

**GREELEY
MUNICIPAL
CODE**

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PROOFS

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Municipal Code Corporation P.O. Box 2235 Tallahassee, FL 32316
info@municode.com 800.262.2633 www.municode.com

OFFICIALS

of the

CITY OF

GREELEY, COLORADO

AT THE TIME OF THIS RECODIFICATION

[Name of Mayor]
Mayor

[Council Member]
[Council Member]
[Council Member]
City Council

[Name of City Manager]
City Manager

[Name of Attorney]
City Attorney

[Name of City Clerk]
City Clerk

PREFACE

This Code constitutes a recodification of the general and permanent ordinances of the City of Greeley, Colorado.

Source materials used in the preparation of the Code were the 1994 Code, as supplemented through April 3, 2018, and ordinances subsequently adopted by the city council. The source of each section is included in the history note appearing in parentheses at the end thereof. The absence of such a note indicates that the section is new and was adopted for the first time with the adoption of the Code. By use of the comparative tables appearing in the back of this Code, the reader can locate any section of the 1994 Code, as supplemented, and any subsequent ordinance included herein.

The various sections within each title have been catchlined to facilitate usage. Notes which tie related sections of the Code together and which refer to relevant state law have been included. A table listing the state law citations and setting forth their location within the Code is included at the back of this Code.

Title and Section Numbering System

The title and section numbering system used in this Code is the same system used in many state and local government codes. Each section number consists of two parts separated by a dash. The figure before the dash refers to the title number, and the figure after the dash refers to the position of the section within the title. Thus, the second section of title 1 is numbered 1-2, and the first section of title 6 is 6-1. Under this system, each section is identified with its title, and at the same time new sections can be inserted in their proper place by using the decimal system for amendments. For example, if new material consisting of one section that would logically come between sections 6-1 and 6-2 is desired to be added, such new section would be numbered 6-1.5. New chapters, articles and divisions may be included in the same way or, in the case of chapters, may be placed at the end of the title embracing the subject, and, in the case of articles, may be placed at the end of the chapter embracing the subject. The next successive number shall be assigned to the new chapter or article. New titles may be included by using one of the reserved title numbers.

Page Numbering System

The page numbering system used in this Code is a prefix system. The letters to the left of the colon are an abbreviation which represents a certain portion of the volume. The number to the right of the colon represents the number of the page in that portion. In the case of a title of the Code, the number to the left of the colon indicates the number of the title. In the case of an appendix to the Code, the letter immediately to the left of the colon indicates the letter of the appendix. The following are typical parts of codes of ordinances, which may or may not appear in this Code at this time, and their corresponding prefixes:

CHARTER	CHT:1
RELATED LAWS	RL:1
SPECIAL ACTS	SA:1
CHARTER COMPARATIVE TABLE	CHTCT:1

RELATED LAWS COMPARATIVE TABLE	RLCT:1
SPECIAL ACTS COMPARATIVE TABLE	SACT:1
CODE	CD1:1
CODE APPENDIX	CDA:1
CODE COMPARATIVE TABLES	CCT:1
STATE LAW REFERENCE TABLE	SLT:1
CHARTER INDEX	CHTi:1
CODE INDEX	CDi:1

Indexes

The indexes have been prepared with the greatest of care. Each particular item has been placed under several headings, some of which are couched in lay phraseology, others in legal terminology, and still others in language generally used by local government officials and employees. There are numerous cross references within the indexes themselves which stand as guideposts to direct the user to the particular item in which the user is interested.

Looseleaf Supplements

A special feature of this publication is the looseleaf system of binding and supplemental servicing of the publication. With this system, the publication will be kept up to date. Subsequent amendatory legislation will be properly edited, and the affected page or pages will be reprinted. These new pages will be distributed to holders of copies of the publication, with instructions for the manner of inserting the new pages and deleting the obsolete pages.

Keeping this publication up to date at all times will depend largely upon the holder of the publication. As revised pages are received, it will then become the responsibility of the holder to have the amendments inserted according to the attached instructions. It is strongly recommended by the publisher that all such amendments be inserted immediately upon receipt to avoid misplacing them and, in addition, that all deleted pages be saved and filed for historical reference purposes.

Acknowledgments

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The publisher is most grateful to City Clerks Cheryl Aragon and Betsy Holder, and Assistant City Attorney Susan M. Henderson for their cooperation and assistance during the progress of the work on this publication. It is hoped that their efforts and

those of the publisher have resulted in a Code of Ordinances which will make the active law of the city readily accessible to all citizens and which will be a valuable tool in the day-to-day administration of the city's affairs.

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Title 22

BUILDINGS AND CONSTRUCTION**CHAPTER 1. MASTER HEATING, AIR-CONDITIONING AND GASFITTING CERTIFICATION****Sec. 22-1. Master heating, air-conditioning and gasfitting certification required; apprentices.**

No person shall do any heating, air-conditioning or gasfitting work in the city until he has reached the age of 21 years and has obtained certification from the city. A person, who shall be known as an apprentice, may work at the trade without a certification only under the direct supervision of a person who has obtained certification as set forth in this chapter.

(Code 1994, § 16.01.010; Ord. No. 39, 2016, § 1(exh. A), 12-20-2016)

Sec. 22-2. Master heating, air-conditioning and gasfitting certification requirements.

(a) Certification requirements shall include the following:

- (1) Receiving a passing score on a test designed by the city's building inspection division for mechanical and gasfitting; or
- (2) Passing both the International Code Council tests identified as the National Standard Master Mechanical and the National Standard Master Gas Pipe Fitter.

(b) Applicants in possession of a valid state journeyman or master plumber license shall only be required to pass the city test for mechanical and gasfitting or pass the national standard master mechanical test.

(c) Each applicant applying for the city certification shall have had five years direct, practical experience in the trade to be eligible to take the examination. Experience must be verifiable from previous employers by affidavit, as required by the policies and procedures established by the building inspection division.

(Code 1994, § 16.01.020; Ord. No. 39, 2016, § 1(exh. A), 12-20-2016)

Sec. 22-3. Use of name by others prohibited.

No person who has obtained this certification shall allow his name to be used by another person, either for the purpose of obtaining permits or for doing business or work under the certification.

(Code 1994, § 16.01.030; Ord. No. 39, 2016, § 1(exh. A), 12-20-2016)

Sec. 22-4. Work permitted; certification.

This certification shall qualify the holder of the certification to do gas piping, warm air heating and air cooling system work, and to maintain and repair existing facilities.

(Code 1994, § 16.01.040; Ord. No. 39, 2016, § 1(exh. A), 12-20-2016)

Sec. 22-5. Name and address of certified person.

Every person certified pursuant to this chapter shall notify the building inspections division of the address of his place of business and the name under which such business is carried on and shall give immediate notice to the building inspection division of any change in either.

(Code 1994, § 16.01.050; Ord. No. 39, 2016, § 1(exh. A), 12-20-2016)

Sec. 22-6. Certification suspension and revocation.

(a) The construction trades advisory and appeals board shall have the authority to suspend and/or revoke a certification pursuant to the authority set forth herein.

- (1) The board shall be empowered to suspend a certification for an infraction or violation of the city Code, or the policies and procedures of the city, including, but not limited to, the following:

- a. Failure to obtain a permit prior to initiating work on a project;
 - b. Creating a hazardous situation which endangers life and/or property;
 - c. Failure to correct a written violation notice within the allotted time.
- (2) The board shall be empowered to revoke a certification for an infraction or violation of the city Code, or the policies and procedures of the city, including, but not limited to, the following:
- a. Violation of section 22-2;
 - b. Creating a hazardous situation which endangers life and/or property;
 - c. Second or subsequent violations of failure to obtain a permit prior to initiating work on a project, creating a hazardous situation which endangers life and/or property, or failure to correct a written violation notice within the allotted time after having been previously suspended for such violation.

(b) The chief building official shall send notice of the alleged violation or infraction, as well as notice of the show-cause hearing, by mailing the same in writing to the certification holder at his last address of record.

(c) A hearing to suspend or revoke a certification shall be conducted by the board within 30 calendar days of the chief building official's written notice unless otherwise set by the board, but the date for such hearing shall not exceed 60 calendar days.

- (1) The decision of the board may be appealed to the city council within 30 days of the board's final decision by submitting a notice of appeal to the chief building official.
 - a. The chief building official shall forward the appeal to the city council for consideration at the earliest practical time, but no later than 60 days following the submittal of the appeal.
 - b. During the course of an appeal of a suspension or revocation, all work shall cease except that work necessary to correct a hazardous situation or correct a written violations notice.

(Code 1994, § 16.01.060; Ord. No. 39, 2016, § 1(exh. A), 12-20-2016)

Secs. 22-7--22-30. Reserved.

CHAPTER 2. BUILDING CODE[±]

~~*Editor's note—Ord. 47, 2016, §§1(Exh. A) and 2(Exh. B), adopted Dec. 20, 2016, repealed Ch. 16.04, §§ 16.04.010—16.04.220, and reenacted a new Ch. 16.04 as set out herein. The former Ch. 16.04 pertained to similar subject matter and derived from Ord. 34, 2012 §§1, 2.~~

Sec. 22-31. International Building Code adopted.

The International Building Code, 2018 edition, is hereby adopted by reference for the city, except as amended in this chapter, and is hereinafter referred to as the "building code." The building code is published by the International Code Council, Inc., 5360 Workman Mill Road, Whittier, CA 90601-2298. The building code provides the standards for the erection, construction, enlargement, alteration, repair, moving, removal, conversion, demolition, occupancy, equipment, use, height, area and maintenance of buildings or structures.

(Code 1994, § 16.04.010; Ord. No. 47, 2016, §§ 1(exh. A), 2(exh. B), 12-20-2016; Ord. No. 34, 2019, app. A, § 16.04.010, 9-3-2019)

Sec. 22-32. Additions, deletions and amendments to building code designated.

Sections 105.2, 109.3, 109.4, 109.6, 109.7, 110.3.5, 110.6, 113.1, 113.2, 113.3, 113.4, 114.1, 114.4, 406.3.2.1, 419.1.1(5), 1008.3, 1608.2, 1907.2 and 2707.1 of the building code are hereby enacted as amended, added or deleted to read as set out in sections 22-33 through 22-51.

(Code 1994, § 16.04.01=20; Ord. No. 47, 2016, §§ 1(exh. A), 2(exh. B), 12-20-2016; Ord. No. 34, 2019, app. A, § 16.04.020, 9-3-2019)

Sec. 22-33. Section 105.2 amended; work exempt from permit.

- (a) Sec. 105.2 of the building code is amended to read as follows:

- (1) *Sec. 105.2 Work exempt from permit.* Exemptions 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. Permits shall not be required for the following: Building.
- a. One-story detached accessory structures used as tool and storage sheds, playhouses and similar uses, provided the floor area does not exceed 120 square feet (11 m²).
 - b. Fences not over 7 feet (2,134 mm) high.
 - c. Oil derricks.
 - d. Retaining walls that are not over 4 feet (1,219 mm) in height measured from the bottom of the footing to the top of the wall, unless supporting a surcharge or impounding Class I, II or IIIA liquids.
 - e. Water tanks supported directly on grade if the capacity does not exceed 5,000 gallons (18,925 L) and the ratio of height to diameter or width does not exceed 2:1.
 - f. Painting, papering, tiling, carpeting, cabinets, countertops and similar finish work.
 - g. Temporary motion picture, television and theater stage sets and scenery.
 - h. Prefabricated swimming pools accessory to a Group R-3 occupancy that are less than 24 inches (610 mm) deep, do not exceed 5,000 gallons (18,925 L) and are installed entirely above ground.
 - i. Shade cloth structures constructed for nursery or agricultural purposes, not including service systems.
 - j. Swings and other playground equipment accessory to detached one- and two-family dwellings.
 - k. Window awnings in Group R-3 and U occupancies, supported by an exterior wall that do not project more than 54 inches (1,372 mm) from the exterior wall and do not require additional support.
 - l. Nonfixed and moveable fixtures, cases, racks, counters and partitions not over 5 feet 9 inches (1,753 mm) in height.

Note: All flatwork requires a permit and shall comply with the applicable provisions of section 24-1022 of the Development Code.

(Code 1994, § 16.04.040; Ord. No. 47, 2016, §§ 1(exh. A), 2(exh. B), 12-20-2016)

Sec. 22-34. Section 109.3 amended; building permit valuations.

Sec. 109.3 of the building code is amended to read as follows:

109.3 Building permit valuations. The applicant for a permit shall provide an estimated permit value at time of application. Permit valuations shall include total value of work, including materials and labor, for which the permit is being issued, such as electrical, gas, mechanical, plumbing equipment and permanent systems. If, in the opinion of the building official, the value listed on the application is underestimated on the application, the building official may use the greater of either the application value, or the square foot value from the most recent building valuation data table, published in the Building Safety Journal, by the International Code Council. Final building permit valuation shall be set by the building official.

(Code 1994, § 16.04.050; Ord. No. 47, 2016, §§ 1(exh. A), 2(exh. B), 12-20-2016)

Sec. 22-35. Section 109.4 amended; work commencing before permit issuance.

Sec. 109.4 of the building code is amended to read as follows:

109.4 Work commencing before permit issuance. Any person who commences work on a building, structure, electrical, gas, mechanical or plumbing system governed by this code before obtaining the necessary permits shall be subject to a fee 200 percent of the usual permit fee.

(Code 1994, § 16.04.01=60; Ord. No. 47, 2016, §§ 1(exh. A), 2(exh. B), 12-20-2016)

Sec. 22-36. Section 109.6 amended; refunds.

Sec. 109.6 of the building code is amended to read as follows:

109.6 Refunds. The code official shall authorize the refunding of fees as follows:

- a. The full amount of any fee paid hereunder that was erroneously paid or collected.
- b. Not more than 80 percent of the permit fee paid when no work has been done under a permit issued in accordance with this code.
- c. Not more than 80 percent 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 review effort has been expended.

The code official shall not authorize the refunding of any fee paid more than 180 days from the date of fee payment.

(Code 1994, § 16.04.065; Ord. No. 47, 2016, §§ 1(exh. A), 2(exh. B), 12-20-2016)

Sec. 22-37. Section 109.7 added; reinspections.

Sec. 109.7 of the building code is added to read as follows:

109.7. Re-inspections. A reinspection fee may be assessed for each inspection or reinspection when such portion of work for which inspection is called is not complete or when corrections called for are not made.

This section is not to be interpreted as requiring reinspection fees the first time a job is rejected for failure to comply with the requirements of this code, but as controlling the practice of calling for inspections before the job is ready for such inspection or reinspection.

Reinspection fees may be assessed when the inspection record card is not posted or otherwise available on the work site, the approved plans are not readily available to the inspector, for failure to provide access on the date for which inspection is requested, or for deviating from plans requiring the approval of the building official.

To obtain a reinspection, the applicant shall pay the reinspection fee in accordance with the building permit fee schedule as set forth by the jurisdiction.

In instances where reinspection fees have been assessed, no additional inspection of the work will be performed until the required fees have been paid.

(Code 1994, § 16.04.070; Ord. No. 47, 2016, §§ 1(exh. A), 2(exh. B), 12-20-2016)

Sec. 22-38. Section 110.3.5 exception deleted; lath and gypsum board inspection.

Sec. 110.3.5 Exception of the building code is deleted in its entirety.

(Code 1994, § 16.04.080; Ord. No. 47, 2016, §§ 1(exh. A), 2(exh. B), 12-20-2016)

Sec. 22-39. Section 110.6 amended; approval required.

Sec. 110.6 of the building code is amended to read as follows:

110.6 Approval required. Work shall not be done beyond the point indicated in each successive inspection without first obtaining the approval of the building official. The building official, upon notification, shall make the requested inspections and shall either indicate the portion of the construction that is satisfactory as completed, or notify the permit holder or his agent wherein the same fails to comply with this code. Any portions that do not comply shall be corrected and such portion shall not be covered or concealed until authorized by the building official. There shall be a final inspection and approval of all systems, buildings, and structures, when completed and ready for occupancy and/or use.

(Code 1994, § 16.04.090; Ord. No. 47, 2016, §§ 1(exh. A), 2(exh. B), 12-20-2016)

Sec. 22-40. Section 113.1 amended; board of appeals; general.

Sec. 113.1 of the building code is amended to read as follows:

113.1 General. In order to provide for reasonable interpretation of the provisions of this code, to mitigate specific provisions of this code which provide practical difficulties in their application or enforcement, to determine the suitability of alternate materials and types of construction, and to hear appeals provided for hereunder, there is hereby established a construction trades advisory and appeals board consisting of eleven members.

A minimum of three persons from each of the building, plumbing/mechanical and electrical trades shall be appointed to the board. The three trade-specific groups of three members each shall have the right of final action in any matters pertaining to their specific trades. The appointing authority shall also appoint two at-large members who may be called by the board chair to hear appeals during the absence or disqualification of another member. The board shall select one of its members to serve as chair.

The chief building official shall be an ex officio member of and shall act as secretary to said board. The senior electrical inspector, senior plumbing/mechanical inspector, and the fire chief or his designee shall be ex officio members from city administration.

(Code 1994, § 16.04.100; Ord. No. 47, 2016, §§ 1(exh. A), 2(exh. B), 12-20-2016)

Sec. 22-41. Section 113.2 amended; board of appeals; limitations on authority.

Sec. 113.2 of the building code is amended to read as follows:

- (1) *113.2 Limitations on authority.* The board shall render all decisions and findings in writing to the appellant. Copies of all rules of procedure adopted by the board shall be accessible to the public.
 - a. The construction trades advisory and appeals board shall have the authority to:
 1. Interpret the administrative provisions of any of the adopted construction trade codes;
 2. Review code enforcement policies related to construction, and make recommendations concerning such policies to city council;
 3. Review proposed changes in the construction trade codes used by the city and make recommendations concerning such proposals to the council;
 4. Review legislative proposals which mandate changes in construction trade codes or code enforcement procedures and make recommendations concerning such proposals to the council; and
 5. Act in an advisory capacity to the council on matters concerning building construction and/or building inspection.
 - (b) The board, however, cannot by itself waive any of the requirements of this code.
- (2) *113.3 Qualifications.* The board of appeals shall consist of members who are qualified by experience and training to pass on matters pertaining to building construction and are not employees of the jurisdiction.
- (3) *113.4 Administration.* The building official shall take immediate action in accordance with the decision of the board.

(Code 1994, § 16.04.110; Ord. No. 47, 2016, §§ 1(exh. A), 2(exh. B), 12-20-2016)

Sec. 22-42. Section 114.1 amended; unlawful acts.

Sec. 114.1 of the building code is amended to read as follows:

114.1 Unlawful acts. It is unlawful for any person, firm or corporation to erect, construct, enlarge, alter, repair, move, improve, remove, convert, demolish, equip, use, occupy or maintain any building, structure or equipment regulated by this code in the city, or cause the same to be done, in conflict with or in violation of any of the provisions of this code.

(Code 1994, § 16.04.120; Ord. No. 47, 2016, §§ 1(exh. A), 2(exh. B), 12-20-2016)

Sec. 22-43. Section 114.4 amended; violation penalties.

Sec. 114.4 of the building code is amended to read as follows:

114.4 Violation penalties. Any person violating any of the provisions of this code is guilty of a separate offense for each and every day or portion thereof during which any violation of any of the provisions of this code is committed, continued or permitted, and upon conviction of any such violation, such person shall be subject to punishment as provided in chapter 10 of title 1 of this Code.

(Code 1994, § 16.04.130; Ord. No. 47, 2016, §§ 1(exh. A), 2(exh. B), 12-20-2016)

Sec. 22-44. Section 406.3.4(1) amended; dwelling unit separation.

Sec. 406.3.2.1 of the building code is amended to read as follows:

The private garage shall be separated from the dwelling unit and its attic area by means of a minimum 5/8-inch (15.9 mm) Type X gypsum board or equivalent applied to the garage side. Garages beneath habitable rooms shall be separated from all habitable rooms above by not less than 5/8-inch (15.9 mm) Type X gypsum board or equivalent. Where the separation is a floor-ceiling assembly, or the ceiling is providing separation, the structure supporting the separation shall also be protected by not less than 5/8-inch (15.9 mm) Type X gypsum board or equivalent. Door openings between a private garage and the dwelling unit shall be equipped with either solid wood doors or solid or honeycomb core steel doors not less than 1 3/8 inches (34.9 mm) thick, or doors in compliance with section 716.5.3 with a fire protection rating of not less than 20 minutes. Doors shall be self-closing and self-latching.

(Code 1994, § 16.04.140; Ord. No. 47, 2016, §§ 1(exh. A), 2(exh. B), 12-20-2016; Ord. No. 34, 2019, app. A, § 16.04.140, 9-3-2019)

Sec. 22-45. Section 419.1.1(5) added; limitations.

Sec. 419.1.1(5) of the building code is added to read as follows:

(1) The nonresidential area is limited to a maximum occupant load of 49 as determined by Table 1004.1.2.

(Code 1994, § 16.04.160; Ord. No. 47, 2016, §§ 1(exh. A), 2(exh. B), 12-20-2016)

Sec. 22-46. Section 1008.3 amended; illumination emergency power.

Sec. 1008.3 of the building code is amended to read as follows:

1008.3 Emergency power for illumination. The power supply for means of egress illumination shall normally be provided by the premises' electrical supply.

1008.3.1 General. In the event of power supply failure in rooms and spaces that require two or more means of egress, an emergency electrical system shall automatically illuminate all of the following areas:

1. Aisles.
2. Corridors.
3. Exit access stairways and ramps.

1008.3.2 Buildings. In the event of power supply failure in buildings that require two or more means of egress, an emergency electrical system shall automatically illuminate all of the following areas:

1. Interior exit access stairways and ramps.
2. Interior and exterior exit stairways and ramps.
3. Exit passageways.
4. Vestibules and areas on the level of discharge used for exit discharge in accordance with section 1028.1.
5. Exterior landings as required by section 1010.1.6 for exit doorways that lead directly to the exit discharge.

1008.3.3 Rooms and spaces. In the event of power supply failure, an emergency electrical system shall automatically illuminate all of the following areas:

1. Electrical equipment rooms.

2. Fire command centers.
3. Fire pump rooms.
4. Generator rooms.
5. Restrooms and toilet rooms accessible to the public.

1008.3.4 Duration. The emergency power system shall provide power for a duration of not less than 90 minutes and shall consist of storage batteries, unit equipment or an on-site generator. The installation of the emergency power system shall be in accordance with the adopted National Electrical Code.

1008.3.5 Illumination level under emergency power. Emergency lighting facilities shall be arranged to provide initial illumination that is not less than an average of 1 footcandle (11 lux) and a minimum at any point of 0.1 footcandle (1 lux) measured along the path of egress at floor level. Illumination levels shall be permitted to decline to 0.6 footcandle (6 lux) average and a minimum at any point of 0.06 footcandle (0.6 lux) at the end of the emergency lighting time duration. A maximum-to-minimum illumination uniformity ratio of 40 to 1 shall not be exceeded. In Group I-2 occupancies, failure of any single lighting unit shall not reduce the illumination level to less than 0.2 footcandle (2.2 lux).

(Code 1994, § 16.04.170; Ord. No. 47, 2016, §§ 1(exh. A), 2(exh. B), 12-20-2016)

Sec. 22-47. Section 1507.2.9.4 added; sidewall flashing.

Sec. 1507.2.9.4 of the building code is added to read as follows:

1507.2.9.4 Sidewall flashing. Flashing against a vertical sidewall shall be by the step-flashing method. The flashing shall be a minimum of 4 inches (102 mm) high and 4 inches (102 mm) wide. At the end of the vertical sidewall the step flashing shall be turned out in a manner that directs water away from the wall and onto the roof and/or gutter.

(Code 1994, § 16.04.180; Ord. No. 47, 2016, §§ 1(exh. A), 2(exh. B), 12-20-2016)

Sec. 22-48. Section 1507.2.9.5 added; other flashing.

Sec. 1507.2.9.5 of the building code is added to read as follows:

1507.2.9.5 Other flashing. Flashing against a vertical front wall, as well as soil stack, vent pipe and chimney flashing, shall be applied according to the asphalt shingle manufacturer's printed instructions.

(Code 1994, § 16.04.190; Ord. No. 47, 2016, §§ 1(exh. A), 2(exh. B), 12-20-2016)

Sec. 22-49. Section 1608.2 amended; ground snow loads.

Sec. 1608.2 of the building code is amended to read as follows:

1608.2 Ground snow loads. The ground snow load (pg) shall equal 30 pounds per square foot (psf) in accordance with Colorado Design Snow Loads Report, published by the Structural Engineers Association of Colorado (Dated April 2016). The design roof snow load values shall be determined from section 1608 of the IBC (including all applicable factors, and loading and drifting considerations of chapter 7 of ASCE 7), however, in no case shall the final design roof snow load be less than a uniformly distributed load of 20 psf.

(Code 1994, § 16.04.195; Ord. No. 47, 2016, §§ 1(exh. A), 2(exh. B), 12-20-2016)

Sec. 22-50. Section 1907.2 added; nonbearing concrete flatwork.

Sec. 1907.2 of the building code is added to read as follows:

1907.2 Non-bearing concrete flatwork. Concrete flatwork for patios, porches, stoops, service walks, sidewalks, driveways and similar structures shall consist of a minimum 3 1/2 inches (89 mm) of concrete and shall be placed on undisturbed soil that possesses adequate load bearing capacity. Where fill is required to achieve the desired elevation, the fill shall consist of clean, graded and compacted gravel, crushed stone or crushed blast furnace slag passing a two-inch sieve. Disturbed soils such as found in the over-dig area surrounding a foundation shall be allowed to settle for a minimum of six months, or be mechanically

compacted, or adequate bearing capacity shall be determined by a geotechnical evaluation. The specified compressive strength of concrete shall be as set forth in section 1904.2. All flatwork shall comply with the applicable provisions of section 24-1022 of the Development Code.

(Code 1994, § 16.04.200; Ord. No. 47, 2016, §§ 1(exh. A), 2(exh. B), 12-20-2016)

Sec. 22-51. Section 2701.1 amended; scope.

Sec. 2701.1 of the building code is amended to read as follows:

2701.1 Scope. The provisions of this chapter and NFPA 70 shall govern the design, construction, erection and installation of the electrical components, appliances, equipment and systems used in buildings and structures covered by this code. The International Fire Code, the International Property Maintenance Code and NFPA 70 shall govern the use and maintenance of electrical components, appliances, equipment and systems. The International Existing Building Code and the adopted NFPA 70 shall govern the alteration, repair, relocation, replacement and addition of electrical components, appliances, or equipment and systems.

(Code 1994, § 16.04.210; Ord. No. 47, 2016, §§ 1(exh. A), 2(exh. B), 12-20-2016; Ord. No. 34, 2019, app. A, § 16.04.210, 9-3-2019)

Secs. 22-52--22-75. Reserved.

CHAPTER 3. RESIDENTIAL CODE

~~Editor's note — Ord. 47, 2016, §§1(Exh. A) and 2(Exh. B), adopted Dec. 20, 2016, repealed Ch. 16.06, §§ 16.06.010—16.06.500, and reenacted a new Ch. 16.06 as set out herein. The former Ch. 16.06 pertained to similar subject matter and derived from Ord. 34, 2012 §§1, 3.~~

Sec. 22-76. International Residential Code adopted.

The International Residential Code, 2018 edition, is hereby adopted by reference for the city, except as amended in this chapter, and is hereinafter referred to as the "residential code." The residential code is published by the International Code Council, Inc., 5360 Workman Mill Road, Whittier, CA 90601-2298. The residential code provides the standards for the design, erection, construction, enlargement, alteration, repair, moving, removal, conversion, demolition, occupancy, equipment, use, height, area and maintenance of one- and two-family dwellings and townhouses.

(Code 1994, § 16.06.010; Ord. No. 47, 2016, §§ 1(exh. A), 2(exh. B), 12-20-2016; Ord. No. 34, 2019, app. B, § 16.06.010, 9-3-2019)

Sec. 22-77. Additions, deletions and amendments to residential code designated.

Sections R105.2 (1), R108.3, R108.5, R108.6, R108.7, R109.4, R112, R113.1, R113.4, Table R301.2(1), R302.3(2), Table R302.6, R302.7, R302.11(3), R310.1, R310.5, R311.3.2, R328, R405.2.3, R405.2.3.1, R506.3, M1801.1, G2412.9, G2412.10, G2415.9, G2415.12, G2417.4.1, G2417.4.2, G2425.8(7), G2445, P2603.5, P2705.1(5), P2708.1, P2708.1(2), P2718.1, P2904.3.1, P2904.8.1, P2904.8.1(6), Table 3005.4.1, P3005.4.2, Table 3005.4.2, 3007.6, Table P3105.1, P3107.3, Table P3107.3, P3108.3, Table P3108.3, P3109.4, Table P3109.4, P3110.1, P3114.3, Table P3201.7 and Part VIII of the residential code are hereby enacted as amended, added or deleted to read as set out in sections 22-78 through 22-131.

(Code 1994, § 16.06.020; Ord. No. 47, 2016, §§ 1(exh. A), 2(exh. B), 12-20-2016; Ord. No. 34, 2019, app. B, § 16.06.020, 9-3-2019)

Sec. 22-78. Section R105.2(1) amended; work exempt from permit.

Sec. R.105.2 (1) of the residential code is amended to read 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.

Building:

1. One-story detached accessory structures, provided the floor area does not exceed 120 square feet (11.15 m²).
2. Fences not over 7 feet (2,134 mm) high.
3. Retaining walls that are not over 4 feet (1,219 mm) in height measured from the bottom of the footing to the top of the wall, unless supporting a surcharge.
4. Water tanks supported directly upon grade if the capacity does not exceed 5,000 gallons (18,927 L) and the ratio of height to diameter or width does not exceed 2:1.
- 4
6. Painting, papering, tiling, carpeting, cabinets, counter tops and similar finish work.
7. Prefabricated swimming pools that are less than 24 inches (610 mm) deep.
8. Swings and other playground equipment.
9. Window awnings supported by an exterior wall which do not project more than 54 inches (1,372 mm) from the exterior wall and do not require additional support.
10. Decks not exceeding 200 square feet (18.58 m²) in area, that are not more than 30 inches (762 mm) of this section grade at any point, are not attached to a dwelling and do not serve the exit door required by section R311.4.

