

If members of the public wish to attend the meeting digitally the link is below in yellow. The meeting will go on in person regardless of technical difficulties with Zoom.

WINTER PARK TOWN COUNCIL MEETING

Winter Park Town Hall – 50 Vasquez Road

Tuesday, December 5, 2023 – 4:30 p.m.

Dinner Provided



Meeting will go directly into the executive session (closed to the public); Council will recess at 5p.m. and resume the regular meeting at 5:30 p.m.

AGENDA

1. Meeting Call To Order
 - a. Pledge of Allegiance
 - b. Roll Call of Council Members
2. Executive Session Pursuant to:
 - a. C.R.S. 24-6-402(4)(f) for a personnel matter that is the Town Manager's annual performance evaluation.

RECESS WILL RESUME REGULAR MEETING AGAIN AT 5:30 p.m.

3. Resume Meeting 5:30 p.m.
4. Town Hall Meeting (*Public Comment*)

Public Comment is restricted to three minutes per person, and you must state your name and physical address for the record. Please be mindful of not reiterating other people's comments.
5. Consent Agenda
 - a. Approval of November 21, 2023, Regular Meeting Minutes
 - b. Resolution 2104, A Resolution Approving Purchase of a Toro Workman UTX with V Blade for Sidewalk Plowing
 - c. Resolution 2105, A Resolution Approving the Lease of a Favero Lorenzo SR3X Snowcat for Winter Trail Grooming
6. Action Items
 - a. Ordinance 612, An Ordinance of the Town Council of the Town of Winter Park, Colorado, Adopting by Reference the 2021 Editions of the

International Building Code, the International Residential Code, the International Mechanical Code, the International Plumbing Code, the International Fuel Gas Code, the International Existing Building Code, the International Energy Conservation Code, and the International Fire Code and the 2020 Edition of the National Electrical Code, with Amendments, Related Definitions, and Setting Forth Penalties for Violations Thereof, Second Reading and Public Hearing

- b. Ordinance 615, An Ordinance Revising Amounts Budgeted and Appropriated for Fiscal Year 2023 and Amending the 2023 Adopted Budget for the Town of Winter Park, Colorado, Second Reading and Public Hearing
 - c. Resolution 2106, A Resolution Levying Property Taxes for the Year 2023 to Help Defray the Costs of Government for the Town of Winter Park, Colorado for the 2024 Budget
- 7. Town Manager's Report
 - 8. Mayor's Report
 - 9. Town Council Items for Discussion

You are invited to a Zoom webinar.

When: December 5, 2023 05:30 PM Mountain Time (US and Canada)

Topic: Town of Winter Park Meeting

Register in advance for this webinar:

https://us02web.zoom.us/webinar/register/WN_DWzbonYxRz0czSD94EVv3w

MINUTES

DATE: Tuesday, November 21, 2023

MEETING: Winter Park Town Council

PLACE: Town Hall Council Chambers and Zoom Meeting Call

PRESENT: Mayor Nick Kutumbos, Mayor Pro Tem Jennifer Hughes, Councilors, Rebecca Kaufman, Art Ferrari, Jeremy Henn, and Michael Periolat, and Town Manager Keith Riesberg, Assistant Town Manager Alisha Janes, Town Clerk Danielle Jardee, and Town Attorney Hilary Graham via Zoom

OTHERS

PRESENT: Chief of Police Glen Trainor, Community Development Director James Shockey via Zoom, Finance Director Craig Rutherford, Public Works Director Jamie Wolter, and Transit Manager Charles McCarthy

Mayor Nick Kutumbos called the meeting to order at 5:30 p.m.

Mayor Nick Kutumbos led those present in reciting the Pledge of Allegiance.

2. Town Hall Meeting

Pass Co Properties' Nick Pass stated he would like Council to consider a proposal for a ski and valet service based on lower level of 78415 US Hwy 40. Mayor Kutumbos stated Staff will follow up with him.

3. Consent Agenda

3.a. Approval of November 7, 2023, Regular Meeting Minutes

Councilor Jeremy Henn moved and Councilor Rebecca Kaufman seconded the motion approving the Consent Agenda. Motion carried: 6-0.

4. Action Items

4.a. Public Hearing, Special Event Permit Application – New Year's Eve Celebration

Town Clerk Danielle Jardee stated the permit application is for the annual New Year's Eve celebration at the Rendezvous Event Center at Hideaway Park on Sunday, December 31 from 7 to 9 p.m. featuring free sledding and a silent disco. Mayor Kutumbos opened the public hearing, hearing no comments. Mayor Kutumbos closed the public hearing.

Mayor Pro Tem Jennifer Hughes moved and Councilor Art Ferrari seconded the motion approving Special Event Permit Application – New Year's Eve Celebration. Motion carried: 6-0.

4.b. Public Hearing, Resolution 2099, A Resolution Summarizing Revenue and Expenditures for Each Fund and Adopting a Budget for the Town of Winter Park, Colorado for the Calendar

Year Beginning on the First Day of January 2024 and Ending on the Last Day of December 2024

Town Manager Keith Riesberg stated the resolution for Council's consideration tonight plans for the adoption of the planned budget for the fiscal year 2024. Mr. Riesberg stated as we discussed with Council during today's workshop, we have finalized some projections and updated the expenditures, which are why the amounts listed in the resolution have changed. Mr. Riesberg stated for your consideration you have an updated resolution presented as a table setting. Mr. Riesberg stated the budget as presented does incorporate projects and initiatives that have previously been directed by the Council. Mr. Riesberg stated with the undertaking of key capital projects, mainly housing projects, and the planning for a future police station the general fund is being pulled down by four million dollars but the general fund reserve is still sufficient. Mr. Riesberg stated Council must hold a public hearing, which was opened at the last meeting and continued to today's meeting. Mayor Kutumbos opened the public hearing, hearing no comments. Mayor Kutumbos closed the public hearing.

Councilor Art Ferrari moved and Councilor Michael Periolat seconded the motion approving Resolution 2099, A Resolution Summarizing Revenue and Expenditures for Each Fund and Adopting a Budget for the Town of Winter Park, Colorado for the Calendar Year Beginning on the First Day of January 2024 and Ending on the Last Day of December 2024. Motion carried: 6-0.

4.c. Resolution 2100, A Resolution Authorizing the Adoption of the Lift's Code of Conduct and Suspension Policies

Transit Manager Charles McCarthy stated this resolution will adopt the Lift's and Town of Winter Park's code of conduct policy and suspension policy and procedures. Mr. McCarthy stated this is not in reference to anything specific, these are just necessary documents to implement as the company grows for the safety of the users, drivers, etc.

Councilor Rebecca Kaufman moved and Mayor Pro Tem Jennifer Hughes seconded the motion approving Resolution 2100, A Resolution Authorizing the Adoption of the Lift's Code of Conduct and Suspension Policies. Motion carried: 6-0.

4.d. Ordinance 613 An Ordinance Rezoning Certain Property Within the Town Known as Roam Filing 4 to Destination Center District Zoning with a Planned Development District Overlay and Approving the Related Third Amendment to the Roam Final Development Plan, Second Reading and Public Hearing

Community Development Director James Shockey stated this is the second reading for the planned development amendment, the request is to add additional property into the final development plan that was acquired by Fraser River Development Company that was not originally under their ownership at the time of the original FDP (Final Development Plan). Mr. Shockey stated this request would zone the added property as Planned Development Destination Center District which is the same zoning as the rest of the property. Mr. Shockey stated the proposed density is in the Staff report and the condition about the trail connection and the public right-of-way having pedestrian and vehicular access has been met. Mr. Shockey stated Planning Commission did recommend approval and Staff recommends approval. Councilor Rebecca Kaufman asked if there was an update on the Beaver Village Lodge. Mr. Shockey stated Staff has received a pre-application to turn it into a community center but nothing further then the pre-application. Mayor Kutumbos opened the public hearing, hearing no comments. Mayor Kutumbos closed the public hearing.

Councilor Art Ferrari moved and Councilor Michael Periolat seconded the motion approving Ordinance 613 An Ordinance Rezoning Certain Property Within the Town Known as Roam Filing 4 to Destination Center District Zoning with a Planned Development District Overlay and Approving the Related Third Amendment to the Roam Final Development Plan, Second Reading and Public Hearing. Motion carried by following roll call vote:

Rebecca Kaufman	"Aye"	Art Ferrari	"Aye"
Jennifer Hughes	"Aye"	Michael Periolat	"Aye"
Jeremy Henn	"Aye"	Nick Kutumbos	"Aye"

4.e. Resolution 2101, A Resolution Approving the Preliminary Plat for Roam Filing No. 4

Community Development Director James Shockey stated now that the amendment has been approved, the next step is approval of the preliminary plat. Mr. Shockey stated the preliminary plat covers the property that was just incorporated into the FDP which is 1.76 acres located on the left side of Ski Idlewild Rd and directly behind the businesses on US Hwy 40. Mr. Shockey stated the plat has seven townhome units with future tracts A and B, standards such as building coverage, parking, etc. are satisfactory. Mr. Shockey stated public notice went out and one comment was received and is in the packet. Mr. Shockey stated Planning Commission recommends approval and Staff recommends approval with one condition, being that prior to final plat submittal, the Applicant and Town Engineer agree on acceptable form of curb design where there is no sidewalk behind the curb. Councilor Art Ferrari asked the Applicant about the adjacent developed properties and if they are working with those property owners on access, etc. Vogel and Associates, Jeff Vogel stated there will be no impact to access because of easements the Town owns and because Wanderer's Way connects to Ski Idlewild Rd.

Councilor Jeremy Henn moved and Councilor Michael Periolat seconded the motion approving Resolution 2101, A Resolution Approving the Preliminary Plat for Roam Filing No. 4. Motion carried: 6-0.

4.f. Ordinance 614, An Ordinance of the Town of Winter Park, Colorado Rezoning Certain Property Within the Town Known as River Walk at Winter Park to Multiple Family Residential (R-2) District Zoning with a Planned Development (PD) District Overlay and Approving the Related Final Development Plan, Second Reading and Public Hearing

Community Development Director James Shockey stated Council may want to discuss the other River Walk items on the agenda since they all coordinate for the development. Mayor Nick Kutumbos opened the other action items on the agenda pertaining to River Walk. Mr. Shockey stated Council will be reviewing the final development plan, the final plat as well as the development agreement for River Walk. Mr. Shockey stated this development is the River Walk tract F property, and as part of this property they are proposing a land swap with Sojourn Idlewild project. Mr. Shockey stated Council did review the land swap as part of a minor subdivision last year and approved it, however it has yet to be recorded, recording is reliant on approval of the final development plan for River Walk. Mr. Shockey stated the proposal for the River Walk final development plan and final plat is to plat out the entire 7.73 acres into 33 single family residential lots with community amenities and dedicate the wetlands on out lot D to the Town. Mr. Shockey stated it will be zoned Planned Development R2, and the only disturbance to the wetlands is a deck that will be privately owned by the development. Mr. Shockey stated Planning Commission recommended approval with conditions and one has been added by Staff, Staff recommends approval with conditions. Town Manager Keith Riesberg stated Resolution 2102 is being presented in conjunction with the other action items for your consideration. Mr. Riesberg stated the development agreement does set forth the terms and fees that would be paid by the developer, upon building permit issuance a \$3.00 per square foot fee would be collected for affordable housing

impacts, and the developer has agreed to implement a voluntary 1.5% resort district fee which would be remitted monthly to the Town. Mr. Riesberg stated the applicant has also implemented a RETA (Real Estate Transfer Assessment) of 1.5% in addition to 1% RETT (Real Estate Transfer Tax). Mr. Riesberg stated the Town's short-term licensing requirements will apply to this property however it would be exempted from a limit or cap on short-term rentals if Town decides to implement something like that in the future. Mr. Riesberg stated River Walk LLC has agreed to pay its proportionate share of the regional infrastructure improvements as were previously calculated in other agreements, and the other provisions in the development agreement are standard with Town's protocol. Councilor Art Ferrari asked to hear more about ADUs (Accessory Dwelling Units). Developer Zach Nassar stated they would like the option to build an ADU but not the requirement to put them in. Mayor Pro Tem Jennifer Hughes asked Mr. Nassar if he had any idea how much that 1.5% resort fee would generate. Mr. Nassar gave an estimate based off units in their Copper Mountain project. Councilor Rebecca Kaufman asked how many days in a year will each home be rented. Mr. Nassar stated he based his Performa off rent roles in Copper and cross checking with what is on market in Winter Park, about 75-80% occupancy rate. Council continued to ask questions to Mr. Nassar and discuss items such as the ADU's, sales of these units, the resort tax, housing employees to manage the development, property tax concern if Bill 6 passes on the State level, and the land swap with Sojourn. Councilors voiced concerns about a short-term rental project, and it not being the right fit for the Town. Developer David Nassar responded with reasons why the project is conducive to Town. Council discussed each of their viewpoints on this project. Mayor Kutumbos opened the public hearing, hearing no comments. Mayor Kutumbos closed the public hearing.

Councilor Michael Periolat moved and Councilor Art Ferrari seconded the motion approving Ordinance 614, An Ordinance of the Town of Winter Park, Colorado Rezoning Certain Property Within the Town Known as River Walk at Winter Park to Multiple Family Residential (R-2) District Zoning with a Planned Development (PD) District Overlay and Approving the Related Final Development Plan, Second Reading and Public Hearing. Motion carried by following roll call vote:

Jennifer Hughes	"Aye"	Rebecca Kaufman	"Nay"
Art Ferrari	"Aye"	Michael Periolat	"Aye"
Jeremy Henn	"Nay"	Nick Kutumbos	"Aye"

4.g. Resolution 2102 A Resolution Approving a Development Agreement with Riverwalk, LLC for Certain Property Within the Town Known as River Walk at Winter Park

**Refer to Action Item 4.f.*

Councilor Michael Periolat moved and Councilor Art Ferrari seconded the motion approving Resolution 2102 A Resolution Approving a Development Agreement with Riverwalk, LLC for Certain Property Within the Town Known as River Walk at Winter Park with clarification of the Convenience Section C3. Motion carried: 4-2.

4.h. Resolution 2103, A Resolution Approving the Final Plat for River Walk at Winter Park Filing No. 2

**Refer to Action Item 4.f.*

Councilor Michael Periolat moved and Councilor Art Ferrari seconded the motion approving Resolution 2103, A Resolution Approving the Final Plat for River Walk at Winter Park Filing No. 2. Motion carried: 4-2.

4.i. Ordinance 615, An Ordinance Revising Amounts Budgeted and Appropriated for Fiscal Year 2023 and Amending the 2023 Adopted Budget for the Town of Winter Park, Colorado, First Reading

Town Manager Keith Riesberg stated tonight we are presenting the first reading of ordinance 615 to amend the current fiscal year budget, there is only one amendment required. Mr. Riesberg stated the amendment is to reduce revenues in the transit and trails fund on the capital grants and contribution line item. Mr. Riesberg stated when the budget was adopted, we anticipated 15 million dollars however due to the timing of grants received associated with our transit maintenance facility construction they were received in the previous fiscal year, so we are reducing revenues to reflect this change.

Councilor Art Ferrari moved and Mayor Pro Tem Jennifer Hughes seconded the motion approving Ordinance 615, An Ordinance Revising Amounts Budgeted and Appropriated for Fiscal Year 2023 and Amending the 2023 Adopted Budget for the Town of Winter Park, Colorado, First Reading. Motion carried by following roll call vote:

Jeremy Henn	"Aye"	Michael Periolat	"Aye"
Jennifer Hughes	"Aye"	Art Ferrari	"Aye"
Rebecca Kaufman	"Aye"	Nick Kutumbos	"Aye"

5. Town Manager's Report

Town Manager Keith Riesberg stated at the last meeting Council voiced concerns about the Town's development and review process discouraging quality developers advancing their projects, Staff has also heard concerns. Mr. Riesberg stated he wanted to communicate back to Council that Staff will be looking at our process, this will not be ignored, Staff will follow up. Mr. Riesberg stated transit winter service started November 13 and our contractor Transdev does have drivers hired and on-board. Mr. Riesberg stated now that buses are being stored in the new facility, they should start the day out clean and warm which will result in a better guest experience.

