

**ORDINANCE NO. 3
SERIES 2010**

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 2009 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 2005 by the adoption of the 2003 Codes published by the International Code Council, Inc.; and

WHEREAS, the City of Gunnison wishes to update its building regulations by adopting the 2009 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 Chapter 14, Articles 1 through 5 entitled "Technical Codes" of the City Code of the City of Gunnison, are hereby repealed.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 "Building Code of the City of Gunnison".

14-1-2. Adoption. The City of Gunnison hereby adopts by reference the "International Building Code", 2009 Edition, including Appendix Chapters E, I, J, and the Errata to the International Building Code, First Printing, February, 2009, 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 therefore; and the "International Residential Code", 2009 Edition, including Appendix Chapters E, F, G, H, J, L, and the Errata to the International Residential Code, First Printing, March, 2009, 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 above grade plane in height with a separate means of egress and their accessory structures as herein provided; and providing for the issuance of permits and collection of fees therefore; the "International Existing Building Code", 2009 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 therefore; and the "International Energy Conservation Code", 2009 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 therefore; and the "International Mechanical Code", 2009 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; and

providing for the issuance of permits and collection of fees therefore; and the "International Fuel Gas Code", 2009 Edition, including Appendix Chapters A, B, C and D, regulating and governing fuel gas systems and gas-fired appliances; and providing for the issuance of permits and collection of fees therefore; and the "International Fire Code", 2009 Edition, including Appendix Chapters B, C, and D, 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; and providing for the issuance of permits and collection of fees therefore; and the "International Property Maintenance Code", 2009 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; and providing for the issuance of permits and collection of fees therefore. All of said Codes are published by International Code Council, Inc., 4051 West Flossmoor Road, Country Club Hills, IL 60478-5795.

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:

Section 101.1 Title. These regulations shall be known as the "Building Code of the City of Gunnison", shall be cited as such, and will be referred to herein as "this Code."

Section 101.4 is hereby amended to read as follows:

Section 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.

Section 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 above grade plane in height with a separate means of egress and their accessory structures.

Section 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.

Section 101.4.3 Plumbing. The provisions of 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 systems.

Section 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.

Section 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.

Section 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.

Section 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.

Section 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.

Section 101.4.9 Fire Prevention. The provisions of the *International Fire Code* as amended by the City of Gunnison, shall apply to all matters governing fire safety.

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 subsection 105.5.1 to read as follows:

Section 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 109.2 is hereby amended to read as follows:

Section 109.2 Schedule of Permit Fees. For buildings, structures, additions, and/or alterations requiring a permit, a fee shall be determined in accordance with the attached permit fee schedule, amended Appendix L.

Section 109.3 is hereby amended to read as follows and by adding a new subsection 109.3.1:

Section 109.3 Building Permit Valuations. Determination of value or valuation for all site built buildings, structures, and additions shall include the following Interim Square Foot Construction Cost Table:

INTERIM SQUARE FOOT CONSTRUCTION COST TABLE					
YEAR	2010	2011	2012	2013	2014 and beyond
INTERIM VALUE	$\$85+.2(X-85)$	$\$85+.4(X-85)$	$\$85+.6(X-85)$	$\$85+.8(X-85)$	BVD Table
X= Building Valuation Data Table amount specific to each individual project					

The use of the Interim Square Foot Construction Cost Table in conjunction with the most recent issue of the Building Valuation Data Table of Square Foot Construction Costs, as published in the Building Safety Journal, by the International Code Council Inc., shall set the valuation for all site built buildings, structures, and additions. When the actual square foot construction costs according to the Building Valuation Data Table are found to be less than the calculated amount of the Interim Square Foot Construction Cost Table, the lesser amount shall be used to determine the project valuation. Valuation for any factory-built housing or factory-built non-residential unit shall be the actual cost, as those terms are defined in C.R.S. 24-32-703, plus the actual cost of the foundation. For all other construction subject to the provisions of this Code, the applicant shall provide an estimated project value at the time of application. The determination of value or valuation shall include the actual value of all work to be performed, including materials, labor, electrical, gas, mechanical, plumbing, and permanent systems, for which the permit is being issued. If, in the opinion of the Building Official, the valuation is under/over estimated on the application, a final determination of value shall be made by the Building Official.

Section 109.3.1 Plan Review Fees. When submittal documents are required by Section 107.1, a plan review fee shall be paid. Said plan review fee shall be 65 percent (65%) of the building permit fee for all multi-family and commercial projects and 30 percent (30%) of the building permit fee for projects 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, of which the building plans are identical to the plans 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 107.3.4.2, an additional plan review fee shall be charged at the rate shown in the permit fee schedule Appendix L.