Note: All flatwork requires a permit and shall comply with the applicable provisions of section 24-1022 of the Development Code.

Note: All flatwork requires a permit and shall comply with the applicable provisions of section 24-1022 of the Development Code.

(Code 1994, § 16.06.030; Ord. No. 47, 2016, §§ 1(exh. A), 2(exh. B), 12-20-2016; Ord. No. 34, 2019, app. B, § 16.06.030, 9-3-2019)

Sec. 22-79. Section R108.3 amended; building permit valuations.

Sec. R108.3 of the residential code is amended to read as follows:

R108.3 Building permit valuations. The applicant for a permit shall provide an estimated permit value at time of application. Permit valuations shall include total value of work, including materials and labor, for which the permit is being issued, such as electrical, gas, mechanical, plumbing equipment and permanent systems. If, in the opinion of the building official, the value listed on the applicant is underestimated on the application, the building official may use the greater of either the application value or the square foot value from the most recent building valuation data table, published in the Building Safety Journal, by the International Code Council. Final building permit valuation shall be set by the building official.

(Code 1994, § 16.06.040; Ord. No. 47, 2016, §§ 1(exh. A), 2(exh. B), 12-20-2016)

Sec. 22-80. Section R108.5 amended; refunds.

Sec. R108.5 of the residential code is amended to read as follows:

108.5. Refunds. The code official shall authorize the refunding of fees as follows:

- a. The full amount of any fee paid hereunder that was erroneously paid or collected.
- b. Not more than 80 percent of the permit fee paid when no work has been done under a permit issued in accordance with this code.
- c. Not more than 80 percent 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 review effort has been expended.

The code official shall not authorize the refunding of any fee paid more than 180 days from the date of fee payment.

(Code 1994, § 16.06.045; Ord. No. 47, 2016, §§ 1(exh. A), 2(exh. B), 12-20-2016)

Sec. 22-81. Section R108.6 amended; work commencing before permit issuance.

Sec. R108.6 of the residential code is amended to read as follows:

R108.6 Work commencing before permit issuance. Any person who commences work requiring a permit on a building, structure, electrical, gas, mechanical or plumbing system before obtaining the necessary permits shall be subject to 200 percent of the usual permit fee.

(Code 1994, § 16.06.050; Ord. No. 47, 2016, §§ 1(exh. A), 2(exh. B), 12-20-2016)

Sec. 22-82. Section R108.7 added; reinspections.

Sec. R108.7 of the residential code is added to read as follows:

R108.7 Reinspections. A reinspection fee may be assessed for each inspection or reinspection when such portion of work for which inspection is called is not complete or when corrections called for are not made.

This section is not to be interpreted as requiring reinspection fees the first time a job is rejected for failure to comply with the requirements of this code, but as controlling the practice of calling for inspections before the job is ready for such inspection or reinspection.

Reinspection fees may be assessed when the inspection record card is not posted or otherwise available on the work site, the approved plans are not readily available to the inspector, for failure to provide access on the date for which inspection is requested, or for deviating from plans requiring the approval of the building official.

To obtain a reinspection, the applicant shall pay the reinspection fee in accordance with the building permit fee schedule.

In instances where reinspection fees have been assessed, no additional inspection of the work will be performed until the required fees have been paid.

(Code 1994, § 16.06.060; Ord. No. 47, 2016, §§ 1(exh. A), 2(exh. B), 12-20-2016)

Sec. 22-83. Section R109.4 amended; approval required.

Sec. R109.4 of the residential code is amended to read as follows:

R109.4 Approval required. Work shall not be done beyond the point indicated in each successive inspection without first obtaining the approval of the building official. The building official, upon notification, shall make the requested inspections and shall either indicate the portion of the construction that is satisfactory as completed, or notify the permit holder or his agent wherein the same fails to comply with this code. Any portions that do not comply shall be corrected and such portion shall not be covered or concealed until authorized by the building official. There shall be a final inspection and approval of all systems, buildings, and structures, when completed and ready for occupancy and/or use.

(Code 1994, § 16.06.065; Ord. No. 47, 2016, §§ 1(exh. A), 2(exh. B), 12-20-2016)

Sec. 22-84. Section R112 amended; board of appeals.

Sec. R112 of the residential code shall be as described in sections 22-40 and 22-41.

(Code 1994, § 16.06.070; Ord. No. 47, 2016, §§ 1(exh. A), 2(exh. B), 12-20-2016)

Sec. 22-85. Section R113.1 amended; unlawful acts.

Sec. R113.1 of the residential code is amended to read as follows:

R113.1 Unlawful acts. It is unlawful for any person, firm or corporation to erect, construct, enlarge, alter, repair, move, improve, remove, convert, demolish, equip, use, occupy or maintain any building structure or equipment regulated by this code in the city, or cause the same to be done, in conflict with or in violation of any of the provisions of this code.

(Code 1994, § 16.06.080; Ord. No. 47, 2016, §§ 1(exh. A), 2(exh. B), 12-20-2016)

Sec. 22-86. Section R113.4 amended; violation penalties.

Sec. R113.4 of the residential code is amended to read as follows:

Any person violating any of the provisions of the code is guilty of a separate offense for each and every day or portion thereof during which any violation of any of the provisions of the code is committed, continued or permitted, and upon conviction of any such violation, such person shall be subject to punishment as provided in chapter 10 of title 1 of this Code.

(Code 1994, § 16.06.090; Ord. No. 47, 2016, §§ 1(exh. A), 2(exh. B), 12-20-2016)

Sec. 22-87. Table R301.2(1) added; climatic and geographic design criteria.

Table 301.2(1) of the residential code is added to read as follows:

Table R301.2(1)

Climatic and Geographic Design Criteria

Ground Snow Load	Wind Design				Seismic Design Category ^f	Subject to Damage From		
	Speed ^d (mph)	Topographic Effects ^k	Special Wind Region ^l	Wind-borne Debris Zone ^m		Weathering ^a	Frost line depth ^b	Termite ^c
30 PSF	115	NO	NO	NO	B	Severe	30"	Slight to Moderate

Winter Design Temp ^e	Ice Barrier Underlayment Required ^h	Flood Hazards ^g	Air Freezing Index ⁱ	Mean Annual Temp ^j
1	NO	July 16, 1979, January 20, 2016, 080184A	1224	49° F

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

- (1) 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, "negligible," "moderate" or "severe" for concrete as determined from 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.
- (2) 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.
- (3) 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.
- (4) The jurisdiction shall fill in this part of the table with the wind speed from the basic wind speed map [Figure R301.2(4)A]. Wind exposure category shall be determined on a site-specific basis in accordance with section R301.2.1.4.
- (5) The outdoor design dry-bulb temperature shall be selected from the columns of 97 1/2-percent values for winter from Appendix D of the International Plumbing Code. Deviations from the Appendix D temperatures shall be permitted to reflect local climates or local weather experience as determined by the building official.
- (6) The jurisdiction shall fill in this part of the table with the seismic design category determined from section R301.2.2.1.

- (7) The jurisdiction shall fill in this part of the table with; (a) the date of the jurisdiction's entry into the National Flood Insurance Program (date of adoption of the first code or ordinance for management of flood hazard areas); (b) the date of the flood insurance study; and (c) the panel numbers and dates of the currently effective FIRMs and FBFMs or other flood hazard map adopted by the authority having jurisdiction, as amended.
- (8) In accordance with sections R905.1.2, R905.4.3.1, R905.5.3.1, R905.6.3.1, R905.7.3.1 and R905.8.3.1, where there has been a history of local damage from the effects of ice damming, the jurisdiction shall fill in this part of the table with "yes." Otherwise, the jurisdiction shall fill in this part of the table with "no."
- (9) The jurisdiction shall fill in this part of the table with the 100-year return period air freezing index (BF-days) from Figure R403.3(2) or from the 100-year (99 percent) value on the National Climatic Data Center data table "Air Freezing Index-USA Method (Base 32 degrees Fahrenheit)."
- (10) 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 degrees Fahrenheit)."
- (11) 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.
- (12) In accordance with Figure R301.2(4)A, where there is local historical data documenting unusual wind conditions, the jurisdiction shall fill in this part of the table with "yes" and identify any specific requirements. Otherwise, the jurisdiction shall indicate "no" in this part of the table.
- (13) In accordance with section R301.2.1.2.1, the jurisdiction shall indicate the wind-borne debris wind zone. Otherwise, the jurisdiction shall indicate "no" in this part of the table.

(Code 1994, § 16.06.110; Ord. No. 47, 2016, §§ 1(exh. A), 2(exh. B), 12-20-2016)

Sec. 22-88. Section R302.3 exception (2) deleted; two-family dwellings.

Sec. R302.3 Exception (2) of the residential code is deleted in its entirety.

(Code 1994, § 16.06.120; Ord. No. 47, 2016, §§ 1(exh. A), 2(exh. B), 12-20-2016)

Sec. 22-89. Table R302.6 amended; separation required.

Table R302.6 of the residential code is amended to read as follows:

Table R302.6

Dwelling/Garage Separation

<i>Separation</i>	<i>Material</i>
From the residence and attics	Not less than 5/8-inch Type X gypsum board or equivalent applied to the garage side
From all habitable rooms above garage	Not less than 5/8-inch Type X gypsum board or equivalent
Structures supporting floor/ceiling assemblies used for separation required by this section	Not less than 5/8-inch Type X gypsum board or equivalent
Garages less than 3 feet from a dwelling unit on same lot	Not less than 5/8-inch Type X gypsum board or equivalent applied to the interior side of exterior walls that are within this area

(Code 1994, § 16.06.130; Ord. No. 47, 2016, §§ 1(exh. A), 2(exh. B), 12-20-2016)

Sec. 22-90. Section R302.7 amended; under stair protection.

Sec. R302.7 of the residential code is amended to read as follows:

R302.7 Under stair protection. Enclosed accessible space under stairs that is accessed by a door or access panel shall have walls, under stair surface and any soffits protected on the enclosed side with 5/8-inch (15.9 mm) Type X gypsum board or equivalent.

(Code 1994, § 16.06.140; Ord. No. 47, 2016, §§ 1(exh. A), 2(exh. B), 12-20-2016; Ord. No. 34, 2019, app. B, § 16.06.140, 9-3-2019)

Sec. 22-91. Section R302.11(3) amended; fireblocking.

Sec. R302.11(3) of the residential code is amended to read as follows:

- (1) In concealed spaces between stair stringers at the top and bottom of the run, and between studs along, and in line with the run of stairs. Enclosed spaces under stairs shall comply with section R302.7.

(Code 1994, § 16.06.150; Ord. No. 47, 2016, §§ 1(exh. A), 2(exh. B), 12-20-2016)

Sec. 22-92. Section R310.1 amended; emergency escape and rescue required.

Sec. R310.1 of the residential code is amended to read as follows:

R310.1 Emergency escape and rescue required. Basements, habitable attics and every sleeping room shall have at least one operable emergency and rescue opening. Where basements contain one or more sleeping rooms, emergency egress and rescue openings shall be required in each sleeping room. Unfinished basements shall have at least one emergency escape and rescue opening provided for each 500 square feet of basement area for a maximum of 1,500 square feet of basement area. Emergency escape and rescue openings shall open directly into a public way or to a yard or court that opens to a public way.

(Code 1994, § 16.06.160; Ord. No. 47, 2016, §§ 1(exh. A), 2(exh. B), 12-20-2016)

Sec. 22-93. Section R310.5 amended; emergency escape windows under decks and porches.

Sec. R310.5 of the residential code is amended to read as follows:

R310.5 Emergency escape windows under decks, porches and cantilevers. Emergency escape windows are allowed to be installed under decks, porches and cantilevers provided the location allows the emergency escape window to be fully opened and provides a path not less than 36 inches (914 mm) in height to a yard or court.

(Code 1994, § 16.06.170; Ord. No. 47, 2016, §§ 1(exh. A), 2(exh. B), 12-20-2016)

Sec. 22-94. Section R311.3.2 exception amended.

Sec. R311.3.2 Exception of the residential code is amended to read as follows:

Exception: A landing is not required where a stairway is located on the exterior side of a door, provided the door does not swing over the stairway, and is sufficiently glazed so as to afford a view of the stairway from the interior of the structure.

(Code 1994, § 16.06.180; Ord. No. 47, 2016, §§ 1(exh. A), 2(exh. B), 12-20-2016)

Sec. 22-95. Section R313.2 deleted; one- and two-family dwellings automatic fire sprinkler systems.

Sec. R313.2 of the residential code, adopted at section 22-76 is deleted in its entirety.

automatic residential fire sprinkler system shall be installed in one- and two-family

(Code 1994, § 16.06.185; Ord. No. 47, 2016, §§ 1(exh. A), 2(exh. B), 12-20-2016; Ord. No. 34, 2019, app. B, § 16.06.185, 9-3-2019)

Sec. 22-96. Section R327 added; electric fences.

Sec. R328 of the residential code is added in its entirety to read as follows:

Sec. R328 Electric fences.

R328.1 Definition. For the purposes of this section, any fence using, carrying or transmitting an electrical current for any purpose is considered an electric fence.

R328.2 Permit required. In all cases, electric fences will require approval, and a building permit. All electrical components must be listed and labeled, by a nationally recognized independent testing agency, and installations must be made per the manufacturer's specifications, and the listing requirements.

R328.3 Signs. Permanent signs stating "DANGER, ELECTRIC FENCE" must be installed on or around the fence, as deemed necessary by the building inspection division.

R328.4 Location. All electric fences must be installed inside a non-electric fence, placed so as to prevent accidental contact from the outside. This subsection does not apply to approved agricultural uses.

R328.5 Existing fences. Any existing electric fence identified after the adoption of this code that does not conform to these requirements, shall have 60 days from the date of identification of the fence to come into compliance with these requirements, or the electric fence shall be removed.

(Code 1994, § 16.06.200; Ord. No. 47, 2016, §§ 1(exh. A), 2(exh. B), 12-20-2016; Ord. No. 34, 2019, app. B, § 16.06.200, 9-3-2019)

Sec. 22-97. Section R405.2.3 amended; drainage system.

Sec. R405.2.3 of the residential code is amended to read as follows:

R405.2.3 Drainage system. Where it is not possible to convey the drainage by gravity, subsoil drains shall discharge to an accessible sump pit. A sump pit shall be at least 18 inches (457 mm) in diameter, 24 inches (610 mm) in depth, and provided with a fitted cover including rough-in discharge piping. The sump pump, if provided, shall have an adequate capacity to discharge all water coming into the sump as it accumulates to the required discharge point, and the capacity of the pump shall not be less than 15 gpm (1.0 L/s).

The discharge piping for the sump pump shall include the following:

1. Be one and one-half (1 1/2) inches in diameter;
2. Terminate within five feet horizontally of the sump pit;
3. Extend a minimum of 12 inches below the floor joists above;
4. Terminate at the exterior of the structure with a removable cap.

(Code 1994, § 16.06.210; Ord. No. 47, 2016, §§ 1(exh. A), 2(exh. B), 12-20-2016; Ord. No. 34, 2019, app. B, § 16.06.210, 9-3-2019)

Sec. 22-98. Section R405.2.3.1 added; electrical.

Sec. R405.2.3.1 of the residential code is added to read as follows:

R405.2.3.1 Electrical. A 125-volt, 15-ampere, GFCI-protected, electrical receptacle outlet shall be installed within five feet of the sump pit location. The branch circuit feeding this outlet shall be a dedicated circuit.

(Code 1994, § 16.06.220; Ord. No. 47, 2016, §§ 1(exh. A), 2(exh. B), 12-20-2016)

Sec. 22-99. Section R506.3 added; nonbearing concrete flatwork.

Sec. R506.3 of the residential code is added to read as follows:

R506.3 Nonbearing concrete flatwork. Concrete flatwork for patios, porches, stoops, service walks, sidewalks, driveways and similar structures shall consist of a minimum 3 1/2 inches (89 mm) of concrete, and shall be placed on undisturbed soil that possesses adequate load bearing capacity. Where fill is required to achieve the desired elevation, the fill shall consist of clean, graded and compacted gravel, crushed stone or crushed blast furnace slag passing a two-inch sieve. Disturbed soils such as found in the over-dig area surrounding a foundation shall be allowed to settle for a minimum of six months, or be mechanically compacted, or adequate bearing capacity shall be determined by a geotechnical evaluation. The specified compressive strength of concrete shall be as set forth in section R402.2. All flatwork shall comply with the applicable provisions of section 24-1022 of the Development Code.

(Code 1994, § 16.06.230; Ord. No. 47, 2016, §§ 1(exh. A), 2(exh. B), 12-20-2016)

Sec. 22-100. Section M1801.1 amended; venting required.

Sec. M1801.1 of the residential code is amended to read as follows:

M1801.1 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 title 24 of this Code.

(Code 1994, § 16.06.240; Ord. No. 47, 2016, §§ 1(exh. A), 2(exh. B), 12-20-2016)

Sec. 22-101. Section G2412.9 deleted; identification.

Sec. G2412.9 of the residential code is deleted in its entirety.

(Code 1994, § 16.06.245; Ord. No. 47, 2016, §§ 1(exh. A), 2(exh. B), 12-20-2016)

Sec. 22-102. Section G2412.10 deleted; third party testing and certification.

Sec. G2412.10 of the residential code is deleted in its entirety.

(Code 1994, § 16.06.246; Ord. No. 47, 2016, §§ 1(exh. A), 2(exh. B), 12-20-2016)

Sec. 22-103. Section G2415.9 amended; aboveground piping outdoors.

Sec. G2415.9 of the residential code is amended to read as follows:

G2415.9 Aboveground piping outdoors. All piping installed outdoors shall be elevated not less than 6 inches (152 mm) of this section ground and where installed across roof surfaces, shall be elevated not less than 6 inches (152 mm) of this section the roof surface. Piping installed aboveground, outdoors, and installed across the surface of roofs shall be securely supported and located where it will be protected from physical damage. Where passing through an outside wall, the piping shall also be protected against corrosion by coating or wrapping with an inert material. Where piping is encased in a protective pipe sleeve, the annular space between the piping and the sleeve shall be sealed.

(Code 1994, § 16.06.250; Ord. No. 47, 2016, §§ 1(exh. A), 2(exh. B), 12-20-2016)

Sec. 22-104. Section G2415.12 amended; minimum burial depth.

Sec. G2415.12 of the residential code is amended to read as follows:

G2415.12 Minimum burial depth. Metallic underground piping systems shall be installed a minimum depth of 18 inches (458 mm) of this section grade and plastic piping systems shall be 24 inches (710 mm), except as provided for in section G2415.12.1.

(Code 1994, § 16.06.260; Ord. No. 47, 2016, §§ 1(exh. A), 2(exh. B), 12-20-2016)

Sec. 22-105. Section G2417.4.1 amended; test pressure.

Sec. G2417.4.1 of the residential code is amended to read as follows:

G2417.4.1 Test pressure. The test pressure to be used shall be not less than 1 1/2 times the proposed maximum working pressure, but not less than 10 psig (20 kPa gauge), for a minimum of 15 minutes, irrespective of design pressure. For medium pressure gas and welded gas lines, the minimum test pressure shall be 60 psig for a minimum of 30 minutes. Where the test pressure exceeds 125 psig (862 kPa gauge), the test pressure shall not exceed a value that produces a hoop stress in the piping greater than 50 percent of the specified minimum yield strength of the pipe.

(Code 1994, § 16.06.270; Ord. No. 47, 2016, §§ 1(exh. A), 2(exh. B), 12-20-2016)

Sec. 22-106. Section G2417.4.2 deleted; test duration.

Sec. G2417.4.2 of the residential code is deleted in its entirety.

(Code 1994, § 16.06.280; Ord. No. 47, 2016, §§ 1(exh. A), 2(exh. B), 12-20-2016)

Sec. 22-107. Section G2425.8(7) deleted; equipment not required to be vented.

Sec. G2425.8(7) of the residential code is deleted in its entirety.

(Code 1994, § 16.06.290; Ord. No. 47, 2016, §§ 1(exh. A), 2(exh. B), 12-20-2016)

Sec. 22-108. Section G2445 deleted; unvented room heaters.

Sec. G2445 of the residential code is deleted in its entirety.

(Code 1994, § 16.06.300; Ord. No. 47, 2016, §§ 1(exh. A), 2(exh. B), 12-20-2016)

Sec. 22-109. Section P2603.5 amended; freezing.

Sec. P2603.5 of the residential code is amended to read as follows:

P2603.5 Freezing. Water, soil or waste pipe shall not be installed outside of a building, in exterior walls, in attics or crawl spaces, or in any other place subjected to freezing temperature unless adequate provision is made to protect it from freezing by insulation or heat or both. Water service pipe shall be installed not less than 12 inches (305 mm) deep and not less than 12 inches (305 mm) of this section the frost line.

(Code 1994, § 16.06.310; Ord. No. 47, 2016, §§ 1(exh. A), 2(exh. B), 12-20-2016)

Sec. 22-110. Section P2705.1(5) amended; general.

Sec. P2705.1(5) of the residential code is amended to read as follows:

P2705.1 General.

- a. Water closets, lavatories and bidets. A water closet, lavatory or bidet shall not be set closer than 15 inches (381 mm) from its center to any side wall, partition or vanity or closet, or not less than 15 inches (381 mm) from the centerline of a bidet to the outermost rim of an adjacent water closet, or closer than 30 inches (762 mm) center-to-center between adjacent fixtures. There shall be at least a 24 inch (610 mm) clearance in front of the water closet, lavatory or bidet to any wall, fixture or door.

(Code 1994, § 16.06.320; Ord. No. 47, 2016, §§ 1(exh. A), 2(exh. B), 12-20-2016)

Sec. 22-111. Section P2708.1 amended; general.

Sec. P2708.1 of the residential code is amended to read as follows:

P2708.1 General. Shower compartments shall have at least 1,024 square inches (0.6 m²) of interior cross-sectional area. Shower compartments shall be not less than 32 inches (813 mm) in minimum dimension measured from the finished interior dimension of the shower compartment, exclusive of fixture valves, showerheads, soap dishes and safety grab bars or rails. The minimum required area and dimension shall be measured from the finished interior dimension at a height equal to the top of the threshold and at a point tangent to its centerline and shall be continued to a height of not less than 70 inches (1,778 mm) of this section the shower drain outlet. Hinged shower doors shall open outward. The wall area above built-in tubs having installed showerheads and in shower compartments shall be constructed in accordance with section R702.4. Such walls shall form a water-tight joint with each other and with either the tub, receptor or shower floor.

Exceptions:

1. Fold-down seats shall be permitted in the shower, provided the required 1,024-square-inch (0.6 m²) dimension is maintained when the seat is in the folded-up position.

(Code 1994, § 16.06.330; Ord. No. 47, 2016, §§ 1(exh. A), 2(exh. B), 12-20-2016)

Sec. 22-112. Section P2708.1 exception (2) deleted; general.

Sec. P2708.1 Exception (2) of the residential code is deleted in its entirety.

(Code 1994, § 16.06.340; Ord. No. 47, 2016, §§ 1(exh. A), 2(exh. B), 12-20-2016)

Sec. 22-113. Section P2718.1 amended; waste connection.

Sec. P2718.1 of the residential code is amended to read 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.

(Code 1994, § 16.06.350; Ord. No. 47, 2016, §§ 1(exh. A), 2(exh. B), 12-20-2016)

Sec. 22-114. Section P2904.3.1 deleted; nonmetallic pipe and tubing.

Sec. P2904.3.1 of the residential code, adopted at section 22-76, is deleted in its entirety.

(Code 1994, § 16.06.351; Ord. No. 47, 2016, §§ 1(exh. A), 2(exh. B), 12-20-2016)

Sec. 22-115. Section P2904.8.1(6) deleted; preconcealment inspection.

Sec. P2904.8.1(6) of the residential code, adopted at section 22-76, is deleted in its entirety.

(Code 1994, § 16.06.352; Ord. No. 47, 2016, §§ 1(exh. A), 2(exh. B), 12-20-2016)

Sec. 22-116. P2904.8.1 amended; preconcealment inspection.

Sec. P2708.1 of the residential code is amended to read as follows:

P2904.8.1 Preconcealment inspection.

- a. Piping is supported in accordance with the pipe manufacturers and sprinkler manufacturers installation instructions.
- b. The piping system is tested in accordance with section P2503.7.

(Code 1994, § 16.06.353; Ord. No. 47, 2016, §§ 1(exh. A), 2(exh. B), 12-20-2016)

Sec. 22-117. Table P3005.4.1 amended; maximum fixture units allowed to be connected to branches and stacks.

Table P3005.4.1 of the residential code is amended to read as follows:

Table P3005.4.1

Maximum Unit Loading and Maximum Length of Drainage and Vent Piping

Size of Pipe, inches (mm)	1¼ (32)	1½ (40)	2 (50)	2½ (65)	3 (80)	4 (100)	5 (125)	6 (150)>	8 (200)	10 (250)	12 (300)
Maximum Units	1	2 ²	16 ³	32 ³	48 ⁴	256	600	1,380	3,600	5,600	8,400
Drainage piping ¹	1	1	8 ³	14 ³	35 ⁴	216 ⁵	428 ⁵	720 ⁵	2,640 ₅	4,680 ₅	8,200 ₅
Vertical/Horizontal											
Maximum Length											
Drainage piping ¹											
Vertical, feet	45	65	85	148	212	300	390	510	720	—	—
(m)	(14)	(20)	(26)	(45)	(65)	(91)	(119)	(155)	(228)	—	—
Horizontal(unlimited)											
Vent Piping (See note)											
Horizontal and Vertical											
Maximum units	1	8 ³	24	48	84	256	600	1,380	3,600	—	—
Maximum lengths, feet	45	60	120	180	212	300	390	510	750	—	—
(m)	(14)	(18)	(37)	(55)	(65)	(91)	(119)	(155)	(228)	—	—

¹ Excluding trap arm.

² Except sinks, urinals and dishwashers.

³ Except 6-unit traps or water closets.

⁴ Only 4 water closets or 6-unit traps allowed on any vertical pipe or stack; and not to exceed 3 water closets or 6-unit traps on any horizontal branch or drain.

⁵ Based on ¼ inch per foot (20.9 mm/m) slope. For 1/8 inch per foot (10.4 mm/m) slope, multiply horizontal fixture units by a factor of 0.8.

Note: The diameter of an individual vent shall not be less than 1 1/4 inches (31.8 mm) nor less than one-half the diameter of the drain to which it is connected. Fixture unit load values for drainage and vent piping shall be computed from Table P3004.1. Not to exceed 1/3 of the total permitted length of any vent may be installed in a horizontal position. When vents are increased one pipe size for their entire length, the maximum length limitations specified in this table do not apply.

(Code 1994, § 16.06.360; Ord. No. 47, 2016, §§ 1(exh. A), 2(exh. B), 12-20-2016)

Sec. 22-118. Section P3005.4.2 amended; building drain and sewer size and slope.

Sec. P3005.4.2 of the residential code is amended to read as follows:

P3005.4.2 Building drain and sewer size and slope. Pipe sizes and slope shall be determined from Table P3005.4.1 on the basis of drainage load in fixture units (d.f.u.) computed from Table P3005.4.1.

(Code 1994, § 16.06.370; Ord. No. 47, 2016, §§ 1(exh. A), 2(exh. B), 12-20-2016)

Sec. 22-119. Table P3005.4.2 deleted; maximum number of fixture units allowed to be connected to the building drain, building drain branches or the building sewer.

Table P3005.4.2 of the residential code is deleted in its entirety.

(Code 1994, § 16.06.380; Ord. No. 47, 2016, §§ 1(exh. A), 2(exh. B), 12-20-2016)

Sec. 22-120. Section P3007.6 amended; sewage ejectors or sewage pumps.

Sec. P3007.6 of the residential code is amended to read as follows:

P3007.6 Capacity. A sewage ejector, sewage pump or grinder pump receiving discharge from a water closet shall have minimum discharge velocity of 1.9 feet per second (0.579 m/s) throughout the discharge piping to the point of connection with a gravity building drain, gravity sewer or pressure sewer system. A nongrinding pump or ejector shall be capable of passing a 2-inch-diameter (38 mm) solid ball, and the discharge piping shall be not less than 2 inches (51 mm) in diameter. The discharge piping of grinding pumps shall be not less than 1 1/4 inches (32 mm) in diameter. A check valve and a gate valve located on the discharge side of the check valve shall be installed in the pump or ejector discharge piping between the pump or ejector and the drainage system. Access shall be provided to such valves. Such valves shall be located above the sump cover or, where the discharge pipe from the ejector is below grade, the valves shall be accessibly located outside the sump below grade in an access pit with a removable access cover.

Exception: Macerating toilet systems shall be permitted to have the discharge pipe sized in accordance with manufacturer's instructions, but not less than 0.75 inch (19 mm) in diameter.

(Code 1994, § 16.06.390; Ord. No. 47, 2016, §§ 1(exh. A), 2(exh. B), 12-20-2016)

Sec. 22-121. Table P3105.1 amended; distance of fixture trap from vent.

Table P3105.1 of the residential code is amended to read as follows:

Table P3105.1

Maximum Distance of Fixture Trap From Vent

<i>Size of Trap (inches)</i>	<i>Slope (inch per foot)</i>	<i>Distance From Trap (feet)</i>
1 1/4	1/4	2'6"
1 1/2	1/4	3'6"
2	1/4	5'
3	1/4	6'
4 and up	1/4	10'

(Code 1994, § 16.06.400; Ord. No. 47, 2016, §§ 1(exh. A), 2(exh. B), 12-20-2016)

Sec. 22-122. Section P3107.3 amended; connection at different levels.

Sec. P3107.3 of the residential code is amended to read as follows:

P3107.3 Connection at different levels. Where the fixture drains connect at different levels, the vent shall connect as a vertical extension of the vertical drain. The vertical drain pipe connecting the two fixture drains shall be considered the vent for the lower fixture drain, and shall be sized in accordance with Table P3005.4.1. The upper fixture shall not be a water closet.

(Code 1994, § 16.06.410; Ord. No. 47, 2016, §§ 1(exh. A), 2(exh. B), 12-20-2016)

Sec. 22-123. Table P3107.3 deleted; common vent sizes.