6. Mayor's Report

Nothing to Report.

7. Town Council Items for Discussion

Mayor Pro Tem Jennifer Hughes stated in regard to Mr. Riesberg's first comment above, it feels like we have been talking about creating a menu for developers for awhile and everyone agrees but it doesn't go anywhere, should we get it on a workshop. Mr. Riesberg stated his understanding was this is more about the process and the perception first before we adjust how we consider the approval of projects. Councilor Michael Periolat stated having Planning Commission there would be helpful, and Councilor Art Ferrari stated he would like to add goals for workforce housing. Mayor Kutumbos asked about a stakeholder roundtable and discussion in December, if that was still on. Mr. Riesberg stated it would be hard to get all the stakeholders together during the holiday month, it is Staff's intent to be comprehensive and have all stakeholders present.

Councilor Rebecca Kaufman stated thanks to all Staff in all Departments for all their hard work. Council echoed the sentiment. Mr. Riesberg stated we appreciate Council's guidance and support.

Mayor Nick Kutumbos stated Happy Thanksgiving to everyone in attendance.

There being no further business to discuss, upon a motion regularly adopted, the meeting was adjourned at 7:21 p.m.

The next scheduled meeting of the Town Council will be Tuesday, December 5, 2023, at 5:30 p.m.

Danielle Jardee, Town Clerk

MEMO

TO Town Council
FROM Jamie Wolter, Public Works Director
CC Town Manager Keith Riesberg
DATE November 29, 2023
RE Toro Workman UTX with V Blade – Purchase for sidewalk plowing

Slated for purchase on the 2024 Equipment Replacement Summary is a Sidewalk Plow Machine. This equipment is needed for plowing the narrower sidewalks in Roam and will also be used for other sidewalks in town. This machine is much smaller with far better visibility than what is currently being used for plowing town sidewalks. Town Manager Keith Riesberg asked me to find a better piece of equipment for sidewalk plowing.

The Toro Workman UTX will be delivered to the Public Works Department in early December 2023, and LL Johnson is allowing the Town to pay for this equipment in 2024, when it is scheduled for capital purchase in the budget.

The Public Works Fleet Manager, Street Superintendent and I recommend we proceed with this purchase; we believe this will be a high-quality heavy duty, reliable piece of equipment for the Town.

TOWN OF WINTER PARK

RESOLUTION NO. 2104
SERIES OF 2023

A RESOLUTION APPROVING PURCHASE OF A TORO WORKMAN UTX WITH V BLADE
FOR SIDEWALK PLOWING

WHEREAS, the Public Works Department needs a machine for sidewalk plowing that fits the narrower 6' sidewalks in Roam and may also be used for other sidewalks; and

WHEREAS, the quoted Toro Workman UTX with V Blade meets the Public Works Department needs for sidewalk plowing, and is below the Town's 2024 Equipment Replacement Summary budget number for a sidewalk plow machine; and

WHEREAS, three quotes were solicited per the Town's purchasing policy with the bid for a Toro Workman UTX with V Blade for \$45,290.15 being the lowest and best quote; and

WHEREAS, Staff recommends the purchase of the Toro Workman UTX with V Blade from LL Johnson in Denver Colorado.

NOW THEREFORE, BE IT RESOLVED that the Town Council of Winter Park, Colorado hereby awards the quote for a Toro Workman UTX with V Blade costing \$45,290.15 to LL Johnson.

APPROVED AND PASSED this 5th day of December, 2023 by a vote of ____ to ____.

TOWN OF WINTER PARK

Nick Kutrumbos, Mayor

ATTEST:

Danielle Jardee, Town Clerk

MEMO

TO Town Council
FROM Jamie Wolter, Public Works Director
CC Town Manager Keith Riesberg
DATE November 28, 2023
RE Favero Lorenzo Snowcat Lease for Winter Trail Grooming

Based on discussion in the Town Council workshop on November 21, 2023. Public Works has a lease agreement with Mountain States Snowcats for the 2023-2024 winter season. This Lease will allow for the potential purchase of the snowcat at the end of the lease. Should the Town move forward the purchase of the snowcat, 80% of the lease price will be allocated towards the purchase.

Public Works staff will work on obtaining grant funds through the OLRT spring grant cycle. Staff expects that 50% of the total purchase price is a reasonable amount to obtain matching grant funding from OLRT. Communications with Anna Drexler-Dreis has given staff optimism in being awarded funds in the spring grant cycle to help offset the purchase price of this machine. The Town will receive notice of the grant funding determination prior to the required purchase date of the snowcat.

Public works is currently working to hire a part-time seasonal employee to achieve the desired level and quality of grooming as outlined by the Town Council at the November 21st workshop.

The Public Works staff recommends we proceed with this lease and potential purchase; we believe this will allow the Town to bring the grooming in house and achieve the desired resident and guest experience by performing grooming in house versus using a subcontractor.

TOWN OF WINTER PARK

RESOLUTION NO. 2105
SERIES OF 2023

A RESOLUTION APPROVING THE LEASE OF A FAVERO LORENZO SR3X SNOWCAT
FOR WINTER TRAIL GROOMING

WHEREAS, the Public Works Department was asked to research and find a solution for winter trail grooming per the Town Council's request; and

WHEREAS, the quoted lease for a Favero Lorenzo SR3X meets the Town's needs to meet the desired grooming quality for the 2024 winter; and

WHEREAS, three quotes were solicited per the Town's purchasing policy with the bid for a 2023 Favero Lorenzo SR3X lease with option to purchase from Mountain States Snowcats for \$52,500.00 being the lowest and best quote for leasing; and

WHEREAS, Staff recommends the lease with option to purchase by April 1, 2024 of the 2023 Favero Lorenzo SR3X from Mountain States Snowcats.

NOW THEREFORE, BE IT RESOLVED that the Town Council of Winter Park, Colorado hereby awards the quote to lease with option to purchase for a 2023 Favero Lorenzo SR3X Snowcat costing \$52,500.00 to Mountain States Snowcats.

APPROVED AND PASSED this 5th day of December, 2023 by a vote of ____ to ____.

TOWN OF WINTER PARK

Nick Kutrumbos, Mayor

ATTEST:

Danielle Jardee, Town Clerk

TOWN COUNCIL



SUBJECT: 2021 International Building Codes

STAFF PRESENTER:

Thomas P. Hawkinson

CONTACT: thawkinson@wpgov.com

COMMUNITY BENEFIT:

1. Modern building codes are a town's commitment to the future. By adopting up-to-date building codes, citizens, design professionals and builders can take advantage of current construction technologies, materials and methods and can benefit from updated building safety requirements such as exiting, structural issues and fire safety concerns.
2. Consistency and uniformity of codes among the Town(s) of Winter Park, Fraser, Granby as well as Grand County jurisdictions. This makes it easier for designers and contractors who build in these jurisdictions. It also allows for more consistent administration and enforcement by Building Department personnel.
3. Conformance to the Building Codes Committee's recommendation to strive for uniformity and consistency throughout and within the county.

DISCUSSION:

The Town's Construction Codes were last updated in 2018. That last update was based upon the 2015 International Code(s) published by the International Code Council (ICC) and associated electrical regulations that were previously updated. These building codes are designed to be used throughout the United States instead of having multiple codes by which designers and builders must adhere to. The development of these codes was achieved through vast amounts of input from all areas of the construction industry; however the final voting action was only permitted to be conducted by code officials which have no vested financial interest in the outcome of the code. Along with the IBC, other codes became available that worked jointly with the IBC. This "family of codes" is comprised primarily of the International Building Code, International Residential Code, International Mechanical Code, International Plumbing Code, International Fuel Gas Code, and International Fire Code. When adopted together, these documents work in harmony and provide comprehensive code requirements for regulated buildings and structures. The other document, the 2023 National Electrical Code (NEC), rounds out this group of code regulations. Since the State of Colorado adopts the most current International Plumbing and National Electrical Code, those two codes will automatically be adopted by the Town(s) of Winter Park, Fraser and Granby.

The codes which are being proposed for adoption are:

- 1.) The 2021 International Building Code covers building height and area requirements, structural aspects, exiting and occupancy design, fire resistive construction requirements and administrative provisions such as fees, permit and inspection requirements and duties of the Building Department.
- 2.) The 2021 International Residential Code covers all aspects of one-and-two-family dwelling construction including structural, plumbing, electrical and mechanical requirements.
- 3.) The most current edition of the International Plumbing Code, as adopted by the State of Colorado, governs plumbing and fuel gas systems.
- 4.) The 2021 International Mechanical Code regulates heating, air conditioning and ventilation requirements.
- 5.) The 2021 International Fuel Gas Code regulates the installation of fuel-gas piping systems, fuel gas appliances, gaseous hydrogen systems and related accessories.
- 6.) The 2021 International Energy Conservation Code regulates the design and construction of buildings for the use and conservation of energy over the life of each building. The code is intended to provide flexibility to permit the use of innovative approaches and techniques to achieve this objective.
- 7.) The 2021 International Fire Code has regulations affecting or related to structures, processes, premises and safeguards regarding hazard of fire and explosion arising from storage of, handling or use of structures, materials and devices, hazardous conditions, fire hazards, fire suppression and alarm systems and conditions affecting the safety of fire fighters and emergency responders during emergency operations.
- 8.) The 2021 International Existing Building Code is to provide flexibility to permit the use of alternative approaches to achieve compliance with minimum requirements to safeguard the public health, safety, and welfare insofar as they are affected by the repair, alteration, change in occupancy, addition and relocation of existing buildings.
- 9.) The most current edition of the National Electrical Code as adopted by the State of Colorado which regulates electrical applications and equipment.

Each code will have some minor revisions to suit each jurisdictional needs, however, the goal was to keep amendments to a bare minimum. In fact, late in 2021 a Code Development Committee was created which is comprised of development and construction industries, the public, and code officials from Grand County and me. The Code Development Committee was charged with drafting a set of uniform code amendments that could be adopted by Town(s) of Winter Park, Fraser, and Granby as well as Grand County, to promote countywide consistency. This committee met every month during 2022 and invited and received input from the stakeholders such as local builders, the Grand County Builders Association, architects, engineers, insurance industry and any other interested parties. Working collectively, this committee concluded their work and has provided the amendments presented. The committee is in support of the code adoption with the proposed amendments.

It behooves the Town(s) of Winter Park, Fraser, Granby and Grand County to adopt these latest code editions and the uniform amendments in order to stay current with technological advances in the code and construction industry. Many industry organizations such as the American Institute of Architects, the National Association of Homebuilders, FEMA, and the Colorado Chapter of International Code Council have embraced and supported these International Codes.

The International Building Code omits a schedule for permit fees. To promote continuity, it is recommended that the same format for calculating and charging permit and related fees be continued as currently adopted.

STAFF RECOMMENDATION:

Staff recommends the Council adopt Ordinance No.612 amending Title 6, Chapter 1, Sections 1-9 of the Town of Winter Park Town Code to provide for the adoption of codes and regulations for buildings, structures, and uses thereof; providing for repeal of existing provisions of the Town Code; providing for separability; and providing for an effective date of January 1, 2024.

**TOWN OF WINTER PARK
ORDINANCE NO. 612
SERIES OF 2023**

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF WINTER PARK, COLORADO, ADOPTING BY REFERENCE THE 2021 EDITIONS OF THE INTERNATIONAL BUILDING CODE, THE INTERNATIONAL RESIDENTIAL CODE, THE INTERNATIONAL MECHANICAL CODE, THE INTERNATIONAL PLUMBING CODE, THE INTERNATIONAL FUEL GAS CODE, THE INTERNATIONAL EXISTING BUILDING CODE, THE INTERNATIONAL ENERGY CONSERVATION CODE, AND THE INTERNATIONAL FIRE CODE, AND THE 2020 EDITION OF THE NATIONAL ELECTRICAL CODE, WITH AMENDMENTS, RELATED DEFINITIONS, AND SETTING FORTH PENALTIES FOR VIOLATIONS THEREOF

WHEREAS, Town Council finds it necessary to adopt this ordinance providing minimum standards to safeguard the health, property, and welfare of the citizens of Winter Park by regulating and controlling the use, occupancy, maintenance, repair, design, construction and quality of materials for buildings and structures within the Town;

WHEREAS, C.R.S. § 31-16-201, *et seq.* sets forth certain requirements for the adoption of codes by reference;

WHEREAS, pursuant to C.R.S. § 31-16-203 and C.R.S. § 31-16-205, the Town introduced the adopting ordinance with a first reading held on November 7, 2023 and a second reading held on November 21, 2023, and shall publish such ordinance in full upon its passage;

WHEREAS, pursuant to C.R.S. § 31-16-203, the Town held a properly noticed public hearing on the adopting ordinance by publishing such notice once at least fifteen days before the public hearing and once at least eight days before the public hearing, with such notice stating the time and place of the hearing and all other information required by law; and

WHEREAS, pursuant to C.R.S. § 31-16-204, the adopting ordinance specifically sets forth penalties for violations thereof.

NOW THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL FOR THE TOWN OF WINTER PARK, COLORADO THAT:

Section 1. Section 6-1-1 of the Winter Park Municipal Code is hereby repealed in its entirety and reenacted to read as follows:

6-1-1: CODES ADOPTED BY REFERENCE:

A. The following codes are adopted by reference:

International Building Code, 2021 Edition

International Residential Code, 2021 Edition

International Plumbing Code, 2021 Edition

International Mechanical Code, 2021 Edition

International Fuel Gas Code, 2021 Edition

International Energy Conservation Code, 2021 Edition

International Fire Code Including All Appendices, 2021 Edition

International Existing Building Code, 2021 Edition

National Electrical Code, 2020 Edition

B. All International Codes are published by the International Code Council, 4051 Flossmoor Road, Country Club Hills, IL 60478, except the National Electrical Code is published by the National Fire Protection Association, 1 Batterymarch Park, Quincy, MA 02269. All codes adopted by reference herein and all amendments to said codes are available for inspection at the office of the Town Clerk of Winter Park during normal business hours.

Section 2. Section 6-1-2 of the Winter Park Municipal Code is hereby repealed in its entirety and reenacted to read as follows:

6-1-2: BUILDING CODE AMENDMENTS:

The following sections of the 2021 *International Building Code*, adopted by reference in Section 6-1-1 of this Chapter, are hereby amended as follows:

Section 101.1 is amended to read as follows:

101.1 Title. These regulations shall be known as the Building Code of the Town of Winter Park, hereinafter referred to as "this code."

Section 101.4.3 is amended to read as follows:

101.4.3 Plumbing. The provisions of the International Plumbing Code shall apply to the installation, alterations, repairs and replacement of plumbing systems, including equipment, appliances, fixtures, fittings and appurtenances, and where connected to a water system or sewage system and all aspects of a medical gas system. ~~The provisions of the International Private Sewage Disposal Code shall apply to private sewage disposal systems.~~

Section 101.4.4 is repealed in its entirety.

Section 102.6 is amended to read as follows:

102.6 Existing Structures. The legal occupancy of any structure existing on the date of adoption of this code shall be permitted to continue without change, except as is

specifically covered in this code, ~~the International Property Maintenance Code or the International Fire Code~~, or as is deemed necessary by the building or fire official for the general safety and welfare of the occupants and the public.