Section 109.4 Work Commencing Before Permit Issuance, 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 109.6 is hereby amended to read as follows:

Section 109.6 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 109 Fees, is hereby amended by adding the following new subsection 109.7:

Section 109.7 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 110.3.5 Lath and Gypsum Board Inspection, is hereby amended to delete the Exception.

Section 110.5 Inspection Requests, is hereby amended by adding the following at the end of the last sentence: Inspection requests shall be made twenty four (24) hours in advance.

Section 114.3 Prosecution of Violation, is hereby amended by adding the following at the end of the last 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 Roof Drainage, is hereby amended by adding the following new subsection 1503.4.4:

Section 1503.4.4 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 1805.1.2.1 Flood Hazard Areas, 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.

PERMIT FEE SCHEDULE APPENDIX L

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 \$1,000.00 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, to and including \$500,000.00.

\$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 \$1,000,000.00.
\$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 (two hours minimum charge) \$42.00 per hr.*
2. Re-inspection fees assessed under provisions of Section 109.7 2009 IBC \$42.00 per hr.*
3. Inspections for which no fee is specifically indicated (one hour minimum charge) \$42.00 per hr.*
4. Additional plan review required by revisions to plans (one hour minimum charge) \$42.00 per hr.*
5. For use of outside consultants for plan review, inspections, or both Actual costs**

* Or the total hourly cost to the jurisdiction, whichever is greatest. This cost shall include the 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 .04 = 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”, shall be cited as such, and will be referred to herein as “this Code”.

Section R102.4 Referenced Codes and Standards, is hereby amended by the addition of a second Exception to read as follows:

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 Work Exempt from Permit. (Building) subsections 1 and 10 are hereby amended to read as follows:

1. One-story detached accessory structures used as tool and storage sheds, greenhouses, playhouses, and similar uses, provided the floor area does not exceed 120 square feet.
10. Decks, platforms, walkways, etc., that measure 30 inches or less from the standing surface to the adjacent grade.

Section R105.2 Work Exempt From Permit. (Building) is hereby amended by adding the following subsections:

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 and by adding a new subsection 108.2.1:

Section R108.2 Schedule of Permit Fees. On buildings, structures, additions, and/or alterations requiring a permit, a fee shall be determined in accordance with the International Building Code, Sections 109.2, 109.3, 109.3.1, 109.4, and 109.7 as amended and adopted by the City of Gunnison.

Section R108.2.1 Calculation of Residential Floor Area. Calculation of square footage used to determine the valuation of Residential buildings, structures, and additions, shall be determined by the floor area within and including the perimeter of the exterior walls up to a thickness of six inches, without deduction for corridors, stairways, closets, the thickness of interior walls, columns, or other features. Vent shafts, courts, and any additional exterior wall thickness beyond that first six inches shall not be considered in the square foot calculations.

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:	57 lbs./sq. ft.
Wind Speed:	90 mph, 3 sec. gust
Seismic Design Category:	B
Weathering:	Severe
Frost Line Depth:	30 inches
Termites:	Slight
Decay:	Slight
Winter Design Temp:	-20 degrees F
Ice Barrier Underlayment Required:	In roof valleys and eaves
Flood Hazards:	FIRM 1983-1985
Air Freezing Index:	4,000 (BF/days)
Mean Annual Temp:	40 degrees F

Section R302.5.1 Opening Protection, is hereby amended by adding the following at the end of the last sentence: These doors shall be self closing and tight fitting to prevent exposure from potential garage carbon monoxide gases.

Section R303.3 is hereby amended to read as follows:

Section R303.3 Bathrooms. Bathrooms, water closet compartments, and other similar rooms shall be provided with mechanical ventilation that exhausts directly to the outside. The minimum ventilation rates shall be 50 cubic feet per minute (24L/s) for intermittent ventilation or 20 cubic feet per minute (10 L/s) for continuous ventilation.

Section R303.3 Bathrooms, is hereby amended so that the Exception therein reads as follows:

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 R311.2 Egress Door, is hereby amended by adding the following to the end of the last sentence: Egress doors shall be provided with protection from ice and snow accumulation.

Section R312.3 Guard Opening Limitations, is hereby amended by adding a third Exception, to read as follows:

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

Section R313 Automatic Fire Sprinkler Systems, is hereby amended by replacing the existing subsections and exceptions, R313.1, R313.1.1, R313.2, R313.2.1, with the following subsections and exceptions:

Section R313.1 Townhouse and Duplex Automatic Fire Sprinkler Systems. An automatic residential fire sprinkler system shall be installed in all new townhouses and duplexes.

