

ORDINANCE NO. 1245

AN ORDINANCE ADOPTING THE 2015 INTERNATIONAL RESIDENTIAL CODE BY REFERENCE; AND MAKING CONFORMING AMENDMENTS TO THE FORT MORGAN MUNICIPAL CODE

WHEREAS, the City of Fort Morgan, Colorado (the "City"), is a Colorado home rule municipality, duly organized and existing pursuant to Section 6 of Article XX of the Colorado Constitution; and

WHEREAS, the City Council (the "Council") has authority pursuant to the Home Rule Charter and C.R.S. §31-16-101, et seq. to adopt and enforce all ordinances; and

WHEREAS, pursuant to that authority, the City has previously enacted Chapter 21, Article 3 of Fort Morgan Municipal Code (the "Code") regarding the International Residential Code; and

WHEREAS, also pursuant to that authority, the City previously adopted by reference the 2015 edition of the International Residential Code within that same Chapter 21, Article 3 of the Code; and

WHEREAS, City staff, including the Chief Building Official and the Public Works Director, recently discovered that the City's adoption of the International Residential Code was outdated, and possibly maintained certain portions of the 2009 International Residential Code in error; and

WHEREAS, the Council recognizes the value of various International Codes, including the International Residential Code, as providing commonly-adopted uniform standards for public health, safety and welfare issues relating to the subject matter of each and as the standards recommended by the City Building Department; and

WHEREAS, a public hearing on this Ordinance at second reading, and proper notice thereof, was provided in accordance with Colorado Revised Statutes section 31-16-203; and

WHEREAS, certified copies of all Codes adopted hereby were filed with the City Clerk at least fifteen (15) days prior to public hearing on this Ordinance and such codes remain open to public inspection and purchase; and

WHEREAS, the Council therefore desires to adopt by reference the 2015 edition of the International Residential Code, and make conforming amendments to the Fort Morgan Municipal Code, to clarify prior inconsistencies.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF FORT MORGAN, COLORADO, as follows:

SECTION 1. The Fort Morgan Municipal Code section 21-3-20, concerning the adoption of the International Residential Code, is hereby amended as follows:

Sec. 21-3-20. - Amendments.

(a) Section R105.2, Work exempt from permit, of the International Residential Code, is revised to read and provide as follows:

" R105.2 **Work exempt from permit.** Permits shall not be required for the following. Exemption from permit requirements of this code shall not be deemed to grant authorization for any work to be done in any manner in violation of the provisions of this code or any other laws or ordinances of this jurisdiction.

"1. One-story detached accessory buildings used as tool and storage sheds, playhouses and similar uses, provided the projected floor area does not exceed 120 square feet (11.15 m²). All other storage structures over 120 square feet, no matter what they are made of (wood, metal shipping containers, etc.) will require a permit. All structures over 120 squares feet shall have an approved foundation to set on and if it is a pre-built building or a metal shipping container it will need to set on a gravel base, concrete, asphalt or an engineered designed base. The building shall also be tied down on all four corners with an approve[d] tie down system or have an engineered stamp letter stating that tie downs are not required, unless there is utilities (electric, water, sewer or gas) hooked to the structure then it shall have an approved tie down system.

(b) Table R301.2 (1), Climatic and Geographic Design Criteria, of the International Residential Code, is revised to read and provide as follows:

**"TABLE R301.2(1)
CLIMATIC AND GEOGRAPHIC DESIGN CRITERIA**

"Ground Snow Load	Wind Design		Seismic Design Category _f	Subject to Damage From			Winter Design Temp _e	Ice Barrier Underlay- ment Required _h	Flood Hazards _g	Air Freezing Index _i	Mean Annu Temp
	Speed (mph) _d	Topo- graphic Effects _k		Weather- ing _a	Frost Line Depth _b	Termite _c					
30	115 MPH Exposure C ¹	NO	B	Severe	30"	Slight to moderate	1(°F)	NO ^m		FIRM flood ins. rate map 2/5/86	49(°F)

^a Weathering may require a higher strength concrete or grade of masonry than necessary to satisfy the structural requirements of this code. The weathering column shall be filled in with the weathering index, i.e., 'negligible,' 'moderate' or 'severe,' for concrete as determined from the Weathering Probability Map [Figure R301.2(3)]. The grade of masonry units shall be determined from ASTM C 34, C 55, C 62, C 73, C 90, C 129, C 145, C 216 or C 652.

^b The frost line depth may require deeper footings than indicated in Figure R403.1(1). The jurisdiction shall fill in the frost line depth column with the minimum depth of footing below finish grade.

^c 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.

^d The jurisdiction shall fill in this part of the table with the wind speed from the basic wind speed map [Figure R301.2(4)]. Wind exposure category shall be determined on a site-specific basis in accordance with Section R301.2.1.4.