Section 103.2 is amended to read as follows:

103.2 Appointment Building Official. ~~The building official shall be appointed by the chief appointing authority of the jurisdiction.~~ The building official is hereby authorized and directed to enforce all the provisions of this code; however, a guaranty that all buildings and structures have been constructed in accordance with all the provisions of this code is neither intended nor implied.

Section 103.3 is amended to read as follows:

103.3 Deputies. In accordance with the prescribed procedures of this jurisdiction ~~and with the concurrence of the appointing authority~~, the building official shall have the authority to appoint a deputy building official, the related technical officers, inspectors, plan examiners and other employees. Such employees shall have powers as delegated by the building official.

Section 104.1 is amended to read as follows:

104.1 General. The building official is hereby authorized and directed to enforce all provisions of this code, however, a guarantee that all buildings and structures have been constructed in accordance with all the provisions of this code is neither intended nor implied. The building official is hereby authorized and directed to enforce the provisions of this code. The building official shall have the authority to render interpretations of this code and to adopt policies and procedures to clarify the application of its provisions. Interpretations, policies and procedures shall comply with the intent and purpose of this code. Such policies and procedures shall not have the effect of waiving requirements specifically provided for in this code.

Section 104.8 is amended to read as follows:

104.8 Liability. The adoption of this code, and any previous building codes adopted by the Town of Winter Park, shall not be deemed to give rise to a duty of care on the part of any public entity, public employee, or agent, nor shall this code or any previous building codes be deemed to create any civil remedy against a public entity, public employee, or agent. The building official, member of board of appeals or employee charged with enforcement of the code, while acting for the jurisdiction in good faith and without malice in the discharge of the duties required by this code or other pertinent law or ordinance, shall not thereby be rendered liable personally and is hereby relieved from personal liability for any damages accruing to persons or property as a result of any act or by reason of an act or omission in the discharge of official duties. Any suit instituted against an officer or employee because of an act performed by that officer or employee in the lawful discharge of duties under the provisions of this code shall be defended by legal representative of the jurisdiction until the final termination of the proceedings. The building official or any subordinate shall not be

liable for costs in any action, suit or proceeding that is instituted in pursuance of the provisions of this code.

Sections 105.1.1 and 105.1.2 are repealed in their entirety.

Section 105.2 is amended to read as follows:

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. Retaining walls, regardless of height, shall require permit(s) and be designed by a licensed Colorado design professional. Permits shall not be required for the following:

Building:

1. One-story detached accessory structures used as tool and storage sheds, playhouses, playground equipment and similar uses, provided the floor area does not exceed 120 square feet (11 m²) and maximum height of 12 feet.
2. Fences not over 7 feet (2134 mm) high.
3. Oil derricks.
- ~~4. Retaining walls which are not over 4 feet (1219 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.~~
54. 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.
- ~~65. Sidewalks and driveways not more than 30 inches (762 mm) above adjacent grade, and not over any basement or story below. Platforms, walks and driveways at grade and are not part of an accessible route.~~
76. Painting, papering, tiling, carpeting, cabinets, countertops, and similar finish work.
87. Temporary motion picture, television and theater stage sets and scenery.
98. Prefabricated swimming pools accessory to a group R-3 occupancy, which are less than 24 inches (610 mm) deep, do not exceed 5,000 gallons (18925 l) and are installed entirely above ground.
- ~~409.~~ 409. Shade cloth structures constructed for nursery or agricultural purposes, not including service systems.

~~44~~10. Swings and other playground equipment accessory to detached one- and two-family dwellings.

~~42~~11. Window awnings supported by an exterior wall that do not project more than 54 inches (1372 mm) from the exterior wall and do not require additional support of groups R-3 and U occupancies.

~~43~~12. Non fixed and movable fixtures, cases, racks, counters, and partitions not over 5 feet, 9 inches (1753 mm) in height.

13. Replacement or repair of nonstructural siding or siding which is not part of a required fire rated assembly on buildings when the removal of the siding is performed in accordance with state regulations regarding asbestos and lead paint, pursuant to other Town regulations.

14. Gutters, downspouts, and storm windows (unless specified by design).

Section 105 is amended by the addition of the following subsections:

105.2.8. Exemptions. Unless otherwise exempt by this code, separate plumbing, electrical and mechanical permits will be required for the above exempted items. Exemption from permit requirements of this Code shall not be deemed to grant authorization for work to be done in a manner in violation of the provisions of this code or any other laws or resolutions of the Town.

105.8 Transfer of Permits. A building permit or application may be transferred upon written request to the building official, provided there are no changes to the plans and specifications and the transferee is in good standing. The transferee must be licensed/registered in the appropriate license/registration (business license) category and in good standing.

105.8.1. Owner Assuming Role as Contractor. Provided that no change in ownership has occurred since the permit was issued, the building official may allow the property owner to assume the role of contractor at any time on an active building permit. The building official shall be in receipt of a written request from the application holder stating that the applicant is no longer the contractor of record on the permit application. The letter shall list the permit number, project address, and shall state that the original contractor is no longer in the employ of the owner. No change shall be made to the expiration date of the original building permit.

Section 107 is amended by the addition of the following subsections:

107.1.1 Proof of Water and Sewer. The applicant shall provide documentation from the water and sanitation district of an approved water and sewer utility plan which may include paying the required water and sewer tap fees.

107.1.2 Emergency Services Impact Fee. A developer requesting approval of a development activity requiring additional emergency services shall pay the impact fee

to the emergency services provider prior to any issuance of a building permit by the Town.

107.3.1.1 Required Approvals. The application and documents for permit shall be reviewed and approved for compliance with Town ordinances.

107.3.1.2 Survey Requirements. An improvement location certificate ("ILC") and Setback and Elevation Certificate completed by a licensed Colorado surveyor and shall be required for all new foundations within the Town. If a variance has been granted for the property that allows for construction of a foundation within the established setbacks or if a foundation is located within five feet of the property line, an improvement survey plat ("ISP") shall be required. The ILC/ISP and Setback and Elevation Certificate shall be submitted to the Town for review and approval by the Planning Division prior to beginning of framing.

Section 107.3.3 is amended to read as follows:

107.3.3 Phased Approval. The ~~building official~~ Director of Community Development is authorized to issue a permit for the construction of foundations or any other part of a building or structure before the construction documents for the whole building or structure have been submitted, provide that adequate information and detailed statements have been filed complying with pertinent requirement of this Code. The holder of such permit for the foundation or other parts of a building or structure shall proceed at the holder's own risk with the building operation and without assurance that a permit for the entire structure will be granted.

Section 107.3.4 is amended by the addition of the following subsection:

107.3.4.1 Construction Documents. The building official may require plans, computations, and specifications to be prepared, designed, stamped, and sealed by a licensed design professional by the Board of Licensure for Architects, Engineers, and Land Surveyors of the State of Colorado when, without limitation:

1. Foundations are constructed on caissons or other than spread footings conforming to the requirements of Chapter 18.
2. Roof framing or wall framing is "other than standard or conventional practices" not conforming to the requirements of Chapter 16 and 23 or site-specific ground snow load exceeds 70 psf; or
3. Conformation of beam sizes and spans, loading or any structural element affecting the integrity of the building.

Section 108.3 is repealed in its entirety.

Section R108.5 is amended to read as follows:

R108.5 Refunds. The *building official* is authorized to establish a refund policy. The building official may authorize the refunding of 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. The deposit paid for a permit application is non-refundable.

The building official shall not authorize refunding of any fee paid except on written application filed by the original permittee not later than 30 days after the date of fee payment.

The building official shall be permitted to authorize a refund of not more than eighty percent (80%) of the permit fee paid when no work has been done under a permit issued in accordance with this code.

The building official shall be permitted to authorize a refund of not more than eighty percent (80%) of the plan review fee when an applicant for a permit for which a plan review fee has been paid is withdrawn or canceled provided that no examination time has been expended.

The building official shall not be permitted to authorize a refund of any fee paid except upon written application filed by the original permit fee not later than thirty (30) days after the date of fee payment.

Section R109 is amended by the addition of the following subsection:

R109.1. Work requiring a permit shall not be commenced until the permit holder or their agent shall have posted an inspection record card in a conspicuous place on the premises and in a position to allow the building official to make the required entries conveniently thereon regarding inspection of the work. The address of the building site must be posted in a conspicuous place readily visible from the public road. This card shall be maintained in such a position by the permit holder until all inspections have been made and final approvals have been granted by the building official.

Section R109.1.1 is amended by the addition of the following subsections:

R109.1.1.1 Footing and foundation inspections. All new footing and foundation inspections shall be performed by a Colorado licensed design professional to include but not limited to reinforcing, concrete-encased electrode (UFER ground), and when required damp-proofing and perimeter drain.

R109.1.1.2 Drilled pier inspection. Inspection will be made while the piers are being drilled. The licensed Colorado engineer of record or the authorized representative shall be present during the drilling operations and be available to the inspector during required inspections.

R109.1.1.3 Lowest floor elevation. The elevation certificate required in Section 1612.5 shall be submitted when required by the building official or as required by Title 6 Chapter 7 of the Town of Winter Park Code.

R109.1.1.4 Energy efficiency inspections. Inspections shall be made to determine compliance with Chapter 13 and shall include, but not limited to inspections for: envelope insulation R and U – values, fenestration U- values, duct system R – values, and HVAC and water-heating equipment efficiency. Energy efficiency inspections, if required, shall be provided by and at the owner’s expense to verify compliance with the provisions of this section.

Section 109.2 is amended to read as follows:

109.2 Schedule of Permit Fees. On buildings, structures, ~~electrical~~, gas, mechanical, and plumbing systems or alterations requiring a permit, a fee for each permit shall be paid as required in accordance with ~~the schedule as established by the applicable governing authority~~ **Title 1 Chapter 11** of the Town Code of Winter Park, **Table 1-11-2A**.

Section 109 is amended by the addition of the following new subsections:

109.2.1 Plan Review Fee. When submittal documents are required by Section 105.1, a Plan Review fee shall be paid. The plan review fees specified in this section are separate from the permit fees specified in Section 108.2 and are in addition to the permit fees.

109.2.2 Expiration of Plan Review. Applications for which no permit is issued within thirty (30) days following the date of last action of review without a response or additional information submitted by the applicant shall expire. Plans submitted for checking may thereafter be returned to the applicant or be destroyed by the building official. The building official may extend the time for action by the applicant for a period not exceeding thirty (30) days upon written request by the applicant demonstrating that circumstances beyond the control of the applicant have prevented action from being taken. To renew action on the application after expiration, the applicant shall resubmit plans and review fee.

Section 109.4 is amended to read as follows:

109.4 Work Commencing Before Permit Issuance. Any person who commences any work on a building, structure, electrical, mechanical, or plumbing system prior to securing the required permit(s) shall be subject to a fee ~~established by the building official which shall be in addition to the required permit fees.~~ which can equal up to the amount of the permit fee required by this code. The payment of such fee shall not exempt an applicant from compliance with all other provisions of either this code or other requirements nor from the penalty prescribed by law.

109.4.1 Investigative Fee – Work Without a Permit. Whenever any work for which a permit is required by this code has commenced without first obtaining said permit, a special investigation shall be made before a permit may be issued for such work. An investigation fee, in addition to the permit fee, shall be collected whether a permit is then or subsequently issued. The investigation fee may be up to or equal to the amount of the permit fee required by this Code. The minimum investigation fee

shall be set forth and adopted by the Town Council. The payment of such investigation fee shall not exempt any person from compliance with all other provisions of this code nor from any penalty prescribed by law.

Section 109.5 is amended by the addition of the following new subsection:

109.5.1 Affordable Housing Requirements. The Town shall collect affordable housing fees as required by the Town Council, and in the sum of three dollars (\$3.00) for every gross square foot of new construction or as established by other development agreement(s).

Exception: Parking garages and unenclosed decks/patios.

Section 109.6 is amended to read as follows:

109.6 Refunds. The building official shall be permitted to authorize a refund of not more than eighty percent (80%) of the permit fee paid when no work has been done under a permit issued in accordance with this Code.

The building official shall be permitted to authorize a refund of not more than eighty percent (80%) of the plan review fee when an applicant for a permit for which a plan review fee has been paid is withdrawn or canceled provided that no examination time has been expended.

The building official shall not be permitted to authorize a refund of any fee paid except upon written application filed by the original permit fee not later than thirty (30) days after the date of fee payment.

Section 110.2 is amended by the addition of the following new subsections:

110.2.1 Re-inspections. A reinspection fee, amount per **Title 1 Chapter 11** of the Code, 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. Reinspection fees may be assessed whenever a reinspection is required as a result of a failure or omission of the applicant, builder, or developer, 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 failing to provide access on the date for which the inspection is requested or deviating from the approved plans. In instances where reinspection fees have been assessed, no additional inspection of the work will be performed until the reinspection fees have been received by the building department. This section is not to be interpreted as requiring re-inspection fees the first time the 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 re-inspection.

110.2.2 Premises Identification. Buildings shall have approved address numbers, building numbers or approved building identification placed in a position that is plainly legible and visible from the street or road fronting the property. Numbers shall be Arabic numbers or alphabetical letters. These numbers shall be contrasting and

reflective of their background. Address numbers shall be a minimum of 4 inches (102 mm) high with a minimum stroke width of ½ inch (12.7 mm). Where access is by means of a private road and the building address cannot be viewed from the public way, a monument, pole, or other sign or means shall be used to identify the structure, in addition to the number on the structure shall be mounted at least 36" above grade and not affixed to vegetation.

110.2.3 Inspection Record Card. Work requiring a building permit shall not be commenced until the permit holder or his agent shall have posted an inspection record card in a conspicuous place on the premises and in a position as to allow the building official to make the required entries conveniently thereon regarding inspection of the work. The address of the building site must be posted in a conspicuous place readily visible from the public road, and construction documents kept in an orderly manner. This card shall be maintained in such a position by the permit holder until all inspections have been made and final approvals have been granted by the building official.

110.2.4 Inspection Requests. It shall be the duty of the person doing the work, the owner, contractor, or subcontractor to know that the building or structure has a valid permit and to notify the building department when work is ready for inspection. It shall be the duty of the person doing the work, the owner, contractor, or subcontractor requesting any inspections required by this code to provide access and means for inspection of such work. All inspections requested prior to 4:00 pm the day requested will be performed the ~~same~~ following working day. Such request for inspection may be made by calling the 24-hour automated telephone answering system or the automated inspection portal.

Section 110.3.1 is amended by the addition of the following new subsection:

110.3.1.1 Drilled pier inspection. Inspection will be made while the piers are being drilled. The licensed Colorado engineer of record or the authorized representative shall be present during the drilling operations and be available to the inspector during required inspections.

Section 110.3.3 is amended to read as follows:

110.3.3 Lowest floor elevation. In ~~flood hazard areas~~, upon completion of the footing and foundation and placement of the lowest floor, including the basement, and prior to further vertical construction and prior to beginning framing, the elevation certification required in Section 107.3 ~~Section 1612.5~~ shall be submitted ~~when required by the building official or~~ as required by Title 6 Chapter 7 of the Town of Winter Park Code for review and approval by the Planning Division.

Section 110 is amended to read as follows:

110.3.10 Other inspections. In addition to the inspections specified in Sections 110.3.1 thru 110.3.9, the *building official* is authorized to make or require other inspections of any construction work to ascertain compliance with provisions of this

code and other laws that are enforced by the building ~~department~~ division. These inspections shall also be in accordance with Chapter 17 of this code.

All new footing and foundation systems shall be inspected by a design professional licensed in the State of Colorado and shall include reinforcing, concrete-encased electrode (UFER ground), and when required by design damp-proofing and perimeter drain. These inspections shall also be in accordance with Chapter 17 and 18 of this Code.

