tape) mastics or gasketing.

Section 3. Chapter 14, Article 2, of the City Code of the City of Gunnison, is hereby re-enacted to read as follows:

14-2-1. Short Title. This Article may be cited as the "City of Gunnison Mechanical Code."

14-2-2. Adoption. The City of Gunnison hereby adopts by reference the “International Mechanical Code”, 2003 Edition, including Appendix Chapter A, regulating and governing the design, construction, quality of materials, erection,

installation, alteration, repair, location, relocation, replacement, addition to, and use or maintenance of mechanical systems as herein provided; and providing for the issuance of permits and collection of fees therefor; and the “International Fuel Gas Code”, 2003 Edition, including Appendix Chapters A, B, C, and D, regulating and governing fuel gas systems and gas-fired appliances as herein provided; and providing for the issuance of permits and collection of fees therefor. Said Codes are published by International Code Councils, Inc., 5203 Leesburg Pike, Suite 708, Falls Church, Virginia 22041-3401.

14-3-3. Amendments. The following amendments to the foregoing Codes are hereby adopted:

**INTERNATIONAL MECHANICAL CODE**

**CHAPTER 1  
ADMINISTRATION**

Section 101.1 is hereby amended to read as follows:

Section 101.1. Title. These regulations shall be known as the “Mechanical Code of the City of Gunnison”, hereinafter referred to as “this Code”.

Section 106.5.2 is hereby amended to read as follows:

Section 106.5.2. Fee Schedule. The fees for mechanical work shall be as set forth in the Mechanical Permit Fees Schedule Table 2A, attached hereto.

Section 106.5.3 is hereby amended to read as follows:

Section 106.5.3. Fee Refunds. The Building Official may authorize refunding of any fee paid hereunder which was erroneously paid or collected. The Building Official may authorize refunding of not more than 90 percent (90%) of the permit fee paid when no work has been done under a permit issued in accordance with this Code. The Building Official may authorize refunding of not more than 90 percent (90%) of the plan review fee paid when an application for a permit for which a plan review fee has been paid is withdrawn or canceled before any plan reviewing is done. The Building Official 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.

**MECHANICAL CODE**  
**TABLE 2A**

|  |          |
|--|----------|
| Permit Issuance  |          |
| 1. For the issuance of each permit. . . . .  | \$ 22.00 |
| For issuing each supplemental permit for which the original permit has not expired,  |          |
| been canceled or finalized . . . . .   | \$ 6.50  |
| Unit Fee Schedule  |          |
| (Note: The following do not include permit-issuing fee.)   |          |
| 1. Furnaces  |          |
| For the installation or relocation of each forced-air or gravity-type furnace or burner, including ducts and vents attached to such appliance. . . . . | \$ 13.25 |

|   |          |
|---|----------|
| For the installation or relocation of each suspended heater, recessed wall heater or floor-mounted unit heater.....   | \$ 13.25 |
| 2. Appliance Vents  |          |
| For the installation, relocation or replacement of each appliance vent installed and not included in an appliance permit . . . . .  | \$ 6.50  |
| 3. Repairs or Additions   |          |
| For the repair of, alteration of, or addition to each heating appliance, refrigeration unit, cooling unit, absorption unit, or each heating, cooling, absorption or evaporative cooling system, including installation of controls regulated by the Mechanical Code . . . . . | \$12.25  |
| 4. Boilers, Compressors and the installation or relocation of each boiler . . . . .   | \$16.50  |
| 5. Air Handlers, for each air-handling unit.....  | \$16.50  |
| 6. Evaporative Coolers, for each evaporative cooler other than portable type.....   | \$ 9.50  |
| 7. Ventilation and Exhaust  |          |
| For each ventilation fan connected to a single duct. . . . .  | \$ 6.50  |
| For each ventilation system which is not a portion of heating or air-conditioning system authorized by a permit. . . . .  | \$ 9.50  |
| For the installation of each hood which is served by mechanical exhaust, including the ducts for such hood . . . . .  | \$ 9.50  |
| 8. Miscellaneous  |          |
| For each appliance or piece of equipment regulated by the Mechanical Code but not classed in other appliance categories, or for which no other fee is listed in the code . . . . .  | 9.50     |
| Other Inspections and Fees:   |          |
| 1. Inspections outside of normal business hours, per hour . . . . .   | \$42.00  |
| 2. Reinspection fees assessed under provisions of Section 116.6, per inspection. . . . .  | 42.00    |

**INTERNATIONAL FUEL GAS CODE**

**CHAPTER 1  
ADMINISTRATION**

Section 101.1 is hereby amended to read as follows:

Section 101.1. Title. These regulations shall be known as the “Fuel Gas Code of the City of Gunnison”, hereinafter referred to as “this Code”.

Section 106.5.2 is hereby amended to read as follows:

Section 106.5.2. Fee Schedule. The fees for work shall be as set forth in the Schedule of Table 1A, attached hereto.

