

STAFF REPORT

TO: Mayor and Board of Trustees

FROM: Kyle Parag, Building Official

RE: Automatic Code Adoptions

DATE: March 16, 2023

BACKGROUND/ANALYSIS:

As part of the previous code update, the Town of Blue River adopted modern language that provides an automatic adoption of codes regulated by us from the State of Colorado, DORA. The automatic updates language is designed to move the Town to the current codes for plumbing and electrical systems as required within one year of DORA adoption without going through a new code adoption by reference to stay in compliance with the requirements of DORA.

The State of Colorado Attorney has declared that jurisdictions that have language as described will trigger the HB22-1362 (C.R.S. 30-28-211) Energy Code laws that require jurisdictions to update the energy code at any new adoption. Since the State plans to update to the 2023 Electrical Code in August (after the July 1st deadline in the energy code law) the Town would then be in non-compliance with our energy codes adoption.

These two laws conflict with each other since the adoptions happen at inopportune times, and changing the energy code is lengthy process of adoption by reference.

Charles Abbott and Associate's solution for this conflict is to remove the language such as "Currently" or "As modified", eliminating the direct change in our adopted codes when the basis codes change. Since we are just removing the future automatic update aspect, not changing the adopted codes, this is an easy fix without proceeding through an adoption by reference process.

Kyle Parag
Building Official
Town of Blue River