Section 110 is amended by the addition of the following subsection:

Section 110.3.12. Final inspection. The final inspection shall be made after all work required by the building permit is completed. No final inspection shall be performed, and no certificate of occupancy shall be issued unless all required fees are paid and a sales tax audit has either been completed by the sales tax administrator and all sales taxes due have been paid or arrangements have been made with the sales tax administrator for such audit, or Town manager or a designee has specifically waived such audit.

Section 111.1 is amended to read as follows:

111.1 Use and Occupancy. No building or structure shall be used or occupied, and no change in the existing occupancy classification of a building or structure or portion thereof shall be made, until the building official has issued a certificate of occupancy therefor as provided herein. Issuance of a certificate of occupancy shall not be construed as an approval of a violation of the provisions of this code or of other ordinances of the jurisdiction.

Exceptions:

1. Certificates of occupancy are not required for work exempt from permits under Section 105.2.
2. Group U occupancy and permits not establishing a use or occupancy.

Section 111.2 is amended to read as follows:

111.2 Certificate Issued. The issuance of a temporary certificate of occupancy may be granted when all provisions of a permit are not complete, provided all life safety requirements are met, and all fees associated with permit are paid. Where occupancies are not determined at time of building permit application, permits issued for no occupancy and core and shell construction shall be issued a limited letter of completion or a letter of completion.

Section 112 is repealed and reenacted to read as follows:

112.1 Construction and Fire Code Board of Appeals. Pursuant to Section 113, Chapter 1, 2021 International Building Code and Section 108 of International Fire Code, there is hereby created by the Town Council, a construction and fire code board

of appeals, which board shall be composed of five (5) members who shall determine the suitability of alternate materials and methods of construction, and to provide for reasonable interpretation of the 2021 International Building Code, 2021 International Residential Code, 2021 International Fire Code, International Plumbing Code most current edition as adopted by the State of Colorado, 2021 International Mechanical Code, 2021 International Fuel Gas Code, 2021 International Energy Conservation Code and the 2021 International Existing Building Code.

112.2 Membership and Terms.

A. The construction and fire code board of appeals shall consist of five (5) members, three (3) of which are qualified by experience and training to pass upon matters pertaining to building construction. The building official or fire code official when pertaining to fire code issues shall be an ex officio member and shall act as secretary of the board. The board shall be appointed, and their terms of office set by the Town Council which terms shall be of such length and so arranged that the terms of at least one member will expire each year.

B. Any member of the board may be removed, after public hearing, by the mayor for inefficiency, neglect of duty, of malfeasance in office. The mayor shall file a written statement of reasons for such removal.

C. Vacancies occurring otherwise and through the expiration of term shall be filled for the remainder of the unexpired term.

112.3 Organization and Procedures. The construction and fire code board of appeals shall elect its chairman from among the members appointed by the Town Council and create and fill such other of its offices as it may determine. The term of the chairman shall be one year with eligibility for reelection. The board will hold meetings when called by the chairman or building/fire code official. The construction and fire code board of appeals shall transact business according to the rules and regulations adopted herein and shall make findings and determinations on each case considered. Such findings and determinations shall become a public record and shall be kept in the office of the Town clerk.

112.4 Rules and Regulations. The following rules and regulations are adopted for purposes of transacting the business of the construction and fire code board of appeals:

A. The construction and fire code board of appeals shall meet at the call of the chairman or when requested by the building or fire code official.

B. A chairman of the construction and fire code board of appeals shall be elected by a majority of the entire regular membership at the first meeting of each calendar year, to serve for a term of one year. A vice chairman shall be elected in the same manner at the same time for a term of one year.

C. The chairman of the construction and fire code board of appeals shall preside at all meetings, shall conduct all hearings, and exercise and perform such other powers

and duties as may be from time to time assigned to him by the construction and fire code board of appeals or prescribed by the rules and regulations herein. In presiding at meetings and hearings, the chairman shall rule on procedure and on order of presentation.

D. The construction and fire code board of appeals shall be the judge of the qualifications of persons appearing as expert witnesses and shall be empowered to refuse to receive the testimony of any purported expert not so qualified.

E. In the absence or the disability of the chairman, the vice chairman shall perform all the duties of the chairman, and when so acting, shall have all the powers of, and be subject to all restrictions upon the chairman.

F. In the absence of both the chairman and the vice chairman, a chairman pro tempore shall be elected, among those regular members present, by a majority vote of all the members present.

G. Should any member have knowledge of any fact which may constitute a conflict of interest in his consideration of any appeal, he shall forthwith notify the building official or the fire code official of said facts.

H. The secretary shall keep, or cause to be kept, minutes of the proceedings of the construction and fire code board of appeals, and shall prepare an agenda for each meeting, which shall be furnished to members prior to the actual hour of the meeting. The secretary shall, in addition, be custodian of the records of the construction and fire code board of appeals and shall, upon the filing of an appeal, furnish each regular member with a copy of the letter of appeal.

I. Appeals from decisions of the building official or applicable enforcement officer shall be in writing, shall be directed to a specific decision of the building official or applicable enforcement officer, and consideration of said appeal by the construction and fire code board of appeals shall be limited to said specific decision.

J. Appeals will be heard at special meetings called pursuant to the presiding officer or by a majority of the membership of the construction and fire code board of appeals. Requests for hearings must be scheduled at least ten (10) days prior to such a hearing.

K. If a party of an appeal intends to submit evidence, or a legal argument, outside of the expertise of the construction and fire code board of appeals, said party shall so inform the secretary of the construction and fire code board of appeals in writing at the time of the filing of the appeal. Failure to provide such information shall be the cause for the prohibition of the presentation of such evidence or argument.

L. The decision of the construction and fire code board of appeals on an appeal shall be final.

M. A decision shall require a majority vote of those members of the construction and fire code board of appeals present, provided, however, that there must be a

quorum of at least three (3) members of said construction and fire code board of appeals prior to transacting any business. A notice of appeal shall be accompanied by a fee of \$250.00.

Section R113.2 is amended to read as follows:

R113.2 Notice of Violation. The building official is authorized to serve a notice of violation or order on the person responsible for the erection, construction, alteration, extension, repair, moving, removal, demolition, or occupancy of a building or structure in violation of the provisions of code, or violation of permit or certificate issued under the provisions of this code. Such issuance shall direct the discontinuance of the illegal action or condition and the abatement of the violation.

R113.2.1 Service. A notice of violation pursuant to this code shall be served upon owner, operator, occupant, or other person responsible for the condition or violation, either by the personal service, mail or by delivering the same to, and leaving it with, some person of responsibility upon the premises. For unattended or abandon locations, a copy of such notice shall be posted on the premises in a conspicuous location at or near the entrance to such premises and the notice of violation shall be mailed by US mail to the last known address of the owner, occupant, or both.

Additionally, posting of the property with a statement providing the conditions under which work will be permitted to resume.

Section 114 is amended by the addition of the following subsection:

114.2.1 Service. A notice of violation pursuant to this code shall be served upon owner, operator, occupant, or other person responsible for the condition or violation, either by the personal service, mail or by delivering the same to, and leaving it with, some person of responsibility upon the premises. For unattended or abandon locations, a copy of such notice shall be posted on the premises in a conspicuous location at or near the entrance to such premises and the notice of violation shall be mailed by U.S. mail to the last known address of the owner, occupant, or both.

Section 115.2 is amended to read as follows:

115.2 Issuance. The stop work order shall be in writing and shall be given to the owner of the property involved, or to the owner's agent, or to the person doing the work, or posted on the property. Upon issuance of a stop work order, the cited work shall immediately cease. The stop work order shall state the reason for the order, and the conditions under which the cited work will be permitted to resume.

Section 202 is amended by the addition of the following definitions, to appear in alphabetical order:

Bedroom (Sleeping Room). Means any habitable room with no less than seventy (70) square feet of floor area and no dimension less than seven (7) feet in a dwelling unit other than bathroom(s), kitchen, living, and dining room. Unless specifically

designed to exclude its use as a bedroom (e.g., enlarged entry ways without doors, no windows open to the exterior, etc.), any den, study, or other room meeting the above definition of a bedroom shall be considered a bedroom for the purpose of meeting the standards of the UDC.

Building Height. Refer to Building Height definition established in Title 7 of this Code.

Kitchen. Means any part of a room or dwelling unit that can be used for the preparation of food that includes one (1) or more of the following: a refrigerator, cooking device, and sink. The following do not constitute a kitchen under this definition: (1) a wet bar; or (2) an ancillary refrigerator that is used solely to store food that is prepared in the kitchen of a dwelling unit.

Townhouse. A single-family dwelling unit constructed in a group of two ~~three~~ or more attached units in which each unit resides on its own property/parcel and each unit extends from foundation to roof and with a yard or public way on not less than two sides.

Unusable Crawlspaces. Is the area under the first story floor system which has less than five feet (5') of head room and an unfinished floor.

Utility Space (Room). Is a room designed or used to house general maintenance equipment.

Section 311.2 is amended by the addition of the following subsection:

311.2.1 Group S-1, Mini Storage. Buildings used for mini storage shall be compartmentalized by not less than one hour fire resistive construction at each floor/ceiling and at each one thousand (1,000) square feet of floor area.

Section 414.1.3 is amended by the addition of the language "and fire official" following each occurrence of the term "building official."

Section 718.2.5.1 is amended to read as follows:

718.2.5.1 Factory-built chimneys and fireplaces. Factory-built chimneys and fireplaces shall be fire blocked in accordance with manufacturer's specifications and UL 103 and UL 127.

Factory-built chimneys shall be effectively fire blocked within such enclosure at each floor-ceiling level and at the roof. The vertical distance between fire blocking shall not exceed 10 feet.

Section 901.1 is amended by the addition of the following definition, to appear in alphabetical order as follows:

Fire Department. The chief officer of East Grand, Granby, Grand fire protection district, Grand Lake, Hot Sulphur Springs and Kremmling fire protection districts, or the chief officer's authorized representative.

Section 901.2 is amended to read as follows:

901.2 Scope. The provisions of this chapter shall specify where fire protection systems are required and shall apply to the design, installation, and operation of fire protection systems. When the requirements of this code and the adopted fire code are in conflict the more restrictive shall apply.

Section 901.5 is amended by the addition of the following subsection:

901.5.1 Special Inspector Required. All fire protection systems required by this code shall be inspected and approved by a special inspector. The special inspector shall be an authorized representative of the fire department or another qualified individual with prior approval of the building official. Approvals of special inspectors and inspections, approvals and reports by special inspectors shall be in accordance with Chapter 17 of this code.

Section 901.6 is amended by the addition of the following subsections:

901.3.1 Key Box. Where a supervisory station is required by this section and where access to or within a structure or area is restricted because of secured openings or where immediate access is necessary for lifesaving or fire-fighting purposes as determined by the fire chief, an approved rapid entry key lock box shall be installed.

901.6.4.1 Devices. Key lock boxes shall be Underwriters Laboratories certified and approved by the fire chief.

901.6.3.2 Location. The key lock box shall be located at or near the main entrance to the building, mounted at a height of six (6) feet above final grade at a location approved by the fire chief.

901.6.3.4 Key Box Contents. The key box shall contain labeled keys to provide access into the building.

Section 903.2.8 is amended by the addition of the following subsection:

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: An automatic sprinkler system is not required in existing non-sprinkled buildings, two stories or less, where a change of occupancy/alteration creates no more than two dwelling units, provided that a manual and automatic fire alarm system is installed in accordance with NFPA 72 throughout the building and the residential occupancies are separated from other occupancies per Section 508.4.

Section 1102.1 is amended by the addition of the following subsection:

1102.1 Design. Buildings and facilities shall be designed and constructed to be accessible in accordance with this code and ICC ANSI A117.7, most current edition, and C.R.S. § 9-5-101, *et seq.*, as amended.

Section 1208.2 is amended to read as follows:

1208.2 Minimum Ceiling Heights. Occupiable spaces, habitable spaces, ~~and~~ corridors and unfinished basements shall have a ceiling height of not less than seven (7) feet, 6 inches (2286 mm). Bathrooms, toilet rooms, kitchens, storage rooms and laundry rooms shall be permitted to have a ceiling height of not less than seven (7) feet (2134 mm).

Exceptions:

1. In one- and two-family dwellings, beams or girders spaced not less than four (4) feet (1219 mm) on center and projecting not more than six (6) inches (152 mm) below the required ceiling height.
2. If any room in a building has a sloped ceiling, the prescribed ceiling height for the room is required in one-half the area thereof. Any portion of the room measuring less than five (5) feet (1524 mm) from the finished floor to the finished ceiling shall not be included in any computation of the minimum area thereof.
3. Mezzanines constructed in accordance with section 505.1.
4. Corridors contained within a dwelling unit or sleeping unit in a Group R occupancy shall have a ceiling height of not less than seven (7) feet (2134 mm).

Section 1503.5 is amended by the addition of the following paragraph:

On all metal roofs, all vent pipes or stacks shall terminate within three (3) feet from the ridge or be equipped with a snow splitter/cricket to prevent damage to vent pipe or stack.

Section 1503 is amended by the addition of the following subsections:

1503.6 Snow-Shed Barriers. All roofs shall be designed to prevent accumulation of snow from shedding onto exterior balconies, decks, pedestrian and vehicular exits from buildings, stairways, sidewalks, streets, alleys, areas directly above or in front of gas utility or electric utility meters, or adjacent properties.

Exception: Mechanical barriers installed to prevent snow shedding from the roof which are secured to the roof framing members or to solid blocking secured to framing members or in accordance with the manufacturer's installation instructions.

1503.7 Valley Outlets. Each roof valley shall have access to an electrical receptacle installed according to the electrical code.

Section 1507.1.1 is amended to read as follows:

Section 1507.1.1 Underlayment. An ice barrier that consists of an approved self-adhering polymer modified bitumen sheet shall be used in lieu of normal underlayment on all sloped roofs. Roof(s) under 4:12 pitch shall have double underlayment. Base layer to have total coverage of self-adhering polymer modified bitumen sheet one hundred (100) percent of roof surface. The second layer shall also be of self-adhering polymer modified bitumen sheet from eaves to a point six (6) feet inside the exterior wall line of building, with the remainder of roof may be synthetic or felt underlayment.

Exception: Detached accessory structures that contain no conditioned floor area.

Section 1507.2.8.2 is amended by the addition of the following subsections:

1507.2.8.2.1 Ice Barrier. An ice barrier that consists of an approved self-adhering polymer modified bitumen sheet shall be used in lieu of normal underlayment on all sloped roofs. This ice dam protection underlayment shall be installed from the eaves to a point six (6) feet inside the exterior wall line of the building and twenty-four (24) inches from the center line of all valleys, fully adhered to the substrate on all habitable structures.

Exception: Detached accessory structures that contain no conditioned floor area.

1507.2.8.2.2 Snow-Shed Barriers. Roofs shall be designed to prevent accumulations of snow from shedding above or in front of gas utility or electric utility meters.

Section 1507.2.8.3 is amended to read as follows:

1507.2.8.3 Drip Edge. A drip edge shall be provided at eave and rake edges of all pitched roofs. Adjacent segments of the drip edge shall be lapped not less than one (1) inch (25.4 mm). The vertical leg of the drip edge shall be not less than one (1) inch (25.4 mm) in width and shall extend below sheathing and fascia juncture no less than one-fourth (1/4) inch. The drip edge shall also extend shall extend back on the roof deck not less than two (2) inches (51 mm). All shingle material extending past roof edge must be supported by a drip edge. Underlayment shall be installed over the drip edges along eaves. Drip edges shall be mechanically fastened at intervals not greater than eighteen (18) inches (457 mm) on center.