Exception: An automatic residential fire sprinkler system shall not be required when additions or alterations are made to existing townhouses or duplexes that are not already provided with an automatic residential fire sprinkler system unless the addition or alteration creates an additional dwelling unit resulting in a townhouse or duplex, then that new dwelling unit shall be provided with an automatic residential fire sprinkler system.

Section R313.1.1 Design and Installation. Automatic residential fire sprinkler systems for townhouses and duplexes shall be designed and installed in accordance with Section P2904 or NFPA 13D.

Section R313.2 Single Family Dwelling Automatic Fire Sprinkler Systems. An automatic residential fire sprinkler system is not required to be installed in new single family dwellings.

Section R314.4 Power Source, is hereby amended by adding; “and carbon monoxide alarms” to the language of the Section and Exceptions following; “smoke alarms”.

CHAPTER 24 FUEL GAS

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

Section G2425.8 Appliances 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:

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

INTERNATIONAL ENERGY CONSERVATION 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 “Energy Conservation Code of the City of Gunnison”, shall be cited as such and referred to herein as “this Code”.

Section 402.2.9 is hereby amended to read as follows:

Section 402.2.9 Crawl Space Walls. As an alternative to insulating floors over crawlspaces, crawl space walls including the rim joist, shall be required to be insulated by an approved method that achieves an insulation R- value of twenty (R-20).

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.

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 shall be cited as the “Mechanical Code of the City of Gunnison”

14-2-2. Adoption. The City of Gunnison hereby adopts by reference the “International Mechanical Code”, 2009 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”, 2009 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 Council, Inc., 4051 West Flossmoor Road, Country Club Hills, IL 60478-5795.

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”, shall be cited as such and will be referred to herein 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/ Fuel Gas Code fee schedule, 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.

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”, shall be cited as such and referred to herein 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 Mechanical/ Fuel Gas Code fee schedule, attached hereto.

Section 106.6.3 is hereby amended to read as follows:

Section 106.6.3 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.

Section 621 Unvented Room Heaters, is hereby amended by deletion of the entire section.

**MECHANICAL/ FUEL GAS CODE
 FEE SCHEDULE**

PERMIT REQUIRED	FEE
For the issuance of each permit	\$22.00
For issuance of each supplemental permit for which the original permit has not expired	\$6.50
Note: the fees for the following items do not include the permit issuance fee	
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
Appliance Vents: For the installation, relocation, or replacement of each appliance vent installed and not included in an appliance permit	\$6.50
Repairs or Additions: For the repair of, alteration of, or addition to each heating appliance, refrigeration unit, cooling unit, absorption unit, or systems comprised of these units, including installation of controls regulated by the Mechanical and/or Fuel Gas Codes	\$12.25
Boilers and Compressors: For the installation or relocation of boilers and compressors	\$16.50
Air Handler Equipment: For the installation or relocation of each air handler	\$16.50
Evaporative Cooler: For the installation or relocation of each evaporative cooler (except portable units)	\$9.50
Ventilation and Exhaust: For the installation or relocation of each fan connected to a single duct	\$6.50
For each ventilation or exhaust system which is not part of a heating or air conditioning system authorized by a permit	\$9.50
For the installation or relocation of each hood which is served by mechanical exhaust, including duct work	\$9.50
Solid Fuel Burning Device: For the installation or relocation of any chimney connected appliance that burns solid fuel for purposes of heating, cooking, or both	\$20.00
Miscellaneous: For each appliance or piece of equipment regulated by the Mechanical and/ or Fuel Gas Codes not otherwise listed in this fee schedule	\$9.50
Other Inspections and Fees: Inspections outside of normal business hours (one hour minimum)	\$42.00/hr
Re-inspection fees pursuant to the provisions of the Mechanical and/or Fuel Gas Codes (one hour minimum)	\$42.00/hr

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 "Fire Code of the City of Gunnison".

14-3-2. Adoption. The City of Gunnison hereby adopts by reference the "International Fire Code", 2009 Edition, including Appendix Chapters B, C, and D, 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., 4051 West Flossmoor Road, Country Club Hills, IL 60478-5795.

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:

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

Section 108.1 is hereby amended to read as follows:

Section 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 follows:

Section 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 certificate used 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:

Section 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 as set forth in Chapter 4, Article 2, of the City Code of the City of Gunnison.

CHAPTER 2 DEFINITIONS

The definition of the Fire Code Official contained in Section 202 is hereby amended to read as follows: Fire Code Official; The Fire Marshal or a duly authorized representative.