^e The outdoor design dry-bulb temperature shall be selected from the columns of 97½-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.

^f The jurisdiction shall fill in this part of the table with the seismic design category determined from Section R301.2.2.1.

^g 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 FIRMs and FBFMs) or (b) other flood hazard map adopted by the authority having jurisdiction as amended.

^h In accordance with Sections R905.2.7.1, R905.4.3.1, R905.6.3.1 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.'

ⁱ 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%) value on the National Climatic Data Center data table 'Air Freezing Index-USA Method (Base 32°)' at www.ncdc.noaa.gov/fpsf.html.

^j 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°)" at www.ncdc.noaa.gov/fpsf.html.

^k 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.

^l Exposure B may be used if it can be shown that they can meet the Exposure B requirement as per Section R301.2.1.4 in the 2009 IRC.

^m Ice and water shall be required on all building where damage has been found on the eaves or rakes that requires the decking or structural component in these areas to be replaced."

- (c) ~~Section R302.2, Townhouse, of the International Residential Code, is revised to read and provide as follows:~~

~~"R302.2 **Townhouse.** Each townhouse shall be considered a separate building and shall be separated by fire-resistance-rated wall assemblies meeting the requirements of Section R302.1 for exterior walls.~~

- (d) Section R302.2.2, Parapets for Townhouses, of the International Residential Code, is revised to read and provide as follow:

"R302.2.2 **Parapets for Townhouses.** Parapets constructed in accordance with section R302.2.3 shall be constructed for townhouses as an extension of exterior walls or common walls in accordance with the following:

1. Where roof surfaces adjacent to the wall or walls are at the same elevation, the parapet shall extend not less than 30 inches (762 mm) above the roof surfaces.
2. Where roof surfaces adjacent to wall or walls are at different elevations and the higher roof is not more than 30 inches (762 mm) above the lower roof, the parapet shall extend not less than 30 inches (762 mm) above the lower roof surface.

Exception: A parapet is not required to be more than 12 inches high in the preceding two cases where the roof coving complies with a minimum Class C rating as tested in accordance with ASTM E108 or UL 790 and the roof decking or sheathing is noncombustible materials or approved fire-retardant-treated wood for a distance of 4 feet (1219 mm) on each side of the wall or walls, or one layer of 5/8-inch (15.9 mm) Type X gypsum board is installed directly beneath the roof decking or sheathing, supported by not less than nominal 2-inch (51 mm) ledgers attached to the sides of the roof framing members, for a distance of not less than 4 feet (1219 mm) on each side of the wall or walls and any openings or penetrations in the roof are not within 4 feet (1219 mm) of the common walls."

3. A parapet is not required where roof surfaces adjacent to the wall or walls are at different elevations and the higher roof is more than 30 inches (762 mm) above the

lower roof. The common all construction from the lower roof to the underside of the higher roof shall have not less than a 1-hour fire-resistance rating. The wall shall be rated for exposure from both sides.

(e) Reserved.

(f) Reserved. **Section R313.1, Townhouse automatic fire sprinkler systems, of the International Residential Code, is revised to read and provide as follows:**

"An automatic residential sprinkler system shall be installed in townhouses.

Exception: An automatic residential fire sprinkler system shall not be required where additions or alterations are made to existing townhouses that do not have automatic residential fire sprinkler system installed.

Add: or a two-hour fire rated wall is built as per Section R302.2 Item #2."

(g) Section R313.2, One- and two-family dwellings automatic fire systems. (Deleted.)

(h) Reserved.

(i) Reserved.

(j) Section R905.2.1, Sheathing requirements, of the International Residential Code, is revised to read and provide as follows:

" R905.2.1. **Sheathing requirements.** As-phalt shingles shall be fastened to solidly sheathed decks. The City defines decking as decking that does not have any gaps more than ¼ inch."

(k) Reserved.

(l) Reserved.

(m) Section M1801.1, Venting required, of the International Residential Code, is revised to read and provide as follows:

" M1801 **Venting required.** Fuel-burning appliances shall be vented to the outside in accordance with their listing and label and manufacturer's installation instructions. Venting systems shall consist of approved chimneys or vents, or venting assemblies that are integral parts of labeled appliances. Gas-fired appliances shall be vented in accordance with Chapter 24."

(n) Section G2406.2 (303.3), Prohibited locations, of the International Residential Code, is revised to read and provide as follows:

" G2406.2 **(303.3) Prohibited locations.** Appliances shall not be located in sleeping rooms, bathrooms, toilet rooms, storage closets or surgical rooms, or in a space that opens only into such rooms or spaces, except where the installation complies with one of the following:

"1. The appliance is a direct-vent appliance installed in accordance with the conditions of the listing and the manufacturer's instructions.