Section 1507.4 is amended to read as follows:

1507.4 Metal roof panels. The installation of metal roof panels shall comply with the provisions of this section. Roofs with metal roof shingles or metal roof panels shall be designed to prevent accumulations of snow from shedding onto pedestrian and vehicular exits from buildings and on to sidewalks, streets and alley ways. Mechanical barriers installed to prevent snow shedding from the roof shall be secured to roof framing members or to solid blocking secured to framing members or in accordance with the manufacturer's installation instructions. Individual devices installed in a group of devices to create a barrier to prevent snow shedding shall be installed in at least two rows with the first row no more than twenty-four (24) inches from the edge of the roof or eave. The rows shall be parallel with the exterior wall line and the devices in each row shall be staggered for a spacing of no more than twenty-four (24)

inches on center measured parallel with the exterior wall line. Continuous snow barriers shall be secured to roof framing at no more than forty-eight (48) inches on center. Continuous barriers shall be installed parallel with the exterior wall line with a first row being no more than twenty-four (24) inches from the edge of the roof or eave.

Section 1507.5 is amended to read as follows:

1507.5 Metal roof shingles. The installation of metal roof shingles shall comply with the provisions of this section.

Roofs with metal roof shingles or metal roof panels shall be designed so as to prevent accumulations of snow from shedding onto pedestrian and vehicular exits from buildings and on to sidewalks, streets and alley ways. Mechanical barriers installed to prevent snow shedding from the roof shall be secured to roof framing members or to solid blocking secured to framing members or in accordance with the manufacturer's installation instructions. Individual devices installed in a group of devices to create a barrier to prevent snow shedding shall be installed in at least two (2) rows with the first row no more than twenty-four (24) inches from the edge of the roof or eave. The rows shall be parallel with the exterior wall line and the devices in each row shall be staggered for a spacing of no more than twenty-four (24) inches on center measured parallel with the exterior wall line. Continuous snow barriers shall be secured to roof framing at no more than forty-eight (48) inches on center. Continuous barriers shall be installed parallel with the exterior wall line with a first row being no more than twenty-four (24) inches from the edge of the roof or eave.

Section 1507.5.4 is amended to read as follows.

1507.5.4 Ice barrier. In areas where there has been a history of ice forming along the eaves causing a backup of water, an ice barrier that consists of at least two layers of underlayment cemented together or of a self-adhering polymer-modified bitumen sheet shall be used in lieu of normal underlayment and extend from the lowest edges of all roof surfaces to a point at least ~~24 inches (610 mm)~~ 6 feet inside the exterior wall line of the building and 24 inches from the center line of all valleys, fully adhered to the substrate on all habitable structures.

Exception: Detached accessory structures that contain no conditioned floor area.

1507.5.4.1 Snow shed barriers. Roofs shall be designed to prevent accumulation of snow from shedding above or in front of gas utility or electric utility meters.

Section 1507.6.4 is amended to read as follows.

1507.6.4 Ice barrier. In areas where there has been a history of ice forming along the eaves causing a backup of water, an ice barrier that consists of at least two layers of underlayment cemented together or of a self-adhering polymer-modified bitumen sheet shall be used in lieu of normal underlayment and extend from the lowest edges of all roof surfaces to a point at least ~~24 inches (610 mm)~~ 6 feet inside the exterior wall

line of the building and 24 inches from the center line of all valleys, fully adhered to the substrate on all habitable structures.

Exception: Detached accessory structures that contain no conditioned floor area.

1507.6.4.1 Snow shed barriers. Roof shall be designed to prevent accumulation of snow from shedding above or in front of gas utility or electric utility meters.

Section 1507.7.4 is amended by adding a sentence and subsection as follows.

1507.7.4 Ice barrier. In areas where the average daily temperature in January is 25° (-4) or less there is a possibility of ice forming along the eaves causing a backup of water, an ice barrier that consists of at least two layers of underlayment cemented together or of a self-adhering polymer-modified bitumen sheet shall extend from the lowest edges of all roof surfaces to a point at least ~~24 inches inside (610 mm)~~ 6 feet inside the exterior wall line of the building and 24 inches from the center line of all valleys, fully adhered to the substrate on all habitable structures.

Exception: Detached accessory structures that contain no conditioned floor area.

1507.7.4.1 Snow shed barriers. Roof shall be designed to prevent accumulation of snow from shedding above or in front of gas utility or electric utility meters.

Section 1507.8.4 is amended by adding a sentence and subsection to read as follows.

1507.8.4 Ice barrier. In areas where there has been a history of ice forming along the eaves causing a backup of water, an ice barrier that consists of at least two layers of underlayment cemented together or of a self-adhering polymer-modified bitumen sheet shall be used in lieu of normal underlayment and extend from the lowest edges of all roof surfaces to a point at least ~~24 inches (610 mm)~~ 6 feet inside the exterior wall line of the building and 24 inches from the center line of all valleys, fully adhered to the substrate on all habitable structures.

Exception: Detached accessory structures that contain no conditioned floor area.

1507.8.4.1 Snow shed barriers. Roof shall be designed to prevent accumulation of snow from shedding above or in front of gas utility or electric utility meters.

Section 1507.9.4 is amended by the addition of the following subsection:

1507.9.4 Ice barrier. In areas where there has been a history of ice forming along the eaves causing a backup of water, an ice barrier that consists of at least two layers of underlayment cemented together or of a self-adhering polymer-modified bitumen sheet shall be used in lieu of normal underlayment and extend from the lowest edges of all roof surfaces to a point at least ~~24 inches (610 mm)~~ 6 feet inside the exterior wall line of the building and 24 inches from the center line of all valleys, fully adhered to the substrate on all habitable structures.

Exception: Detached accessory structures that contain no conditioned floor area.

1507.9.4.1 Snow shed barriers. Roof shall be designed to prevent accumulation of snow from shedding above or in front of gas utility or electric utility meters.

Section 1605.2.2 is repealed in its entirety.

Section 1608 is amended to read as follows:

1608. General. Design snow loads shall be determined in accordance with Chapter 7 of ASCE7, but the design roof load shall not be less than that determined by Section 1607 or as established by design by a licensed Colorado design professional.

Section 1608.1 is amended to read as follows:

1608.1 General. A licensed Colorado design professional may design the structure using ground snow loads (pg) complying with the Colorado Design Snow Loads Report and Map, published by the Structural Engineers Association of Colorado (date May 6, 2015). 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 ASCE 7, Chapter 7.

Additionally, the changing of roofing materials and roof coverings other than like materials may require a roof evaluation from a licensed Colorado design professional.

<https://seacolorado.org/publications/>

Section 1609 is amended by the addition of the following subsection:

1609.1 Applications. Buildings, structures, and parts thereof shall be designed to withstand the minimum wind loads prescribed herein. Decreases in wind loads shall not be made for the effect of shielding by other structures.

Minimum design wind speed is 105 mph with exposure category determined by Section 1609.4*

*The Colorado licensed design professional of record of a project shall designate exposure based on site-specific conditions, ASCE 7-10 Compatible, published by the Structural Engineers Association of Colorado (dated 11/18/2013).

Section 1611.1 is amended by adding the following to read as follows.

60-minute duration, 100 -year event is 2.00 inches/hour; 0.0207 gpm/square foot

Section 1612 is amended to read as follows.

Section 1612 Establishment of Flood Hazard Areas. The Town of Winter Park has adopted floodplain regulations within Title 6, Chapter 7 of the Municipal Code.

Section 1613.2 is amended by the addition of the following subsection:

Section 1613.2 Definitions. SEISMIC DESIGN CATEGORY "B". **

**except as noted, seismic design values shall be determined from Section 1613 of the 2021 International Building Code. Site specific design values shall be determined from the USGS website and established by a licensed Colorado design professional.

<http://earthquake.usgs.gov/designmaps/us/application.php>

Section 1703.1 is amended to read as follows:

1703.1 Approved Agency. An *approved agency* shall provide all information as necessary for the *building official* to determine that the agency meets the applicable requirements specified in Sections 1703.1.1 through 1703.1.3. The fire department or the state of Colorado Division of Fire Safety, Prevention & Control or their authorized representative shall be an approved agency for special inspection of fire protection systems required by this code and the international fire code.

Section 1704 is amended by the addition of the following subsections:

1704.6.2 Fire protection systems. Fire protection systems shall have the design plans approved by a special inspection agency and the systems inspected and tested by a special inspector for compliance with the requirements of this code and the international fire code.

1704.6.3 Qualifications. Special inspectors for fire protection systems shall have expertise in fire-protection. Special inspectors for fire suppression systems shall be a certified fire suppression systems inspector by the State of Colorado Division of Fire Safety.

Exception: Special inspection by the fire department or the State of Colorado Division of Fire Safety or their authorized representative of fire protection systems.

Section 1705 is amended by renumbering two new subsections to read as follows:

1705.21 Fire Protection Systems. Fire protection systems shall have the design plans approved by a special inspection agency and the systems inspected and tested by a special inspector for compliance with the requirements of this code and the international fire code.

1705.21.1 Qualifications. Special inspectors for fire protection systems shall have expertise in fire protection. Special inspectors for fire suppression systems shall be a certified fire suppression systems inspector by the state of Colorado Division of Fire Safety, Prevention & Control.

Exception: Special inspection by the fire department or the state of Colorado Division of Fire Safety, Prevention & Control, or their authorized representative of fire protection systems.

Sections 1804.4 and 1804.5 are repealed in their entirety.

Section 1805.1.2.1 is repealed in its entirety.

Section 1807.1 is amended to read as follows:

1807.1 Foundation Walls. Foundation walls shall be designed and constructed in accordance with sections 1807.1.1 through 1807.1.6. Foundation walls shall be supported by ~~foundations~~ footings designed in accordance with section 1808.

Section 1808 is amended to read as follows:

Section 1808 FOOTING AND FOUNDATIONS

Section 1808.1 is amended to read as follows:

1808.1 General. Footings and foundations shall be designed and constructed in accordance with sections 1808.2 through 1808.9. Shallow footings and foundations shall also satisfy the requirements of section 1809. Deep footings and foundations shall also satisfy the requirements of section 1810.

All footings and foundations systems for all occupancies shall be designed by a licensed Colorado design professional.

Section 1808.2 is amended to read as follows:

1808.2 Design for capacity and settlement. Footings and foundations shall be so designed that the allowable bearing capacity of the soil is not exceeded, and the differential settlement is minimized. Footings and foundations in areas with expansive soils shall be designed in accordance with the provisions of section 1808.6.

Section 1808.3 is amended to read as follows:

1808.3 Design Loads. Footings and foundations shall be designed for the most unfavorable effects due to the combinations of loads specified in section 1605.2 or 1605.3. The dead load is permitted to include the weight of footings and foundations and overlying fill. Reduced live loads, as specified in Sections 1607.10 and 1607.12 shall be permitted to be used in the design of foundations.

Section 1809 is amended to read as follows:

Section 1809 SHALLOW FOOTINGS AND FOUNDATIONS

Section 1809.1 is amended to read as follows:

1809.1 General. Shallow footings and foundations shall be designed and constructed in accordance with Sections 1809.2 through Section 1809.13.

All shallow footing and foundation systems for all occupancies shall be designed by a licensed Colorado design professional.

Section 1809.5 is amended to read as follows:

1809.5 Frost Protection. Except where otherwise protected from frost, foundations and other permanent supports of buildings and structures shall be protected from frost by one or more of the following methods:

1. Extending below the frost line of the locality; 30 inches
2. Constructing in accordance with ASCE 32; or
3. Erecting on solid rock.
4. Per licensed Colorado design professional

Exception: Free-standing buildings meeting all of the following conditions shall not be required to be protected:

1. Assigned to *Risk Category* I, in accordance with Section 1604.5.
2. Area of ~~600 (56 m²)~~ 120 square feet or less for light-frame construction or ~~400 (37 m²)~~ 120 square feet or less for other than light-frame construction, and pursuant to Section 105.2.
3. Eave height of ~~40~~ 12 feet or less.

Shallow foundations shall not bear on frozen soil.

Section 2301.2 is amended to read as follows:

2301.2 General Design Requirements. The design of structural elements or systems, constructed partially or wholly of wood or wood-based products, shall be in accordance with one of the following methods. The use of load duration factors for snow load shall not be permitted in any of these design methods.

Section 2303.1.11 is amended to read as follows:

2303.1.11 Structural Log Members. Stress grading of structural log members of nonrectangular shape, as typically used in log buildings, shall be in accordance with ASTM D 3957. Such structural log members shall be identified by the grade *mark* of an *approved* lumber grading or inspection agency. In lieu of a grade *mark* on the material, a certificate of inspection as to species and grade issued by a lumber grading or inspection agency meeting the requirements of this section shall be permitted.

In log construction, all structural logs and wall logs shall be graded, designed, and inspected by a licensed Colorado design professional certifying to the building division that the logs are of the size, quality, and species of the design and that they were installed to that design.

Section 2303.4.1 is amended to read as follows:

2303.4.1 Design. Wood trusses shall be designed in accordance with the provisions of this code and accepted engineering practice as well as designed by a licensed Colorado design professional. Members are permitted to be joined by nails, glue, bolts, timber connectors, metal connector plates or other *approved* framing devices. The use of load duration factors for snow load or slope of roof shall not be permitted in any of these design methods.

2304.2 Size of structural members. Computations to determine the required sizes of members shall be based on the net dimensions (actual sizes). The use of load duration factors for snow load or slope of roof shall not be permitted in any of these computations.

Section 2304.4 is amended to read as follows:

2304.8 Floor and roof framing. The framing of wood-joisted floors and wood framed roofs shall be in accordance with the provisions specified in section 2308 unless a specific design is furnished. The use of load duration factors for snow load or slope of roofs shall not be permitted.

Section 2304.8.2 is amended to read as follows:

2304.8.2 Structural Roof Sheathing. Structural roof sheathing shall be designed in accordance with the general provisions of this code and the special provisions in this section.

Roof sheathing conforming to the provisions of Table 2304.7(1), 2304.7(2), 2304.7(3) or 2304.7(5) shall be deemed to meet the requirements of this section. Wood structural panel roof sheathing shall be bonded by exterior glue.

Exception: a minimum of 5/8-inch plywood, particle board or wafer wood shall be used on roof rafters or roof trusses spaced 24 inches on center in any snow load area.

Section 2901.1 is amended to read as follows:

[P] 2901.2 Scope. The provisions of this chapter and the *International Plumbing Code* shall govern the erection, installation, *alternation*, repairs, relocation, replacement, *addition* to use or maintenance of plumbing equipment and systems. Toilet and bathing rooms shall be constructed in accordance with Section 1210. Plumbing systems and equipment shall be constructed, installed, and maintained in accordance with the *International Plumbing Code*. ~~Private sewage disposal systems shall conform to the *International Private Sewage Disposal Code*.~~

Section 2901 is amended by the addition of the following subsection:

[P] 2901.2 Sanitation at Construction Sites. Toilet facilities shall be provided for construction workers and such facilities shall be conveniently located and maintained in a sanitary condition. The facilities shall be available for use from the start of the project until the certificate of occupancy is issued.

Section 3001.1 is amended to read as follows:

3001.1 Scope. This chapter governs the design, construction, installation, *alteration*, maintenance, and repair of new and existing installations of elevators, dumbwaiters, escalators, and moving walks, and conveying systems and their components requiring permits therefor providing procedures for the inspection and maintenance of such conveyances.