Section 106.5.3 is hereby amended to read as follows:

Section 106.5.3. Fee Refunds. The Building Official may authorize refunding of any fee paid hereunder which was erroneously paid or collected. The Building Official may authorize refunding of not more than 90 percent (90%) of the permit fee paid when no work has been done under a permit issued in accordance with this Code. The Building Official may authorize refunding of not more than 90 percent (90%) of the plan review fee paid when an application for a permit for which a plan review fee has been paid is withdrawn or canceled before any plan reviewing is done. The Building Official 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.

14-2-4. Penalties. Penalties for the violation of the terms of this ordinance are as set forth in Section 4-2-1 of the City Code of the City of Gunnison.

14-2-5. Appeal. Chapter 2, Article 8, of the City Code of the City of Gunnison, sets forth the appeal procedures.

Section 4. Chapter 14, Article 3, of the City Code of the City of Gunnison, is hereby re-enacted to read as follows:

14-3-1. Short Title. This Article shall be cited as the “City of Gunnison Fire Code.”

14-3-2. Adoption. The City of Gunnison hereby adopts by reference the “International Fire Code”, 2003 Edition, including Appendix Chapters B and C, regulating and governing the safeguarding of life and property from fire and explosion hazards arising from the storage, handling, and use of hazardous substances, materials, and devices, and from conditions hazardous to life or property in the occupancy of buildings and premises as herein provided; and providing for the issuance of permits and collection of fees therefor. Said Code is published by International Code Council, Inc., 5203 Leesburg Pike, Suite 708, Falls Church, Virginia 22041-3401.

14-3-3. Amendments. The following amendments to the foregoing Code are hereby adopted:

## **INTERNATIONAL FIRE CODE**

### **CHAPTER 1 ADMINISTRATION**

Section 101.1 is hereby amended to read as follows:

101.1. Title. These regulations shall be known as the “City of Gunnison’s Fire Code” and may be cited as such and will be referred to herein as “this Code”.

Section 108.1 is hereby amended to read as follows:

108.1. Board of Appeals. Chapter 2, Article 8, entitled “Building Board of Appeals” of the City Code of the City of Gunnison sets forth the appeals procedure.

Section 109.3 is hereby amended to read as follow:

109.3. Violation Penalties. Persons who shall violate a provision of this Code or shall fail to comply with any of the requirements hereof or who shall erect, install, alter, repair, or do work in violation of the approved construction documents or directive of the Fire Code Official, or of a permit or certified use under the provisions of this Code, shall be liable for such violation. Penalties for violation of the terms of this ordinance are as set forth in Chapter 4, Article 2, of the City Code of the City of Gunnison.

Section 111.4 is hereby amended to read as follows:

- 111.4. Failure to Comply. Any person who shall continue any work after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be liable for such violation. Penalties for violation of the terms of this ordinance are set forth in Chapter 4, Article 2, of the City Code of the City of Gunnison.

## CHAPTER 2 DEFINITION

The definition of the Fire Code Official contained in Section 202 is hereby amended to read as follows: Fire Code Official. The Fire Marshal.

## CHAPTER 6 BUILDING SERVICES AND SYSTEMS

Section 605.3 is hereby amended by the addition of Section 605.3.2, to read as follows:

605.3.2. Outside Disconnect Device. All electrical services inside the corporate boundaries of the City of Gunnison, Colorado, shall be equipped with an outside moisture resistant service disconnect device, adjacent to and following the meter, so situated as to be readily accessible and easily operable by fire personnel or for other emergency uses.

## CHAPTER 8 INTERIOR FINISH, DECORATIVE MATERIALS, AND FURNISHINGS

Section 804.1.1 is hereby amended to read as follows:

804.1.1. Restricted Occupancies. Natural cut trees shall be prohibited in Group E, I-1, I-2, I-3, and I-4 occupancies.

## CHAPTER 14 FIRE SAFETY DURING CONSTRUCTION AND DEMOLITION

Section 1417.1 is hereby deleted.

## CHAPTER 32 CRYOGENIC FLUIDS

The second paragraph of Section 3204.3.1.1 is hereby amended to read as follows: The storage of flammable cryogenic fluids in permanent outside above ground containers is prohibited in all zones districts within the City of Gunnison except within (I) industrial zoned districts as a conditional use.

## CHAPTER 34 FLAMMABLE AND COMBUSTIBLE LIQUIDS

Section 3404.2.9.5.1 is hereby amended to read as follows:

3404.2.9.5.1. Location Where Above-Ground Tanks Are Prohibited. The storage of Class I and Class II combustible and flammable liquids in permanent outside above-ground tanks is prohibited in all zoned districts within the City of Gunnison, Colorado, except within (I) industrial zoned districts as a conditional use.

Exceptions:

(1) Existing outside above-ground fuel oil tanks used for heating may remain in any zoned district within the City of Gunnison, Colorado, if the capacity or aggregate capacity does not exceed 500 gallons.

(2) Bulk plants may be located in the (I) industrial zoned districts within the City of Gunnison, Colorado, as a conditional use.