"2. Vented room heaters, wall furnaces, vented decorative appliances, vented gas fireplaces, vented gas fireplace heaters and decorative appliances for installation in vented solid fuel-burning fireplaces are installed in rooms that meet the required volume criteria of Section G2407.5.

"3. (Deleted.)

"4. (Deleted.)

"5. The appliance is installed in an existing room or space that opens only into a bedroom or bathroom, and such room or space is used for no other purpose and is provided with a solid weather-stripped door equipped with an approved self-closing device. All combustion air shall be taken directly from outdoors in accordance with Section G2407.6. This installation requirement shall only be used if there is no other option possible."

(o) Section G2413.6.1 (402.6.1) Liquefied petroleum gas systems, of the International Residential Code, is revised to read and provide as follows:

- " G2413.6.1 **(402.6.1) Liquefied petroleum gas systems.** Temporary LP-gas systems shall be designed and installed in accordance with the Fire Code, as adopted and amended by the City, and NFPA 58. No permanent LP-gas systems shall be permitted."
- (p) Section G2414.5.2 (403.5.2), Copper tubing. (Deleted.)
 - (q) Section G2414.6 (403.6), Plastic pipe, tubing and fittings. (Deleted.)
 - (r) Section G2414.6 (403.6.1) Anodeless riser, of the International Residential Code, is revised to read and provide as follows:
 " G2414.6 **(403.6.1) Anodeless risers.** The City shall install all underground gas piping."
 - (s) Section G2414.6.2 (403.6.2), LP-gas systems, of the International Residential Code, is revised to read and provide as follows:
 " G2414.6.2 **(403.6.2) LP-gas systems.** The use of plastic pipe, tubing and fittings in temporary undiluted liquefied petroleum gas piping systems shall be in accordance with NFPA 58. No permanent LP-gas piping systems shall be permitted."
 - (t) Section G2414.10.1 (403.10.1), Pipe joints, of the International Residential Code, is revised as follows:
 " G2414.10.1 **Pipe joints.** Pipe joints shall be threaded, flanged, or welded. Any piping larger than 2" shall be welded."
 - (u) Section G2414.10.2 (403.10.2), Tubing joints. (Deleted.)
 - (v) Section G2414.10.4 (403.10.4) Metallic fitting, of the International Residential Code, is revised as follows:
 " G2414.10.4 **(403.10.4) Metallic fitting.** Metallic fittings, including valves, strainers and filters shall comply with the following:
 - "1. Fittings used with steel or wrought iron pipe shall be steel or malleable iron.
 - "2. (Deleted.)
 - "3. The use of bushings in any consumer's piping is prohibited.
 - "4. Special fittings. Fittings such as couplings, proprietary-type joints, saddle tees, gland-type compression fittings, and flared, flareless or compression-type tubing fittings shall be: used within the fitting manufacturer's pressure-temperature recommendations; used within the service conditions anticipated with respect to vibration, fatigue, thermal expansion or contracting; installed or braced to prevent separation of the joint by gas pressure or external physical damage; and shall be *approved* ."
 - (w) Section G2414.11 (403.11) plastic piping, joints and fittings. (Deleted)
 - (x) Section G2415.3 (404.3) Piping in concealed locations, of the International Residential Code, is revised as follows:
 " G2415.3 **(404.3) Piping in concealed locations.** Portions of a piping system installed in concealed locations shall not have unions, tubing fittings, right and left couplings, bushings, compression couplings, and wing joints made by combinations of fittings.
 " **Exceptions:** (Deleted.)"
 - (y) Section G2415.14 (404.14), Location of outlets, of the International Residential Code, is revised to read and provide as follows
 " G2415.14 **(404.14) Location of outlets.** The unthreaded portion of piping outlets shall extend not less than 1 inch (25 mm) through finished ceilings and interior walls and where extending through floors, outdoor patios, slabs and finished exterior walls, shall not be less than 2 inches (51 mm) above them. The outlet fitting or piping shall be securely supported. Outlets shall not be placed behind doors. Outlets shall be located in the room or space where the appliance is installed.
 " **Exception:** Listed and labeled flush-mounted-type quick-disconnect devices and listed and labeled gas convenience outlets shall be installed in accordance with the manufacturer's installations instructions."