Table P3107.3 of the residential code is deleted in its entirety.

(Code 1994, § 16.06.420; Ord. No. 47, 2016, §§ 1(exh. A), 2(exh. B), 12-20-2016)

Sec. 22-124. Section P3108.3 amended; size.

Sec. P3108.3 of the residential code, adopted at section 22-76, is amended to read as follows:

P3108.3 Size. Horizontal and vertical wet vents shall be of a minimum size as specified in Table P3005.4.1, based on the fixture unit discharge to the wet vent. The dry vent serving the wet vent shall be sized based on the largest required diameter of pipe within the wet-vent system served by the dry vent.

(Code 1994, § 16.06.430; Ord. No. 47, 2016, §§ 1(exh. A), 2(exh. B), 12-20-2016)

Sec. 22-125. Table P3108.3 deleted; wet vent size.

Table P3108.3 of the residential code is deleted in its entirety.

(Code 1994, § 16.06.440; Ord. No. 47, 2016, §§ 1(exh. A), 2(exh. B), 12-20-2016)

Sec. 22-126. Section P3109.4 amended; waste stack size.

Sec. P3109.4 of the residential code is amended to read as follows:

P3109.4 Waste stack size. The waste stack shall be sized based on the total discharge to the stack and the discharge within a branch interval in accordance with Table P3005.4.1. The waste stack shall be the same size throughout the length of the waste stack.

(Code 1994, § 16.06.450; Ord. No. 47, 2016, §§ 1(exh. A), 2(exh. B), 12-20-2016)

Sec. 22-127. Table P3109.4 deleted; waste stack vent size.

Table P3109.4 of the residential code is deleted in its entirety.

(Code 1994, § 16.06.460; Ord. No. 47, 2016, §§ 1(exh. A), 2(exh. B), 12-20-2016)

Sec. 22-128. Section P3110.1 amended; circuit vent permitted.

Sec. P3110.1 of the residential code is amended to read as follows:

P3110.1 Circuit vent permitted. When approved by the authority having jurisdiction, a maximum of eight fixtures connected to a horizontal branch drain shall be permitted to be circuit vented. Each fixture drain shall

connect horizontally to the horizontal branch being circuit vented. The horizontal branch drain shall be classified as a vent from the most downstream fixture drain connection to the most upstream fixture drain connection to the horizontal branch.

(Code 1994, § 16.06.470; Ord. No. 47, 2016, §§ 1(exh. A), 2(exh. B), 12-20-2016)

Sec. 22-129. Section P3114.3 amended; where permitted.

Sec. P3114.3 of the residential code is amended to read as follows:

P3114.3 Where permitted. Individual vents, branch vents, circuit vents and stack vents serving a sink under a bearing wall, island sink installation, basement bar sink installation or locations approved by the building official shall be permitted to terminate with a connection to an air admittance valve. The air admittance valve shall only vent fixtures that are on the same floor level and connect to a horizontal branch drain.

(Code 1994, § 16.06.480; Ord. No. 47, 2016, §§ 1(exh. A), 2(exh. B), 12-20-2016)

Sec. 22-130. Table P3201.7 amended; size of traps and trap arms for plumbing fixtures.

Table P3201.7 of the residential code is amended to read as follows:

Table P3201.7

Size of Traps and Trap Arms for Plumbing Fixtures

<i>Plumbing Fixture</i>	<i>Trap Size Minimum (inches)</i>
Bathtub (with or without showerhead and/or whirlpool attachments)	1 1/2
Bidet	1 1/4
Clothes washer standpipe	2
Dishwasher (on separate trap)	1 1/2
Floor drain	2
Kitchen sink (one or two traps, with or without dishwasher and garbage grinder)	1 1/2
Laundry tub (one or more compartments)	1 1/2
Lavatory	1 1/4
Shower (based on the total flow rate through showerheads and bodysprays)	
Flow rate:	
12.3 gpm or less	2
More than 12.3 gpm up to 25.8 gpm	3
More than 25.8 gpm up to 55.6 gpm	4
Water closet	Note a

For SI: 1 inch = 25.4 mm.

^a Consult fixture standards for trap dimensions of specific bowls.

(Code 1994, § 16.06.490; Ord. No. 47, 2016, §§ 1(exh. A), 2(exh. B), 12-20-2016)

Sec. 22-131. Part VIII amended; electrical.

Part VIII of the residential code is amended to read as follows:

Part VIII—Electrical. This chapter governs the electrical components, equipment and systems used in buildings and structures covered by this code. Electrical components, equipment and systems shall be designed

and constructed in accordance with the provisions of the adopted National Electrical Code. Other references within this code regarding electrical shall be considered amended to read "the adopted National Electrical Code."

(Code 1994, § 16.06.500; Ord. No. 47, 2016, §§ 1(exh. A), 2(exh. B), 12-20-2016)

Secs. 22-132--22-160. Reserved.

CHAPTER 4. MECHANICAL CODE

~~Editor's note~~ Ord. 47, 2016, §§1(Exh. A) and 2(Exh. B), adopted Dec. 20, 2016, repealed Ch. 16.08, §§ 16.08.010—16.08.090, and reenacted a new Ch. 16.08 as set out herein. The former Ch. 16.08 pertained to similar subject matter and derived from Ord. 34, 2012 §§1, 4.

Sec. 22-161. International Mechanical Code adopted.

The International Mechanical Code, 2018 edition, is hereby adopted by reference for the city, except as amended in this chapter, and is hereinafter referred to as the "mechanical code." The mechanical code is published by the International Code Council, Inc., 5360 Workman Mill Road, Whittier, CA 90601-2298. The mechanical code provides the standards for the design, installation, alteration and inspection of mechanical systems within this jurisdiction.

(Code 1994, § 16.08.010; Ord. No. 47, 2016, §§ 1(exh. A), 2(exh. B), 12-20-2016; Ord. No. 34, 2019, app. C, § 16.08.010, 9-3-2019)

Sec. 22-162. Additions, deletions and amendments to mechanical code designated.

Sections 106.5.3, 108.4, 108.5, 109, 202, 312.1, and 506.3.11 Exception, of the mechanical code are hereby enacted as amended, added or deleted to read as set out in sections 22-163 through 22-169.

(Code 1994, § 16.08.020; Ord. No. 47, 2016, §§ 1(exh. A), 2(exh. B), 12-20-2016)

Sec. 22-163. Section 106.5.3 amended; fee refunds.

Sec. 106.5.3 of the mechanical code is amended to read as follows:

106.5.3 Fee refunds. The code official shall authorize the refunding of fees as follows:

- a. The full amount of any fee paid hereunder that was erroneously paid or collected.
- b. Not more than 80 percent of the permit fee paid when no work has been done under a permit issued in accordance with this code.
- c. Not more than 80 percent 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 review effort has been expended.

The code official shall not authorize the refunding of any fee paid more than 180 days from the date of fee payment.

(Code 1994, § 16.08.030; Ord. No. 47, 2016, §§ 1(exh. A), 2(exh. B), 12-20-2016)

Sec. 22-164. Section 108.4 amended; violation penalties.

Sec. 108.4 of the mechanical code is amended to read as follows:

108.4 Violation penalties. Any person who shall violate a provision of this code or shall fail to comply with any of the requirements thereof or who shall erect, install, alter or repair mechanical work in violation of the approved construction documents or directive of the code official, or of a permit or certificate issued under the provisions of this code, shall be ~~guilty of a misdemeanor, punishable as per~~ pursuant to chapter 10 of title 1 of this Code. Each day that a violation continues after due notice has been served shall be deemed a separate offense.

(Code 1994, § 16.08.040; Ord. No. 47, 2016, §§ 1(exh. A), 2(exh. B), 12-20-2016)

Sec. 22-165. Section 108.5 amended; stop-work orders.

Sec. 108.5 of the mechanical code is amended to read as follows:

108.5 Stop work orders. Upon notice from the code official, work on any mechanical system that is being done contrary to the provisions of this code or in a dangerous or unsafe manner shall immediately cease. Such notice shall be in writing and shall be given to the owner of the property, or to the owner's agent or to the person doing the work. The notice shall state the conditions under which work is authorized to resume. Where an emergency exists, the code official shall not be required to give a written notice prior to stopping the work.

(Code 1994, § 16.08.050; Ord. No. 47, 2016, §§ 1(exh. A), 2(exh. B), 12-20-2016)

Sec. 22-166. Section 109 amended; means of appeals.

Sec. 109 of the mechanical code shall be as described in sections 22-40 and 22-41.

(Code 1994, § 16.08.060; Ord. No. 47, 2016, §§ 1(exh. A), 2(exh. B), 12-20-2016)

Sec. 22-167. Section 202 amended; general definitions.

Sec. 202 of the mechanical code is amended to read as follows:

Light-duty cooking appliance. Light-duty cooking appliances include gas and electric ovens (including standard, bake, roasting, revolving, retherm, convection, combination convection/steamer and pastry), electric and gas steam-jacketed kettles, electric and gas compartment steamers (both pressure and atmospheric) and electric and gas cheesemelters.

Medium-duty cooking appliance. Medium-duty cooking appliances include electric discrete element ranges (with or without oven), electric and gas hot-top ranges, electric and gas griddles, electric and gas double-sided griddles, electric and gas fryers (including open deep fat fryers, donut fryers, kettle fryers and pressure fryers), electric and gas pasta cookers, electric and gas conveyor, deck or deck-style pizza ovens, electric and gas tilting skillets (braising pans) and electric and gas rotisseries.

(Code 1994, § 16.08.070; Ord. No. 47, 2016, §§ 1(exh. A), 2(exh. B), 12-20-2016)

Sec. 22-168. Section 312.1 amended; load calculations.

Sec. 312.1 of the mechanical code is amended to read as follows:

312.1 Load calculations. Heating and cooling system design loads for the purpose of sizing systems, appliances and equipment shall be determined in accordance with the procedures described in the ASHRAE/ACCA Standard 183. Alternatively, design loads shall be determined by an approved equivalent computation procedure, using the design parameters specified in chapter 3 [CE] of the International Energy Conservation Code. Any load calculations submitted to the jurisdiction shall bear the seal of a State of Colorado registered mechanical engineer.

(Code 1994, § 16.08.080; Ord. No. 47, 2016, §§ 1(exh. A), 2(exh. B), 12-20-2016)

Sec. 22-169. Section 506.3.11 exception deleted; duct enclosure not required.

Sec. 506.3.11 Exception of the mechanical code is deleted in its entirety.

(Code 1994, § 16.08.090; Ord. No. 47, 2016, §§ 1(exh. A), 2(exh. B), 12-20-2016)

Secs. 22-170--22-191. Reserved.**CHAPTER 5. PROPERTY MAINTENANCE CODE**

~~Editor's note—Ord. 47, 2016, §§1(Exh. A) and 2(Exh. B), adopted Dec. 20, 2016, repealed Ch. 16.10, §§ 16.10.010—16.10.150, and reenacted a new Ch. 16.10 as set out herein. The former Ch. 16.10 pertained to similar subject matter and derived from Ord. 34, 2012 §§1, 5.~~

Sec. 22-192. International Property Maintenance Code adopted.

The International Property Maintenance Code, 2018 edition, is hereby adopted by reference for the city, except as amended in this chapter, and is hereinafter referred to as the "property maintenance code." The property

maintenance code is published by the International Code Council, Inc., 5360 Workman Mill Road, Whittier, CA 90601-2298. The property maintenance code shall apply to all existing residential and nonresidential structures and all existing premises and constitute minimum requirements and standards for premises, structures, equipment and facilities for light, ventilation, space, heating, sanitation, protection from the elements, life safety, safety from fire and other hazards, and for safe and sanitary maintenance; the responsibility of owners, operators and occupants; the occupancy of existing structures and premises, and for administration, enforcement and penalties.

(Code 1994, § 16.10.010; Ord. No. 47, 2016, §§ 1(exh. A), 2(exh. B), 12-20-2016; Ord. No. 34, 2019, app. D, § 16.08.010, 9-3-2019)

Sec. 22-193. Additions, deletions and amendments to property maintenance code designated.

Sections 106.4, 107.3, 108.1, 111.2, 202, 302.4, 302.8, 304.7, 304.14, 306.2, 308, 602.3 and 602.4 of the property maintenance code are hereby enacted as amended, added or deleted to read as set out in sections 22-194 through 22-196.

(Code 1994, § 16.10.020; Ord. No. 47, 2016, §§ 1(exh. A), 2(exh. B), 12-20-2016)

Sec. 22-194. Section 106.4 amended; violation penalties.

Sec. 106.4 of the property maintenance code is amended to read as follows:

106.4 Violation penalties. Any person who shall violate a provision of this code, or fail to comply therewith, or with any of the requirements thereof shall be subject to punishment as provided in chapter 10 of title 1 of this Code. Each day that a violation continues after due notice has been served shall be deemed a separate offense.

(Code 1994, § 16.10.030; Ord. No. 47, 2016, §§ 1(exh. A), 2(exh. B), 12-20-2016)

Sec. 22-195. Section 107.3 amended; method of service.

Sec. 107.3 of the property maintenance code is amended to read as follows:

107.3 Method of service. Such notice shall be deemed to be properly served if a copy thereof is:

- a. Delivered personally;
- b. Sent by certified or first-class mail addressed to the last-known address and a copy thereof shall be posted in a conspicuous place in or about the structure affected by such notice; or
- c. If the notice is returned showing that the letter was not delivered, a copy thereof shall be posted in a conspicuous place in or about the structure affected by such notice.

(Code 1994, § 16.10.040; Ord. No. 47, 2016, §§ 1(exh. A), 2(exh. B), 12-20-2016)

Sec. 22-196. Section 108.1.1 amended; unsafe structures.

Sec. 108.1.1 of the property maintenance code is amended to read as follows:

108.1.1.1 Preliminary assessment. Following written notice and posting of the property declared as "condemned" in accordance with section 108.1 of the property maintenance code, and as a result of suspected contamination as a result of the discovery of chemicals, equipment or supplies indicative of an illegal drug laboratory or when such a laboratory used to manufacture methamphetamine is otherwise discovered by and reported to the city by a law enforcement official, the property owner has 21 calendar days in which to have a preliminary assessment of the property conducted by an industrial hygienist (consultant). If the results of the preliminary assessment exceed the limits set forth in 6 CCR 1014-3, a written plan must be provided by an approved remediation company of the planned actions to decontaminate the subject property.

108.1.1.2 Time to commence remediation or demolition. Based upon the findings of the consultant, and the review and approval of the decontamination plan by the building official, the property owner has 30 calendar days from the date of the building official's approval to commence remediation or demolition of the structure.

108.1.1.3 Permits required—time to complete remediation and/or demolition. The property owner shall obtain all necessary permits for the decontamination, remediation and/or demolition of the structure, which

work shall in any event not be completed any later than 120 calendar days from the date of the initial posting and condemnation of the property by the building official.

108.1.1.4 *Appeals*. Appeals by persons directed by the building official to take actions as described in this section are entitled to a hearing and review as described in sections 22-40 and 22-41.

Any violation of this section shall be punishable as provided in chapter 10 of title 1 of this Code.

(Code 1994, § 16.10.050; Ord. No. 47, 2016, §§ 1(exh. A), 2(exh. B), 12-20-2016)

Sec. 22-197. Section 111.2 amended; membership of board.

Sec. 111.2 of the property maintenance code shall be as described in sections 22-40 and 22-41.

(Code 1994, § 16.10.060; Ord. No. 47, 2016, §§ 1(exh. A), 2(exh. B), 12-20-2016)

Sec. 22-198. Section 202 amended; general definitions.

Sec. 202 of the property maintenance code is amended to read as follows:

Building official. The officer or other designated authority charged with the administration and enforcement of this code. Any reference to the code official throughout this code shall be deemed to have the same meaning as building official.

Habitable space. Space in a structure with permanent walls for living, sleeping, eating or cooking. Bathrooms, toilet rooms, closets, halls, storage, unfinished basements, or utility spaces, and similar areas are not considered habitable spaces.

Illegal drug laboratory. Areas where controlled substances, as defined by C.R.S. § 18-18-102, have been manufactured, processed, cooked, disposed of, used or stored and all proximate areas that are likely to be contaminated as a result of such manufacturing, processing, cooking, disposal, use or storing.

(Code 1994, § 16.10.070; Ord. No. 47, 2016, §§ 1(exh. A), 2(exh. B), 12-20-2016)

Sec. 22-199. Section 302.4 deleted; weeds.

Sec. 302.4 of the property maintenance code is deleted in its entirety.

(Code 1994, § 16.10.080; Ord. No. 47, 2016, §§ 1(exh. A), 2(exh. B), 12-20-2016)

Sec. 22-200. Section 302.8 deleted; motor vehicles.

Sec. 302.8 of the property maintenance code is deleted in its entirety.

(Code 1994, § 16.10.090; Ord. No. 47, 2016, §§ 1(exh. A), 2(exh. B), 12-20-2016)

Sec. 22-201. Section 304.7 amended; roofs and drainage.

Sec. 304.7 of the property maintenance code is amended to read as follows:

Sec. 304.7 Roofs and drainage. The roof and flashing shall be sound, tight and not have defects that could admit rain. Roof drainage shall be adequate to prevent the possibility of dampness or deterioration in the walls or interior portion of the structure. Roof drains, gutters and downspouts shall be maintained in good repair and free from obstructions. Roofwater shall not be discharged in a manner that creates a public nuisance.

(Code 1994, § 16.10.100; Ord. No. 47, 2016, §§ 1(exh. A), 2(exh. B), 12-20-2016)

Sec. 22-202. Section 304.14 amended; insect screens.

Sec. 304.14 of the property maintenance code is amended to read as follows:

304.14 Insect screens. Every door, window and other outside opening required for ventilation of habitable rooms, food preparation areas, food service areas or any areas where products to be included or utilized in food for human consumption are processed, manufactured, packaged or stored, shall be supplied with approved tightly fitting screens of not less than 16 mesh per inch (16 mesh per 25 mm) and every swinging screened door shall have a self-closing device in good working condition.

Exception: Screens shall not be required where other approved means, such as air curtains or insect repellent fans, are employed.

(Code 1994, § 16.10.110; Ord. No. 47, 2016, §§ 1(exh. A), 2(exh. B), 12-20-2016)

Sec. 22-203. Section 306.2 added; demolition.

Sec. 306.2 of the property maintenance code is added to read as follows:

306.2 Demolition. All structures completely or partially demolished within the city shall comply with the requirements of this section.

306.2.1 Approvals. A permit is required for all demolition. Permits shall not be issued until approval and any supporting documents are obtained from the following, as required by the building official.

1. Building inspection division.
2. Planning division.
3. Historical preservation division.
4. The Colorado Department of Public Health and Education.

306.2.2 Demolition. All building and accessory building components including the foundation walls, footings and concrete floors, walks and driveways shall be completely removed, unless previously approved by the building official to be incorporated into a future structure. All demolition material shall be removed from the site including wiring, plumbing, lumber, concrete, waste or other material. Material shall be disposed in an approved manner and location. During demolition, fugitive dust shall be controlled through the use of water to reduce the impact on adjacent properties.

306.2.3 Water service line. Water service lines shall be removed and terminated at the water meter pit shutoff valve or other location approved by the building official.

306.2.4 Sewer service line. Sewer service lines shall be removed and terminated within five feet of the property line or other location approved by the building official. Termination shall be by listed cap or concrete encasement.

306.2.5 Other utilities. All other utilities shall be removed and terminated within five feet of the property line, other location approved by the building official, or as determined by the utility.

306.2.6 Site grading. Clean backfill material with aggregate no larger than two inches shall be used to backfill the entire site to grade. Backfill shall occur in lifts not exceeding 12 inches, with compaction of each successive lift. The site shall be final graded so that water ponding will not occur and will have adequate drainage. Grading elevations shall conform to existing adjacent grades on all sides of the lot. The site shall be left in a clean and safe condition.

306.2.7 Inspections. The demolition site shall remain accessible and exposed for inspection purposes until approved. Neither the building official nor the jurisdiction shall be liable for expense entailed in the removal or replacement of any material required to allow inspection.

306.2.7.1 Preliminary inspection. Before issuing a permit, the building official is authorized to examine or cause to be examined buildings, structures and sites for which an application has been filed.

306.2.7.2 Required inspections. The building official, upon notification, shall make the inspections set forth in sections 306.2.7.2(1) through 306.2.7.2(4):

- (i) *Clean excavation.* A clean excavation inspection shall be made after all concrete, construction and all other materials are removed from the excavation prior to backfill.
- (ii) *Water service.* A water service inspection shall be performed after the service line is removed and terminated in the meter pit.

- (iii) *Sewer service.* A sewer service inspection shall be performed after the service line has been removed or destroyed in place, the cap or concrete is in place, prior to backfilling the termination location.
- (iv) *Final inspection.* A final inspection shall be made when all backfilling is complete, the final grade established and all debris has been removed from the site.

306.2.8 Safety requirements. If demolition occurs in areas where pedestrians may be present, suitable barriers and other protective measures must be provided and approved by the building official. In the event the demolition will interfere with traffic flow on a street or public way, signs and traffic controls must be provided and approved by the city public works department.

(Code 1994, § 16.10.120; Ord. No. 47, 2016, §§ 1(exh. A), 2(exh. B), 12-20-2016)

Sec. 22-204. Section 308 deleted; rubbish and garbage.

Sec. 307 of the property maintenance code is deleted in its entirety.

(Code 1994, § 16.10.130; Ord. No. 47, 2016, §§ 1(exh. A), 2(exh. B), 12-20-2016)

Sec. 22-205. Section 602.3 amended; heat supply.

Sec. 602.3 of the property maintenance code is amended to read as follows:

602.3 Heat supply. Every owner and operator of any building who rents, leases or lets one or more dwelling unit, rooming unit, dormitory or guestroom on terms, either expressed or implied, to furnish heat to the occupants thereof shall supply heat to maintain a temperature of not less than 68 degrees Fahrenheit (20 degrees Celsius) in all habitable rooms, bathrooms and toilet rooms.

Exceptions:

- a. When the outdoor temperature is below the winter outdoor design temperature for the city, maintenance of the minimum room temperature shall not be required, provided that the heating system is operating at its full design capacity. The winter outdoor design temperature for the locality shall be as indicated in Appendix D of the International Plumbing Code.

(Code 1994, § 16.10.140; Ord. No. 47, 2016, §§ 1(exh. A), 2(exh. B), 12-20-2016)

Sec. 22-206. Section 602.4 amended; occupiable workspaces.

Sec. 602.4 of the property maintenance code is amended to read as follows:

602.4 Occupiable workspaces. Indoor occupiable workspaces shall be supplied with heat to maintain a temperature of not less than 65 degrees Fahrenheit (18 degrees Celsius) during the period the spaces are occupied.

Exceptions:

- a. Processing, storage and operation areas that require cooling or special temperature conditions.
- b. Areas in which persons are primarily engaged in vigorous physical activities.

(Code 1994, § 16.10.150; Ord. No. 47, 2016, §§ 1(exh. A), 2(exh. B), 12-20-2016)

Secs. 22-207--22-235. Reserved.

CHAPTER 6. EXISTING BUILDING CODE

Editor's note—Ord. 47, 2016, §§1(Exh. A) and 2(Exh. B), adopted Dec. 20, 2016, repealed Ch. 16.12, §§ 16.12.010—16.12.070, and reenacted a new Ch. 16.12 as set out herein. The former Ch. 16.12 pertained to similar subject matter and derived from Ord. 34, 2012 §§1, 6.

Sec. 22-236. International Existing Building Code adopted.

The International Existing Building Code, 2018 edition, is hereby adopted by reference for the city, except as amended in this chapter, and is hereinafter referred to as the "existing building code." The existing building code is published by the International Code Council, Inc., 5360 Workman Mill Road, Whittier, CA 90601-2298. The

existing building code provides the standards for the alteration, repair, addition, moving, change of occupancy and relocation of existing buildings.

(Code 1994, § 16.12.010; Ord. No. 47, 2016, §§ 1(exh. A), 2(exh. B), 12-20-2016; Ord. No. 34, 2019, app. E, § 16.08.010, 9-3-2019)

Sec. 22-237. Additions, deletions and amendments to existing building code designated.

Sections 108.4, 112.1, and 113.4 of the existing building code are hereby enacted as amended, added or deleted to read as set out in sections 22-238 through 22-240.

(Code 1994, § 16.12.020; Ord. No. 47, 2016, §§ 1(exh. A), 2(exh. B), 12-20-2016; Ord. No. 34, 2019, app. E, § 16.08.020, 9-3-2019)

Sec. 22-238. Section 108.4 amended; work commencing before permit issuance.

Sec. 108.4 of the existing building code is amended to read as follows:

108.4 Work commencing before permit issuance. Any person who commences work on a building or structure governed by this code before obtaining the necessary permits shall be subject to 200 percent of the usual permit fee.

(Code 1994, § 16.12.040; Ord. No. 47, 2016, §§ 1(exh. A), 2(exh. B), 12-20-2016)

Sec. 22-239. Section 112.1 amended; board of appeals.

Sec. 112.1 of the existing building code shall be as described in sections 22-40 and 22-41.

(Code 1994, § 16.12.050; Ord. No. 47, 2016, §§ 1(exh. A), 2(exh. B), 12-20-2016)

Sec. 22-240. Section 113.4 amended; violation penalties.

113.4 Violation penalties. Any person who violates a provision of this code or fails to comply with any of the requirements thereof or who repairs or alters or changes the occupancy of a building or structure in violation of the approved construction documents or directive of the code official or of a permit or certificate issued under the provisions of this code shall be subject to punishment as provided in chapter 10 of title 1 of this Code.

(Code 1994, § 16.12.060; Ord. No. 47, 2016, §§ 1(exh. A), 2(exh. B), 12-20-2016)

Sec. 22-241. Section 1401.2 amended; applicability.

Sec. 1401.2 of the existing building code is amended to read as follows:

1401.2 Applicability. Structures existing at the time of adoption of this code in which there is work involving additions, alterations or changes of occupancy shall be made to conform to the requirements of this chapter or the provisions of chapters 5 through 13. The provisions of sections 1401.2.1 through 1401.2.5 shall apply to existing occupancies that will continue to be, or are proposed to be, in Groups A, B, E, F, M, R and S. These provisions shall not apply to buildings with occupancies in Group H or Group I.

(Code 1994, § 16.12.070; Ord. No. 47, 2016, §§ 1(exh. A), 2(exh. B), 12-20-2016)

Secs. 22-242--22-260. Reserved.

CHAPTER 7. STREET STANDARDS

Sec. 22-261. Adoption of standards.

All streets within the city shall be constructed to the minimum standards established by the Greeley Street Standards, dated December 1, 1993, in order to safeguard the public health, safety and welfare of the citizens of the city. Copies of the Greeley Street Standards shall be kept and maintained by the city clerk and department of public works and shall be available for inspection at those locations during all business hours.

(Code 1994, § 16.14.010; Ord. No. 1, 1994, § 1, 1-18-1994)

Secs. 22-262--22-285. Reserved.

CHAPTER 8. ENERGY CONSERVATION CODE

Sec. 22-286. International Energy Conservation Code adopted.

The International Energy Conservation Code, 2018 edition, is hereby adopted by reference for the city, except as amended in this chapter, and is hereinafter referred to as the "energy conservation code." The energy conservation code is published by the International Code Council, Inc., 5360 Workman Mill Road, Whittier, CA 90601-2298. The Energy Conservation Code regulates the design and construction of buildings for the effective use of energy.

(Code 1994, § 16.16.010; Ord. No. 52, 2009, §§ 1, 7, 11-6-2009; Ord. No. 34, 2019, app. H, § 16.16.010, 9-3-2019)

Secs. 22-287--22-305. Reserved.

CHAPTER 9. PLUMBING CODE

~~Editor's note — Ord. 47, 2016, §§1(Exh. A) and 2(Exh. B), adopted Dec. 20, 2016, repealed Ch. 16.28, §§ 16.28.010—16.28.240, and reenacted a new Ch. 16.28 as set out herein. The former Ch. 16.28 pertained to similar subject matter and derived from Ord. 34, 2012 §§1, 7.~~

Sec. 22-306. International Plumbing Code adopted.

The International Plumbing Code, 2018 edition, is hereby adopted by reference for the city, except as amended in this chapter, and is hereinafter referred to as the "plumbing code." The plumbing code is published by the International Code Council, Inc., 5360 Workman Mill Road, Whittier, CA 90601-2298. The plumbing code provides the standards for erection, installation, alteration, repairs, relocation, replacement, addition to, use or maintenance of plumbing systems within this jurisdiction.

(Code 1994, § 16.28.010; Ord. No. 47, 2016, §§ 1(exh. A), 2(exh. B), 12-20-2016; Ord. No. 34, 2019, app. F, § 16.28.010, 9-3-2019)

Sec. 22-307. Additions, deletions and amendments to plumbing code designated.

Sections 106.6.3, 108.4, 108.5, 109, 305.4, 405.3.1, 405.6, 406.2, 417.2, 421.4, 421.4 Exception, 712.4.2, 712.4.3, Table 906.1, Table 909.1, 914.1, 915.3, 918.3, 1003.3.4.1, 1103.1, 1113.1.2, and 1113.1.3 of the plumbing code are hereby enacted as amended, added or deleted to read as set out in sections 22-308 through 22-329.

(Code 1994, § 16.28.020; Ord. No. 47, 2016, §§ 1(exh. A), 2(exh. B), 12-20-2016; Ord. No. 34, 2019, app. F, § 16.28.020, 9-3-2019)

Sec. 22-308. Section 106.6.3 amended; fee refunds.

Sec. 106.6.3 of the plumbing code is amended to read as follows:

106.6.3 Fee refunds. The code official shall authorize the refunding of fees as follows:

- a. The full amount of any fee paid hereunder that was erroneously paid or collected.
- b. Not more than 80 percent of the permit fee paid when no work has been done under a permit issued in accordance with this code.
- c. Not more than 80 percent 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 review effort has been expended.

The code official shall not authorize the refunding of any fee paid more than 180 days from the date of fee payment.

(Code 1994, § 16.28.030; Ord. No. 47, 2016, §§ 1(exh. A), 2(exh. B), 12-20-2016)

Sec. 22-309. Section 108.4 amended; violation penalties.