Section 3001 is amended to read as follows:

Permits Required. It shall be unlawful to install any new elevator, moving walk, escalator, or dumbwaiters or to make major alterations to any existing elevator, dumbwaiter, escalator or moving walk, as defined in part XII of ASME A17.1, without first obtaining a permit for such installation from the building official. Permits shall not be required for maintenance or minor alterations.

Certificates of Inspection Required. It shall be unlawful to operate any elevator, dumbwaiter, escalator or moving walk without a current certificate of inspection issued by the building official. Such a certificate shall be issued upon payment of prescribed fees and the presentation of a valid inspection report indicating that the conveyance is safe and that the inspections and tests have been performed in accordance with part X of the ASME A17.1. Certificates shall not be issued when the conveyance is posted as unsafe pursuant to section 3010.

Application for Permits. Application for a permit to install shall be made on forms provided by the building official, and the permit shall be issued to an owner upon payment of the permit fees specified in this section.

Applications for Certificates of Inspection. Application for a certificate of inspection shall be made by the owner of an elevator, dumbwaiter, escalator or moving walk. Applications shall be accompanied by an inspection report as described in Section 3009. Fees for certificates of inspection shall be as specified in this section.

Detailed Requirements. For detailed design, construction, and installation requirements, *see* chapter 16 and the appropriate requirements of ASME A17.1.

Section 3009 is amended to read as follows:

3009 General. The owner shall be responsible for safe operation and maintenance of each elevator, dumbwaiter, escalator and moving walk installation and shall cause periodic inspections to be made on such conveyances as required in this section.

3009.1 Periodic Inspections and Test. Routine and periodic inspections and tests shall be made as required by part X of ASME A17.1.

3009.2 Alterations, Repairs and Maintenance. Alternations, repairs, and maintenance shall be made as required by part XII of ASME A17.1.

3009.3 Inspection Costs. All costs of such inspections and test shall be paid by the owner.

3009.4 Inspection Reports. After each required inspection, a full and correct report of such inspection shall be filed with the building official.

Section 3010 is amended to read as follows:

3010 Unsafe Conditions. When an inspection reveals an unsafe condition of an elevator, moving walk, escalator or dumbwaiter, the inspector shall immediately file with the owner and the building official a full and true report of such inspection and such unsafe condition. If the building official finds that an unsafe condition endangers human life, the building official shall cause it to be placed on such elevator, escalator or moving walk, in a conspicuous place, a notice stating conveyance is unsafe. The owner shall see to it that such notice of unsafe condition is legibly maintained where placed by the building official. The building official shall also issue an order in writing to the owner requiring the repairs or alterations to be made to such conveyance that are necessary to render it safe and may order the operation thereof discontinued until the repairs or alterations are made or the unsafe conditions are removed. A posted notice of unsafe conditions shall be removed only by the building official when satisfied that the unsafe conditions have been corrected.

Section 3107 is repealed in its entirety. Section

3109.1 is amended to read as follows:

3109.1. General. The design and construction of swimming pools, spas and hot tubs shall comply with the *International Swimming Pool and Spa Code (ISPS-C)* requirements of this section and other applicable sections of this code and per C.R.S. 25-5-801 *et seq.* Swimming pools shall be completely enclosed by a fence at least 4 feet (1219.2 mm) in height or a screen enclosure. Openings in the fence shall not *permit* the passage of a four-inch-diameter (102 mm) sphere. The fence or screen enclosure shall be equipped with self-closing and self-latching gates.

Exception: A swimming pool with a power safety cover or a spa with a safety cover complying with ASTM F 1346.

Section 3309 is amended to read as follows:

[F] 3309.1 Where required. All structures under construction, *alteration* or demolition shall be provided with not less than one *approved* portable fire extinguishers in accordance with Section 906 and sized for not less than ordinary hazard as follows and as required by the fire department as required by the fire department:

1. At each *stairway* on all floor levels where combustible materials have accumulated.
2. In every storage and construction shed.

3. Additional portable fire extinguishers shall be provided where special hazards exist, such as the storage and use of flammable and combustible liquids.

Section 3311.1 is amended to read as follows:

[F] 3311.1 Where required. In buildings required to have standpipes by Section 905.3.1 and as required by the fire department shall have not less than one standpipe shall be provided for use during construction. Such standpipes shall be installed when the progress of construction is not more than 40 feet (12 192 mm) in height above the lowest level of fire department vehicle access. Such standpipe shall be provided with fire department hose connections at accessible locations adjacent to usable stairs. Such standpipes shall be extended as construction progresses to within one floor of the highest point of construction having secured decking or flooring.

Section 3311.2 is amended to read as follows:

[F] 3311.2 Buildings Being Demolished. Where a building is being demolished and a standpipe exists within such a building, such standpipe shall be maintained in an operable condition so as to be available for use by the fire department. Such standpipe shall be demolished with the building but shall not be demolished more than one floor below the floor being demolished or as approved by the fire department.

Section 3311.4 is amended to read as follows:

3311.4 Water Supply. Water supply for fire protection, either temporary or permanent shall be made available as soon as combustible material accumulates or as required by the fire department.

The following appendices are repealed in their entirety:

Appendix A, B, D, F, G, H, K and M.

Section 3. Section 6-1-3 of the Winter Park Municipal Code is hereby repealed in its entirety and reenacted to read as follows:

6-1-3: RESIDENTIAL CODE AMENDMENTS:

The following sections of the 2021 *International Residential Code*, adopted by reference in Section 6-1-1 of this chapter, are hereby amended as follows:

Section R101.1 is amended to read as follows:

R101.1 Title. These provisions shall be known as the residential *code for one- and two-family dwellings* of the Town of Winter Park and shall be cited as such and will be referred to herein as "this code."

Section R102.7 is amended to read as follows:

R102.7 Existing Structures. The legal occupancy of any structure existing on the date of adoption of this code shall be permitted to continue without change, except as is specifically covered in this code, ~~the International Property Maintenance Code, or the International Fire Code~~, or as is deemed necessary by the *building official* for the general safety and welfare of the occupants and the public.

Section R103.2 is amended to read as follows:

R103.2 Appointment Building Official. See Town Code 6-1-2, Section 103.2.

Section R103.3 is amended to read as follows:

R103.3 Deputies. See Town Code 6-1-2, Section 103.3.

Section R104.8 is amended to read as follows:

R104.8 Liability. See Town Code 6-1-2, Section 104.8.

Section R105.2 is amended to read as follows:

R105.2 Work exempt from permit. *Permits* shall not be required for the following. Exemption from the *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*. Retaining walls, regardless of height shall require permit(s) and be designed by a licensed Colorado design professional.

Building:

1. One-story detached *accessory structures* used as tool and storage sheds, playhouses, and similar uses, provided the floor area does not exceed 200 120 square feet (18.58 m²), and maximum height of 12 feet.
2. Fences not over 6 feet (1829 mm) high.
3. ~~Retaining walls which are not over 4 feet (1219 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 to 1.
5. Sidewalks and driveways.
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 (1372 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 above *grade* at any point, are not attached to a *dwelling* and do not serve the exit door required by Section R311.4.

11. Agricultural buildings as defined herein.

12. Replacement or repair of nonstructural siding or siding which is not part of a required fire rated assembly on buildings when the removal of the siding is performed in accordance with state regulations regarding asbestos and lead paint, pursuant to other Town regulations for structures classified as Group R-3 and U Occupancies.

13. Gutters, downspouts, and storm windows (unless specified through design).

Section 901.1 is amended by the addition of the following definition, to appear in alphabetical order:

[F] Fire Department. The chief officer of East Grand, Granby, Grand Fire Protection District, Grand Lake, Hot Sulphur Springs and Kremmling fire protection districts, or the chief officer's authorized representative.

Section 105.2.1.1. is amended by the addition of the following subsection:

R105.2.1.1. Exemptions. Unless otherwise exempt by this code, separate plumbing, electrical and mechanical permits will be required for the above exempted items. Exemption from permit requirements of this code shall not be deemed to grant authorization for work to be done in a manner in violation of the provisions of this code or any other laws or resolutions of the Town of Winter Park.

Section R105.8 is amended by the addition of the following subsections:

R105.8.1. Transfer of permit. A building permit or application may be transferred from one party to the other upon written request to the building official, provided there are no changes to the plans and specifications and the party to which the transfer is intended is in good standing. Additionally, the party to which the permit is transferred must be licensed/registered (business license) in the appropriate license/registration category and in good standing.

R105.8.2. Owner assuming role as contractor. Provided that no change in ownership has occurred since the permit was issued, the building official may allow the property owner to assume the role of contractor at any time on an active building permit provided the building official is in receipt of a written request from the

application holder stating that the applicant is no longer the contractor of record on the permit application. Additionally, the letter shall list the permit number, the address of the project and stating that the original contractor is no longer in the employ of the owner. No change will be made in the expiration date of the original building permit.

Section R106.1 is amended by the addition of the following subsections:

R106.1.6 Proof of Water and Sewer. The applicant shall provide documentation from the water and sanitation district of an approved water and sewer utility plan which may include paying the required water and sewer tap fees.

R106.1.7 Emergency Services Impact Fee. A developer requesting approval of a development activity requiring additional emergency services shall pay the impact fee to the emergency services provided prior to any issuance of a building permit by the Town.

R106.1.8 Single Family and Duplex Development Improvements and Financial Guarantees. Each building permit application for a new single-family dwelling shall be accompanied by a signed deposit agreement and a total deposit of \$2,000.00.

R106.1.9 Public and Private Improvements and Financial Guarantees. Each building permit application submitted for developments requiring public and private improvements shall be accompanied by a Town Council approved subdivision or development improvements agreement ("agreement") and a letter of credit or cash deposit in the amount specified in the agreement.

Section R106.3 is amended by the addition of the following subsections:

R106.3.1.1 Required Approvals. The application and documents for permit shall be reviewed and approved by the department of engineering and the department of planning and zoning for compliance with Town ordinances.

R106.3.1.2 Survey Requirements. An improvement location certificate (ILC) and a Setback and Elevation Certificate completed by a licensed Colorado Surveyor shall be required for all new foundations within the Town of Winter Park. If a variance has been granted for the property that allows for construction of a foundation within the established setbacks or if a foundation is located within five feet (5') of the property line, an improvement survey plat (ISP) shall be required. The ILC/ISP and a Setback & Elevation Certificate shall be submitted to the Town of Winter Park for review and approval by the Planning Division prior to beginning of framing.

Section R106.3.3 is amended to read as follows:

R106.3.3 Phased Approval. The ~~building official~~ *Community Development Director* is authorized to issue a *permit* for the construction of foundations or any other part of a building or structure before the *construction documents* for the whole building or structure have been submitted, provided that adequate information and detailed statements have been filed complying with pertinent requirement of this code. The holder of such *permit* for the foundation or other parts of a building or structure shall proceed at the

holder's own risk with the building operation and without assurance that a *permit* for the entire structure will be granted.

Section R106 is amended by the addition of the following subsections:

R106.3.4 Responsibility for preparation of plans and specifications. In accordance with this section, the building official ~~shall~~ may require plans, computations, and specifications to be prepared, designed, and stamped and signed by an engineer or architect licensed by the State of Colorado in certain circumstances, including but limited to the following:

1. Foundations are constructed on caissons or any other method. The building official may exempt this provision on additions to existing residential and accessory structures constructed on spread footings conforming to the requirements of Chapter 4.
2. Roof framing or wall framing is "other than standard or conventional practices" not conforming to the requirements of Chapter 8 and 9 or site specific ground snow load exceeds 70 psf or;
3. Confirmation of beam sizes and spans, loading, or any structural element affecting the integrity of the building.

R106.3.5 Deferred submittals. For the purposes of this section R106, deferred submittals are defined as those portions of the design that are not submitted at the time of the application and that are to be submitted to the building official within a specified period. Deferral of any submittal items shall have the prior approval of the building official. The licensed Colorado design professional in responsible charge (if required), shall list the deferred submittals on the construction documents for review by the building official.

Submittal documents for deferred submittal items shall be submitted to the licensed Colorado design professional in responsible charge (if required), who shall review them and forward them to the building official with a notation indicating that the deferred submittal documents have been reviewed and that they have been found to be in conformance with the design of the building or structure. The deferred submittal items shall not be installed until the design and submittal documents have been approved by the building official.

Section R108.2 is amended to read as follows:

R108.2 Schedule of Permit Fees. On buildings, structures, ~~electrical~~, gas, mechanical and plumbing systems or *alterations* requiring a *permit*, a fee for each *permit* shall be paid as required, in accordance with the schedule as established by the applicable governing authority **Title 1, Chapter 11** of the Town Code of Winter Park.

Section R108.2 is amended by the addition of the following subsection:

R108.2.1 Plan Review Fee. When submittal documents are required by Section R105.1, a plan review fee shall be paid. The plan review fees specified in this section are separate from the permit fees specified in Section 108.2 and are in addition to the permit fees.

Section 108.2 is amended by the addition of the following subsection:

R108.2.2 Expiration of Plan Review. Applications for which no permit is issued within thirty (30) days following the date of last action of review without a response or additional information submitted by the applicant shall expire. Plans submitted for checking may thereafter be returned to the applicant or be destroyed by the building official. The building official may extend the time for action by the applicant for a period not exceeding thirty (30) days upon written request by the applicant demonstrating that circumstances beyond the control of the applicant have prevented action from being taken. In order to renew action on the application after expiration, the applicant shall resubmit plans and review fee.

Section R108.4 is amended by the addition of the following subsection:

R108.4.1 Investigative fee – Work without a permit. Whenever any work for which a permit is required by this code has been commenced without first obtaining said permit, a special investigation shall be made before a permit may be issued for such work. An investigation fee, in addition to the permit fee, shall be collected whether a permit is then or subsequently issued. The investigation fee may be up to or equal to the amount of the permit fee required by this code. The minimum investigation fee shall be set forth and adopted by the Town Council. The payment of such investigation fee shall not exempt any person from compliance with all other provisions of this code nor from any penalty prescribed by law.

Section R108.5 is amended to read as follows:

R108.5 Refunds. The *building official* is authorized to establish a refund policy. The building official may authorize refunding of 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. The deposit paid for a permit application is non-refundable.

The building official shall be permitted to authorize a refund of not more than eighty percent (80%) of the permit fee paid when no work has been done under a permit issued in accordance with this code.

The building official shall be permitted to authorize a refund of not more than eighty percent (80%) of the plan review fee when an applicant for a permit for which a plan review fee has been paid is withdrawn or canceled provided that no examination time has been expended.

The building official shall not be permitted to authorize a refund of any fee paid except upon written application filed by the original permit fee not later than thirty (30) days after the date of fee payment.

Section R108.6 is amended by the addition of the following subsection:

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 a fee established by the applicable governing authority that shall be in addition to the required *permit* fees. The investigation fee shall be as set forth in Title 1, Chapter 11 of the Town Code of Winter Park.

R108.6.1 Investigative fee – Work without a permit. Whenever any work for which a permit is required by this code has been commenced without first obtaining said permit, a special investigation shall be made before a permit may be issued for such work. An investigation fee, in addition to the permit fee, shall be collected whether or not a permit is then or subsequently issued. The investigation fee may be up to or equal to the amount of the permit fee required by this code. The minimum investigation fee shall be set forth and adopted by the Town Council. The payment of such investigation fee shall not exempt any person from compliance with all other provisions of this code nor from any penalty prescribed by law.

Section R109.1 is amended to read as follows:

R109.1 Types of inspections. For on-site construction, from time to time the *building official* upon notification from the *permit* holder shall make or cause to be made any necessary inspections and shall either approve that portion of construction as completed or shall notify the *permit* holder or their agent wherein the same fails to comply with this code.