- (z) Section G2415.15 (404.15) Plastic pipe. (Deleted.)
- (aa) Section G2415.17 (404.17) Testing of piping, of the International Residential Code, is revised to read and provide as follows:
 " G2415.17 **(404.17) Testing of piping.** Before any system of piping is put in service or concealed or after a system of piping has been shut off for 12 months or more, it shall be tested to ensure that it is gas tight. Testing, inspection and purging of piping system shall comply with section G2417."
- (bb) Section G2416.3 (405.3), Plastic. (Deleted.)
- (cc) Section G2417.4 (406.4), Test pressure measurement, of the International Residential Code, is revised to read and provide as follows:
 " G2417.4 **(406.4) Test pressure measurement.** Test pressure shall be measured with a manometer or with a pressure-measuring device designed and calibrated to read, record, or indicate a pressure loss caused by leakage during the pressure test period. The source of pressure shall be isolated before the pressure tests are made. Mechanical gauges used to measure test pressure shall be performed with gauges displaying 1 lb increments."
- (dd) Section G2417.4.1 (406.4.1), Test pressure, of the International Residential Code, is revised to read and provide as follows:
 " G2417.4.1 **(406.4.1) Test pressure.** The test pressure to be used shall not be less than 15 lbs."
- (ee) Section G2417.4.2 (406.4.2), Test duration, of the International Residential Code, is revised to read and provide as follows:
 " G2417.4.2 **(406.4.2) Test duration.** The test duration shall not be less than one hour."
- (ff) Section G2445 (621) UNVENTED ROOM. (Deleted.)
- (gg) Section P2718.1, Waste connection, of the International Residential Code, is revised to read and provide as follows:
 " P2718.1 **Waste connection.** The waste from an automatic clothes washer shall discharge through an air break into a standpipe in accordance with Section P2706.2 or into a laundry sink. The trap and fixture drain for an automatic clothes washer standpipe shall be a minimum of 2 inches (51 mm) in diameter. The automatic clothes washer fixture drain shall connect to a branch drain or drainage stack a minimum of 2 inches (51 mm) in diameter."
- (hh) Section 2913, Reclaimed Water Systems, of the International Residential Code, is revised to read and provide as follows:
 "Section 2913, Reclaimed Water Systems shall not be used."
- (ii) Section E3401.1, Applicability, of the International Residential Code, is revised to read and provide as follows:
 " E3401.1 **Applicability.** The provisions of Chapters 34 through 43 shall establish the general scope of the electrical system and equipment requirements of this code. Chapters 34 through 43 cover those wiring methods and materials most commonly encountered in the construction of one- and two-family dwellings and structures regulated by this code but are to be used as guidelines only. All electrical work shall meet the current National Electric Code adopted by the City of Fort Morgan at the time the work is being completed."

SECTION 2. If any section, provision, paragraph, clause or phrase of this Ordinance is held, or decided to be unconstitutional, invalid or enforceable for any reason, such decision shall not affect the constitutionality, validity or enforceability of the remaining portions of this Ordinance.


SECTION 3. All other ordinances or portions thereof inconsistent or conflicting with this Ordinance or any portion hereof are hereby repealed to the extent of such inconsistency or conflict.

INTRODUCED, READ, ADOPTED ON FIRST READING AND ORDERED PUBLISHED on the 18th day of August, 2020.




Attest:

John Brennan
City Clerk

THE CITY COUNCIL OF THE CITY OF FORT MORGAN, COLORADO



By: Ronald Shaver
Mayor

PASSED, APPROVED AND ADOPTED ON FINAL READING AND ORDERED PUBLISHED this 1st day of September 2020.



Attest:

John Brennan
City Clerk

THE CITY COUNCIL OF THE CITY OF FORT MORGAN, COLORADO

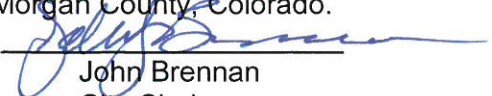

By: Ronald Shaver
Mayor

STATE OF COLORADO)
COUNTY OF MORGAN)ss.
CITY OF FORT MORGAN)

CERTIFICATE

I, John Brennan, the duly appointed, qualified Clerk of the City of Fort Morgan, Colorado, do hereby certify that the foregoing **Ordinance No. 1245** was, as a proposed Ordinance, duly and legally presented to the City Council of the City of Fort Morgan, Colorado, on the 18th day of August, 2020. Said ordinance, as proposed, was duly read at length at said meeting, and thereafter the same was, on the 1st day of September, 2020, published in *The Fort Morgan Times*, a daily newspaper of general circulation published and printed in the City of Fort Morgan, Morgan County, Colorado. Said proposed ordinance was again taken up and read a second time, duly and legally, passed, approved and adopted at a regular meeting of the City Council held on the 1st day of September, 2020. Within five (5) days after its final passage, said

Ordinance No. 1245 was published in *The Fort Morgan Times*, a daily newspaper of general circulation published and printed in the City of Fort Morgan, Morgan County, Colorado.



John Brennan
City Clerk