Section 3406.2.4.4 is hereby amended to read as follows:

3406.2.4.4. Location Where Above-Ground Tanks Are Prohibited. The storage of Class I and Class II combustible and flammable liquids in permanent outside above-ground tanks is prohibited in all zoned districts within the City of Gunnison, Colorado, except within (I) industrial zoned districts as a conditional use.

Exceptions:

(1) Existing outside above-ground fuel oil tanks used for heating may remain in any zoned district within the City of Gunnison, Colorado, if the capacity or aggregate capacity does not exceed 500 gallons.

(2) Bulk plants may be located in the (I) industrial zoned districts within the City of Gunnison, Colorado, as a conditional use.

CHAPTER 38  
LIQUID PETROLEUM GASES

Section 3804.2 is hereby amended to read as follows:

3804.2. Maximum Capacity Within Established Limits. The storage of liquified petroleum gas in permanent outside containers in excess of 2000 gallons, water capacity, at any one installation is prohibited in all zoned districts within the City of Gunnison, Colorado.

Exception: Bulk plants or plants of similar nature may be located in the (I) Industrial zone districts as a conditional use.

14-3-4. Penalties. Penalties for the violation of the terms of this ordinance are as set forth in Section 4-2-1 of the City Code of the City of Gunnison.

14-3-5. Appeal. Chapter 2, Article 8, of the City Code of the City of Gunnison, sets forth the appeal procedures.

Section 5. Chapter 14, Article 4, of the City Code of the City of Gunnison, is re-enacted to read as follows:

14-4-1. Short Title. This Article may be cited as the "Property Maintenance Code".

14-4-2. Adoption. The City of Gunnison hereby adopts by reference the "International Property Maintenance Code", 2003 Edition, regulating and governing the conditions and maintenance of all property, buildings, and structures; by providing the standards for supplied utilities and facilities and other physical things and conditions essential to ensure that structures are safe, sanitary, and fit for occupation and use; and the condemnation of buildings and structures unfit for human occupancy and use, and the demolition of such existing structures as herein provided; and providing for the issuance of permits and collection of

fees therefor. Said Code is published by International Code Council, Inc., 5203 Leesburg Pike, Suite 708, Falls Church, Virginia 22041-3401.

14-4-3. Amendments. The following amendments to the foregoing Code are hereby adopted:

## **INTERNATIONAL PROPERTY MAINTENANCE CODE**

### **CHAPTER 1 ADMINISTRATION**

Section 101.1 is hereby amended to read as follows:

Section 101.1. Title. These regulations shall be known as the “Property Maintenance Code of the City of Gunnison”, hereinafter referred to as “this Code”.

Section 103.5 is hereby amended to read as follows:

Section 103.5. Fees. The fees for activities and services performed by the department in carrying out its responsibilities under this Code shall be assessed based on an hourly charge as set forth in Table 1A (minimum charge one hour) or the total actual cost to the jurisdiction, whichever is greatest. This cost shall include supervision, overhead, equipment, hourly wages, and fringe benefits of the employees involved.

### **CHAPTER 3 GENERAL REQUIREMENTS**

Section 304.14 is hereby amended by the addition of the following dates in the spaces provided: May 1 to October 15.

### **CHAPTER 6 MECHANICAL AND ELECTRICAL REQUIREMENTS**

Section 602.3 is hereby amended by the addition of the following dates in the spaces provided: January 1 to December 31.

Section 602.4 is hereby amended by the addition of the following dates in the spaces provided: January 1 to December 31.

14-4-4. Penalties. Penalties for the violation of the terms of this ordinance are as set forth in Section 4-2-1 of the City Code of the City of Gunnison.

14-4-5. Appeal. Chapter 2, Article 8, of the City Code of the City of Gunnison, sets forth the appeal procedures.

Section 6. Chapter 14, Article 5, of the City Code of the City of Gunnison, is intentionally omitted.

Section 7. The penalty referenced herein is as follows: Any person convicted of a violation of this ordinance shall be fined in a sum of not more than One Thousand Dollars (\$1,000.00) or by imprisonment for not more than ninety (90) days, or both such fine and imprisonment.

Section 8. If any section, subsection, sentence, clause, or phrase of this ordinance is, for any reason, held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this ordinance. The City Council hereby declares that it would have

passed this ordinance, and each section, subsection, clause, or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses, and phrases be declared unconstitutional.

Section 9. Nothing in this ordinance or in the Codes adopted hereby by reference shall be construed to affect any suit or proceeding pending in any court, or in any rights acquired, or liability incurred, or any cause or causes of action acquired or existing, under any act or ordinance hereby repealed as set forth in Section 1 of this ordinance; nor shall any just or legal right or remedy of any character be lost, impaired, or affected by this ordinance.

**INTRODUCED, READ, PASSED, AND ORDERED PUBLISHED** this 8th day of March, 2005, on first reading, and introduced, read, and adopted on second and final reading this 12th day of April, 2005.

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Mayor

ATTEST:

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City Clerk