Sec. 108.4 of the plumbing code is amended to read as follows:

108.4 Violation penalties. Any person who shall violate a provision of this code or shall fail to comply with any of the requirements thereof or who shall erect, install, alter or repair plumbing work in violation of

the approved construction documents or directive of the code official, or of a permit or certificate issued under the provisions of this code, shall be ~~guilty of a misdemeanor, punishable as per~~ pursuant to chapter 10 of title 1 of this Code. Each day that a violation continues after due notice has been served shall be deemed a separate offense.

(Code 1994, § 16.28.040; Ord. No. 47, 2016, §§ 1(exh. A), 2(exh. B), 12-20-2016)

Sec. 22-310. Section 108.5 amended; stop-work orders.

Sec. 108.5 of the plumbing code is amended to read as follows:

108.5 Stop work orders. Upon notice from the code official, work on any plumbing system that is being done contrary to the provisions of this code or in a dangerous or unsafe manner shall immediately cease. Such notice shall be in writing and shall be given to the owner of the property, or to the owner's agent or to the person doing the work. The notice shall state the conditions under which work is authorized to resume. Where an emergency exists, the code official shall not be required to give a written notice prior to stopping the work.

(Code 1994, § 16.28.050; Ord. No. 47, 2016, §§ 1(exh. A), 2(exh. B), 12-20-2016)

Sec. 22-311. Section 109 amended; means of appeal.

Sec. 109 of the plumbing code shall be as described in sections 22-40 and 22-41.

(Code 1994, § 16.28.060; Ord. No. 47, 2016, §§ 1(exh. A), 2(exh. B), 12-20-2016)

Sec. 22-312. Section 305.4 amended; freezing.

Sec. 305.4 of the plumbing code is amended to read as follows:

305.4 Freezing. Water, soil and waste pipes shall not be installed outside of a building, in attics or crawl spaces, concealed in outside walls, or in any other place subjected to freezing temperature unless adequate provision is made to protect such pipes from freezing by insulation or heat or both. Exterior water supply system piping shall be installed not less than 12 inches (305 mm) of this section the frost line and not less than 12 inches (305 mm) of this section grade.

(Code 1994, § 16.28.070; Ord. No. 47, 2016, §§ 1(exh. A), 2(exh. B), 12-20-2016)

Sec. 22-313. Section 405.3.1 amended; water closets, urinals, lavatories and bidets.

Sec. 405.3.1 of the plumbing code is amended to read as follows:

405.3.1 Water closets, urinals, lavatories and bidets. A water closet, urinal, lavatory or bidet shall not be set closer than 15 inches (381 mm) from its center to any sidewall, partition, vanity or other obstruction, or closer than 30 inches (762 mm) center-to-center between adjacent fixtures. There shall be at least a 24-inch (609 mm) clearance in front of the water closet, urinal or bidet to any wall, fixture or door. Water closet compartments shall not be less than 30 inches (762 mm) wide or 60 inches (1,524 mm) deep. There shall be at least a 24-inch (609 mm) clearance in front of a lavatory to any wall, fixture or door.

(Code 1994, § 16.28.080; Ord. No. 47, 2016, §§ 1(exh. A), 2(exh. B), 12-20-2016)

Sec. 22-314. Section 405.5 amended; water-tight joints.

Sec. 405.6 of the plumbing code is amended to read as follows:

405.6 Water-tight joints. In facilities designed for public use, joints formed where fixtures come in contact with walls or floors shall be sealed.

(Code 1994, § 16.28.090; Ord. No. 47, 2016, §§ 1(exh. A), 2(exh. B), 12-20-2016; Ord. No. 34, 2019, app. F, § 16.28.090, 9-3-2019)

Sec. 22-315. Section 406.2 amended; waste connection.

Sec. 406.3 of the plumbing code is amended to read as follows:

406.2 Waste connection. The waste from an automatic clothes washer shall discharge through an air break into a standpipe in accordance with section 802.4 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.

(Code 1994, § 16.28.100; Ord. No. 47, 2016, §§ 1(exh. A), 2(exh. B), 12-20-2016)

Sec. 22-316. Section 414.2 amended; waste connection.

Sec. 417.2 of the plumbing code is amended to read as follows:

417.2 Waste connection. Garbage can washers shall be located only in weather-tight enclosures and shall be trapped separately. The receptacle receiving the waste from the washer shall have a removable basket or strainer to prevent the discharge of large particles into the drainage system.

(Code 1994, § 16.28.110; Ord. No. 47, 2016, §§ 1(exh. A), 2(exh. B), 12-20-2016; Ord. No. 34, 2019, app. F, § 16.28.110, 9-3-2019)

Sec. 22-317. Section 417.4 amended; shower compartments.

Sec. 421.4 of the plumbing code is amended to read as follows:

421.4 Shower compartments. All shower compartments shall have a minimum of 1,024 square inches (0.66 m²) of interior cross-sectional area. Shower compartments shall not be less than 32 inches (813 mm) in minimum dimension measured from the finished interior dimension of the compartment, exclusive of fixture valves, showerheads, soap dishes, and safety grab bars or rails. Except as required in section 404, the minimum required area and dimension shall be measured from the finished interior dimension at a height equal to the top of the threshold and at a point tangent to its centerline and shall be continued to a height not less than 70 inches (1,778 mm) of this section the shower drain outlet.

(Code 1994, § 16.28.120; Ord. No. 34, 2019, app. F, § 16.28.120, 9-3-2019)

Sec. 22-318. Section 417.4 deleted; exception, shower compartments.

Sec. 421.4, Exception, of the plumbing code is deleted in its entirety.

(Code 1994, § 16.28.130; Ord. No. 47, 2016, §§ 1(exh. A), 2(exh. B), 12-20-2016; Ord. No. 34, 2019, app. F, § 16.28.130, 9-3-2019)

Sec. 22-319. Section 712.4.2 amended; capacity.

Sec. 712.4.2 of the plumbing code is amended to read as follows:

712.4.2 Capacity. A sewage pump or sewage ejector shall have the capacity and head for the application requirements. Pumps or ejectors that receive the discharge of water closets shall be capable of handling spherical solids with a diameter of up to and including 2 inches (51 mm). Other pumps or ejectors shall be capable of handling spherical solids with a diameter of up to and including 1 inch (25.4 mm). The minimum capacity of a pump or ejector based on the diameter of the discharge pipe shall be in accordance with Table 712.4.2.

Exceptions:

- a. Grinder pumps or grinder ejectors that receive the discharge of water closets shall have a minimum discharge opening of 2 inches (51 mm).

(Code 1994, § 16.28.140; Ord. No. 47, 2016, §§ 1(exh. A), 2(exh. B), 12-20-2016)

Sec. 22-320. Section 712.4.3 added; public use.

Sec. 712.4.3 of the plumbing code shall be added to read as follows:

712.4.3 Public use. Sumps and receiving tanks in occupancies for public use shall be provided with dual pumps or ejectors arranged to function independently in case of overload or mechanical failure. The lowest inlet shall have a minimum clearance of 2 inches (51 mm) from the high water or starting level of the sump.

(Code 1994, § 16.28.150; Ord. No. 47, 2016, §§ 1(exh. A), 2(exh. B), 12-20-2016)

Sec. 22-321. Table 906.1 amended; size and developed length of stack vents and vent stacks.

Table 906.1 of the plumbing code shall be amended to read as follows:

Table 906.1

Maximum Unit Loading and Maximum Length of Drainage and Vent Piping

Size of Pipe, inches (mm)	1¼ (32)	1½ (40)	2 (50)	2½ (65)	3 (80)	4 (100)	5 (125)	6 (150)	8 (200)	10 (250)	12 (300)
Maximum Units											
Drainage piping ¹											
Vertical	1	2 ²	16 ³	32 ³	48 ⁴	256	600	1,380	3,600	5,600	8,400
Horizontal	1	1	8 ³	14 ³	35 ⁴	216 ⁵	428 ⁵	720 ⁵	2,640 ₅	4,680 ₅	8,200 ₅
Maximum Length											
Drainage piping											
Vertical, feet	45	65	85	148	212	300	390	510	750	—	—
(m)	(14)	(20)	(26)	(45)	(65)	(91)	(119)	(155)	(228)	—	—
Horizontal (unlimited)											
Vent piping (See note)											
Horizontal and vertical											
Maximum units	1	8 ³	24	48	84	256	600	1,380	3,600	—	—
Maximum lengths, feet	45	60	120	180	212	300	390	510	750	—	—
(m)	(14)	(18)	(37)	(55)	(65)	(91)	(119)	(155)	(228)	—	—

¹ Excluding trap arm.

² Except sinks, urinals and dishwashers.

³ Except 6-unit traps or water closets.

⁴ Only 4 water closets or 6-unit traps allowed on any vertical pipe or stack; and not to exceed 3 water closets or 6-unit traps on any horizontal branch or drain.

⁵ Based on one-quarter inch per foot (20.9 mm/m) slope. For 1/8 inch per foot (10.4 mm/m) slope, multiply horizontal fixture units by a factor of 0.8.

Note: The diameter of an individual vent shall not be less than 1 1/4 inches (31.8 mm) nor less than one-half the diameter of the drain to which it is connected. Fixture unit load values for drainage and vent piping shall be computed from Table P3004.1. Not to exceed 1/3 of the total permitted length of any vent may be installed in a horizontal position. When vents are increased 1 pipe size for their entire length, the maximum length limitations specified in this table do not apply.

(Code 1994, § 16.28.160; Ord. No. 47, 2016, §§ 1(exh. A), 2(exh. B), 12-20-2016)

Sec. 22-322. Table 909.1 amended; maximum distance of fixture trap from vent.

Table 909.1 of the plumbing code shall be amended as follows:

Table 909.1

Maximum Distance of Fixture Trap From Vent *

<i>Trap Arm</i>	<i>Distance Trap to Vent</i>		<i>Trap Arm</i>	<i>Distance Trap to Vent</i>
Inches	Feet	Inches	mm	mm
1¼	2	6	32	762
1½	3	6	38	1,067
2	5	0	51	1,524
3	6	0	76	1,829
4 and larger	10	0	102 and larger	3,048

Slope = 1/4 inch per foot (20.9 mm/m)

*The developed length between the trap of a water closet or similar fixture (measured from the top of the closet ring [closet flange] to the inner edge of the vent) and its vent shall not exceed 6 feet.

(Code 1994, § 16.28.170; Ord. No. 47, 2016, §§ 1(exh. A), 2(exh. B), 12-20-2016)

Sec. 22-323. Section 914.1 amended; circuit vent permitted.

Sec. 914.1 of the plumbing code shall be amended to read as follows:

914.1 Circuit vent permitted. When approved by the authority having jurisdiction, a maximum of eight fixtures connected to a horizontal branch drain shall be permitted to be circuit vented. Each fixture drain shall connect horizontally to the horizontal branch being circuit vented. The horizontal branch drain shall be classified as a vent from the most downstream fixture drain connection to the most upstream fixture drain connection to the horizontal branch.

(Code 1994, § 16.28.180; Ord. No. 47, 2016, §§ 1(exh. A), 2(exh. B), 12-20-2016)

Sec. 22-324. Section 915.4 added; grease introduction.

Sec. 915.4 of the plumbing code shall be added to read as follows:

915.4 Grease introduction. No water closet, urinal or any fixture where grease may be introduced shall dump into a combination waste and vent system.

(Code 1994, § 16.28.190; Ord. No. 47, 2016, §§ 1(exh. A), 2(exh. B), 12-20-2016)

Sec. 22-325. Section 918.3 amended; where permitted.

Sec. 918.3 of the plumbing code shall be amended to read as follows:

918.3 Where permitted. Individual, branch and circuit vents serving a sink under a bearing wall, island sink installation, basement bar sink installation or locations approved by the building official shall be permitted to terminate with a connection to an air admittance valve. The air admittance valve shall only vent fixtures that are on the same floor level and connect to a horizontal branch drain. The horizontal branch drain shall conform to section 918.3.1 or section 918.3.2.

(Code 1994, § 16.28.200; Ord. No. 47, 2016, §§ 1(exh. A), 2(exh. B), 12-20-2016)

Sec. 22-326. Section 1003.3.4.1 amended; grease interceptor capacity.

Sec. 1003.3.4.1 of the plumbing code shall be amended to read as follows:

1003.3.4.1 Grease interceptor capacity. Grease interceptors shall be sized as per Table 1003.3.4.1.

Table 1003.3.4.1. Grease Interceptor Sizing

Number of meals per peak hour	X	Waste flow rate	X	Retention time	X	Storage factor	=	Interceptor size (liquid capacity)
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- a. Meals served at peak hour.
- b. Waste flow rate.
 1. With dishwashing machine: 6-gallon (22.7L) flow.
 2. Without dishwashing machine: 5-gallon (18.9L) flow.
 3. Single service kitchen: 2-gallon (7.6L) flow.
 4. Food waste dispenser: 1-gallon (3.8L) flow.
- c. Retention time.
 1. Commercial kitchen waste.
 2. Dishwasher: 2.5 hours.
 3. Single service kitchen.
 4. Single serving: 1.5 hours.
- d. Storage factors. Fully equipped commercial kitchen:
 1. 8-hour operation: 1.
 2. 16-hour operation: 2.
 3. 24-hour operation: 3.
 4. Single service kitchen: 1.5.

(Code 1994, § 16.28.210; Ord. No. 47, 2016, §§ 1(exh. A), 2(exh. B), 12-20-2016)

Sec. 22-327. Section 1103.1 amended; main trap.

Sec. 1103.1 of the plumbing code shall be amended to read as follows:

1103.1 Main trap. Leaders and storm drains shall not be connected to the sanitary sewer system.

(Code 1994, § 16.28.220; Ord. No. 47, 2016, §§ 1(exh. A), 2(exh. B), 12-20-2016)

Sec. 22-328. Section 1113.1.2 amended; sump pit.

Sec. 1113.1.2 of the plumbing code shall be amended to read as follows:

1113.1.2 Sump pit. Where it is not possible to convey the drainage by gravity, subsoil drains shall discharge to an accessible sump pit. A sump pit shall be at least 18 inches (457 mm) in diameter, 24 inches (610 mm) in depth, and provided with a fitted cover including rough-in discharge piping and 110v GFI electrical power supply. The sump pump, if provided, shall have an adequate capacity to discharge all water coming into the sump as it accumulates to the required discharge point, and the capacity of the pump shall not be less than 15 gpm (1.0 L/s).

The discharge piping for the sump pump shall include the following:

1. Be 1 1/2" (one and one-half) inches in diameter;
2. Terminate within 5' (five feet) horizontally of the sump pit;
3. Extend a minimum of 12" (twelve inches) of this section the floor joists above;
4. Terminate at the exterior of the structure with a removable cap.

(Code 1994, § 16.28.230; Ord. No. 47, 2016, §§ 1(exh. A), 2(exh. B), 12-20-2016)

Sec. 22-329. Section 1113.1.3 amended; electrical.

Sec. 1113.1.3 of the plumbing code is amended to read as follows:

1113.1.3 Electrical. A 125-volt, 15-ampere, GFCI-protected, electrical receptacle outlet shall be installed within five feet of the sump pit location. The branch circuit feeding this outlet shall be a dedicated circuit.

(Code 1994, § 16.28.240; Ord. No. 47, 2016, §§ 1(exh. A), 2(exh. B), 12-20-2016)

Secs. 22-330--22-346. Reserved.

CHAPTER 10. FUEL GAS CODE

~~Editor's note~~ Ord. 47, 2016, §§1(Exh. A) and 2(Exh. B), adopted Dec. 20, 2016, repealed Ch. 16.30, §§ 16.30.010—16.30.110, and reenacted a new Ch. 16.30 as set out herein. The former Ch. 16.30 pertained to similar subject matter and derived from Ord. 34, 2012 §§1, 8.

Sec. 22-347. International Fuel Gas Code adopted.

The International Fuel Gas Code, 2018 edition, is hereby adopted by reference for the city, except as amended in this chapter, and is hereinafter referred to as the "fuel gas code." The fuel gas code is published by the International Code Council, Inc., 5360 Workman Mill Road, Whittier, CA 90601-2298. The fuel gas code shall apply to the installation of fuel-gas piping systems, fuel-gas utilization equipment and related accessories.

(Code 1994, § 16.30.010; Ord. No. 47, 2016, §§ 1(exh. A), 2(exh. B), 12-20-2016; Ord. No. 34, 2019, app. G, § 16.30.010, 9-3-2019)

Sec. 22-348. Additions, deletions and amendments to fuel gas code designated.

Sections 106.6.3, 108.4, 108.5, 109, 401.9, 401.10, 404.9, 404.12, 406.4.1, 406.4.2, and 621 of the fuel gas code are hereby enacted as amended, added, or deleted to read as set out in sections 22-349 through 22-359.

(Code 1994, § 16.30.020; Ord. No. 47, 2016, §§ 1(exh. A), 2(exh. B), 12-20-2016; Ord. No. 34, 2019, app. G, § 16.30.020, 9-3-2019)

Sec. 22-349. Section 106.6.3 amended; fee refunds.

Sec. 106.6.3 of the fuel gas code is amended to read as follows:

106.6.3 Fee refunds. The code official shall authorize the refunding of fees as follows:

- a. The full amount of any fee paid hereunder that was erroneously paid or collected.
- b. Not more than 80 percent of the permit fee paid when no work has been done under a permit issued in accordance with this code.
- c. Not more than 80 percent 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 review effort has been expended.

The code official shall not authorize the refunding of any fee paid more than 180 days from the date of fee payment.

(Code 1994, § 16.30.030; Ord. No. 47, 2016, §§ 1(exh. A), 2(exh. B), 12-20-2016)

Sec. 22-350. Section 108.4 amended; violation penalties.

Sec. 108.4 of the fuel gas code is amended to read as follows:

108.4 Violation penalties. Persons who shall violate a provision of this code, fail to comply with any of the requirements thereof or erect, install, alter or repair work in violation of the approved construction documents or directive of the code official, or of a permit or certificate issued under the provisions of this code, shall be ~~guilty of a misdemeanor~~, punishable as ~~per~~ pursuant to chapter 10 of title 1 of this Code. Each day that a violation continues after due notice has been served shall be deemed a separate offense.

(Code 1994, § 16.30.040; Ord. No. 47, 2016, §§ 1(exh. A), 2(exh. B), 12-20-2016)

Sec. 22-351. Section 108.5 amended; stop-work orders.

Sec. 108.5 of the fuel gas code is amended to read as follows:

108.5 Stop-work orders. Upon notice from the code official that work is being done contrary to the provisions of this code or in a dangerous or unsafe manner, such work shall immediately cease. Such notice shall be in writing and shall be given to the owner of the property, the owner's agent or the person doing the work. The notice shall state the conditions under which work is authorized to resume. Where an emergency exists, the code official shall not be required to give a written notice prior to stopping the work.

(Code 1994, § 16.30.050; Ord. No. 47, 2016, §§ 1(exh. A), 2(exh. B), 12-20-2016)

Sec. 22-352. Section 109 amended; means of appeal.

Sec. 109 of the fuel gas code shall be as described in sections 22-40 and 22-41.

(Code 1994, § 16.30.060; Ord. No. 47, 2016, §§ 1(exh. A), 2(exh. B), 12-20-2016)

Sec. 22-353. Section 401.9 deleted; identification.

Sec. 401.9 of the fuel gas code is deleted in its entirety.

(Code 1994, § 16.30.065; Ord. No. 47, 2016, §§ 1(exh. A), 2(exh. B), 12-20-2016)

Sec. 22-354. Section 401.10 deleted; third party testing and certification.

Sec. 401.10 of the fuel gas code is deleted in its entirety.

(Code 1994, § 16.30.066; Ord. No. 47, 2016, §§ 1(exh. A), 2(exh. B), 12-20-2016)

Sec. 22-355. Section 404.9 amended; aboveground outdoor piping.

Sec. 404.9 of the fuel gas code is amended to read as follows:

404.9 Aboveground outdoor piping. All piping installed outdoors shall be elevated not less than 6 inches (152 mm) of this section ground and where installed across roof surfaces, shall be elevated not less than 6 inches (152 mm) of this section the roof surface. Piping installed above ground, outdoors, and installed across the surface of roofs shall be securely supported and located where it will be protected from physical damage. Where passing through an outside wall, the piping shall also be protected against corrosion by coating or wrapping with an inert material. Where piping is encased in a protective pipe sleeve, the annular space between the piping and the sleeve shall be sealed.

(Code 1994, § 16.30.070; Ord. No. 47, 2016, §§ 1(exh. A), 2(exh. B), 12-20-2016)

Sec. 22-356. Section 404.12 amended; minimum burial depth.

Sec. 404.12 of the fuel gas code is amended to read as follows:

404.12 Minimum burial depth. Metallic underground piping systems shall be installed a minimum depth of 18 inches (458 mm) of this section grade and plastic piping systems shall be 24 inches (710 mm), except as provided for in section 404.9.1.

(Code 1994, § 16.30.080; Ord. No. 47, 2016, §§ 1(exh. A), 2(exh. B), 12-20-2016)

Sec. 22-357. Section 406.4.1 amended; test pressure.

Sec. 406.4.1 of the fuel gas code is amended to read as follows:

406.4.1 Test pressure. The test pressure to be used shall be no less than 1 1/2 times the proposed maximum working pressure, but not less than 10 psig (20 kPa gauge) for a minimum of 15 minutes, irrespective of design pressure. For medium pressure gas and welded gas lines, the minimum test pressure shall be 60 psig for a minimum of 30 minutes. Where the test pressure exceeds 125 psig (862 kPa gauge), the test pressure shall not exceed a value that produces a hoop stress in the piping greater than 50 percent of the specified minimum yield strength of the pipe.

(Code 1994, § 16.30.090; Ord. No. 47, 2016, §§ 1(exh. A), 2(exh. B), 12-20-2016)

Sec. 22-358. Section 406.4.2 deleted; test duration.

Sec. 406.4.2 of the fuel gas code is deleted in its entirety.

(Code 1994, § 16.30.100; Ord. No. 47, 2016, §§ 1(exh. A), 2(exh. B), 12-20-2016)

Sec. 22-359. Section 621 deleted; unvented room heaters.

Sec. 621 of the fuel gas code shall be deleted in its entirety.

(Code 1994, § 16.30.110; Ord. No. 47, 2016, §§ 1(exh. A), 2(exh. B), 12-20-2016)

Secs. 22-360--22-376. Reserved.**CHAPTER 11. ELECTRICAL CODE**

~~Editor's note — Ord. No. 13, 2015, §§ 1(Exh. A), 2, adopted June 2, 2015, repealed the former chapter 16.32, §§ 16.32.010 — 16.32.350, and enacted a new chapter 16.32 as set out herein. The former chapter 16.32 pertained to similar subject matter and derived from Ord. 43, 2011 §1; Ord. 19, 2011 §§1, 2.~~

~~**Article I. — Electrical Code**~~~~**Article II. — Administration and Enforcement**~~~~**ARTICLE I. ELECTRICAL CODE GENERALLY**~~**Sec. 22-377. National Electrical Code adopted.**

The, National Electrical Code[®], 2017 Edition, referred to in this chapter as this Code or the NEC[®], is hereby adopted by reference by the city of Greeley. The National Electrical Code[®] is published by the National Fire Protection Association, One Batterymarch Park, Quincy, Massachusetts, 02269 and is referenced as NFPA 70. The city finds that The National Electrical Code[®] provides for the minimum standards to safeguard life, health, property and public welfare by regulating and controlling the design, construction, installation, quality of materials, location, operation and maintenance of electrical systems. To ensure the safety of the public, this code is to be enforced as published or as amended in this chapter. Enforcement and administrative procedures are also established in this chapter.

(Code 1994, § 16.32.010; Ord. No. 13, 2015, § 2, 6-2-2015; Ord. No. 27, 2017, § 1(exh. A), 7-18-2017)

Sec. 22-378. Amendments, deletions, and additions designated.

NEC[®] articles 90.8(A), 110.14(A), 110.14(B), 210.11(C)(3), 210.52(G), 230.70(A)(1), 250.118, 334.10, 342.10(B), 344.10(B), 348.60, 350.60, 408.4, 422.12 and 690.47(B) of the National Electrical Code[®] are hereby amended; Annex H of the NEC[®] is hereby deleted; and articles 210.52(J), 210.52(K), and 210.52(L) are added as set out in sections 16.32.080 through 16.32.091.

(Code 1994, § 16.32.020; Ord. No. 13, 2015, § 2, 6-2-2015; Ord. No. 27, 2017, § 1(exh. A), 7-18-2017)

Sec. 22-379. Article 90.8(A) amended; future expansion and convenience.

Article 90.8(A) of the NEC[®], adopted at section 22-377, is amended to read as follows:

90.8 Wiring planning.

- a. Future expansion and convenience. Plans and specifications that provide ample space in raceways, spare raceways, and additional spaces allow for future increases in electric power and communication circuits. Distribution centers located in readily accessible locations provide convenience and safety of operation.
- b. Provisions shall be provided in the initial electrical installations to allow for future additional loads, feeders and branch circuits. A minimum of three, full size breaker spaces shall be provided in each panelboard at the time of final inspection. In addition, a minimum of a one inch spare conduit or adequate pull wire provision shall be provided from each flush mounted panelboard into the attic space and also into the basement or crawl space for future use.
- c. Number of circuits in enclosures. It is elsewhere provided in this Code that the number of wires and circuits confined in a single enclosure be varyingly restricted. Limiting the number of circuits in a single enclosure minimizes the effects from a short circuit or ground fault.

(Code 1994, § 16.32.030; Ord. No. 13, 2015, § 2, 6-2-2015)

Sec. 22-380. Article 110.14(A), amended; terminals.

Article 110.14(A) of the NEC[®], adopted at section 22-377, is amended to read as follows:

110.14(A) Terminals. Connection of conductors to terminal parts shall ensure a thoroughly good connection without damaging the conductors and shall be made by means of pressure connectors (including set-screw type), solder lugs, or splices to flexible leads. A listed oxide inhibitor compound shall be applied to all aluminum conductor terminations per the manufacturer's installation instructions prior to terminating or landing a conductor to a lug or terminal. Connection by means of wire-binding screws or studs and nuts that have upturned lugs or the equivalent shall be permitted for 10 AWG or smaller conductors.

Terminals for more than one conductor and terminals used to connect aluminum shall be so identified.

(Code 1994, § 16.32.040; Ord. No. 13, 2015, § 2, 6-2-2015)

Sec. 22-381. Article 110.14(B), amended; splices.

Article 110.14(B) of the NEC[®], adopted at section 22-377, is amended to read as follows:

110.14(B) Splices. Conductors shall be spliced or joined with splicing devices identified for the use or by brazing, welding, or soldering with a fusible metal or alloy. Soldered splices shall first be spliced or joined so as to be mechanically and electrically secure without solder and then be soldered. A listed oxide inhibitor compound shall be applied to all aluminum conductor splices per the manufacturer's installation instructions prior to splicing aluminum conductors with wing nuts, split bolts, or other approved devices. All splices and joints and the free ends of conductors shall be covered with an insulation equivalent to that of the conductors or with an identified insulation device.

Wire connectors or splicing means installed on conductors for direct burial shall be listed for such use.

(Code 1994, § 16.32.050; Ord. No. 13, 2015, § 2, 6-2-2015)

Sec. 22-382. Article 210.11(C)(3) amended; bathroom branch circuits.

Article 210.11(C)(3) of the NEC[®], adopted at section 22-377, is amended to read as follows:

210.11(C)(3) Bathroom Branch Circuits. In addition to the number of branch circuits required by other parts of this section, at least one 120-volt, 20-ampere branch circuit shall be provided to supply bathroom receptacle outlet. Such circuits shall have no other outlets.

Exception: Where the 20-ampere circuit supplies a single bathroom, outlets for other equipment within the same bathroom shall be permitted to be supplied in accordance with 210.23(A)(1) and (A)(2). A minimum of one lighting outlet (not required by this Code to be GFCI protected) shall be connected so as not to be protected by the GFCI personnel protection.

(Code 1994, § 16.32.060; Ord. No. 13, 2015, § 2, 6-2-2015)

Sec. 22-383. Article 210.52(G) amended; basements, garages, and accessory buildings.

Article 210.52(G) of the NEC[®], adopted at section 22-377, is amended to read as follows:

210.52(G) Basements, garages, and accessory buildings. For a one-family dwelling, at least one receptacle outlet shall be installed, in the areas specified in 210.52(G)(1) through (3). These receptacles shall be in addition to receptacles required for specific equipment.

- a. Garages. In each attached garage, and in each detached garage with electric power. The receptacle outlet shall be at least 450 mm (18 inches) of this section and no more than 1.7 [meters] (5 1/2 feet) of this section the garage floor. All openings for receptacles, luminaires, heating, refrigeration, and motor loads shall be a minimum of 450 mm (18 inches) of this section the floor. At least one receptacle outlet shall be installed for each vehicle bay.
- b. Accessory buildings. In each accessory building with electric power.
- c. Basements. In each separate unfinished portion of a basement, or where a portion of the basement is finished into one or more habitable rooms, each separate unfinished portion, in addition to those for specific equipment.

1. In new construction and remodels, if all or any part of the walls of an unfinished basement are framed, the electrical receptacle outlets as required by NEC[®] 210.52, and switch and luminaire outlets as required by NEC[®] 210.70 shall be installed.
2. If the walls, floors and ceilings will not be finished, the outlet devices are not required to be installed, however, the outlet boxes shall have blank cover plates installed on them prior to final inspection approval.
3. If receptacle outlets are installed, they shall have GFCI protection for personnel, if floor covering is not installed at the time of final inspection.

(Code 1994, § 16.32.070; Ord. No. 13, 2015, § 2, 6-2-2015; Ord. No. 27, 2017, § 1(exh. A), 7-18-2017)

Sec. 22-384. Article 210.52(J) added; sump pit receptacle outlet.

Article 210.52(J) of the NEC[®], adopted at section 22-377, is added to read as follows:

210.52 (J) Sump pit receptacle outlets. A 125-volt, single-phase, 15- or 20-ampere receptacle outlet shall be installed adjacent to and within 18" of the sump pit ~~as required by 16.28.460.~~ This receptacle outlet shall be on a dedicated branch circuit and shall be GFCI protected.