Work requiring a permit shall not be commenced until the permit holder or their agent shall have posted an inspection record card in a conspicuous place on the premises and in a position to allow the building official to make the required entries conveniently thereon regarding inspection of the work. The address of the building site must be posted in a conspicuous place readily visible from the public road. This card shall be maintained in such a position by the permit holder until all inspections have been made and final approvals have been granted by the building official.

Section R109.1.1 is amended by the addition of the following subsections:

R109.1.1.1 Drilled pier inspection. Inspection will be made while the piers are being drilled. The licensed Colorado engineer of record or the authorized representative shall be present during the drilling operations and be available to the inspector during required inspections.

R109.1.1.2 Lowest floor elevation. The elevation certificate required in Section 1612.5 shall be submitted when required by the building official or as required by Title 6 Chapter 7 of the Town of Winter Park Code.

R109.1.5.2 Energy efficiency inspections. Inspections shall be made to determine compliance with Chapter 13 and shall include, but not limited to inspections for: envelope insulation R and U – values, fenestration U- values, duct system R – values,

and HVAC and water-heating equipment efficiency. Blower door testing is not mandatory whereas mechanical ventilation is required.

Energy efficiency inspections, if required, shall be provided by and at the owner's expense to verify compliance with the provisions of this section.

Section R109.1.3 is repealed in its entirety.

Section 109.1.6 is amended by the addition of the following language:

Additionally, no final inspection shall be made by the Town building inspector, and no certificate of occupancy shall be issued unless a sales/use tax audit has either been completed by the sales tax administrator and all sales/use taxes due have been paid or arrangements therefor made with the sales/use tax administrator for such audit or the Town manager, or the Town manager has specifically waived such audit.

Section R109.3 is amended by the addition the following subsection:

R109.3.1 Inspection record card. Work requiring a building permit shall not be commenced until the permit holder or his agent shall have posted an inspection record card in a conspicuous place on the premises and in a position as to allow the building official to make the required entries conveniently thereon regarding inspection of the work. The address of the building site must be posted in a conspicuous place readily visible from the public road. This card shall be maintained in such a position by the permit holder until all inspections have been made and final approvals have been granted by the building official.

Section R109 is amended to read as follows:

R109.3.2 Reinspections. A reinspection fee, amount per Title 1, Chapter 11 of the Town Code, 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. Reinspection fees may be assessed whenever a reinspection is required as a result of a failure or omission of the applicant, builder or developer, 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 failing to provide access on the date for which the inspection is requested or deviating from the approved plans. In instances where reinspection fees have been assessed, no additional inspection of the work will be performed until the reinspection fees have been received by the building department. This section is not to be interpreted as requiring re-inspection fees the first time the 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 re-inspection.

Section R110.1 is amended to read as follows:

R110.1 Use and Occupancy. No building or structure shall be used or occupied, and no change in the existing occupancy classification of a building or structure or portion thereof shall be made until the *building official* has issued a certificate of occupancy

therefor as provided herein. Issuance of a certificate of occupancy shall not be construed as an approval of a violation of the provisions of this code or of other ordinances of the *jurisdiction*. Certificates presuming to give authority to violate or cancel the provisions of this code or other ordinances of the *jurisdiction* shall not be valid.

Exceptions:

1. Certificates of occupancy are not required for work exempt from permits under section R105.2.
2. Accessory buildings of structures.
3. Group U occupancy and permits not establishing a use or occupancy.

Section R110.1 is amended by the addition of the following subsection:

R110.1.1 Premises Identification. Buildings shall have approved address numbers, building numbers or approved building identification placed in a position that is plainly legible and visible from the street or road fronting the property. Numbers shall be Arabic numbers or alphabetical letter. These numbers shall contrast and be reflective with their background. Address numbers shall be a minimum of 4 inches (102mm) high with a minimum stroke width of ½ inch (12.7mm). Where access is by means of a private road and the building address cannot be viewed from the public way, a monument, pole or other sign or means shall be used to identify the structure, in addition to the numbers on the structure, shall be mounted at least 36" above grade and not affixed on vegetation.

Section R110.4 is amended to read as follows:

R110.4 Temporary Occupancy. The *building official* is authorized to issue a temporary certificate of occupancy before the completion of the entire work covered by the *permit*, provided that such portion or portions shall be occupied safely. The *building official* shall set a time period during which the temporary certificate of occupancy is valid.

The issuance of a temporary certificate of occupancy or temporary letter of completion may be granted when all provisions of a *permit* are not complete, provided all life safety requirements are met and all fees associated with *permit* are paid. Where occupancies are not determined at time of building permit application, *permits* issued for no occupancy and a core and shall be issued a limited letter of completion or a letter of completion.

Section R112 is amended to read as follows:

R112 Construction and Fire Code Board of Appeals.

R112.1 Board Established. Pursuant to Section 113, Chapter 1, 2021 International Building Code and Section 108 of International Fire Code, there is hereby created by

the Town Council, a construction and fire code board of appeals, which board shall be composed of five (5) members who shall determine the suitability of alternate materials and methods of construction, and to provide for reasonable interpretation of the 2021 International Building Code, 2021 International Residential Code, 2021 International Fire Code, International Plumbing Code most current edition as adopted by the State of Colorado, 2021 International Mechanical Code, 2021 International Fuel Gas Code, 2021 International Energy Conservation Code and the 2021 International Existing Building Code.

R112.2 Membership and Terms.

A. The construction and fire code board of appeals shall consist of five (5) members, three (3) of which are qualified by experience and training to pass upon matters pertaining to building construction. The building official or fire code official when pertaining to fire code issues shall be an ex officio member and shall act as secretary of the board. The board shall be appointed, and their terms of office set by the Town Council which terms shall be of such length and so arranged that the terms of at least one member will expire each year.

B. Any member of the board may be removed, after public hearing, by the mayor for inefficiency, neglect of duty, of malfeasance in office. The mayor shall file a written statement of reasons for such removal.

C. Vacancies occurring otherwise and through the expiration of term shall be filled for the remainder of the unexpired term.

R112.3 Organization and Procedures. The construction and fire code board of appeals shall elect its chairman from among the members appointed by the Town Council and create and fill such other of its offices as it may determine. The term of the chairman shall be one year with eligibility for reelection. The board will hold meetings when called by the chairman or building/fire code official. The construction and fire code board of appeals shall transact business according to the rules and regulations adopted herein and shall make findings and determinations on each case considered. Such findings and determinations shall become a public record and shall be kept in the office of the Town Clerk.

R112.4 Rules and Regulations.

The following rules and regulations are adopted for purposes of transacting the business of the construction and fire code board of appeals:

A. The construction and fire code board of appeals shall meet at the call of the chairman or when requested by the building or fire code official.

B. A chairman of the construction and fire code board of appeals shall be elected by a majority of the entire regular membership at the first meeting of each calendar year, to serve for a term of one year. A vice chairman shall be elected in the same manner at the same time for a term of one year.

C. The chairman of the construction and fire code board of appeals shall preside at all meetings, shall conduct all hearings, and exercise and perform such other powers and duties as may be from time to time assigned to him by the construction and fire code board of appeals, or prescribed by the rules and regulations herein. In presiding at meetings and hearings, the chairman shall rule on procedure and on order of presentation.

D. The construction and fire code board of appeals shall be the judge of the qualifications of persons appearing as expert witnesses and shall be empowered to refuse to receive the testimony of any purported expert not so qualified.

E. In the absence or the disability of the chairman, the vice chairman shall perform all the duties of the chairman, and when so acting, shall have all the powers of, and be subject to all restrictions upon the chairman.

F. In the absence of both the chairman and the vice chairman, a chairman pro tempore shall be elected, among those regular members present, by a majority vote of all the members present.

G. Should any member have knowledge of any fact which may constitute a conflict of interest in his consideration of any appeal, he shall forthwith notify the building official or the fire code official of said facts.

H. The secretary shall keep, or cause to be kept, minutes of the proceedings of the construction and fire code board of appeals, and shall prepare an agenda for each meeting, which shall be furnished to members prior to the actual hour of the meeting. The secretary shall, in addition, be custodian of the records of the construction and fire code board of appeals and shall, upon the filing of an appeal, furnish each regular member with a copy of the letter of appeal.

I. Appeals from decisions of the building official or applicable enforcement officer shall be in writing, shall be directed to a specific decision of the building official or applicable enforcement officer, and consideration of said appeal by the construction and fire code board of appeals shall be limited to said specific decision. (Ord. 140, Series of 1986.

J. Appeals will be heard at special meetings called pursuant to the presiding officer or by a majority of the membership of the construction and fire code board of appeals. Requests for hearings must be scheduled at least ten (10) days prior to such hearing.

K. If a party of an appeal intends to submit evidence, or a legal argument, outside of the expertise of the construction and fire code board of appeals, said party shall so inform the secretary of the construction and fire code board of appeals in writing at the time of the filing of the appeal. Failure to provide such information shall be cause for the prohibition of the presentation of such evidence or argument.

L. The decision of the construction and fire code board of appeals on an appeal shall be final.

M. A decision shall require a majority vote of those members of the construction and fire code board of appeals present, provided, however, that there must be a quorum of at least three (3) members of said construction and fire code board of appeals prior to transacting any business.

A notice of appeal shall be accompanied by a fee of \$250.00.

Section R113.2 is amended to read as follows:

R113.2 Notice of Violation. The building official is authorized to serve a notice of violation or order on the person responsible for the erection, construction, alteration, extension, repair, moving, removal, demolition, or occupancy of a building or structure in violation of the provisions of code, or violation of permit or certificate issued under the provisions of this code. Such issuance shall direct the discontinuance of the illegal action or condition and the abatement of the violation.

R113.2.1 Service. A notice of violation pursuant to this code shall be served upon owner, operator, occupant, or other person responsible for the condition or violation, either by the personal service, mail or by delivering the same to, and leaving it with, some person of responsibility upon the premises. For unattended or abandon locations, a copy of such notice shall be posted on the premises in a conspicuous location at or near the entrance to such premises and the notice of violation shall be mailed by US mail to the last known address of the owner, occupant, or both.

Section R114.2 is amended to add the following sentence:

Additionally, posting of the property with a statement providing the conditions under which work will be permitted to resume.

Section R202 is amended by adding the following definitions to appear in alphabetical order:

Accessory Dwelling Unit. An attached or detached dwelling unit subordinate to the primary unit which may include a caretaker unit or an affordable housing unit. An accessory dwelling unit shall not be subdivided and/or subsequently sold as fee simple ownership. It shall remain as part of the property where the primary unit is located.

Agricultural Building. A structure located on real property classified as agriculture by the Grand County assessor that is designed, constructed, and used to house farm implements, hay, grain, poultry, livestock, or other horticultural products. This structure shall not be a place of human habitation or a place of employment where agricultural products are processed, treated, or packaged, nor shall it be a place used by the public.

(Bedroom), Sleeping Room. A room which is designed as a sleeping room, a loft, a mezzanine in group R occupancies or a room or area that can be used as a sleeping room and contains a closet.

Factory Built Building. A building which is assembled in a facility that has been approved by the state of Colorado, built to the building, plumbing and mechanical codes as adopted by the Colorado division of housing, with the work performed at the facility inspected by and bearing the Colorado division of housing identification label.

Fire Department. The chief officer of East Grand, Granby, Grand Fire Protection District, Grand Lake, Hot Sulphur Springs, and Kremmling Fire Protection Districts, or the chief officer's authorized representative.

Height, Building. Refer to Building Height definition established in Title 7 of the Winter Park Town Code.

Kitchen. Is a room or area in a residential unit that is designed to be used primarily for the preparation of food.

Townhouse. A single-family dwelling unit constructed in a group of two ~~three~~ or more attached units in which each unit resides on its own property and each unit extends from foundation to roof and with a yard or public way on not less than two sides.

Utility Space (Room). Is a room designed or used to house heating and general maintenance equipment.

Table R301.2 (1) is amended to read as follows:

Table R301.2 (1)

Roof Snow Load

A licensed Colorado design professional may design the structure using ground snow loads (pg) complying with the Colorado Design Snow Loads Report and Map, published by the Structural Engineers Association of Colorado (date May 6, 2015). 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 ASCE 7, Chapter 7.

Additionally, the changing of roofing materials and roof covering other than like materials may require a roof evaluation from a licensed Colorado engineer.

<https://seacolorado.org/publications/>

WIND SPEED IS ON HUNDRED AND FIVE (105) mph with exposure category determined by Section 1609.4

SEISMIC DESIGN CATEGORY IS "B"***

WEATHERING PROBABILITY FOR CONCRETE IS SEVERE

FROST LINE DEPTH IS THIRTY INCHES (30" (762 mm) below finished grade))

TERMITE INFESTATION PROBABILITY NONE TO SLIGHT

DECAY PROBABILITY IS NONE TO SLIGHT

WINTER DESIGN TEMPERATURE IS -16 DEGREES FAHRENHEIT,

MEAN AVE. TEMP. 40 F

FLOOD HAZARDS, SEE FLOOD INSURANCE REFERENCE MAP

***except as noted, seismic design values shall be determined from Section 1613 of the 2015 International Building Code. Site specific design values shall be determined from the USGS website.

<http://earthquake.usgs.gov/designmaps/us/application.php>

Table R301.5 is amended to read as follows:

Table R301.5

Balconies (exterior) and decks ^e	40	60
Sleeping rooms	30	40

Footnote e. Uncovered decks and balconies shall be designed to a uniformly distributed live load of 60 lbs. per square foot minimum or the design snow load whichever is greater.

Section R302.3 is amended to read as follows:

R302.3 Two-Family Dwellings (Duplex). *Dwelling units* in two-family dwellings (located on the same legal description) shall be separated from each other by wall and/or floor assemblies having not less than a ~~1-hour~~ 2-hour fire-resistance rating when tested in accordance with ASTM E 119 or UL 263 or Section 703.2.2 of the *International Building Code*. Such separation shall be provided regardless of whether a *lot line* exists between the two *dwelling units* or not. Fire-resistance-rated floor-ceiling and wall assemblies shall extend to and be tight against the exterior wall(s) and/or common wall(s), and wall assemblies shall extend from the foundation to the underside of the roof sheathing.

Exceptions:

- ~~1. A fire-resistance rating of $\frac{1}{2}$ -hour shall be permitted in buildings equipped throughout with an automatic sprinkler system in accordance with NFPA 13.~~
- ~~2.~~ 1. Wall assemblies need not extend through *attic* spaces when the ceiling is protected by not less than $\frac{5}{8}$ -inch (15.9 mm) type X gypsum board and an *attic* draft stop constructed as specified in section R302.12.1 is provided above and along the wall assembly separating the *dwellings*. The structural framing supporting the ceiling shall also be protected by not less than $\frac{1}{2}$ -inch (12.7 mm) gypsum board or equivalent.

Section R302.13 is amended by the addition of the following sentence:

Fire protection of floors to be required for all crawlspaces greater than 5' (feet) tall and for any application of fuel fire appliances or storage areas.

Section R303.4 is amended to read as follows:

R303.4 Mechanical ventilation. Buildings and *dwelling units* complying with section N1102.4.1 shall be provided with mechanical ventilation in accordance with Section M1505, or with other *approved* means of ventilation. Mechanical ventilation shall be required due to the air sealing nature of current standard building practices.

Exception:

This requirement is waived if a blower door test is performed and shows that the home has *more* than 5 Air Changes per Hour (ACH).

Section R305.1 is amended to read as follows:

R305.1 Minimum Height. *Habitable space*, hallways, bathrooms, toilet rooms, laundry rooms and ~~portions of unfinished basements containing these spaces~~ shall have a ceiling height of not less than 7 feet (2134 mm). The required height shall be measured from the finished floor to the lowest projection from the ceiling.