CHAPTER 6 BUILDING SERVICES AND SYSTEMS

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

Section 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 806.1.1 is hereby amended to read as follows:

Section 806.1.1 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 General, is hereby deleted.

CHAPTER 32
CRYOGENIC FLUIDS

Section 3204.3.1.1 is hereby amended by adding a second paragraph to read as follows:

Section 3204.3.1.1 Stationary Containers. The storage of flammable cryogenic fluids in permanent outside above ground containers is prohibited in all zone districts within the City of Gunnison except within (I) industrial zone districts as a conditional use.

CHAPTER 34
FLAMMABLE AND COMBUSTIBLE LIQUIDS

Section 3404.2.9.6.1 is hereby amended to read as follows:

Section 3404.2.9.6.1 Location Where Above-Ground Tanks Are Prohibited. Storage of Class I and Class II liquids in above-ground tanks outside of buildings is prohibited in all zone districts within the City of Gunnison, Colorado, except within (I) industrial zone districts as a conditional use.

Exceptions:

(1) Existing outside above-ground fuel oil tanks used for heating may remain in any zone 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 zone districts within the City of Gunnison, Colorado, as a conditional use.

Section 3406.2.4.4 is hereby amended to read as follows:

Section 3406.2.4.4. Location Where Above-Ground Tanks Are Prohibited. Storage of Class I and Class II liquids in above-ground tanks is prohibited in all zone districts within the City of Gunnison, Colorado, except within (I) industrial zone districts as a conditional use.

Exceptions:

(1) Existing outside above-ground fuel oil tanks used for heating may remain in any zone 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 zone districts within the City of Gunnison, Colorado, as a conditional use.

CHAPTER 35
FLAMMABLE GASES AND FLAMMABLE CRYOGENIC FLUIDS

Section 3506.2 is hereby amended to read as follows:

Section 3506.2 Limitations. Storage of flammable cryogenic fluids in stationary containers outside of buildings is prohibited in all zone districts within the City of Gunnison, Colorado, except within (I) Industrial zone districts as conditional use.

CHAPTER 38
LIQUEFIED PETROLEUM GASES

Section 3804.2 is hereby amended to read as follows:

Section 3804.2. Maximum Capacity Within Established Limits. Storage of liquefied petroleum gas with an aggregate capacity of any one installation shall not exceed a water capacity of two thousand (2,000) gallons.

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 shall be cited as the "Property Maintenance Code of the City of Gunnison".

14-4-2. Adoption. The City of Gunnison hereby adopts by reference the "International Property Maintenance Code", 2009 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., 4051 West Flossmoor Road, Country Club Hills, IL 60478-5795.

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", shall be cited as such and will be referred to herein 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 the permit fee schedule Appendix L (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 Insect Screens, is hereby amended by the addition of the following dates in the spaces provided: May 1 to October 15.

CHAPTER 4 LIGHT, VENTILATION, AND OCCUPANCY LIMITATIONS

Section 403.2 is hereby amended to read as follows:

Section 403.2 Bathrooms and Toilet Rooms. Bathrooms, water closet compartments, and other similar rooms shall be provided with mechanical ventilation that exhausts directly to the outside. The minimum ventilation rates shall be 50 cubic feet per minute (24L/s) for intermittent ventilation or 20 cubic feet per minute (10 L/s) for continuous ventilation. 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.

CHAPTER 6 MECHANICAL AND ELECTRICAL REQUIREMENTS

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

Section 602.4 Occupiable Work Spaces, 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.

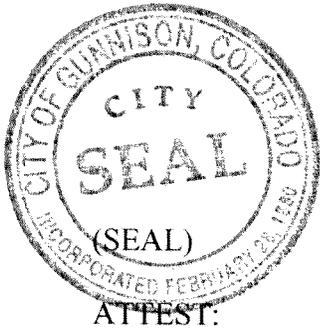
Section 7. The penalty referenced herein is as follows: Any person convicted of a violation of this ordinance shall be fined in a sum of not more than One Thousand Dollars (\$1,000.00) or by imprisonment for not more than ninety (90) days, or both such fine and imprisonment.

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,

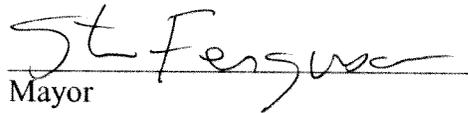
subsection, clause, or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses, and phrases be declared unconstitutional.

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 13th day of April, 2010 on first reading, and introduced, read, and adopted on second and final reading this 27th day of April, 2010.



ATTEST:


Mayor


City Clerk

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