(Code 1994, § 16.32.090; Ord. No. 13, 2015, § 2, 6-2-2015)

Sec. 22-385. Article 210.52(L) Added; igniters for gas-fired appliances.

Article 210.52(L) of the NEC[®], adopted at section 22-377, is added to read as follows:

210.52(L) Igniters for gas-fired appliances. The branch circuit supplying power to an outlet for a gas-fired appliance with an igniter shall not be GFCI protected.

(Code 1994, § 16.32.091; Ord. No. 13, 2015, § 2, 6-2-2015)

Sec. 22-386. Article 230.70(A)(1) amended; readily accessible location.

Article 230.70(A)(1) of the NEC[®], adopted at section 22-377, is amended to read as follows:

230.70(A)(1) Readily accessible location. The service disconnecting means shall be installed at a readily accessible location either outside of a building or structure or inside nearest the point of entrance of the service conductors.

For a one-family dwelling, the service disconnecting means shall be located on the exterior of the structure adjacent to or combined with the utility meter enclosure.

(Code 1994, § 16.32.100; Ord. No. 13, 2015, § 2, 6-2-2015)

Sec. 22-387. Article 250.118 amended; types of equipment grounding conductors.

Article 250.118 of the NEC[®], adopted at section 22-377, is amended to read as follows:

250.118 Types of equipment grounding conductors. The equipment grounding conductor run with or enclosing the circuit conductors shall be one or more or a combination of the following:

- a. A copper, aluminum, or copper-clad aluminum conductor. This conductor shall be solid or stranded; insulated, covered, or bare; and in the form of a wire or a busbar of any shape.
- b. Rigid metal conduit.
- c. Intermediate metal conduit.
- d. Electrical metallic tubing.
- e. Deleted in its entirety. See section 22-391.
- f. Deleted in its entirety. See section 22-392.
- g. Flexible metallic tubing where the tubing is terminated in fittings listed for grounding and meeting the following conditions:
 1. The circuit conductors contained in the tubing are protected by overcurrent devices rated at

- 20 amperes or less.
- 2. The combined length of flexible metal tubing in the same ground return path does not exceed 1.8 m (6 feet).
- h. Armor of Type AC cable as provided in 320.108.
- i. The copper sheath of mineral-insulated, metal/sheathed cable.
- j. Type MC cable where listed and identified for grounding in accordance with the following:
 - 1. The combined metallic sheath and grounding conductor of interlocked metal tape-type MC cable.
 - 2. The metallic sheath or the combined metallic sheath and grounding conductors of the smooth or corrugated tube-type MC.
- k. Cable trays as permitted in 392.3(C) and 392.7.
- l. Cable bus framework as permitted in 370.3.
- m. Other listed electrically continuous metal raceways and listed auxiliary gutters.
- n. Surface metal raceways listed for grounding.

(Code 1994, § 16.32.110; Ord. No. 13, 2015, § 2, 6-2-2015)

Sec. 22-388. Article 334.10 amended; used permitted.

Article 334.10 of the NEC[®], adopted at section 22-377, is amended to read as follows:

334.10 Used permitted Type NM, Type NMC and Type NMS cables shall be permitted to be used in the following:

- a. One- and two-family dwellings and their attached or detached garages, and their storage buildings.
- b. Multifamily dwellings permitted to be of Types III, IV, and V construction up to three stories in height only and their accessory structures, except as prohibited in 334.12.
- c. Deleted in its entirety.
- d. Cable trays in structures permitted to be Types III, IV, and V where the cables are identified for the use.

(Code 1994, § 16.32.120; Ord. No. 13, 2015, § 2, 6-2-2015)

Sec. 22-389. Article 342.10(B), amended; corrosive environments.

Article 342.10(B) of the NEC[®], adopted at section 22-377, is amended to read as follows:

342.10(B) Corrosive environments. IMC, elbows, couplings, and fittings shall be provided with approved supplementary corrosion protection where incased in concrete or in direct contact with the earth.

(Code 1994, § 16.32.130; Ord. No. 13, 2015, § 2, 6-2-2015)

Sec. 22-390. Article 344.10(B), amended; corrosion environments.

Article 344.10(B) of the NEC[®], adopted at section 22-377, is amended to read as follows:

344.10(B) Corrosive environments.

- a. Stainless Steel and Red Brass RMC, Elbows, Couplings, and Fittings. Galvanized steel, Stainless steel and red brass RMC elbows, couplings, and fittings shall be permitted to be installed in concrete, in direct contact with the earth, or in areas subject to severe corrosive influences where protected by corrosion protection and judged suitable for the condition.
- b. Supplementary Protection of Aluminum RMC. Aluminum RMC shall be provided with approved supplementary corrosion protection where encased in concrete or in direct contact with the earth.

(Code 1994, § 16.32.140; Ord. No. 13, 2015, § 2, 6-2-2015; Ord. No. 27, 2017, § 1(exh. A), 7-18-2017)

Sec. 22-391. Article 348.60, amended; grounding and bonding.

Article 348.60 of the NEC[®], adopted at section 22-377, is amended to read as follows:

348.60 Grounding and bonding. Flexible metallic conduit shall not be permitted to be used as an equipment grounding conductor.

An equipment grounding conductor shall be installed in all flexible metallic conduits and shall be installed in accordance with 250.134(B).

Equipment bonding jumpers shall be installed in accordance with 250.102.

(Code 1994, § 16.32.150; Ord. No. 13, 2015, § 2, 6-2-2015)

Sec. 22-392. Article 350.60, amended; grounding and bonding.

Article 350.60 of the NEC[®], adopted at section 22-377, is amended to read as follows:

350.60 Grounding and bonding. Liquid-tight flexible metallic conduit shall not be permitted to be used as an equipment grounding conductor.

An equipment grounding conductor shall be installed in all liquid-tight flexible metallic conduits and shall be installed in accordance with 250.134(B).

Equipment bonding jumpers shall be installed in accordance with 250.102.

FPN: See 501.30(B), 502.30(B), and 503.30(B) for types of equipment grounding conductors.

(Code 1994, § 16.32.160; Ord. No. 13, 2015, § 2, 6-2-2015)

Sec. 22-393. Article 408.4, amended; circuit directory or circuit identification.

Article 408.4 of the NEC[®], adopted at section 22-377, is amended to read as follows:

408.4 Circuit directory or circuit identification. Every circuit and circuit modification shall be legibly identified by typewritten, computer generated, or mechanically produced form as to its clear, evident, and specific purpose or use on all electrical equipment in all occupancies except residential construction. In other than new construction, and when approved by the AHJ, the identification may be legibly handwritten. The identification shall include an approved degree of detail that allows each circuit to be distinguished from all others. Spare positions that contain unused overcurrent devices or switches shall be described accordingly. The identification shall be included in a circuit directory that is located on the face or inside of the panel door in the case of a panelboard and located at each switch or circuit breaker in a switchboard. No circuit shall be described in a manner that depends on transient conditions of occupancy.

(Code 1994, § 16.32.165; Ord. No. 13, 2015, § 2, 6-2-2015; Ord. No. 27, 2017, § 1(exh. A), 7-18-2017)

Sec. 22-394. Article 422.12, amended; central heating equipment.

Article 422.12 of the NEC[®], adopted at section 22-377, is amended to read as follows:

422.12 Central heating equipment. Central heating equipment other than fixed electric space-heating equipment shall be supplied by an individual branch circuit.

A combination switch/fuse holder unit such as a SSU or SSY shall be installed as the discounting means for central heating equipment such as gas, forced-air furnaces and unit heaters. The fuse shall be sized at 125 percent of the nameplate rating of the heating equipment.

Exception No. 1: Auxiliary equipment such as a pump, valve, humidifier, or electrostatic air cleaner directly associated with the heating equipment, shall be permitted to be connected to the same branch circuit.

Exception No. 2: Permanently connected air-conditioning equipment shall be permitted to be connected to the same branch circuit.

Exception No. 3: A door chime transformer shall be permitted to be connected to the same branch circuit.

(Code 1994, § 16.32.170; Ord. No. 13, 2015, § 2, 6-2-2015)

Sec. 22-395. Article 690.47(B), amended; additional auxiliary electrodes for array grounding.

Article 690.47(B) of the NEC[®], adopted at section 22-377, is amended to read as follows:

- (1) Additional auxiliary electrodes for array grounding. A grounding electrode shall be installed in accordance with 250.52 and 250.54 at the location of all ground- and pole-mounted PV arrays and as close as practicable to the location of roof-mounted PV arrays. The electrodes shall be connected directly to the array frame or structure. The dc grounding electrode conductor shall be sized according to 250.166. Additional electrodes are not permitted to be used as a substitute for equipment bonding or equipment grounding conductor requirements. The structure of a ground- or pole-mounted PV array shall be permitted to be considered a grounding electrode if it meets the requirements of 250.52. Roof-mounted PV arrays shall be permitted to use the metal frame of a building or structure if the requirements of 250.52(A)(2) are met.

Exception: An additional array grounding electrode shall not be required if located within 1.8 m (6 ft) of the premises wiring electrode.

(Code 1994, § 16.32.180; Ord. No. 27, 2017, § 1(exh. A), 7-18-2017)

Secs. 22-396--22-418. Reserved.

ARTICLE II. ADMINISTRATION AND ENFORCEMENT

Sec. 22-419. Scope.

The following functions are covered:

- (1) The inspection of electrical installations as covered by NEC[®] article 90.2.
- (2) The investigation of fires caused by electrical installations.
- (3) The review of construction plans, drawings, and specifications for electrical systems.
- (4) The review of design, alteration, modification, construction, maintenance, and testing of electrical systems and equipment.
- (5) The regulation and control of electrical installations at special events within the city limits of Greeley and the Island Grove Regional Park, including, but not limited to, the Greeley Independence Stampede, the Farm Show, the Arts Picnic, Cinco De Mayo, the Weld County Fair and other exhibits, trade shows, amusement parks, carnivals, circuses, and other similar special occupancies.
- (6) Enforcement of violations of this chapter.

(Code 1994, § 16.32.190; Ord. No. 13, 2015, § 2, 6-2-2015)

Sec. 22-420. Definitions.

The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Apprentice means a person who is working at the trade in the employment of a registered electrical contractor and is under the direct supervision of a licensed master electrician, journeyman electrician, or residential wireman.

Authority having jurisdiction means the individual responsible for approving equipment, materials, an installation, or a procedure.

Chief electrical inspector means an electrical inspector who is designated the authority having jurisdiction responsible for administering the requirements of this Code.

Electrical contractor means any person, firm, co-partnership, corporation, association, or combination thereof who undertakes or offers to undertake for another the planning, laying out, supervising, and installing or the making of additions, alterations, and repairs in the installation of wiring apparatus and equipment for electric light, heat, and power. A registered professional engineer who plans or designs electrical installations shall not be classified as an electrical contractor.

Electrical inspector means an individual meeting requirements of 22-427 and authorized to perform electrical

inspections.

Electrical work means wiring for, installing, and repairing electrical apparatus and equipment for light, heat, and power and other electrical purposes.

Journeyman electrician means a person having the necessary qualifications, training, experience, and technical knowledge to wire for, install, and repair electrical apparatus and equipment for light, heat, power, and other purposes, in accordance with standard rules and regulations governing such work, such as the National Electrical Code[®], and who holds an active journeyman electrician license issued by the state electrical board.

Master electrician means a person having the necessary qualifications, training, experience, and technical knowledge to properly plan, lay out, and supervise the installation and repair of wiring apparatus and equipment for electric light, heat, power, and other purposes in accordance with standard rules and regulations governing such work, such as the National Electrical Code[®], and who holds an active master electrician license issued by the state electrical board.

Residential wireman means a person having the necessary qualifications, training, experience, and technical knowledge to wire for, and install, electrical apparatus and equipment for wiring one-, two-, three-, and four-family dwellings, and who holds an active residential wireman license issued by the state electrical board.

(Code 1994, § 16.32.200; Ord. No. 13, 2015, § 2, 6-2-2015)

Sec. 22-421. Application.

(a) *New installations.* This code applies to new installations. Buildings with construction permits issued after the date of adoption of this code by the state electrical board and/or the city shall comply with its requirements.

(b) *Existing installations.* Existing electrical installations that do not comply with the provisions of this code shall be permitted to be continued in use unless the authority having jurisdiction determines that the lack of conformity with this code presents an imminent danger to occupants. Where changes are required for correction of hazards, a reasonable amount of time, as determined by the authority having jurisdiction, shall be given for compliance, depending on the degree of hazard.

Life safety systems such as exit lighting systems, emergency egress lighting systems, ground fault circuit interrupter devices for personal protection, and smoke detectors may be required to be brought into compliance with current code requirements as determined by the authority having jurisdiction.

(c) *Additions, alterations, or repairs.* Additions, alterations, or repairs to any building, structure, or premises shall conform to that required of a new building without requiring the existing building to comply with all the requirements of this code. Additions, alterations, installations, or repairs shall not cause an existing building to become unsafe or to adversely affect the performance of the building as determined by the authority having jurisdiction. Electrical wiring added to an existing service, feeder, or branch circuit shall not result in an installation that violates the provisions of the code in force at the time the additions are made.

(d) *Change of use.* When any building, structure, or premises is occupied for a purpose that results in a change of use as determined by the chief building official, then the existing electrical service, distribution system, and branch circuit wiring for light, heat, power, and other purposes shall be inspected by the authority having jurisdiction to ensure that the existing electrical wiring is in compliance with the NEC[®] requirements for the new type of use. Any parts of the electrical systems found to be in violation shall be brought into compliance before the building can be occupied for the new use.

(e) *Relocated structures.* The entire electrical service, distribution system, and branch circuit wiring for light, heat, power, and other purposes shall be installed to meet the requirements of a new installation whenever an existing structure is relocated within the city limits. All existing wiring systems, enclosures, panelboards, circuit breakers, fuses, luminaries and devices shall be removed in their entirety and not reused unless approved by the authority having jurisdiction prior to obtaining an electrical permit to rewire the structure.

(f) *Mobile and manufactured homes.* Every mobile home, manufactured home, or movable structure shall have the electrical utility service or hookup inspected prior to obtaining new or different service to the unit. This inspection shall be requested when the mobile home, manufactured home or movable structure has passed all other inspections required for the applicable type of structure.

(Code 1994, § 16.32.210; Ord. No. 13, 2015, § 2, 6-2-2015)

Sec. 22-422. Authority.

Where used in this chapter, the term "authority having jurisdiction" includes the chief electrical inspector or other individuals designated by the chief building official. This code shall be administered and enforced by the authority having jurisdiction as follows:

- (1) The authority having jurisdiction shall be permitted to render interpretations of this code in order to provide clarification to its requirements as permitted by NEC[®] article 90.4.
- (2) When the use of any electrical equipment or its installations is found to be dangerous to human life or property, the authority having jurisdiction shall be empowered to have the premises disconnected from its source of electric supply. When such equipment or installation has been so condemned or disconnected, a notice shall be placed thereon listing the causes for the condemnation, the disconnection, or both and the penalty under 22-424 for the unlawful use thereof. Written notice of such condemnation or disconnection and the causes therefore shall be given within 24 hours to the owners, the occupant, or both, of such building, structure, or premises. It shall be unlawful for any person to remove said notice, to reconnect the electric equipment to its source of electric supply, or to use or permit to be used electric power in any such electric equipment until such causes for the condemnation or disconnection have been remedied to the satisfaction of the authority having jurisdiction.
- (3) The authority having jurisdiction shall be permitted to delegate to other qualified individual such powers as necessary for the proper administration and enforcement of this code.
- (4) Police, fire, and other enforcement agencies shall have authority to render necessary assistance in the enforcement of this code when requested to do so by the authority having jurisdiction.
- (5) The authority having jurisdiction shall be authorized to inspect, at all reasonable times, any building or premises for dangerous or hazardous conditions or equipment as set forth in this code. The authority having jurisdiction shall be permitted to order any person to remove or remedy such dangerous or hazardous condition or equipment. Any person failing to comply with such order shall be in violation of this code.
- (6) Where the authority having jurisdiction deems that conditions hazardous to life and property exist, he shall be permitted to require that such hazardous conditions in violation of this code be corrected.
- (7) To the full extent permitted by law, any authority having jurisdiction engaged in inspection work shall be authorized at all reasonable times to enter and examine any building, structure, or premises for the purpose of making electrical inspections. Before entering a premises, the authority having jurisdiction shall obtain the consent of the occupant thereof or obtain a court warrant authorizing entry for the purpose of inspection except in those instances where an emergency exists. As used in this section, emergency means circumstances that the authority having jurisdiction knows, or has reason to believe, exist and that reasonably can constitute immediate danger to persons or property.
- (8) Persons authorized to enter and inspect buildings, structures, and premises as herein set forth shall be identified by proper credentials issued by the city.
- (9) Persons shall not interfere with an authority having jurisdiction carrying out any duties or functions prescribed by this code.
- (10) Persons shall not use a badge, uniform, or other credentials to impersonate the authority having jurisdiction.
- (11) The authority having jurisdiction shall be permitted to investigate the cause, origin, and circumstances of any fire, explosion, or other hazardous condition.
- (12) The authority having jurisdiction shall be permitted to require plans and specifications to ensure compliance with this code.
- (13) Whenever any installation subject to inspection prior to use is covered or concealed without having first been inspected, the authority having jurisdiction shall be permitted to require that such work be exposed

for inspection. The authority having jurisdiction shall be notified when the installation is ready for inspection and shall conduct the inspection within two workdays.

- (14) The authority having jurisdiction shall be permitted to order the immediate evacuation of any occupied building deemed unsafe when such building has hazardous conditions that present imminent danger to building occupants.
- (15) The authority having jurisdiction shall be permitted to waive specific requirements in this code or permit alternative methods where it is assured that equivalent objectives can be achieved by establishing and maintaining effective safety. Technical documentation shall be submitted to the authority having jurisdiction to demonstrate equivalency and that the system, method, or device is approved for the intended purpose.
- (16) Each application for a waiver of a specific electrical requirement shall be filed with the authority having jurisdiction and shall be accompanied by such evidence, letters, statements, results of tests, or other supporting information as required to justify the request. The authority having jurisdiction shall keep a record of actions on such applications, and a signed copy of the authority having jurisdiction's decision shall be provided for the applicant.

(Code 1994, § 16.32.220; Ord. No. 13, 2015, § 2, 6-2-2015)

Sec. 22-423. Construction trades advisory and appeals board.

The construction trades advisory and appeals board shall be as described in sections 22-38 and 22-39.

- (1) *General.* As described in section 22-38.
- (2) *Limitations on authority.* As described in section 22-39.
- (3) *Appeals.*
 - a. *Review of decisions.* Any person, firm, or corporation may register an appeal with the construction trades advisory and appeals board for a review of any decision of the chief electrical inspector or of any electrical inspector, provided that such appeal is made in writing within 15 calendar days after such person, firm, or corporation shall have been notified. Upon receipt of such appeal, said board shall, if requested by the person making the appeal, hold a public hearing and proceed to determine whether the action of this board, or of the chief electrical inspector, or of the electrical inspector complies with this law and, within 15 calendar days after receipt of the appeal or after holding the hearing, shall make a decision in accordance with its findings.
 - b. *Conditions.* Any person shall be permitted to appeal a decision of the authority having jurisdiction to the construction trades advisory and appeals board when it is claimed that any one or more of the following conditions exist:
 1. The true intent of the codes or ordinances described in this Code has been incorrectly interpreted.
 2. The provisions of the codes or ordinances do not fully apply.
 3. A decision is unreasonable or arbitrary as it applied to alternatives or new materials.
 - c. *Submission of appeals.* A written appeal, outlining the code provision from which relief is sought and the remedy proposed, shall be submitted to the authority having jurisdiction within 15 calendar days of notification of violation.
- (4) *Meetings and records.* Meetings and records of the board shall conform to the following:
 - a. Meetings of the board shall be open to the public as required by law.
 - b. Records of meetings of the board shall be available for review during normal business hours, as required by law.

(Code 1994, § 16.32.230; Ord. No. 13, 2015, § 2, 6-2-2015)

Sec. 22-424. Permits and approvals.

Permits and approvals shall conform to subsections (1) through (9) of this section.

- (1) *Permits required.* No person, whether or not required to be licensed by the state electrical board as an electrical contractor, master electrician, journeyman electrician or residential wireman, shall install, alter, or repair any electrical wiring, apparatus or equipment unless a permit for such electrical work has been issued. A permit must be obtained for each separate project. Application for permits shall be made on forms provided by the building inspection division and the required permit fee shall accompany each application.
- (2) *Homeowner permit.* A person may obtain a permit to personally install electrical work on their own property or residence. The application for a homeowner permit shall include a notarized affidavit stating that the homeowner is knowledgeable of the requirements of the National Electrical Code[®] and that they will be personally responsible for performing the installation of the electrical work outlined on the permit application.
- (3) *Working without permit; penalty.* Any person who commences any electrical work for which a permit is required without first having obtained such permit shall be subject to punishment as provided in chapter 10 of title 1 of this Code and section 22-425 and, in addition, shall be obligated to pay a permit fee equal to twice the regular permit fee. However, the foregoing provision regarding punishment and payment of double fees shall not apply to emergency electrical work when it appears to the satisfaction of the chief electrical inspector that such work was urgently necessary and that it was not practical to obtain a permit before the commencement of the work. The foregoing exculpatory provision shall apply only if the person required to obtain the permit does apply for the permit as soon as practical following the installation of the electrical work.
- (4) *Application.*
 - a. Activity authorized by a permit issued under this code shall be conducted by the permittee or the permittee's agents or employees in compliance with all requirements of this code applicable thereto and in accordance with the approved plans and specifications. No permit issued under this code shall be interpreted to justify a violation of any provision of this code or any other applicable law or regulation. Any addition or alteration of approved plans or specifications shall be approved in advance by the authority having jurisdiction, as evidenced by the issuance of a new or amended permit.
 - b. A copy of the permit shall be posted or otherwise readily accessible at each work site or carried by the permit holder as specified by the authority having jurisdiction.
- (5) *Content.* Permits shall be issued by the authority having jurisdiction and shall contain the following:
 - a. Operation or activities for which the permit is issued.
 - b. Address or location where the operation or activity is to be conducted.
 - c. Name and address of the permittee.
 - d. Permit number and date of issuance.
 - e. Name of licensed electrical contractor (if applicable).
 - f. Inspection requirements.
- (6) *Issuance of permits.* The authority having jurisdiction shall be authorized to establish and issue permits, certificates, notices, and approvals, or orders pertaining to electrical safety hazards pursuant to 22-424, except that no permit shall be required to execute any of the classes of electrical work specified in the following:
 - a. Installation or replacement of equipment such as lamps and of electric utilization equipment approved for connection to suitable permanently installed receptacles. Replacement of flush or snap switches, fuses, circuit breakers, lamp sockets, and receptacles, and other minor maintenance and repair work, such as replacing worn cords and tightening connections on a wiring device.

- b. The process of manufacturing, testing, servicing, or repairing electric equipment or apparatus.
- c. Installation of equipment and circuits operating at less than 50 volts, unless required by the International Fire Code[®] for fire alarm systems; however, all work installed under this exception shall meet the applicable requirements of NEC[®] article 720, article 725, article 760, article 770, article 800, article 810, article 820, and/or article 830 and is subject to inspection by the authority having jurisdiction.

Note: This exception shall not be applicable to NEC[®] article 411—Lighting Systems Operating at 30 Volts or Less.

(7) *Permit fee schedule.* The permit fee schedule as established in section 22-33 is adopted for all electrical permits issued under the scope of this code.

(8) *Inspection and approvals.*

- a. Upon the completion of any installation of electrical equipment that has been made under a permit, it shall be the duty of the person, firm, or corporation making the installation to notify the electrical inspector having jurisdiction, who shall inspect the work within a reasonable time.
- b. Where the electrical inspector finds the installation to be in conformity with this code, local ordinances and all rules and regulations of the state electrical board, the inspector shall issue to the person, firm, or corporation making the installation a certificate of approval, authorizing the connection to the supply of electricity and shall send written notice of such authorization to the electric utility company. This connection to the utility company's supply shall be revocable by the electrical inspector for cause.
- c. When any portion of the electrical installation within the jurisdiction of an electrical inspector is to be hidden from view by the placement of parts of the building, the person, firm, or corporation installing the electrical equipment or system shall notify the electrical inspector, and such electrical equipment or system shall not be concealed until it has been approved by the electrical inspector or until two work days have elapsed from the time of the notification, provided that on large installations, where the concealment of equipment and systems proceeds continuously, the person, firm, or corporation installing the equipment and systems shall give the electrical inspector due notice in advance, and inspections shall be made periodically during the progress of the work.
- d. If, upon inspection, any installation is found not to be fully in conformity with the provisions of this code, and all applicable statutes, ordinances, rules, and regulations, the inspector making the inspection shall at once forward to the person, firm, or corporation making the installation a written notice stating the defects that have been found to exist.

(9) *Revocation of permits.* Revocation of permits shall conform to the following:

- a. The authority having jurisdiction shall be permitted to revoke a permit or approval issued if any violation of this code is found upon inspection or in case there have been false statements or misrepresentations submitted in the application or plans on which the permit or approval was based.
- b. Any attempt to defraud or otherwise deliberately or knowingly design, install, service, maintain, operate, sell, represent for sale, falsify records, reports, or applications, or other related activity in violation of the requirements prescribed by this code shall be in violation of this code. Such violations shall be cause for immediate suspension or revocation of any related certificates or permits issued by this jurisdiction. In addition, any such violation shall be subject to any other criminal or civil penalties as available by the ordinances of the city and state statutes.
- c. Revocation shall be constituted when the permittee is duly notified by the authority having jurisdiction.
- d. Any person who engages in any business, operation, or occupation, or uses any premises, after the permit issued therefor has been suspended or revoked pursuant to the provisions of this code, and before such suspended permit has been reinstated or a new permit issued, shall be in violation of this code.

- e. A permit shall be predicated upon compliance with the requirement of this code and shall constitute written authority issued by the authority having jurisdiction to install electrical work. Any permit issued under this code shall not take the place of any other license or permit required by other regulations or ordinances of the city.
- f. The authority having jurisdiction shall be permitted to require an inspection prior to the issuance of a permit.
- g. A permit issued under this code shall continue until revoked or for the period of time designated on the permit. The permit shall be issued to one person or business only and for the location or purpose described in the permit. Any change that affects any of the conditions of the permit shall require a new or amended permit.

(Code 1994, § 16.32.240; Ord. No. 13, 2015, § 2, 6-2-2015; Ord. No. 27, 2017, § 1(exh. A), 7-18-2017)

Sec. 22-425. Notice of violations and penalties.

Notice of violations and penalties shall conform to subsections (1) and (2) of this section.

(1) *Violations.*

- a. Whenever the authority having jurisdiction determines that there are violations of this code, a written notice shall be issued to confirm such findings.
- b. Any order or notice issued pursuant to this code shall be served upon the owner, operator, occupant, or other person responsible for the condition or violation, either by personal service or mail or by delivering the same to, and leaving it with, some person of responsibility upon the premises. For unattended or abandoned locations, a copy of such order or notice shall be posted on the premises in a conspicuous place at or near the entrance to such premises and the order or notice shall be mailed by registered or certified mail, with return receipt requested, to the last-known address of the owner, occupant, or both.

(2) *Penalties.*

- a. Any person who fails to comply with the provisions of this code or who fails to carry out an order made pursuant to this code or violates any condition attached to a permit, approval, or certificate shall be subject to the penalties established by the city as provided in chapter 10 of title 1 of this code, and, if applicable, as limited by subsection (2)c of this section.
- b. Failure to comply with the time limits of an abatement notice or other corrective notice issued by the authority having jurisdiction shall result in each day that such violation continues being regarded as a new and separate offense.
- c. Any person, firm, or corporation who shall willfully violate any of the applicable provisions of this article shall be guilty of a misdemeanor ~~infraction~~ and ~~punished~~ punishable pursuant to the provisions of chapter 10 of title 1 of this code, including assessing a fine as outlined in the citation fine schedule shown below.

City of Greeley Citation Fine Schedule

Violation	Ordinance or Rule Provision	1 st	2 nd	3 rd
Failure to obtain an electrical permit	22-424	\$250.00	\$600.00	Discretionary (up to \$1,000.00 per day)
Failure to request an electrical inspection	22-424	\$250.00	\$600.00	Discretionary (up to \$1,000.00 per day)
Failure to correct electrical code violations within a reasonable time (30	22-425	\$300.00	\$500.00	Discretionary (up to \$1,000.00 per day)

days)				
Providing false or misleading advertising	22-433	\$250.00	\$500.00	Discretionary (up to \$1,000.00 per day)
Deception, misrepresentation or fraud in obtaining or attempting to obtain an electrical permit	22-424	\$1,000.00	\$1,000.00	Discretionary (up to \$1,000.00 per day)
Any other violation of the city electrical code	chapter 11 of this title	Up to \$1,000.00	Up to \$1,000.00	Discretionary (up to \$1,000.00 per day)

(Code 1994, § 16.32.250; Ord. No. 13, 2015, § 2, 6-2-2015)

Sec. 22-426. Connection to electrical supply.

Connection to the electric supply shall conform to subsections (1), (2) and (3) of this section.

- (1) *Authorization.* It shall be unlawful for any person, firm, or corporation to make connection to a supply of electricity or to supply electricity to any electric equipment installation for which a permit is required or that has been disconnected or ordered to be disconnected.
- (2) *Special consideration.* By special permission of the authority having jurisdiction, temporary power shall be permitted to be supplied to the premises for specific needs of the construction project. The chief electrical inspector shall determine what needs are permitted under this provision.
- (3) *Disconnection.* Where a connection is made to an installation that has not been inspected as outlined in the preceding subsections of this section, the supplier of electricity shall immediately report such connection to the chief electrical inspector. If, upon subsequent inspection, it is found that the installation is not in conformity with the provisions of this code, the chief electrical inspector shall notify the person, firm, or corporation making the installation to rectify the defects and, if such work is not completed within 15 calendar days or a longer period as may be specified by the chief electrical inspector, then the chief electrical inspector shall have the authority to cause the disconnection of that portion of the installation that is not in conformity.

