

**TOWN OF JOHNSTOWN, COLORADO
ORDINANCE NO. 2023-253**

**AN ORDINANCE AMENDING SECTIONS 18-41 AND 18-43 OF ARTICLE V
OF CHAPTER 18 OF THE JOHNSTOWN MUNICIPAL CODE
CONCERNING ADOPTION OF THE INTERNATIONAL ENERGY
CONSERVATION CODE, 2018 EDITION.**

WHEREAS, the Town of Johnstown, Colorado (“Town”) is a Colorado home rule municipality, duly organized and existing under the laws of the State of Colorado and the Town’s Home Rule Charter; and

WHEREAS, the Town Council is vested with authority to administer the affairs of the Town; and

WHEREAS, pursuant to Title 31, Article 16, Part 2, C.R.S., the Town Council adopted building codes in Chapter 18 of the Johnstown Municipal Code (“Code”); and

WHEREAS, based on the recommendation of the Town’s building official, the Town Council desires to amend Sections 18-41 and 18-43 of Article V of Chapter of the Code to adopt the International Energy Conservation Code, 2018 Edition, with amendments; and

WHEREAS, the Town Council finds, determines and declares that this Ordinance is promulgated under the general police power of the Town, is promulgated for the preservation of public health, welfare, peace, safety and property and is in the best interests of the Town of Johnstown.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF JOHNSTOWN, COLORADO, THAT:

Section 1. Section 18-41. Section 18-41 of the Johnstown Municipal Code is hereby repealed and readopted in full to read as follows:

Sec 18-41. International Energy Conservation Code.

Pursuant to Title 31, Article 16, Part 2, C.R.S., the International Energy Conservation Code, 2018 Edition, as published by the International Code Council, 4051 West Flossmoor Road, Country Club Hills, IL 60478, Chapters 1 through 5 inclusive (“IECC”), is hereby adopted by reference as the Town of Johnstown Energy Conservation Code to have the same force and effect as if fully set forth herein.

Section 2. Section 18-43. Section 18-43 of the Johnstown Municipal Code is hereby repealed and readopted in full to read as follows:

Sec 18-43. Amendments.

The International Energy Conservation Code, 2018 Edition, adopted herein is hereby modified with the following additions, deletions, insertions and modifications:

(1) IECC Section C101.1 (Title) is amended by the addition of the term “Town of Johnstown” where indicated.

(2) IECC Section 109.1 (General) is amended by the deletion of the last three sentences and replacement with the following:

“The members of the Board of Appeals shall be comprised of the members of the Town Council.”

(3) IECC Section 109.3 (Qualifications) is amended by the deletion of this section in its entirety.

(4) IECC Section C402.1.1 (Low energy buildings) is amended by the addition of Exception No. 4 to read as follows:

“Commercial structures that lack one or more of the basic amenities or utilities required for year-round occupancy or use such as a permanent heating system, insulation, and/or year-round usable plumbing.”

(5) IECC Section R402.4.1.2 (Testing) is amended by the deletion of the first sentence and replacement with the following:

“The *building* or dwelling unit shall be tested and verified as having an air leakage rate not exceeding seven air changes per hour in *Climate Zones* 1 and 2, and five air changes per hour in *Climate Zones* 3 through 8.”

Section 3. Subsections 18-3(14) and (24) and Subsections 18-13(4) and (19). The references to the 2012 International Energy Conservation Code set forth in Subsections 18-3(14) and (24) and Subsections 18-13(4) and (19) of the Johnstown Municipal Code shall be amended to reflect the 2018 International Energy Conservation Code.

Section 4. Severability. If any part or provision of this Ordinance, or its application to any person or circumstance, is adjudged to be invalid or unenforceable, the invalidity or unenforceability of such part, provision, or application shall not affect any of the remaining parts, provisions or applications of this Ordinance that can be given effect without the invalid provision, part or application, and to this end the provisions and parts of this Ordinance are declared to be severable.

Section 5. Code revisions. Minor changes such as the format and other changes to unify the revised Code may be necessary. The Town Clerk is hereby authorized to make such changes, provided that neither the intent nor substantive content will be altered by such changes.

Section 6. Publication and Effective Date. This Ordinance, after its passage on final reading, shall be numbered, recorded, published and posted as required by the Home Rule Charter of the Town of Johnstown, Colorado (“Charter”) and the adoption, posting and publication shall be authenticated by the signature of the Mayor and the Town Clerk. This Ordinance shall become effective upon final passage as provided by the Charter. Copies of the entire Ordinance and of the

International Energy Conservation Code, 2018 Edition, shall be available at the office of the Town Clerk.

INTRODUCED, AND APPROVED on first reading by the Town Council of the Town of Johnstown, Colorado, this ____ day of _____, 2023.

TOWN OF JOHNSTOWN, COLORADO

ATTEST:

By: _____
Hannah Hill, Town Clerk

By: _____
Damien Berg, Mayor Pro Tem

PASSED UPON FINAL APPROVAL AND ADOPTED on second reading by the Town Council of the Town of Johnstown, Colorado, this ____ day of _____, 2023.

TOWN OF JOHNSTOWN, COLORADO

ATTEST:

By: _____
Hannah Hill, Town Clerk

By: _____
Troy D. Mellon, Mayor