(Code 1994, § 16.32.260; Ord. No. 13, 2015, § 2, 6-2-2015)

Sec. 22-427. Electrical inspector's qualifications.

(a) *Licensed by the state electrical board.* All electrical inspectors shall be licensed with the state electrical board as a journeyman or master electrician at time of their employment. A journeyman electrician shall obtain their master electrician license within 12 months of employment by the city.

(b) *Approved by the state electrical board.* A person who has been certified as a residential electrical inspector by the International Code Council (ICC), has completed two years of practical experience in the inspection of residential dwellings under the direction of a licensed electrical inspector and has been approved by the state electrical board, may be employed to inspect one-, two-, three-, and four-family residential dwelling units only.

(c) *Certification by ICC.* All electrical inspectors shall obtain their ICC electrical inspector's certification by completing the certification requirements of the International Code Council within 12 months of their employment by the city.

(d) *Re-certification.* Electrical inspectors shall maintain their state electrical license and ICC certifications while employed by the city as an electrical inspector.

(Code 1994, § 16.32.270; Ord. No. 13, 2015, § 2, 6-2-2015; Ord. No. 27, 2017, § 1(exh. A), 7-18-2017)

Sec. 22-428. Liability for damages.

This chapter shall not be construed to relieve from or lessen the responsibility or liability of any party owning, designing, operating, controlling, or installing any electrical wiring or equipment for damages or injury to persons or property caused by a defect therein, nor shall the city or any of its employees be held as assuming any such

liability by reason of the inspection, re-inspection, or other examination authorized by this chapter or otherwise.

(Code 1994, § 16.32.280; Ord. No. 13, 2015, § 2, 6-2-2015)

Sec. 22-429. Validity.

If any section, subsection, sentence, clause, or phrase of this chapter is for any reason held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this chapter.

Sec. 22-430. Rules and regulations of the Colorado State Electrical Board supersede conflicting provisions of this chapter.

All sections or parts of sections of this chapter in conflict with the rules and regulations of the state electrical board are hereby subordinate to such rules and regulations; and such rules and regulations supersede and replace any conflicting provisions of this chapter to the extent of the conflict.

(Code 1994, § 16.32.290; Ord. No. 13, 2015, § 2, 6-2-2015)

Sec. 22-431. Registration of electrical contractors.

(a) *Registration.* Any person, firm, co-partnership, corporation, association, or combination thereof that applies for an electrical permit or is listed as the electrical contractor on a building, plumbing, or mechanical permit, shall be registered in good standing with the city building inspection division.

(b) *Licenses.* To be in compliance with this registration requirement, the electrical contractor shall provide to the building inspection division a copy of their valid and current electrical contractor's license issued by the state electrical board and a valid and current copy of the master electrician license issued by the state electrical board of the individual who is listed as the master electrician of record for the electrical contractor.

(c) *Registration Fees.* No fee shall be charged to register the electrical contractor or master electrician of record per C.R.S. § 12-115-101 et seq. ~~state statute 12-23-111(15).~~

(d) *Renewal.* This registration shall be renewed within 30 days of the deadline of the re-certification examination required by the state electrical board. If the license of either the electrical contractor or master electrician of record is not renewed, then the city electrical contractor registration will lapse and shall be deemed to have expired. No application for any type of permit will be processed if the registration of an electrical contractor has expired.

(Code 1994, § 16.32.310; Ord. No. 13, 2015, § 2, 6-2-2015)

Sec. 22-432. Electrician must have license control and supervision.

(a) No person shall engage in or work at the business, trade, or calling of a journeyman electrician, master electrician, or residential wireman in the state until he has received a license from the division of registrations upon written notice from the state electrical board or the program administrator, acting as the agent thereof, or a temporary permit from the board, the program administrator, or his agent.

(b) No person, firm, co-partnership, association, or combination thereof shall engage in the business of an electrical contractor without having first registered with the state electrical board. The board shall register an electrical contractor upon meeting the requirements for a licensed master electrician being in charge of the supervision of all electrical work performed by the contractor, payment of required fees, and evidence that the applicant has complied with the applicable workman's compensation law and unemployment compensation law of the state.

(c) No holder of a master electrician's license shall be named as the master electrician for more than one contractor and the master electrician of record shall be actively engaged in a full-time capacity with that electrical contracting company.

Note: The city authority having jurisdiction shall be authorized to check for compliance pursuant to this section 22-432 and shall report all violations to the state electrical board for their investigation.

(Code 1994, § 16.32.320; Ord. No. 13, 2015, § 2, 6-2-2015)

Sec. 22-433. Unauthorized use of title.

No person, firm, partnership, corporation, or association shall advertise to perform or install electrical wiring in any manner or use the title or designation of licensed electrical contractor, licensed master electrician, licensed journeyman electrician, or licensed residential wireman unless qualified and licensed by the state electrical board.

(Code 1994, § 16.32.330; Ord. No. 13, 2015, § 2, 6-2-2015)

Sec. 22-434. Apprentices; supervision; registration; discipline.

(a) Any person may work as an apprentice but shall not do any electrical wiring for the installation of electrical apparatus or equipment for light, heat, or power except under the supervision of a licensed electrician. The degree of supervision required shall be no more than one licensed electrician to supervise no more than three apprentices at the jobsite.

(b) Any electrical contractor, journeyman electrician, master electrician, or residential wireman who is the employer or supervisor of any electrical apprentice working at the trade shall be responsible for the work performed by such apprentice. The state electrical board may take disciplinary action against any such contractor or any such electrician or residential wireman for any improper work performed by an electrical apprentice working at the trade during the time of his employment while under the supervision of such person. The registration of such apprentice may also be subject to disciplinary action by the state electrical board.

(c) Upon employing an electrical apprentice to work at the trade, the electrical contractor, within 30 days after such initial employment, shall register such apprentice with the state electrical board. The employer shall also notify the board within 30 days after the termination of such employment.

(d) Such apprentice shall be under the supervision of either a licensed journeyman electrician, master electrician, or residential wireman at all times while on a jobsite. The degree of supervision required shall be no more than one licensed electrician to supervise no more than three apprentices at the jobsite.

Note: The city authority having jurisdiction shall be authorized to check for compliance pursuant to this section 22-434 and shall report all violations to the state electrical board for their investigation.

(Code 1994, § 16.32.340; Ord. No. 13, 2015, § 2, 6-2-2015)

Sec. 22-435. Exemptions.

(a) Nothing in this chapter shall be construed to require any individual to hold a license before doing electrical work on his own residential property or residence if all such electrical work, except for maintenance, repair, or alteration of existing facilities, is permitted and inspected as provided in this chapter. This exemption shall not be eligible for use again until a period of two years have elapsed past the date of the release of the certificate of occupancy for the property an individual has claimed as their own primary residential property or residence. Further, if such property or residence is intended for sale or resale by that individual subsequent to the issuance of a certificate of occupancy, or is rental property which is occupied or is to be occupied by tenants for lodging, either transient or permanent, or is generally open to the public, the owner shall be responsible for, and the property shall be subject to, all of the provisions of this article pertaining to permits, inspections, and licensing, unless specifically exempted therein.

(b) Nothing in this chapter shall be construed to require any regular employee of any firm or corporation to hold a license before doing any electrical work on the property of such firm or corporation, whether or not such property is owned, leased, or rented: If the firm or corporation employing any employee performing such work has all such electrical work installed in conformity with the minimum standards as set forth in this chapter and all such work is subject to inspection by the city electrical inspectors by request in writing; and if the property of any such firm or corporation is not generally open to the public. Nothing contained in this chapter shall be construed to require any license, any inspection by the city electrical inspectors, or the payment of any fees for any electrical work performed for maintenance, repair, or alteration of existing facilities which shall be exempt as provided in this section.

(c) If the property of any person, firm, or corporation is rental property or is developed for sale, lease, or rental, or is occupied or is to be occupied by tenants for lodging, either transient or permanent, or is generally open to the public, then such property of any such person, firm, or corporation shall be subject to all the provisions of

this article pertaining to permits, inspections and licensing, except for the maintenance, repair, or alteration of existing facilities which shall be exempt as provided in this section.

(d) Nothing in this chapter shall be construed to cover the installation, maintenance, repair, or alteration of vertical transportation or passenger conveyors, elevators, escalators, moving walks, dumbwaiters, stagelifts, man lifts, or appurtenances thereto beyond the terminals of the controllers. Furthermore, elevator contractors or constructors performing any installation, maintenance, repair, or alteration under this exemption, or their employees, shall not be covered by the licensing requirements of this chapter.

(e) Any person who plugs in any electrical appliance where approved electrical outlet is already installed shall not be considered an installer.

(f) No provision of this chapter shall in any manner interfere with, hamper, preclude, or prohibit any vendor of any electrical appliance from selling, delivering, and connecting any electrical appliance, if the connection of said appliance does not necessitate the installation of electrical wiring of the structure where said appliance is connected.

(g) Nothing in this chapter shall be construed to exempt any electrical work from inspection under the provisions of this chapter except that which is specifically exempted in this section 22-435, and nothing in this section 22-435 shall be construed to exempt any electrical work from inspection by the city electrical inspectors or from any required corrections connected therewith.

(h) Nothing in this chapter shall be construed to cover the installation, maintenance, repair, or alteration of security systems, lawn sprinkler systems, environmental controls, or remote radio-controlled systems beyond the terminals of the controllers. Furthermore, the contractors performing any installation, maintenance, repair, or alteration under this exemption, or their employees, shall not be covered by the licensing requirements of this chapter.

(i) Load control devices for air conditioning equipment that are owned, leased, or otherwise under the control of, and are operated by, an electric utility, and are on the load side of the single-family residential meter, if such equipment was installed by qualified employees of the electric utility company.

(j) Nothing in this chapter shall be construed to cover the installation, maintenance, repair, or alteration of electronic computer data processing equipment and systems beyond the terminals of the controllers. Furthermore, the contractors performing any installation, maintenance, repair, or alteration under this exemption, or their employees, shall not be covered by the licensing requirements of this article.

(k) Nothing in this chapter shall be construed to cover the installation, maintenance, repair, or alteration of communications systems, including telephone and telegraph systems, radio and television receiving and transmitting equipment and stations, and antenna systems other than community antenna television systems beyond the terminals of the controllers. Furthermore, the contractors performing any installation, maintenance, repair, or alteration under this exemption, or their employees, shall not be covered by the licensing requirements of this article.

(l) Nothing in this article shall be construed to cover the installation, maintenance, repair, or alteration of cranes, hoists, electroplating, industrial machinery, and irrigation machinery beyond the terminals of the controllers. Furthermore, the contractors performing any installation, maintenance, repair, or alteration under this exemption, or their employees, shall not be covered by the licensing requirements of this chapter.

(m) Nothing in this chapter shall be construed to cover the installation, maintenance, repair, or alteration of equipment and wiring for sound recording and reproduction systems, centralized distribution of sound systems, public address and speech-input systems, or electronic organs beyond the terminals of the controllers. Furthermore, the contractors performing any installation, maintenance, repair, or alteration under this exemption, or their employees, shall not be covered by the licensing requirements of this chapter.

(n) Nothing in this article shall be construed to require either that employees of the federal government who perform electrical work on federal property shall be required to be licensed before doing electrical work on such property or that the electrical work performed on such property shall be regulated pursuant to this chapter.

(o) Nothing in this chapter shall be construed to require licensing that covers the installation, maintenance, repair, or alteration of fire alarm systems operating at 50 volts or less. Furthermore, the contractors performing any

installation, maintenance, repair, or alteration under this exemption, or their employees, shall not be covered by the licensing requirements of this article but shall be subject to all provisions of this chapter pertaining to permitting and inspections.

(Code 1994, § 16.32.350; Ord. No. 13, 2015, § 2, 6-2-2015; Ord. No. 27, 2017, § 1(exh. A), 7-18-2017)

Secs. 22-436--22-453. Reserved.

CHAPTER 12. FIRE CODE

~~**Editor's note**—Ord. 47, 2016, §§1(Exh. A) and 2(Exh. B), adopted Dec. 20, 2016, repealed Ch. 16.36, §§ 16.36.010—16.36.200, and reenacted a new Ch. 16.36 as set out herein. The former Ch. 16.36 pertained to similar subject matter and derived from Ord. 34, 2012 §§1, 9.~~

Sec. 22-454. International Fire Code adopted.

The International Fire Code, 2018 edition, is hereby adopted by reference for the city, except as amended in this chapter, and is hereinafter referred to as the "fire code." The fire code is published by the International Code Council, Inc., 5360 Workman Mill Road, Whittier, CA 90601-2298. The fire code shall establish the minimum requirements consistent with nationally recognized good practice for providing a reasonable level of life, safety and property protection from the hazards of fire, explosion or dangerous conditions in new and existing buildings, structures and premises and to provide safety to firefighters and emergency responders during emergency operations.

(Code 1994, § 16.36.010; Ord. No. 47, 2016, §§ 1(exh. A), 2(exh. B), 12-20-2016; Ord. No. 34, 2019, app. I, § 16.16.010, 9-3-2019)

Sec. 22-455. Additions, deletions and amendments to fire code designated.

Sections 101.1, 102.3, 102.4, 102.7, 104.1.1, 105.6.32, 109.1, 110.4, 112.4, 903.2.8, 5504.3.1.1.3, 5704.2.9.6.1, 5706.3.1, 5706.3.1.1, 5706.3.1.2, 5706.3.1.3.1, 5706.3.1.3.2, 6104.2.1 and 6104.3.2 of the fire code are hereby enacted as amended, added or deleted to read as set out in sections 22-456 through 22-473.

(Code 1994, § 16.36.015; Ord. No. 47, 2016, §§ 1(exh. A), 2(exh. B), 12-20-2016; Ord. No. 34, 2019, app. I, § 16.06.020, 9-3-2019)

Sec. 22-456. Section 101.1 amended; title.

Sec. 101.1 of the fire code is amended to read as follows:

101.1 Title. These regulations shall be known as the fire code of the City of Greeley hereinafter referred to as the "fire code."

(Code 1994, § 16.36.020; Ord. No. 47, 2016, §§ 1(exh. A), 2(exh. B), 12-20-2016)

Sec. 22-457. Section 102.3 amended; change of use or occupancy.

Sec. 102.3 of the fire code is amended to read as follows:

102.3 Change of use or occupancy. The provisions of the fire code and all currently adopted building codes shall apply to all buildings undergoing a change of occupancy.

(Code 1994, § 16.36.030; Ord. No. 47, 2016, §§ 1(exh. A), 2(exh. B), 12-20-2016)

Sec. 22-458. Section 102.4 amended; application of building code.

Sec. 102.4 of the fire code is amended to read as follows:

102.4 Application of building code. The design and construction of new structures shall comply with the fire code and all currently adopted building codes. Repairs, alterations and additions to existing structures shall comply with the fire code and all currently adopted building codes.

(Code 1994, § 16.36.040; Ord. No. 47, 2016, §§ 1(exh. A), 2(exh. B), 12-20-2016)

Sec. 22-459. Section 102.7 amended; referenced codes and standards.

Sec. 102.7 of the fire code is amended to read as follows:

102.7 Referenced codes and standards. The codes and standards referenced in this code shall be those that are listed in chapter 45, except that references to the National Fire Protection Association standards shall refer to the most current edition of such standard and all references to the ICC Electrical Code shall mean the currently adopted electrical code. Such codes and standards shall be considered part of the requirements of this code to the prescribed extent of each such reference. Where differences occur between the provisions of this code and the referenced standards, the provisions of this code shall apply.

(Code 1994, § 16.36.050; Ord. No. 47, 2016, §§ 1(exh. A), 2(exh. B), 12-20-2016)

Sec. 22-460. Section 104.1.1 added; building safety unit personnel and police.

Sec. 104.1.1 of the fire code is added to read as follows:

104.1.1 Building safety unit personnel and police. The chief and members of the fire prevention bureau shall have the powers of a police officer, to issue a notice of violation, and in performing their duties under this code. When requested to do so, the chief of police is authorized to assign such available police officers as necessary to assist the fire department and building safety unit personnel in enforcing the provisions of this code.

(Code 1994, § 16.36.060; Ord. No. 47, 2016, §§ 1(exh. A), 2(exh. B), 12-20-2016)

Sec. 22-461. Section 105.6.32 amended; open burning.

Sec. 105.6.32 of the fire code is amended to read as follows:

105.6.32 Open burning. An operational permit is required from the city, for the kindling or maintaining of an open fire or a fire on any public street, alley, road, or other public or private ground. Instructions and stipulations of the permit shall be adhered to.

Exception: Recreational fires to include controlled fires in commercially manufactured fire pits and chimineas located at least 15 feet from a structure, constantly attended, and an adequate method of extinguishment readily available. Must also comply with Clean Air Laws.

(Code 1994, § 16.36.070; Ord. No. 47, 2016, §§ 1(exh. A), 2(exh. B), 12-20-2016)

Sec. 22-462. Section 109.1 amended; appeals process.

Sec. 109.1 of the fire code is amended to read as follows:

109.1 Appeals process. All appeals shall first be made in writing to the fire marshal. A subsequent appeal to the fire marshal's decision shall be made in writing to the fire chief. An appeal to the fire chief's decision shall be made in writing to the city construction trades advisory and appeals board. All decisions and findings shall be rendered in writing to the appellant with a duplicate copy filed in the office of the fire marshal. Rulings by the city construction trades advisory and appeals board shall be final.

(Code 1994, § 16.36.080; Ord. No. 47, 2016, §§ 1(exh. A), 2(exh. B), 12-20-2016; Ord. No. 34, 2019, app. I § 16.36.080, 9-3-2019)

Sec. 22-463. Section 110.4 amended; violation penalties.

Sec. 110.4 of the fire code is amended to read as follows:

110.4 Violation penalties. Persons who shall violate a provision of this code or shall fail to comply with any of the requirements thereof 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 provisions of this code, shall be ~~guilty of a misdemeanor infraction, and subject to the sentencing guidelines of punishable pursuant~~ pursuant to chapter 9 of title 1 of this Code. Each day that a violation continues after due notice has been served shall be deemed a separate offense.

(Code 1994, § 16.36.090; Ord. No. 47, 2016, §§ 1(exh. A), 2(exh. B), 12-20-2016; Ord. No. 34, 2019, app. I, § 16.36.090, 9-3-2019; Ord. No. 53, 2019, exh. A, § 16.36.090, 12-17-2019)

Sec. 22-464. Section 111.4 amended; failure to comply.

Sec. 111.4 of the fire code is 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 ~~guilty of a misdemeanor infraction, and subject to the sentencing guidelines of~~ punishable pursuant to chapter 9 of title 1 of this Code.

(Code 1994, § 16.36.100; Ord. No. 47, 2016, §§ 1(exh. A), 2(exh. B), 12-20-2016; Ord. No. 34,2019, app. I § 16.36.100, 9-3-2019; Ord. No. 53, 2019, exh. A, § 16.36.100, 12-17-2019)

Sec. 22-465. Section 903.2.8 amended; Group R.

Sec. 903.2.8 of the fire code is amended to read as follows:

903.2.8 Group R. An automatic sprinkler system installed in accordance with section 903.3 shall be provided throughout all buildings with a Group R fire area.

Exception: One- and two-family dwelling units unless otherwise required based upon fire flow, fire apparatus access, to include gated communities, or other life safety hazard as deemed by the fire code official.

(Code 1994, § 16.36.110; Ord. No. 47, 2016, §§ 1(exh. A), 2(exh. B), 12-20-2016)

Sec. 22-466. Section 5504.3.1.1.3 amended; location.

Sec. 5504.3.1.1.3 of the fire code is amended to read as follows:

5504.3.1.1.3 Location. Stationary containers shall be located in accordance with section 3203.6. Containers of cryogenic fluids shall not be located within diked areas containing other hazardous materials.

Storage of flammable cryogenic fluids in stationary containers outside of buildings is prohibited except in those areas zoned industrial.

(Code 1994, § 16.36.120; Ord. No. 47, 2016, §§ 1(exh. A), 2(exh. B), 12-20-2016)

Sec. 22-467. Section 5704.2.9.6.1 amended; locations where aboveground tanks are prohibited.

Sec. 5704.2.9.6.1 of the fire code is amended to read as follows:

5704.2.9.6.1 Locations where aboveground tanks are prohibited. Storage of Class I and II liquids in aboveground tanks outside of buildings shall be prohibited except in those areas zoned C-L, C-H, I-L, I-M, I-H, H-A and PUD subject to the approval of the fire code official.

(Code 1994, § 16.36.130; Ord. No. 47, 2016, §§ 1(exh. A), 2(exh. B), 12-20-2016)

Sec. 22-468. Section 5706.3.1 amended; location.

Sec. 5706.3.1 of the fire code is amended to read as follows:

5706.3.1 Location. The location of oil and natural gas operations shall be in accordance with Safety Regulations of the Colorado Oil and Gas Conservation Commission and the City of Greeley Development Code. Setbacks contained therein shall apply to new and existing oil and gas operations.

(Code 1994, § 16.36.140; Ord. No. 47, 2016, §§ 1(exh. A), 2(exh. B), 12-20-2016)

Sec. 22-469. Section 5706.3.1.2 deleted; streets and railways.

Sec. 5706.3.1.2, Streets and railways, shall be deleted in its entirety.

(Code 1994, § 16.36.160; Ord. No. 47, 2016, §§ 1(exh. A), 2(exh. B), 12-20-2016)

Sec. 22-470. Section 5706.3.1.3.1 deleted; Group A, E or I buildings.

Sec. 5706.3.1.3.1, Group A, E or I buildings, shall be deleted in its entirety.

(Code 1994, § 16.36.170; Ord. No. 47, 2016, §§ 1(exh. A), 2(exh. B), 12-20-2016)

Sec. 22-471. Section 5706.3.1.3.2 deleted; existing wells.

Sec. 5706.3.1.3.2, Existing wells, shall be deleted in its entirety.

(Code 1994, § 16.36.180; Ord. No. 47, 2016, §§ 1(exh. A), 2(exh. B), 12-20-2016)

Sec. 22-472. Section 6104.2.1 added; maximum capacity with limits in residential areas.

Sec. 6104.2.1 of the fire code shall be added as follows:

6104.2.1 Maximum capacity with limits in residential areas. The storage and use of liquefied petroleum gas in residential areas for barbeques, RVs or other recreational uses shall be limited to portable containers of 10-gallon water capacity or less per dwelling unit. The total amount to be allowed in storage or use shall be limited to 20-gallon water capacity per dwelling unit.

(Code 1994, § 16.36.190; Ord. No. 47, 2016, §§ 1(exh. A), 2(exh. B), 12-20-2016)

Sec. 22-473. Section 6104.3.3 added; structure fuel containers.

Sec. 6104.3.3 of the fire code shall be added as follows:

6104.3.3 Structure fuel containers. Containers used to fuel structures shall be prohibited where a natural gas utility is available for such purposes within 1,000 feet of the structure.

(Code 1994, § 16.36.200; Ord. No. 47, 2016, §§ 1(exh. A), 2(exh. B), 12-20-2016)

Secs. 22-474--22-499. Reserved.**CHAPTER 13. MOBILE HOMES****Sec. 22-500. General provisions.**

(a) The use and occupancy of mobile homes as permitted by this chapter shall be subject to the regulations of other applicable codes and ordinances of the city and, in particular, title 24 of this Code, unless otherwise provided in this chapter. If the regulations in this chapter impose higher standards than required by other applicable ordinances or laws, the more restrictive standards shall apply.

(b) If the law under which a particular mobile home community was established is more restrictive than the provisions set forth for nonconforming communities by this chapter, those more restrictive provisions shall continue to apply.

(c) The chief building official designated by the city manager shall administer and enforce this chapter.

(d) Unlawful acts. It shall hereafter be unlawful for any person to place a mobile home in any location in the city except in conformance with the provisions of this chapter.

(Code 1994, § 16.44.010; Ord. No. 70, 1998, § 1(part), 12-1-1998)

Sec. 22-501. Installation standards.

(a) *Permit required for installation.* No mobile home shall be installed on a home site without first obtaining a building permit from the building official for each such installation.

(b) *Mobile home inspection.* Each mobile home shall be in generally sound physical condition as determined by the building official prior to the issuance of a permit. No mobile home shall be installed or placed upon a home site after the effective date of the ordinance form which this chapter is derived unless such home bears a label or has equivalent documentation certifying that the home was constructed in accordance with the Federal Manufactured Home Construction and Safety Standards Act of 1976 or NFPA, ANSI 119.1 or the equivalent. Mobile homes constructed before June 15, 1976, may be installed subject to approval on an individual basis by the building official, upon finding that the home is in safe, sound physical condition, and meets all other provisions of the standards specified in this chapter. Prior to the inspection by the building official, a permit shall be issued to the purchaser of the mobile home. This permit is to cover the costs of the inspection.

(c) *Site preparation and foundations.* All pad site foundations shall be cleared of vegetation, located on undisturbed soil or approved fill and be graded such that supporting piers are plumb. The following foundation standards shall be applied, unless the building official approves equivalent techniques for site preparation and foundations that are as safe or safer than the techniques described herein.

(d) *Skirting.* Each mobile home shall be provided with perimeter skirting between the ground and bottom of the mobile home floor within 30 days after utility connections are made. Such skirting shall be a durable rigid, weather-resistant siding material approved for such use, such as finished exterior plywood, fiberglass or equivalent

material, all of similar style to that of the mobile home. Skirting shall be securely attached to the mobile home to prevent unsupervised access to mobile home utility connections. The building official may approve equivalent techniques for skirting for mobile homes if the official feels the equivalent techniques are as safe or safer than the techniques described herein.

(e) *Anchoring and tie-down requirements.* General requirements. Every mobile home shall have an anchoring system installed which will prevent uplift, sliding, rotation and overturning. Such system shall be composed of approved cables, eye bolts, straps and other hardware sufficient to withstand a tensile load of 4,725 pounds at each anchor connection, without failure, creep or withdrawal. All such hardware shall be corrosion-resistant-coated steel or equivalent.

(f) *Tie-down requirements.* Number of sets and anchors. Mobile homes up to 50 feet in length shall have two tie-down sets and four anchors. Mobile homes between 50 and 70 feet in length shall have three tie-down sets and six anchors. Mobile homes over 70 feet in length shall have four tie-down sets and eight anchors.

(g) *Tie-down requirements.* Types of tie-downs allowed. Tie-downs shall be cable, steel strapping, steel bands or other materials having equivalent strength and holding power. The following tie-down requirements shall be applied unless the building official approves equivalent techniques for tie-downs or anchors that are as safe or safer than the techniques described herein:

- (1) *Cable.* When cable is used for tie-downs, it shall either be galvanized or stainless steel. The cable shall be at least three-eighths-inch diameter. Steel cable shall be 7 x 7 (7 strands of 7 wires each). Aircraft cable may be used that is at least 7 x 19 (7 strands of 19 wires each).
- (2) *Steel strapping.* When flat steel strapping is used for tie-downs, it shall meet all federal specifications. Strapping shall have a breaking strength of 4,750 pounds and have zinc coating of a minimum of 0.30 ounce per square foot of surface.
- (3) *Steel bands.* Steel bands used for ties shall terminate with D-rings or other devices that will not cause distortion of the band with a tensioning device attached.
- (4) *Use of other types of tie-downs.* Other materials, connectors or means of securing tie-downs may be considered by the administrative building official, provided they are equal to the above specifications in permanence, strength, holding power and weather resistance.

(h) *Tie-down requirements.* Anchorage and turnbuckles. All ties shall be fastened to an anchorage and shall be drawn tight with one-half-inch or larger galvanized, drop-forged turnbuckles or other equivalent tightening device approved by the administrative building official or designee. Turnbuckles are ended with jaws of forged or welded eyes. Turnbuckles with hook ends shall not be used.

(i) *Tie-down requirements; connections; prevention of cutting.* Connection to the I-beam may be by a five-eighths-inch drop-forged closed eyed, bolted through a hole drilled through the beam. A washer or its equivalent is used so that the beam is sufficiently fishplated through the hole. Sharp edges of the mobile home that would tend to cut the cable when the home is buffeted by wind shall be protected by a thimble or other device to prevent cutting.

(j) *Anchorage.* The anchoring system shall be composed of approved materials and installed in a manner to prevent movement. The following anchorage requirements shall be applied unless the building official approves equivalent techniques for anchors that are as safe or safer than the techniques described herein:

- (1) *Over-the-home ties.* When designed to accommodate over-the-home ties, ground anchors shall be aligned with piers and situated immediately below the outer wall of the mobile home, provided this placement allows for sufficient angle for anchor-to-frame connections.
- (2) *Steel rods; dead-anchors.* Steel rods shall be of a five-eighths-inch minimum diameter with a forged or welded eye at the top; the bottom of the rod for dead-man anchors shall be hooked into the concrete. Dead-man anchors shall be sunk to a depth of at least three feet, with a minimum vertical dimension of two feet, and a diameter of six inches.
- (3) *Concrete slabs.* The administrative building official may approve anchors to reinforced concrete slabs. Anchors shall be spaced a maximum of eight feet on center and no more than five feet from each end of the mobile home. No celled concrete block shall be provided.

(4) *Augers.* Augers shall be at least six inches in diameter, with arrowheads of eight inches and shall be sunk to a depth of at least three feet.

(k) *Piers.* One pier shall be required for each required anchorage. Required piers shall be centered under each main frame or chassis member within five feet of anchorage, and the end piers shall be no farther than five feet from the ends of the mobile home.

(1) *Piers and footings.* All piers shall be placed on footers of concrete with a minimum dimension of sixteen inches by 16 inches by four inches (16" x 16" x 4"), or an equivalent approved by the administrative building official. Piers shall be topped with a concrete cap eight inches by 16 inches by four inches (8" x 16" x 4").

(2) *Pier dimensions.* Piers shall be constructed as standard eight inches by eight inches by 16 inches (8" x 8" x 16") celled concrete blocks placed over the footings with the long dimension crosswise to the main frame members and centered under them with cells vertical. Piers shall be placed in a manner that allows the mobile home to be located as close to the ground as possible.

(3) *Piers; shims.* Hardwood shims are driven tight between the cap and each side of the main frame to provide uniform bearing and are four inches or less in thickness and wide enough to provide bearing over the top cap.

(4) *Other types of piers and footings.* The administrative building official may approve other types of piers and footings of equivalent permanence and weight-bearing ability.

(5) *Metal stands.* Metal stands engineered and designed for mobile home installation and approved by the building official may be used. Stands shall be installed per manufacturer's requirements.

(l) *Alternative tie-down and blocking methods.* If a mobile home community owner or developer wishes to use different tie-down, blocking or anchorage systems than those required by this chapter, the owner shall first obtain approval from the city's administrative building official, demonstrating compliance with this code and ordinances and with professional standards and methods. The planning commission shall grant approval at the time the proposed final site plan is under review.

(m) *Landings and porches.* Each mobile home shall be provided with a minimum 36-inch by 36-inch landing or porch within eight inches, measured vertically, of all doorway thresholds. Such landing or porch shall be served by stairs or ramp, guardrail and handrails constructed in accordance with the city building code.

(Code 1994, § 16.44.020; Ord. No. 70, 1998, § 1(part), 12-1-1998)

Sec. 22-502. Utility connections.

(a) *Utility service connections; safety.* All utilities shall be designed and installed with appropriate distribution systems supplying each mobile home pad site in accordance with the plumbing, mechanical and electrical codes as adopted by the city. The utility stand shall include risers for each utility service provided or required by the units located within the park. The utility risers shall be located and installed so as not to be damaged during the placement or removal of the mobile home.

(b) *Electrical grounding.* Every mobile home frame shall be electrically grounded by means of an approved metallic water pipe ground or approved ground rod.

(c) *Electrical wiring; safety.* All electrical wiring and distribution equipment within a mobile home shall be in safe working condition and shall conform to standards which were applicable at the time of the construction of said mobile home.

(d) *Plumbing fixtures; safety.* All plumbing fixtures, drainage piping and water piping within the mobile home shall be in safe working condition.

(e) *Sewer connections; safety; sewer infiltration; inflow prevention.* All mobile home sewer connections shall be watertight, sealed in an approved manner at the point of connection to community services and shall be entirely under the mobile home. All sewer stubs not in use shall be capped with a watertight and airtight lid.

(f) *Water distribution; safety.* Potable water distribution systems supplying all mobile homes shall not use cross connections. Water lines and connections shall be protected from freezing in an approved manner.

(g) *Yard faucet.* Each mobile home stand within a park shall be equipped with a yard faucet capable of accommodating a standard garden hose or substitute approved by the city, complete with approved backflow protection.

(h) *Gas valves; safety.* Gas valves shall be of an approved type. A pressure test as prescribed in this Code shall be performed on mobile home gas piping systems.

(i) *Heating to conform to code and ordinances.* All heating of any service buildings and mobile homes shall be constructed and maintained in accordance with the city's heating and comfort cooling code and ordinances. Replacement of heating equipment, as defined in the city's mechanical code, shall require a city building permit for mechanical work-(section 16.44.370).

(j) *Fuel-burning heating equipment; inspected.* Fuel-burning heating equipment as defined in the city mechanical code, including furnaces and water heaters, shall be listed for use in mobile homes. Such equipment shall be inspected by the building official at the time of set-up and found to be in safe operating condition.

(k) *Fuel-burning heating equipment; wood-burning stoves.* Wood-burning stoves in mobile home units shall conform with the provisions for fuel-burning equipment in this chapter and shall comply with federal, state and local emission standards and shall be listed and approved for mobile home use.

(Code 1994, § 16.44.030; Ord. No. 70, 1998, § 1(part), 12-1-1998)

Secs. 22-503--22-527. Reserved.

CHAPTER 14. TRAVEL TRAILER PARKS

Sec. 22-528. License required.

It is unlawful for any person, firm or corporation to establish, maintain, operate or permit to be established, maintained or operated any travel trailer park within the city without first having secured a license therefor.

(Prior Code, § 14A-20(a); Code 1994, § 16.48.010)

Sec. 22-529. License term, fee.

The license provided for at section 22-528 shall be issued for a one-year period, and the annual license fee for each travel trailer park shall be set in accordance with section 1-38.

(Prior Code, § 14A-20(b); Code 1994, § 16.48.020; Ord. No. 26, 2011, § 1, 9-6-2011)

Sec. 22-530. Application procedure and contents.

Applications for licenses to operate travel trailer parks shall be filed with the director of finance, and the license shall be issued after site plan approval by the planning commission and after payment of any required fees. The application shall be in writing and shall include the following:

- (1) The name and address of the applicant;
- (2) The location and description of the area;
- (3) A complete site plan showing where mobile homes will be located and showing the location and specifications of the various requirements and conditions set forth in sections 22-534 and 22-536 through 22-551, including any proposed landscaping;
- (4) Such additional information as may be required by the city engineer in order to determine that the proposed travel trailer park will comply with all legal requirements;
- (5) Utility plan for sewers and water lines;
- (6) Results of soil boring tests for each five acres;
- (7) Details of sidewalks, streets and drainage structures;
- (8) Criteria used in solving drainage problems.

(Prior Code, § 14A-21; Code 1994, § 16.48.030)

Sec. 22-531. Renewal.

Upon payment of the annual license fee an existing licensee shall be issued a renewal license, provided that no violations of this chapter then exist.

(Prior Code, § 14A-20(d); Code 1994, § 16.48.040)

Sec. 22-532. Transfer to new owner.

If a licensee sells the real estate composing the travel trailer park, the new owner shall immediately apply to the director of finance for a transfer of the license and the director shall thereupon cancel the existing license and issue a new license for the same period.

(Prior Code, § 14A-20(e); Code 1994, § 16.48.050)

Sec. 22-533. Revocation for uncorrected violations.

The director of finance shall revoke a license of a licensee who is convicted of any violation of this chapter if the condition which results in the conviction has not been corrected within 15 days thereof.

(Prior Code, § 14A-20(f); Code 1994, § 16.48.060)

Sec. 22-534. Zoning conformance, approval and compliance.

Travel trailer parks must be located only in zoning districts in which they are specifically permitted under the zoning laws. The site plan for each travel trailer park must be approved by the planning commission, and the conditions set out in sections 22-535 through 22-551 must be found to exist before approval can be given.

(Prior Code, § 14A-22(part); Code 1994, § 16.48.070)

Sec. 22-535. Common ownership of land.

All land composing a travel trailer park shall be in common ownership.

(Prior Code, § 14A-20(c); Code 1994, § 16.48.080)

Sec. 22-536. Site range; fire zone restriction.

The travel trailer park will have an area of not less than eight acres and not more than 20 acres, and will not be in a No. 1 fire zone.

(Prior Code, § 14A-22(a)(1); Code 1994, § 16.48.090)

Sec. 22-537. Drainage and grading standard; storm sewers may be required.

The area of a travel trailer park will be well drained and properly graded to insure rapid drainage and freedom from stagnant pools of water. Storm sewers shall be required if deemed necessary by the city engineer.

(Prior Code, § 14A-22(a)(2); Code 1994, § 16.48.100)

Sec. 22-538. Clearance standards.

There will be at least ten feet clearance between mobile homes, at least ten feet clearance between each mobile home and any permanent structure in the travel trailer park, and at least 20 feet clearance between mobile homes and any property lines bounding the travel trailer park.

(Prior Code, § 14A-22(a)(3); Code 1994, § 16.48.110)

Sec. 22-539. Access to street required; minimum street width.

All mobile homes in a travel trailer park will be so located so as to have access to a street of not less than 30 feet in width exclusive of sidewalks. The use of the term "street" in these provisions does not require the establishment of public rights-of-way open to the public or impose obligations upon the city for maintenance.

(Prior Code, § 14A-22(b)(1); Code 1994, § 16.48.120)

Sec. 22-540. Off-street parking requirements.

At least one off-street parking space will be provided for each mobile home in a travel trailer park.

(Prior Code, § 14A-22(b)(2); Code 1994, § 16.48.130)

Sec. 22-541. Entrance requirements.

The travel trailer park shall have at least one entrance onto a public street or highway for each 100 mobile homes.

(Prior Code, § 14A-22(b)(3); Code 1994, § 16.48.140)

Sec. 22-542. Sidewalks required; specifications.

Sidewalks will be constructed adjacent to and on both sides of all streets in travel trailer parks. The sidewalks shall be constructed of concrete and otherwise shall be constructed in accordance with chapter 1 of title 18 of this Code and as otherwise provided in this section. The sidewalks shall be three feet wide or more, and the high point of the sidewalk will be at least two inches higher than the surface of the outer edges of the street.

(Prior Code, § 14A-22(b)(4); Code 1994, § 16.48.150)

Sec. 22-543. Street paving; illumination requirements.

All streets within a travel trailer park will be paved, and all streets and sidewalks will be illuminated at night to provide a minimum illumination at ground level of 0.3 footcandles. The illumination system shall be centrally controlled by the licensee or his manager.

(Prior Code, § 14A-22(b)(5); Code 1994, § 16.48.160)

Sec. 22-544. Landscaped border requirements.

Each travel trailer park will have at least a 20-foot strip landscaped with grass, bushes and trees, which strip will be located on the travel trailer park property along all boundary lines thereof. In addition, there will be a portion of each travel trailer park set aside for park and recreational purposes. The size of such portion shall be equal to at least 100 square feet for each mobile home which the travel trailer park is designed to accommodate.

(Prior Code, § 14A-22(c); Code 1994, § 16.48.170)

Sec. 22-545. Service building requirements.

(a) Each travel trailer park shall be improved with a service building containing the following minimum facilities:

<i>Sites</i>	<i>Toilets</i>		<i>Urinals</i>	<i>Lavatories</i>		<i>Showers</i>	
	<u>M</u>	<u>F</u>	<u>M</u>	<u>M</u>	<u>F</u>	<u>M</u>	<u>F</u>
15	1	1	1	1	1	1	1
16—30	1	2	1	2	2	1	1
31—45	2	2	1	3	3	1	1
46—60	2	3	2	3	3	2	2
61—80	3	4	2	4	4	2	2
81—100	3	4	2	4	4	3	3

M = Male, F = Female

(b) For every 30 additional sites in excess of 100 sites, one additional male toilet, female toilet, male lavatory and female lavatory shall be provided. For every 40 additional sites in excess of 100 sites, one additional male shower and female shower shall be provided. For every 100 additional sites in excess of 100 sites, one additional urinal shall be provided.

(Prior Code, § 14A-22(d); Code 1994, § 16.48.180)

Sec. 22-546. Water supplied by city.

The water supply will be connected to the municipal water system and all plumbing shall be constructed and maintained in accordance with the city's plumbing code and ordinances.

(Prior Code, § 14A-22(e)(1); Code 1994, § 16.48.190)

Sec. 22-547. Sewers connected to city system; emptying facilities.

The sewer system of the travel trailer park will be connected to the municipal sewer system, and all plumbing shall be constructed and maintained in accordance with the city's plumbing code and ordinances. The sewer systems shall be designed so that sewage and waste from mobile homes can be emptied into the sewer system.

(Prior Code, § 14A-22(e)(2); Code 1994, § 16.48.200)

Sec. 22-548. Undergrounding of utilities.

All power, telephone and other utility service lines within the travel trailer park will be located under the surface of the ground. All electrical wiring, outlets, etc., shall be constructed and maintained in accordance with the city's electrical code and ordinances.

(Prior Code, § 14A-22(e)(3); Code 1994, § 16.48.210)

Sec. 22-549. Service-building heating conformance.

The heating of the service building shall be constructed and maintained in accordance with the city's heating and comfort cooling code and ordinances.

(Prior Code, § 14A-22(e)(4); Code 1994, § 16.48.220)

Sec. 22-550. Fire prevention systems.

There shall be a fire hydrant system on water lines at least six inches in diameter and free of dead-end mains. The system shall ensure that no mobile home is further than 500 feet from a hydrant by street travel. Portable fire extinguishers of the type approved by the fire chief shall be kept in the service building and in all other locations named by the fire chief and shall be maintained at all times in good operating condition.

(Prior Code, § 14A-22(e)(5); Code 1994, § 16.48.230)

Sec. 22-551. Continuing nature of requirements; noncompliance unlawful.

The conditions set forth in sections 22-536 through 22-550 shall, upon the issuance of a license under this chapter, be continuing requirements, and the licensee's failure to meet any such requirements is unlawful.

(Prior Code, § 14A-22(f); Code 1994, § 16.48.240)

Sec. 22-552. Duration of stay; permit requirements.

The owner or occupier of a mobile home shall be entitled to locate such mobile home in a travel trailer park for longer than 14 days if a special permit has been issued. Application for such a permit shall be made to the director of finance, and such permit shall be issued if the director finds that such a permit has not been issued to the same applicant, or to a member of his immediate family, within the preceding 12 months and if the director determines that the applicant is to be temporarily located in the city area in connection with short-term educational or employment commitments. Permits shall authorize the mobile home to be located in the travel trailer park for an additional period of time corresponding to the requirements of the applicant, but not longer than six months. The permit shall be nontransferable.

(Prior Code, § 14A-23; Code 1994, § 16.48.250)

Secs. 22-553--22-582. Reserved.**CHAPTER 15. WAIVER OF INSPECTION AND FEES****Sec. 22-583. Mutual waiver agreement.**

The mayor and appropriate city officials are authorized and directed to sign an agreement with county for the waiver of certain building fees and the inspection of construction within the other entity's jurisdiction. The

agreement is attached to the ordinance codified at this section as exhibit A and incorporated in this section and that ordinance by reference.

(Code 1994, § 16.52.010; Ord. No. 46, 1980, § 1, 6-3-1980)

Secs. 22-584--22-614. Reserved.

CHAPTER 16. OIL AND GAS EXPLORATION WELL DRILLING

Sec. 22-615. Prohibited; exceptions.

The drilling of any well for the purpose of exploration or production of oil and gas or other hydrocarbons within the corporate limits of the city is prohibited, except that such drilling may be conducted within zoned industrial districts as a use by special review as provided under chapter 9 of title 24 of this Code.

(Code 1994, § 16.56.010; Ord. No. 89, 1985, § 1, 9-17-1985; Ord. No. 90, 1985, § 1, 9-17-1985; Ord. No. 34, 1987, § 1, 7-21-1987)

Sec. 22-616. Insurance requirements.

Every operator of an oil or gas well shall furnish to the city proof of liability insurance in an amount not less than \$500,000.00 as a condition precedent to the issuance of an operating permit as required and provided under chapter 12 of this title. Insurance policies as required by this section shall be written by a company authorized to do business in the state and shall provide that the city receive written notice from the surety at least 30 days prior to any lapse, cancellation or voiding of the policy for any reasons whatsoever. Such notice shall be delivered by certified mail or personal service upon the fire chief for the fire department.

(Code 1994, § 16.56.015; Ord. No. 60, 1987, § 1, 12-1-1987)

Sec. 22-617. Violation; penalty.

Any person, firm or corporation violating the ordinance codified in this chapter shall be punished as provided by section 3-4 of the city Charter and chapter 9 of title 1 of this Code.

(Code 1994, § 16.56.020; Ord. No. 89, 1985, § 3, 9-17-1985; Ord. No. 90, 1985, § 3, 9-17-1985)

Secs. 22-618--22-637. Reserved.

CHAPTER 17. HISTORIC PRESERVATION

Sec. 22-638. Statement of purpose.

The intention of this chapter is to:

- (1) Designate, preserve, protect, enhance and perpetuate those sites, structures, objects and districts which reflect outstanding elements of the city's cultural, artistic, social, ethnic, economic, political, architectural, historic, technological, institutional or other heritage; and also to establish a method to draw a reasonable balance between the protection of private property rights and the public's interest in preserving the city's unique historic character by creating a quasi-judicial commission to review and approve or deny any proposed demolition of, moving of or alteration to properties of historic value. In cases of historic districts or non-owner-nominated properties for historic designation, and changes to an existing district designation plan, decisions of the commission are forwarded to the city council for approval under section 22-648. All other actions by the commission are considered final actions and may be appealed to the city council under section 22-657. The findings and determinations of the commission may be reviewed, modified, affirmed or reversed by a simple majority vote of the elected members of the city council, as provided in section 22-657.
- (2) Foster civic pride in the beauty and accomplishments of the past.
- (3) Stabilize or improve aesthetic and economic vitality and values of such sites, neighborhoods, structures, objects and districts.
- (4) Protect and enhance the city's attraction to tourists and visitors, increase the quality of life for the citizens and enhance future economic development.

- (5) Promote the use of outstanding historical or architectural sites, structures, objects and districts for the education, stimulation and welfare of the people of the city.
- (6) Promote good urban design.
- (7) Promote and encourage continued private ownership and utilization of such sites, structures, objects or districts.
- (8) Integrate historic preservation with the city's comprehensive development plan.

(Code 1994, § 16.60.010; Ord. No. 33, 1995, § 1(part), 8-15-1995; Ord. No. 27, 1999, § 1(part), 6-15-1999; Ord. No. 14, 2000, § 1(part), 5-2-2000; Ord. No. 29, 2002, § 1, 5-7-2002; Ord. No. 34, 2006, § 1, 8-15-2006)

Sec. 22-639. Definitions.

The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Alteration means any act or process requiring a building permit, moving permit, demolition permit or sign permit for the reconstruction, moving, improvement or demolition of any designated property or district; or any other action in which a review by either the commission or the city's historic preservation specialist is necessary under this chapter and/or the district designation plan.

Burden of proof, under this chapter, shall be a preponderance of the evidence.

Certificate of approval means a certificate issued by the commission to indicate its approval of a building permit, moving permit, demolition permit, sign permit or any other alteration in which a review is necessary by either the commission or the city's historic preservation specialist to authorize the construction, alteration or demolition of property and improvements designated under this chapter.

Commission means the historic preservation commission as created in section 22-640.

Contributing buildings, sites and structures means historic properties within the proposed district which have been designated for inclusion on the city's historic register. Additional properties within the proposed district may be designated or may remain as contributing nondesignated properties. Nondesignated properties contribute to the historic district by their shared and unique architectural, historical or geographic characteristics. Contributing properties, designated or not, are subject to all historic preservation design review guidelines applicable to individually designated properties as well as design review guidelines applicable to designated and contributing properties within the specific historic district.

Designated property means an historic property individually listed on the city's historic register through the procedural requirements in sections 22-643 and 22-644 and which meets the criteria set forth in section 22-642. Designated properties are subject to the restrictions in section 22-650, and the economic incentives are available to designated properties as set forth in section 22-649.

District designation plan is a plan generated by the historic district residents/owners. This plan shall incorporate elements such as, but not limited to, building height, setback, building envelope and new construction. The plan shall address all properties; contributing, noncontributing and properties individually listed on the city's historic register. If a provision of the district designation plan conflicts with this chapter, then the district designation plan approved by the city council under subsection 22-648(b) shall prevail unless doing so would negatively affect the city's certification standing regarding historic preservation.

Emergency means an unexpected and sudden event that must be dealt with urgently that deals with a property in order to preserve the structure.

~~*Front yard* means the area of property from the front of the house (main entrance of property) to the edge of property leading away from the front of the house. This area would include sides of the house to the street, either from a fence line or the midline along the side of the house. In cases where a house is on a corner and there is not a fence, the yard from the side would also be included under front yard.~~

Historic district means a geographically definable area with a significant concentration of buildings, structures, sites, spaces or objects unified by past events, physical development, design, setting, materials, workmanship, sense of cohesiveness or related historical and aesthetic associations. The significance of a district

may be recognized through listing in a local, state or national landmarks register.

Historic property means the public and private resources in the city, including buildings, homes, replicas, structures, objects, properties, parks and sites that have importance in the history, architecture, archeology or culture of the city, state or nation, as determined by the commission.

House moving, new construction or demolition means any act or process which destroys, in part or in whole, any designated property.

Nomination means the process of filing an application for designation. For a property to be nominated, it is not necessary that all research and paperwork be completed. For a district or nonowner application for designation, all paperwork for application must be completed as per the rules promulgated by the commission. Nonowner or historic districts must be approved by the city council under section 22-648.

Noncontributing buildings, sites and structures means those properties which do not share the architectural, historic or geographical characteristics of the historic district except for their physical presence within the district. These properties are not individually eligible for designation and do not contribute to the historic district's characteristics. Inclusion of these properties within an historic district subjects these properties to those design review standards and guidelines applicable to noncontributing properties established during the creation of the historic district, unless specifically excluded under the district designation plan. All pertinent municipal zoning and building codes are applicable. New construction shall be considered a noncontributing structure.

Preservation plan means a survey of the historic properties in the city which the commission has an interest, consistent with its stated purpose, in placing on the local register.

Public comment means any notation, observation, remark or recommendation made during a hearing by a member of the public in response to a proposed commission action.

Register means a locally maintained list of properties designated as historic.

Replica means any reconstruction or recreation of any buildings, structures or other resources deemed to be of historic importance by the commission.

~~*Secretary of the Interior Standards* means a document which was originally published in 1977 and revised in 1990. The standards compose one section in the Secretary of the Interior's Standards for Historic Preservation Projects and appear in Title 36 of the Code of Federal Regulations, Part 68, which governs alterations to buildings listed in the National Register of Historic Places. The standards, which pertain to the exterior and interior of historic buildings, deal with design, methods of construction and materials. This reference shall always refer to the current standards, as amended.~~

Streetscaping means rehabilitation, preservation and beautification of those exterior elements of a designated property which are visible from a street.

Unreasonable economic hardship means severe economic impact to the property as determined on a case-by-case basis by the commission.

(Code 1994, § 16.60.020; Ord. No. 33, 1995, § 1(part), 8-15-1995; Ord. No. 27, 1999, § 1(part), 6-15-1999; Ord. No. 14, 2000, § 1(part), 5-2-2000; Ord. No. 29, 2002, § 1, 5-7-2002; Ord. No. 34, 2006, § 1, 8-15-2006)

Sec. 22-640. Commission created.

(a) *Commission established.* There is hereby created an historic preservation commission, hereinafter in this chapter referred to as the commission, which shall have principal responsibility for matters of historical preservation.

(b) *Membership.* The commission shall consist of seven members providing a balanced, community-wide representation, and all shall have an interest in historic preservation. The commission shall have at least one design professional, one historian, one licensed real estate broker and four citizens at-large.

(c) *Appointment of historic preservation specialist.* There shall be an historic preservation specialist appointed by the city manager to serve as a link between the city staff and the commission. The historic preservation specialist shall not be a member of the commission.

(Code 1994, § 16.60.030; Ord. No. 33, 1995, § 1(part), 8-15-1995; Ord. No. 27, 1999, § 1(part), 6-15-1999; Ord. No. 14, 2000,

§ 1(part), 5-2-2000; Ord. No. 29, 2002, § 1, 5-7-2002; Ord. No. 70, 2002, § 1, 12-17-2002; Ord. No. 34, 2006, § 1, 8-15-2006)

Sec. 22-641. Powers, duties and rulemaking authority.

The commission shall act in a quasi-judicial manner and shall draw a reasonable balance between the protection of private property rights and the public's interest in preserving the city's unique historic character. It shall have the following powers, duties and rule-making authority, subject to approval by the city council under section 22-648 for historic districts and nonowner nominations:

- (1) Recommend criteria for approval by the city council by which the commission shall conduct its review of historic properties and review proposals to alter, demolish or move designated properties. The commission shall recommend or designate those properties or districts which meet the applicable criteria by placing them on the local register under the rules and procedures under this chapter.
- (2) Conduct surveys for the purpose of creating a preservation plan of historic properties and districts. Such inventory is for the purpose of informing citizens who own such properties that the commission expects these properties may meet the criteria for designation.
- (3) Review and make a decision on any application for altering, moving or demolishing any designated properties.
- (4) Advise and assist owners of historic properties on physical and financial aspects of preservation, renovation, rehabilitation and reuse, including nomination to the National Register of Historic Places.
- (5) Develop and assist in public education programs, including, but not limited to, walking tours, brochures, a marker program for historic properties, lectures and conferences.
- (6) Advise the city council on matters related to preserving the historic character of the city.
- (7) Assist in pursuing financial assistance for preservation-related programs.
- (8) Establish such rules, regulations and procedures relating to designation, nomination, preservation, relocation, demolition, exemptions, economic incentives, appeal of decisions or other processes relating to the powers and duties of the commission.
- (9) Remove properties from the register for reasons the commission deems appropriate, including, but not limited to, acts of God, undue hardship and public health/safety concerns.
- (10) Cause to be issued by the appropriate city department such municipal citations as are appropriate for enforcement.
- (11) Recommend an application fee for applications made by citizens who are applying for historical designation or who are applying to alter, move or demolish a historically designated property or a property in a designated historic district. Additionally, the commission shall have the authority to set formal policy regarding the implementation and waiver of the application fee. The commission will consider in recommending the fee that the purpose of said fee is to partially recover costs the city will incur in providing applications. All fees and or costs recommended by the commission shall be reviewed and set in accordance with section 1-38.

(Code 1994, § 16.60.050; Ord. No. 33, 1995, § 1(part), 8-15-1995; Ord. No. 39, 1996, § 1, 7-16-1996; Ord. No. 27, 1999, § 1(part), 6-15-1999; Ord. No. 14, 2000, § 1(part), 5-2-2000; Ord. No. 29, 2002, § 1, 5-7-2002; Ord. No. 34, 2006, § 1, 8-15-2006; Ord. No. 26, 2011, § 1, 9-6-2011)

Sec. 22-642. Criteria for designation.

(a) A property shall be eligible for designation for historic preservation and eligible for economic incentives if it meets at least one criterion in two or more of the following categories:

- (1) Historical significance. The site, building or property:
 - a. Has character, interest and integrity and reflects the heritage and cultural development of the city, state or nation;
 - b. Is associated with an important historical event;

- c. Is associated with an important individual or group who contributed in a significant way to the political, social and/or cultural life of the community.

(2) Architectural significance. The property:

- a. Characterizes an architectural style associated with a particular era and/or ethnic group;
- b. Is identified with a particular architect, master builder or craftsman;
- c. Is architecturally unique or innovative;
- d. Has a strong or unique relationship to other areas potentially eligible for preservation because of architectural significance;
- e. Has visual symbolic meaning or appeal for the community.

(3) Geographic significance. The property:

- a. Has proximity to a square, park or unique area deserving of preservation;
- b. Is a visual feature identifying an area or neighborhood or consists of utilitarian and commercial structures historically and geographically associated with an area.

(b) A district shall be designated if the historic preservation commission determines and recommends to the city council, pending approval, that the proposed district meets the definition of an historic district pursuant to section 22-639 and meets two or more of the following criteria:

- (1) Is an area which exemplifies or reflects the particular cultural, political, economic or social history of the community;
- (2) Is an area identified with historical personages or groups or which represents important events in national, state or local history;
- (3) Is an area which embodies distinguishing characteristics of an architectural type or style inherently valuable for the study of a period, method of construction or of indigenous materials of craftsmanship;
- (4) Is an area which, due to its unique location or singular characteristics, represents established and familiar visual features of the neighborhood, community or city; or
- (5) Is an area which is representative of the notable work of a master builder, designer or architect whose individual ability has been recognized.

- (c) A property or district may only be nominated once a year, unless such nomination is uncontested.

(Code 1994, § 16.60.060; Ord. No. 33, 1995, § 1(part), 8-15-1995; Ord. No. 27, 1999, § 1(part), 6-15-1999; Ord. No. 14, 2000, § 1(part), 5-2-2000; Ord. No. 29, 2002, § 1, 5-7-2002; Ord. No. 34, 2006, § 1, 8-15-2006)

Sec. 22-643. Procedure for nomination of historic properties and districts.

- (a) Nomination procedures.

- (1) *Owner nominations.* Any owner may nominate his property, area or structure for designation on the city's historic register.

- (2) *District nominations.* Two or more individuals may nominate a district within which they own property by attaching a petition with signatures of property owners within the district showing support of the nomination. Support of the nomination for an historic district requires:

- a. A signed showing of support of no less than 20 signatures or 20 percent of the number of properties or lots within the proposed area, whichever is less.
- b. Each property or lot is only able to sign once. Properties held in any type of joint ownership do not get split votes.
- c. The petition shall be considered final for the purposes of accounting the 20 percent at the time of submission.

- (3) *Nonowner nominations.* The planning commission, Greeley Urban Renewal Authority, downtown

development authority or any preservation organization, including nonprofit historic preservation groups, may nominate a property, district, area or structure for designation subject to all the rules and procedures of this entire chapter. Nonowner individual nominations are to be reviewed under stricter protections and must meet the following criteria of overwhelming historic importance to the entire community:

- a. Possessing such unusual or uncommon significance that the structure's potential demolition or major alteration would diminish the character and sense of place in the community of the city; or
- b. Possessing superior or outstanding examples of architecture, social or geographic historic significance criteria outlined in the criteria for designation in section 22-642. The term "superior" means excellence of its kind, and the term "outstanding" means marked by eminence and distinction.

Persons or organizations wishing to initiate a nomination should contact the historic preservation specialist for written policies and procedures for nomination.

(b) Nomination by survey. Designation may be on the basis of a survey subject to all the rules and procedures of this entire chapter. The commission is authorized by this chapter to order a community survey. The list of sites contained in this survey shall be maintained, reviewed and updated annually by the commission.

(c) A property or structure may be nominated as part of the commission's preservation plan.

(d) Moratorium. For a potential historic property or district which had been nominated but not yet designated, legal protection for the nominated property shall be afforded for 120 days until its status is determined. Permits to alter or remodel the exterior of a property or to build, relocate or raze shall not be issued during that 120-day period, except by written exemption by the commission under the following criteria:

- (1) As necessary by law under federal, state or city ordinance;
- (2) When deemed to be an emergency;
- (3) Due to unreasonable economic hardship; or
- (4) Due to improper nomination.

Owners requesting such exemption may seek an immediate hearing before the commission by filing a request for an immediate hearing with the historic preservation specialist. If at such hearing the commission votes by a two-thirds 2/3 majority vote that the property is eligible for exemption, the moratorium or nomination shall be dropped in the entirety or with specific exclusions for that specific property.

(e) District designation plan required. In addition to subsections (a) through (d) of this section, owners of properties being nominated as part of a district must develop a district designation plan. Requirements under this plan will be drafted by the applicant and staff and approved by the commission at the designation hearing pending approval by the city council.

(f) Neighborhood meeting required. If the nomination is for designation of an historic district, then a neighborhood meeting shall be held and all owners of property within the proposed district boundaries will be notified by mail of the time, date and location.

(g) Historic district owner vote required. After the neighborhood meeting occurs but prior to the commission's designation hearing, a vote by property owners of the nominated district shall be cast. The vote shall be done through the mail, and only one ballot per property can be voted upon as sent by the city clerk's office which must be returned by the date specified on the ballot. Such ballots shall be sent by certified mail, return receipt, but voters may return their vote card either in person or by mail. Greater than 50 percent of returned votes must be in favor of historical designation or the nomination fails.

(Code 1994, § 16.60.070; Ord. No. 33, 1995, § 1(part), 8-15-1995; Ord. No. 27, 1999, § 1(part), 6-15-1999; Ord. No. 14, 2000, § 1(part), 5-2-2000; Ord. No. 29, 2002, § 1, 5-7-2002; Ord. No. 34, 2006, § 1, 8-15-2006)

Sec. 22-644. Procedure for designation of historic properties and districts.

- (a) *Notice and time requirements.*

- (1) All owners of a nominated property shall receive notice from the commission by certified mail, return receipt, but the city shall receive notice by hand delivery for the nomination of city-owned property. Such notice shall reference the privileges, obligations and restrictions which apply to historic properties.
- (2) The commission shall call for a public hearing, after which the decision to designate shall be put to the commission. The designation resolution must be passed by a two-thirds majority vote of the commission, and the notice of designation resolution must include a detailed description of the property and reasons for nomination. Within 30 days of the commission's recommendation for designation, the city council shall hold a hearing whether to approve, modify or deny the designation for historic districts or nonowner individual nominations under section 22-648.
- (3) All owners shall be given written notice at their last-known address of the time, place and date of the hearing. Such notice shall be given no less than 15 days prior to the scheduled hearing. The notice shall also be published in a newspaper of local circulation once a week for two weeks prior to the hearing.

A notice of hearing for designation of property shall be mailed or delivered with a certificate of mailing or a certificate of delivery filled out. Notice shall also be posted, at the property, in a manner clearly visible from a public right-of-way. In the case of nominations for an historic district, postings shall occur in the district in a manner clearly visible from public rights-of-way. The commission shall create administrative rules regarding the procedure for the number and placing of posting notices, a copy of which shall be held by the historic preservation specialist.

(b) *The hearing.*

- (1) *Quorum required.* At least five members must be present at a hearing in order to establish a quorum. If a quorum is missing due to attendance, then the chairperson of the commission may set a new date for a special hearing, or the matters scheduled for that hearing shall be heard on the next regularly scheduled hearing date. If a quorum is missing due to conflicts of interest, then the process in section 22-646 shall be used.
- (2) *The hearing.* The hearing shall be electronically recorded and minutes prepared. Hearings shall be of ample length to allow all concerned persons to address the commission.

(c) *Approval by the commission.* Approval shall be granted after the commission has heard all interested parties and relevant evidence if the commission votes in favor of historic designation by a two-thirds majority of the quorum present for owner-nominated property. At least five commissioners must vote in favor of historic designation for approval of non-owner-nominated property or historic districts, subject to approval by the city council under section 22-648. If the owner disagrees with the decision of the commission, the owner may appeal the decision pursuant to section 22-657.

(d) *Recording the designation after approval.*

- (1) Recording of the designation with the county clerk and recorder for:
 - a. Owner-nominated properties must take place within five days after the 30-day appeal delay pursuant to section 22-657 if no appeal is filed, or within five days after a final city council decision.
 - b. Non-owner-nominated or historic districts must take place 35 days after approval by the city council pursuant to section 22-648.

Recording fees shall be paid by the nominating party.

- (2) Within 15 days after recording of the historic designation, the commission shall send a registered notice to the owner outlining reasons for designation.

(e) *Signage of designated property.* The commission shall supply and pay for uniform signs for designated properties subject to availability of funds. Such signs shall conform to city ordinances governing other signs in the city.

(Code 1994, § 16.60.080; Ord. No. 33, 1995, § 1(part), 8-15-1995; Ord. No. 27, 1999, § 1(part), 6-15-1999; Ord. No. 14, 2000, § 1(part), 5-2-2000; Ord. No. 29, 2002, § 1, 5-7-2002; Ord. No. 34, 2006, § 1, 8-15-2006)

Sec. 22-645. Procedure for modification of district designation plans.

District designation plans may be modified by property owners within the district. The procedure to modify a district designation plan shall follow the same rules and procedures as outlined in sections 22-643 and 22-644, except no moratorium shall be placed upon the district.

(Code 1994, § 16.60.081; Ord. No. 34, 2006, § 1, 8-15-2006)

Sec. 22-646. Use of alternates in designations.

(a) In cases where a conflict of interest arises to the attention of the commission during the designation of an historic property or district, use of alternates is permissible to replace conflicted members. Alternates shall be selected from a pool of former historic preservation commission members who would meet the minimum city board and commission standards necessary, except for term limits, at the time of the appointment and the vote. Best efforts will be made to replace any and all conflicted members, but if a quorum of five is attainable, the designation hearing may proceed.

(b) A pool of alternates shall be appointed by the city council. The total number of potential alternates shall be between two and 12 people. The selection of the alternates to fill the role of any conflicted commission members shall be at random. The historic preservation specialist shall draw names through some random process, e.g., draw names from a hat. The selection shall be done during a special session or meeting of the commission where public notice has been given. The selection shall be done prior to the actual historic designation hearing to allow the alternates a chance to review any changes to this Code or procedures.

(c) The alternate may only act upon the matter for which a commission member has a conflict.

(d) If a quorum is unattainable through the use of alternates in designations as provided for in this section, then the historic designation hearing will be directly heard before the city council by a special hearing for a designation vote, using the same guidelines as mandated by the commission under this chapter, except that such city council vote shall be carried by a simple majority of the quorum present.

(Code 1994, § 16.60.082; Ord. No. 34, 2006, § 1, 8-15-2006)

Sec. 22-647. Illustrative flow chart.

A process flow chart for illustrative purposes only has been added as section 22-697.

(Code 1994, § 16.60.083; Ord. No. 34, 2006, § 1, 8-15-2006)

Sec. 22-648. Approval of commission's decision by city council.

(a) All recommendations for designation made by the commission regarding historic designation of districts or non-owner-nominated properties or modification of district designation plans must be submitted to the city council, through the city clerk's office, for approval. Notification of the public meeting regarding approval of historic designation shall be given by posting signage around the historical district boundaries and publishing a notice in the newspaper.

(b) Upon presentation of a district designation plan to the city council that has additional terms and conditions not stated or is in conflict with this chapter, the city council is hereby granted the authority, in its sole discretion, to approve the district designation plan with these terms and conditions, notwithstanding any of the limiting terms and conditions stated in this chapter unless doing so would negatively affect the city's certification standing regarding historic preservation.

(c) The city council shall take action within 30 days of the commission's decision. This decision is deemed a final action by the city.

(Code 1994, § 16.60.085; Ord. No. 34, 2006, § 1, 8-15-2006)

Sec. 22-649. Economic incentives for historic restoration and/or rehabilitation.

(a) An owner of a property that has been designated as historic or an owner of a contributing property in an historic district may apply for the following economic incentives for the restoration or rehabilitation of that property and such additional incentives as may be developed by the commission pursuant to its rules and regulations:

- (1) Matching funds for streetscaping on designated property.
- (2) Refund of city building permit fees for interior and exterior restoration, preservation and rehabilitation. The commission shall develop a format for establishing projected costs, rules of the restoration, preservation or rehabilitation in order that such refund of fees is equitable.
- (3) The low-interest loan pool created by the city pursuant to chapter 18 of this title.
- (4) Applicable state and federal income tax credits.

(b) The commission shall attempt to identify and implement other economic incentives for historic properties. The commission shall notify the owners of historic properties of economic incentive opportunities available.

(c) The commission shall make the determination for each request regarding economic incentives.

(Code 1994, § 16.60.090; Ord. No. 33, 1995, § 1(part), 8-15-1995; Ord. No. 27, 1999, § 1(part), 6-15-1999; Ord. No. 14, 2000, § 1(part), 5-2-2000; Ord. No. 29, 2002, § 1, 5-7-2002; Ord. No. 34, 2006, § 1, 8-15-2006)

Sec. 22-650. Special duties, privileges and obligations.

(a) Owners of designated properties shall be eligible to apply for those economic incentives as contained within this chapter and/or established and developed by the commission pursuant to its rules and regulations.

(b) Owners intending to reconstruct, improve, demolish or in any way significantly alter or change a designated property, or a property in an historic district, must first submit their plan for review to the appropriate city departments as to compliance with all city codes and ordinances.

(c) After consultation with the city's development departments, the owner shall submit a plan for review by the commission, and the commission shall grant a certificate of approval to properties that the commission feels can be altered without diminishing the historic character of the property or district.

(d) If a certificate of approval is granted by the commission, the applicant must obtain all necessary permits required by the city ordinances.

(e) Maintenance shall be required by the owner of a designated property and owners of properties in an historic district. The term "maintenance" means that owners:

- (1) Shall not permit a structure to deteriorate so badly as to produce a detrimental effect on a designated property; and
- (2) Shall reasonably maintain the surrounding environment, e.g., fences, gates, sidewalks, steps, signs, accessory structures and landscaping.

(Code 1994, § 16.60.100; Ord. No. 33, 1995, § 1(part), 8-15-1995; Ord. No. 27, 1999, § 1(part), 6-15-1999; Ord. No. 14, 2000, § 1(part), 5-2-2000; Ord. No. 29, 2002, § 1, 5-7-2002; Ord. No. 34, 2006, § 1, 8-15-2006)

Sec. 22-651. Criteria and standards for altering designated properties or contributing properties in a district.

The criteria and standards for alterations to a designated property or a property in an historic district are determined as follows:

- (1) *Criteria.*
 - a. The effect of the alteration or construction upon the general historical or architectural character of the designated property.
 - b. The architectural style, arrangement, texture and materials of existing and proposed construction, and their relationship to the other buildings.
 - c. The effects of the proposed work in creating, changing or destroying the exterior architectural features and details of the structure upon which the work shall be done.
 - d. The compatibility of accessory structures and fences with the main structure on the site and with adjoining structures.
 - e. The effect of the proposed work upon the protection, enhancement, perpetuation and use of the

landmark or landmark district.

- f. Compliance with the Secretary of the Interior's current standards for rehabilitation of historic properties, as defined in section 22-639.

(2) *Standards.*

- a. Attempts shall be made to use the property in a manner consistent with its original use or a compatible purpose, so long as such use does not violate any current city ordinances.
- b. The historic character of the property shall be retained by avoiding the removal of, or alteration of, features and spaces important to the character.
- c. Each property shall be recognized as a physical record of its time. The use of original materials shall be encouraged. Distinctive and unique features, finishes, materials and examples of craftsmanship should be retained and preserved. If deteriorated, they should be repaired. Repairs and replacement of such features should match the original in color, shape, texture and design. Replacements should be fully documented with pictorial or physical evidence and a copy of such evidence filed with the commission.
- d. Most properties change over time. Some of those changes acquire their own historical or architectural significance and should be retained. The commission shall decide what changes are of historic importance and subject to this chapter.
- e. New additions and expansions shall, where possible, be differentiated from the existing building to protect its historic integrity. New additions and constructions shall also be undertaken in such a manner that their removal in the future would not destroy the form or integrity of the original property.
- f. If property is a noncontributing property in an historic district, then alterations will be in accordance with the district designation plan as approved by the commission and the approval by city council.
- g. Other requirements for alterations of a designated property or contributing property in a district as are required by the procedures and bylaws established by the commission.

(Code 1994, § 16.60.110; Ord. No. 33, 1995, § 1(part), 8-15-1995; Ord. No. 27, 1999, § 1(part), 6-15-1999; Ord. No. 14, 2000, § 1(part), 5-2-2000; Ord. No. 29, 2002, § 1, 5-7-2002; Ord. No. 34, 2006, § 1, 8-15-2006)

Sec. 22-652. Criteria for relocation of a designated property or contributing properties in a district.

In all cases it shall be the preference of the commission to keep structures at their original sites. The commission shall consider the following criteria in addition to those described for alterations:

(1) *Original site.*

- a. Documentation showing the structure cannot be rehabilitated or reused on its original site to provide for any reasonable beneficial use of the property.
- b. The significance of the structure as it relates to its present setting.
- c. When a governmental entity exercises power of eminent domain, the commission should first consider relocating before demolishing.
- d. Whether the structure can be moved without significant damage to its physical integrity and the applicant can show the relocation activity is the best preservation method for the character and integrity of the structure.
- e. Whether the structure has been demonstrated to be capable of withstanding the physical impacts of the relocation and resiting.
- f. Whether a structural report submitted by a licensed structural engineer adequately demonstrates the soundness of the structure proposed for relocation.

(2) *New location.*

- a. Whether the building or structure is compatible with its proposed site and adjacent properties and

- if the receiving site is compatible in nature with the structure or structures proposed to be moved.
- b. Whether the structure's architectural integrity and its consistency are with the character of the neighborhood.
 - c. Whether the relocation of the historic structure would diminish the integrity or character of the neighborhood of the receiving site.
 - d. Whether the proposed relocation is in compliance with all city ordinances.

(Code 1994, § 16.60.120; Ord. No. 33, 1995, § 1(part), 8-15-1995; Ord. No. 27, 1999, § 1(part), 6-15-1999; Ord. No. 14, 2000, § 1(part), 5-2-2000; Ord. No. 29, 2002, § 1, 5-7-2002; Ord. No. 34, 2006, § 1, 8-15-2006)

Sec. 22-653. Criteria for demolition of a designated property or contributing properties in a district.

Permits for demolition shall be issued if the applicant can clearly demonstrate that the designated property meets the criteria for demolition as set forth under this chapter by balancing the criteria of subsections (1) through (4) of this section versus subsection (5) of this section. Not all of the criteria must be met for the commission to recommend demolition. Appeals of the decision shall be made under section 22-657.

- (1) The structure must be demolished because it presents an imminent hazard.
- (2) The structure proposed for demolition is not structurally sound despite evidence of the owner's efforts to properly maintain the structure.
- (3) The structure cannot be rehabilitated or reused on-site to provide for any reasonable beneficial use of the property.
- (4) The structure cannot be moved to another site because it is physically or economically impractical.
- (5) The applicant demonstrates that the proposal mitigates to the greatest extent practical the following:
 - a. Significant impacts that negatively alter the visual character of the neighborhood where demolition is proposed to occur.
 - b. Significant impact on the historic importance of other structures located on the property and adjacent properties.
 - c. Significant impact to the architectural integrity of other structures located on the property and adjacent properties.
- (6) If partial demolition is approved by the commission and is required for the renovation, restoration or rehabilitation of the structure, the owner should mitigate, to the greatest extent possible:
 - a. Impacts on the historic importance of the structure or structures located on the property.
 - b. Impacts on the architectural integrity of the structure or structures located on the property.

(Code 1994, § 16.60.130; Ord. No. 33, 1995, § 1(part), 8-15-1995; Ord. No. 27, 1999, § 1(part), 6-15-1999; Ord. No. 14, 2000, § 1(part), 5-2-2000; Ord. No. 29, 2002, § 1, 5-7-2002; Ord. No. 34, 2006, § 1, 8-15-2006)

Sec. 22-654. Action of commission upon recommendation to deny permit.

(a) If the proposed permit to alter, relocate or demolish is denied, the commission, acting with all due diligence, shall explore with the applicant available means for substantially preserving the designated property which was affected by the determination. These investigations may include, by way of example and not of limitation:

- (1) Feasibility of modification of the plans.
- (2) Feasibility of any alternative use of the structures which would substantially preserve the original character.

(b) If the commission is unsuccessful in developing either alternate plans or an appropriate public or private use for such structure, which are acceptable to the applicant, it shall notify the owner and the building inspection division in writing. If the owner and the commission cannot reach a compromise, then the appeal may be filed pursuant to section 22-657.

(Code 1994, § 16.60.140; Ord. No. 33, 1995, § 1(part), 8-15-1995; Ord. No. 27, 1999, § 1(part), 6-15-1999; Ord. No. 14, 2000, § 1(part), 5-2-2000; Ord. No. 29, 2002, § 1, 5-7-2002; Ord. No. 34, 2006, § 1, 8-15-2006)

Sec. 22-655. Removal of property from historic register or exemption.

(a) In the event a property or district has been designated as historic under this chapter, the city council may remove such property if the city council finds that the property owner has shown that historic designation creates undue hardship in accordance with the criteria in this section.

(b) Also, if the request to the commission for a certificate of approval does not conform to the applicable criteria, an applicant may request an exemption from the certificate requirements, provided that the intent and purpose of this chapter are not significantly eroded and, provided that adequate documentation is submitted to the commission either in writing or by testimony to establish qualification for one of the following exemptions. Such documentation or testimony must be substantiated by professional opinion or thorough explanation of how the information was obtained.

- (1) *Economic hardship exemption.* An economic hardship exemption may be granted if:
 - a. The owner is unable to obtain a reasonable return on investment in the property's present condition or in a rehabilitated condition.
 - b. For non-income-producing properties the owner's inability to resell the property in its current condition or if rehabilitated.
 - c. The economic hardship claimed is not self-imposed.
- (2) *Health/safety hardship.* To qualify for undue hardship, the applicant must demonstrate that the application of criteria creates a situation substantially inadequate to meet the applicant's needs because of health and/or safety considerations.
- (3) *Inability to use.*
 - a. If no sale can be made or no feasible use found for the structure within two years of denial of a permit, the owner may request a waiver of all or part of the process described above.
 - b. In determining the applicability of this section, the commission shall include the following factors in its deliberations:
 1. Written documented evidence illustrating efforts by the owner to make repairs, find an appropriate use or sell the property.
 2. Written evidence of the owner's efforts to secure assistance for conforming the application with this chapter without demolition or defacement.

(c) For the purpose of establishing and maintaining sound, stable and desirable historical districts within the city, the removal of historical designation is to be discouraged. This policy is based on the opinion of the city council that the city's historical districts are the result of a detailed and comprehensive appraisal of the city's present and future needs regarding land use allocation and other considerations while supporting the city's historical significance and, as such, should not be amended unless to correct manifest errors or because of changed or changing conditions in a particular area of the city in general.

(Code 1994, § 16.60.150; Ord. No. 33, 1995, § 1(part), 8-15-1995; Ord. No. 27, 1999, § 1(part), 6-15-1999; Ord. No. 14, 2000, § 1(part), 5-2-2000; Ord. No. 29, 2002, § 1, 5-7-2002; Ord. No. 34, 2006, § 1, 8-15-2006)

Sec. 22-656. Fines and penalties for violation of chapter provisions; failure to comply with district designation plan.

Failure to comply with requirements of a district designation plan shall be a violation punishable in accordance with this section. Whenever any work is being done contrary to the provisions of this chapter or any plan adopted by the commission or approved by city council, a code enforcement officer or other authorized city official may issue a stop-work order by notice in writing, served in person or by certified mail on the owner or any persons engaged in the performance of such work, until authorized by the code enforcement officer, city official or commission to proceed with the work. This order of cessation of work is in addition to any other penalties or remedies allowed by this Code. The maximum penalty for violation of this chapter shall be the same as for violation

of any other city ordinances as found in this Code at sections 1-229 and 1-230.

(Code 1994, § 16.60.160; Ord. No. 33, 1995, § 1(part), 8-15-1995; Ord. No. 27, 1999, § 1(part), 6-15-1999; Ord. No. 14, 2000, § 1(part), 5-2-2000; Ord. No. 29, 2002, § 1, 5-7-2002; Ord. No. 34, 2006, § 1, 8-15-2006)

Sec. 22-657. Appeal of decisions.

Decisions of the commission are reviewable by the city council. The findings and determinations of the commission may be reviewed, modified, affirmed or reversed by a simple majority vote of the elected members of the city council. Appeals are filed by presenting to the city clerk a written notice of appeal within 30 days after the determination has been made and entered upon the records of the commission. Determinations issued by the city council shall constitute final agency action.

(Code 1994, § 16.60.170; Ord. No. 33, 1995, § 1(part), 8-15-1995; Ord. No. 27, 1999, § 1(part), 6-15-1999; Ord. No. 14, 2000, § 1(part), 5-2-2000; Ord. No. 29, 2002, § 1, 5-7-2002; Ord. No. 34, 2006, § 1, 8-15-2006)

Sec. 16.60.180 Severability clause.

~~If any provision of this chapter or any provision of any rule or regulation lawfully promulgated hereunder or any application of this chapter or rule or regulation promulgated hereunder to any person or circumstance is held invalid or inoperative, such invalidity or inoperativeness shall not affect other provisions or applications of this chapter or rules or regulations. The city council hereby declares that in these regards the provisions of this Code and all rules and regulations promulgated hereunder are severable. In the event that any part of this chapter negatively affects the city's certified status as a certified local government by the National Park Service, then the conflicting provision shall be severable.~~

(Code 1994, § 16.60.180; Ord. No. 34, 2006, § 1, 8-15-2006)

Sec. 22-658. Permit review by historic preservation specialist for undesignated properties outside of an historic district.

(a) When application for a permit is made with the city to significantly alter the streetscape view of the exterior of or move or demolish any structure or building that is 40 years or older, the application shall be forwarded and reviewed by the historic preservation specialist or designee.

- (1) The term "significant alterations" shall be defined as follows:
 - a. Siding--including new stucco applied over original or existing wood, existing siding metal or brick.
 - b. Fenestration--window openings enlarged or reduced.
 - c. Roof--changes of roofline or structure.
 - d. Porches--changes to original porch visible from streetscape.
 - e. Any building modification as viewed from any public street.
- (2) The historic preservation specialist or designee shall have ten working days to review and comment on applications that meet the criteria set forth above. The ten working days shall commence on the day the permit application is submitted to building inspection. Should ten working days expire without written comment from the historic preservation specialist or designee, then those parties shall not be allowed to comment on the permit.
 - a. The historic preservation specialist or designee shall research the historic significance of the building for which a permit has been applied.
 - b. If the historic preservation specialist or designee determines that a building currently holds no historic significance, then such a notice shall be placed with the permit that will be issued through the building inspection office.
 - c. If the historic preservation specialist or designee determines that potential significance exists, the historic preservation specialist or designee shall make the information available to the groups named in subsection 22-643(a)(3).
 - d. The historic preservation specialist or designee shall issue comments and/or suggestions to the

building inspection office. These comments shall recognize the historical significance or lack thereof concerning the building for which a permit has been requested. The historic preservation specialist may also make suggestions of ways to make the changes more compatible or acceptable with the age or type of structure.

- (3) Nonsignificant alterations shall be excluded from review by the historic preservation specialist or designee. The term "nonsignificant alterations" shall be defined as follows:
- a. Siding--vinyl or metal over original.
 - b. Fenestration--replacement of windows in original openings.
 - c. Roof--new shingles or deck without changing original roofline.
 - d. Porches--additions of back porches or decks.
 - e. Additions--not visible from the street (less than 50 percent of original structure).
 - f. Doors.
 - g. Landscaping.
 - h. Accessory structures.
 - i. Signs.
- (4) Whenever an application for development includes alterations or demolition described in this section and is required to go through the planning department, the planning department will use its best efforts to inform the applicant of the ramifications that this section will have on the application.

(b) If a building must be demolished because it poses a threat to the health, safety or welfare of the citizens of the city, this section shall not apply.

(Code 1994, § 16.60.200; Ord. No. 55, 2004, §§ 2, 3, 10-5-2004; Ord. No. 34, 2006, § 1, 8-15-2006)

Secs. 22-659--22-689. Reserved.

CHAPTER 18. HISTORIC PRESERVATION LOW INTEREST LOAN PROGRAM

Sec. 22-690. Statement of purpose.

(a) To promote and support the maintenance of historic properties by providing a pool of available funds which will be loaned at low rates of interest for the maintenance and improvement of properties designated as historic by the city;

(b) Foster civic pride in the accomplishments and heritage contained in the city's past as exhibited in the city's architecture, homes and public/private buildings;

(c) Enhance the physical attractiveness of the city;

(d) Promote the recycling and adaptive reuse of architectural sites, structures, objects and districts for the education, stimulation and welfare of the people of the city;

(e) Promote the economic revitalization of the city.

(Code 1994, § 16.61.010; Ord. No. 59, 1997, §§ 1, 2, 9-16-1997; Ord. No. 48, 2001, § 2, 7-17-2001; Ord. No. 78, 2001, § 2, 10-2-2001)

Sec. 22-691. Creation of committee.

(a) The loan committee shall consist of seven voting members as appointed by the historic preservation commission, four of which shall be from its membership, and the following three city employees or their designee: director of community development, historic preservation specialist and finance director.

(b) The loan committee shall have the following ex officio members: a member of the city attorney's office shall be the legal advisor; a representative of the city finance department; and one member of the city council.

(c) Appointment of the loan committee members shall be for a maximum of three-year terms. The initial

terms will be staggered as established by the historic preservation commission.

(d) Vacancies on the loan committee shall be filled by the historic preservation commission.

(e) Members of the loan committee whose term of office expires may apply for reappointment.

(f) Members of the loan committee wishing to resign prior to completion of the appointment term shall inform the historic preservation commission in writing with a copy sent to the loan committee chairperson and the staff liaison.

(g) One city employee loan committee member shall be appointed by the city manager as an administrator to be referred to hereafter as staff liaison.

(Code 1994, § 16.61.020; Ord. No. 59, 1997, §§ 1, 2, 9-16-1997; Ord. No. 48, 2001, § 2, 7-17-2001; Ord. No. 78, 2001, § 2, 10-2-2001; Ord. No. 04, 2008, § 4, 2-5-2008)

Sec. 22-692. Rules of procedure.

The committee shall conduct its proceedings in accordance with Robert's Rules of Order and set forth additional rules and procedures for the commission.

(Code 1994, § 16.61.030; Ord. No. 59, 1997, §§ 1, 2, 9-16-1997; Ord. No. 48, 2001, § 2, 7-17-2001; Ord. No. 78, 2001, § 2, 10-2-2001; Ord. No. 04, 2008, § 4, 2-5-2008)

Sec. 22-693. Powers and duties of committee.

(a) The committee shall have the power to:

(1) Establish loan criteria to be approved by council resolution;

(2) Receive and review applications for credit;

(3) Approve or deny applications for loans;

(4) Conduct inspections;

(5) Supervise and administer an historic preservation loan program between/among the city and the owners of designated properties, including those designated on the state register or the National Register of Historic Places.

(b) The committee shall have the duty to:

(1) Conduct itself in a professional manner, holding all financial information and other sensitive information in strict confidence;

(2) Make all loan decisions with consideration for the future and stability of the loan pool.

(Code 1994, § 16.61.040; Ord. No. 59, 1997, §§ 1, 2, 9-16-1997; Ord. No. 48, 2001, § 2, 7-17-2001; Ord. No. 78, 2001, § 2, 10-2-2001)

Sec. 22-694. Procedure for loan application.

(a) Any owner of an eligible property may submit an application for consideration by the historic preservation loan committee. As part of the application process, the owner shall also submit a detailed description of the owner's plan for the historic preservation and protection of the subject property.

(b) The property owner shall submit itemized brands and materials list.

(c) Owner shall also submit financial statements for all persons applying for historic preservation loans as may be requested by the loan committee.

(d) The loan committee reserves the right to request such additional information as it determines necessary relative to ownership, financial considerations, plans, contractor information and/or other information the loan committee determines pertinent.

(Code 1994, § 16.61.050; Ord. No. 59, 1997, §§ 1, 2, 9-16-1997; Ord. No. 48, 2001, § 2, 7-17-2001; Ord. No. 78, 2001, § 2, 10-2-2001; Ord. No. 04, 2008, § 4, 2-5-2008)

Sec. 22-695. Criteria for approval or denial.

(a) Applications for participation in the historic preservation loan program shall be in the names of all owners of title. Application in the names of less than all owners shall not be permitted.

(b) Ownership and title to the property, which will be the subject of the historic preservation loan, must be in good or marketable title with all taxes and loans current, liens paid, no foreclosure proceedings pending, all restrictions of record and encumbrances disclosed and approved by the loan committee, and be in compliance with all zoning codes.

(c) Owner will provide such documents and proof of title, including encumbrances, liens, restrictions of record, or other evidence of the title to the property as the loan committee may request; owner agrees to pay for all ownership and encumbrance reports, title insurance, title searches and other fees as the loan committee may deem necessary or appropriate. All such costs must be paid by the owner at the commencement of the loan application process.

(d) The loan committee shall apply such loan repayment criteria to each historic preservation loan application as the loan committee determines is appropriate.

(e) The loan committee shall, after consultation with the applicants, determine an appropriate loan repayment schedule which may be on a monthly basis, but in no event shall it be on less than a quarterly basis. Forty-five days after failure to make timely payment shall cause the entire principal balance, together with all accrued interest thereon, to become a lien upon the property, and shall have priority over all liens, except general taxes and prior special assessments and the same may be certified by the director of finance, together with all accrued interest thereon and a ten percent collection charge, to the county treasurer for collection as provided by law; provided, however, that at any time prior to sale of the property, the applicants may pay the amount of all delinquent installment payments, together with all accrued interest and the ten-percent collection charge thereon, and any other penalties and costs of collection. Upon such payment, applicants shall thereupon be restored to nondelinquent status and may thereafter pay in installments in the same manner as if default had not been made.

(Code 1994, § 16.61.060; Ord. No. 59, 1997, §§ 1, 2, 9-16-1997; Ord. No. 48, 2001, § 2, 7-17-2001; Ord. No. 78, 2001, § 2, 10-2-2001)

Sec. 22-696. Request for reconsideration.

A person who applies for money pursuant to this chapter and whose application is denied may reapply not more than once in any 12-month period. Decisions made by the committee are final.

(Code 1994, § 16.61.070; Ord. No. 59, 1997, §§ 1, 2, 9-16-1997; Ord. No. 48, 2001, § 2, 7-17-2001; Ord. No. 78, 2001, § 2, 10-2-2001)

Sec. 22-697. Chart for historic preservation designation process.

[GRAPHIC - Illustrative Flow Chart for Historic Preservation Designation Process]

(Code 1994, ch. 16.61, att.; Ord. No. 34, 2006, § 1, 8-15-2006)