Exceptions:

- 1 For rooms with sloped ceilings, at least 50 percent of the required floor area of the room must have a ceiling height of at least 7 feet (2134 mm) and no portion of the required floor area may have a ceiling height of less than 5 feet (1524 mm).
2. Bathrooms shall have a minimum ceiling height of 6 feet 8 inches (2032 mm) at the center of the front clearance area for fixtures as shown in figure R307.1. The ceiling height above fixtures shall be such that the fixture is capable of being used for its intended purpose. A shower or tub equipped with a showerhead shall have a minimum ceiling height of 6 feet 8 inches (2032 mm) above a minimum area 30 inches (762 mm) by 30 inches (762 mm) at the showerhead.

Section R305.1.1 is repealed in its entirety.

Section R306 is amended by the addition of the following subsection:

R306.5 Sanitation at Construction Sites. Toilet facilities shall be provided for construction workers and such facilities shall be conveniently located and maintained in a sanitary condition. The facilities shall be available from the time the first work is started until the letter of occupancy or certificate of occupancy is issued.

Section R309.3 is repealed in its entirety.

Section R310.1 is amended to read as follows:

R310.1 Emergency Escape and Rescue Required. *Basements, habitable attics* and every sleeping room, loft, mezzanine in group R occupancies, or a room or area that can be used as a sleeping room and contains a closet shall have at least one operable emergency escape and rescue opening. Where *basements* contain one or more sleeping rooms, emergency egress and rescue openings shall be required in each sleeping room. Where emergency escape and rescue openings are provided, they shall have a sill height of not more than 44 inches (1118 mm) above the floor. Where a door opening having a threshold below the adjacent ground elevation serves as an emergency escape and rescue opening and is provided with a bulkhead enclosure, the bulkhead enclosure shall comply with section R310.3. The net clear opening dimensions required by this section shall be obtained by the normal operation of the emergency escape and rescue opening from the inside. Emergency escape and rescue openings with a finished sill height below the adjacent ground elevation shall be provided with a window well in accordance with section R310.2. Emergency escape and rescue openings shall open directly into a public way, or to a *yard* or court that opens to a public way. Window wells with a vertical depth greater than 44 inches (1118 mm) shall be equipped with a permanently affixed ladder or steps usable with the window in the fully open position. If the window well is stepped and has a horizontal dimension less than 36 inches, a ladder is required out of that said level complying with requirements.

Section R313.2 and R313.2.1 are repealed in their entirety.

Section R315.1 is amended to read as follows:

R315.1 General. Carbon monoxide alarms and detectors shall be installed and comply with Section R315 and Title 38 of the Colorado Revised Statutes.

Section R320.1 is amended to read as follows:

R320.1 Scope. Where four or more *dwelling units* or *sleeping units* are constructed in a single structure or constructed as part of a planned development containing a total of seven or more units, regardless of whether such units are separated by fire-resistive rated assemblies and or property lines, the applicable provisions of the Colorado Revised Statutes, federal regulations, and the provisions of Chapter 11 of the adopted *International Building Code* for Group R-2 shall apply.

Exception: Owner-occupied lodging houses with five or fewer guestrooms are not required to be accessible.

Section 322 is repealed in its entirety.

Section R327.1 is amended to read as follows:

R326.1 General. Swimming pools shall comply with the *International Swimming Pool and Spa Code* as well as the requirements of this section and other applicable sections of this code and per C.R.S. 25-5-801 *et seq.* Swimming pools shall be completely enclosed by a fence at least 4 feet (1290 mm) in height or a screen enclosure. Openings in the fence shall not permit the passage of a four-inch-diameter (102 mm) sphere.

The fence or screen enclosure shall be equipped with self-closing and self-latching gates.

Exception: A swimming pool with a power safety cover or a spa with a safety cover complying with ASTM F1346.

Section R403.1 is amended to read as follows:

R403.1 General. All exterior walls shall be supported on continuous solid or fully grouted masonry or concrete footings, crushed stone footings, wood foundations, or other *approved* structural systems which shall be of sufficient design to accommodate all loads according to section R301 and to transmit the resulting loads to the soil within the limitations as determined from the character of the soil. Footings shall be supported on undisturbed natural soils or engineered fill. Concrete footing shall be designed and constructed in accordance with the provisions of section R403 or in accordance with ACI 332.

Exception: Unless designed and stamped by a licensed Colorado engineer.

Section R408.7 is repealed in its entirety.

Section R502.11 is amended to read as follows:

R502.11.1 Design. Wood trusses shall be designed in accordance with *approved* engineering practice. The design and manufacture of metal plate connected wood trusses shall comply with ANSI/TPI 1. The design drawings shall be prepared by a registered professional where required by the statutes of the *jurisdiction* in which the project is to be constructed in accordance with section R106.1. The use of load duration factors for snow load or slope of roof shall be prohibited.

Section R602.1.4 is amended by the addition of the following subsection:

R602.1.4 Structural Log Members. Stress grading of structural log members of nonrectangular shape, as typically used in log buildings, shall be in accordance with ASTM D 3957. Such structural log members shall be identified by the grade *mark* of an *approved* lumber grading or inspection agency. In lieu of a grade *mark* on the material, a certificate of inspection as to species and grade issued by a lumber grading or inspection agency meeting the requirements of this section shall be permitted.

In log construction, all structural logs and wall logs shall be graded, designed, and inspected by a licensed Colorado design professional certifying to the building division that the logs are of the size, quality, and species of the design and that they were installed to that design.

Section R602.2 is amended to read as follows:

R602.2 Grade. Studs shall be a minimum no. 3, standard or stud grade lumber.

Exception:

1. Bearing studs not supporting floors and nonbearing studs may be utility grade lumber, provided the studs are spaced in accordance with table R602.3(5).
2. In single family dwellings of log construction, wall logs need not be graded.
3. In log construction, all structural logs and wall logs shall be graded, designed, and inspected by a licensed Colorado design professional certifying to the building division that the logs are of the size, quality, and species of the design and that they were installed to that design.

Section R602.3 is amended to read as follows:

R602.3 Design and Construction. Exterior walls of wood-frame construction shall be designed and constructed in accordance with the provisions of this chapter and Figures R602.3(1) and R602.3(2) or in accordance with AF&PA's NDS. The use of load duration factors for snow load shall be prohibited. Components of exterior walls shall be fastened in accordance with tables R602.3(1) through R602.3(4). Structural wall sheathing shall be fastened directly to structural framing members. Exterior wall coverings shall be capable of resisting the wind pressures listed in table R301.2(2) adjusted for height and exposure using table R301.2(3). Wood structural panel sheathing used for exterior walls shall conform to the requirements of table R602.3(3).

Studs shall be continuous from support at the sole plate to a support at the top plate to resist loads perpendicular to the wall. The support shall be a foundation of floor, ceiling or roof diaphragm or shall be designed in accordance with accepted engineering practice.

Exception: Jack studs, trimmer studs, and cripple studs at openings in wall that comply with Table R502.5(1) and R502.5(2).

Section R802.2 is amended to read as follows:

R802.2 Design and Construction. The framing details required in section R802 apply to roofs having a minimum slope of three units vertical in 12 units horizontal (25-percent slope) or greater. Roof-ceilings shall be designed and constructed in accordance with the provisions of this chapter and figures R606.11 (1), R606.11 (2) and R606.11 (3) or in accordance with AFPA/NDS. The use of load duration factors for snow load shall be prohibited. Components of roof-ceilings shall be fastened in accordance with table R602.3 (1).

Section R802.10 is amended to read as follows:

R802.10.2 Design. Wood trusses shall be designed in accordance with accepted engineering practice. The design and manufacture of metal-plate-connected wood trusses shall comply with ANSI/TPI 1. The truss design drawings shall be prepared by a registered professional where required by the statutes of the jurisdiction in which the project is to be constructed in accordance with section R106.1. The use of load duration factors for snow load or slope of roof shall be prohibited.

Section R803.2 is amended by the addition of the following subsection:

R803.2.1.3 Wood Structural Panel Sheathing Thickness. A minimum of $\frac{5}{8}$ inch plywood, particle board or wafer wood shall be used on roof rafters or roof trusses spaced 24 inches on center in any snow load area. Wood structural panel roof sheathing shall be bonded by exterior glue.

Section 901.1 is amended by the addition of the following definition:

F] Fire Department. The chief officer of East Grand, Granby, Grand Fire Protection District, Grand Lake, Hot Sulphur Springs and Kremmling Fire Protection Districts, or the chief officer's authorized representative.

Section R905 is amended by the addition of the following subsections:

R905.1.2 Ice Barrier. An ice barrier that consists of an approved self-adhering polymer modified bitumen sheet shall be used in lieu of normal underlayment on all sloped roofs. Roof(s) under 4:12 pitch shall have double underlayment. Base layer to have total coverage of self-adhering polymer modified bitumen sheet 100 percent of roof surface. Second layer shall also be of self-adhering polymer modified bitumen sheet from eaves to a point 6 feet inside the exterior wall line of building, with the remainder of roof may be synthetic or felt underlayment.

This ice dam protection underlayment shall be installed from the eaves to a point 6 feet inside the exterior wall line of the building and 24 inches from the center line of all valleys, fully adhered to the substrate on all habitable structures.

Exception: Detached accessory structures that contain no conditioned floor area.

R905.1.3 Snow-Shed Barriers. Roofs shall be designed to prevent accumulations of snow from shedding above or in front of gas utility or electric utility meters.

Section R905.4 is amended by the addition of the following subsection:

R905.4.7 Mechanical Barriers. Mechanical barriers installed to prevent snow shedding from the roof shall be secured to roof framing members or to solid blocking secured to framing members or in accordance with the manufacturer's installation instructions.

Individual devices installed in a group of devices to create a barrier to prevent snow shedding shall be installed in at least two rows with the first row no more than 24 inches from the edge of the roof or eave. The rows shall be parallel with the exterior wall line and the devices in each row shall be staggered for a spacing of no more than 24 inches on center measured parallel with the exterior wall line.

Continuous snow barriers shall be secured to roof framing at no more than 48 inches on center. Continuous barriers shall be installed parallel with the exterior wall line with a first row being and no more than 24 inches from the edge of the roof or eave.

Section R905.10 is amended by the addition of the following subsection:

R905.10.5.1 Mechanical Barriers for Metal Roof Shingles and Metal Roof Panels. Roofs with metal roof shingles or metal roof panels shall be designed so as to prevent accumulations of snow from shedding onto pedestrian and vehicular exits from buildings and on to sidewalks, streets, and alley ways.

Mechanical barriers installed to prevent snow shedding from the roof shall be secured to roof framing members or to solid blocking secured to framing members or in accordance with the manufacturer's installation instructions.

Individual devices installed in a group of devices to create a barrier to prevent snow shedding shall be installed in at least two rows with the first row no more than 24 inches from the edge of the roof or eave. The rows shall be parallel with the exterior wall line and the devices in each row shall be staggered for a spacing of no more than 24 inches on center measured parallel with the exterior wall line.

Continuous snow barriers shall be secured to roof framing at no more than 48 inches on center. Continuous barriers shall be installed parallel with the exterior wall line with a first row being and no more than 24 inches from the edge of the roof or eave.

Section R907.3 is amended to read as follows:

R907.3 Recovering Versus Replacement. New roof coverings shall not be installed without first removing all existing layers of roof coverings where any of the following conditions exist:

1. Where the existing roof or roof covering is water-soaked or has deteriorated to the point that the existing roof or roof covering is not adequate as a base for additional roofing.
2. Where the existing roof covering is wood shake, slate, clay, cement or asbestos-cement tile.
3. Where the existing roof has ~~two or~~ more than one application of any type of roof covering.
4. ~~For asphalt shingles, when the building is located in an area subject to moderate or severe hail damage according to figure R903.5.~~

Section R1001.1.1 is repealed in its entirety and moved to Title 7, Zoning Code of the Town of Winter Park.

Section R1004.4 is amended to read as follows:

R1004.4 Unvented Gas Log Heaters. ~~An unvented gas log heater shall not be installed in a factory built fireplace unless the fireplace system has been specifically tested, listed, and labeled for such use in accordance with UL 127.~~ Installation of unvented gas log heaters is prohibited.

Section R1005 is amended by the addition of the following subsection:

R1005.9 Factory-built chimneys. Factory-built chimneys shall be effectively fire blocked within such enclosure at each floor-ceiling level and at the roof. The vertical distance between adjacent fire blocking shall not exceed 10 feet.

Section M1410.1 is amended by the addition of the following sentence:

Un-vented gas appliance(s) and room heaters are prohibited, except for listed domestic gas range installations.

Section M1414 is amended by the addition of the following subsection:

M1414.1 General. Fireplace stoves shall be listed, labeled, and installed in accordance with the terms of the listing. Fireplace stoves shall be tested in accordance with UL737. Detached one- and two-family dwellings may have no more than one solid fuel burning device per property. Condominiums and apartment houses may have one solid fuel burning device located in a lobby or other main common area. Factory- built fireplaces and stoves shall meet E.P.A. phase II or Colorado phase III air quality requirements.

Section G2404.7 is repealed in its entirety.

Section G2406.2 is amended to read as follows:

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

1. The *appliance* is a direct-vent *appliance* installed in accordance with the conditions of the listing and the manufacturer's instructions.
2. *Vented room heaters*, wall *furnaces*, vented decorative *appliances*, vented gas *fireplaces*, vented gas *fireplace* heaters and decorative *appliances* for installation in vented solid fuel-burning *fireplaces* are installed in rooms that meet the required volume criteria of section G2407.5.
3. ~~A single listed wall mounted *unvented room heater* is installed in a bathroom and such *unvented room heater* is equipped as specified in Section G2445.6 and has an input rating not greater than 6,000 BTU/h (1.76kW). The bathroom shall meet the required volume criteria of Section G2407.5.~~
4. ~~A single listed wall mounted *unvented room heater* is installed in a bedroom and such *unvented room heater* is equipped as specified in Section G2445.6 and has an input rating not greater than 10,000 Btu/h (2.93 kW). The bedroom shall meet the required volume criteria of Section G2407.5.~~

~~5~~ 3. The *appliance* is installed in a room or space that opens only into a bedroom or bathroom, and such room or space is used for no other purpose and is provided with a solid weather-stripped door equipped with an *approved* self-closing device. All *combustion air* shall be taken directly from the outdoors in accordance with section G2407.6.

~~6~~ 4. A clothes dryer is installed in a residential bathroom or toilet room having a permanent opening with an area of not less than 100 square inches (0.06 sq. meters) that communicates with space outside of a sleeping room, bathroom, toilet room or storage closet.

Section G2417.4.1 is amended to read as follows:

G2417.4.1 (406.4.1) Test Pressure. The test pressure to be used shall not be less than one and one-half times the proposed maximum working pressure, but not less than ~~3~~ 10 psig (~~20 kPa gauge~~), irrespective of design pressure. Where the test pressure exceeds 125 psi (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*.

Section G2425.8 is amended to read as follows:

G2425.8 (501.8) Appliance Not Required to Be Vented. The following *appliances* shall not be required to be vented provided appliance is listed and tested and installed per manufacturers specifications:

1. Ranges.
2. Built-in domestic cooking units listed and marked for optional venting.
3. Hot plates and laundry stoves.
4. *Type 1 clothes dryers* (~~type 1 clothes dryers~~ shall be exhausted in accordance with the requirements of section G2439).
5. Refrigerators.
6. Counter appliances.
7. ~~Room heaters listed for unvented use.~~

~~Where the *appliances* listed in Items 5 through 7 6 above are installed so that the aggregate input rating exceeds 20 Btu per hour per cubic foot (207 W/m³) of volume of the room or space in which such *appliances* are installed, one or more shall be provided with venting systems or other *approved* means for conveying the *vent gases* to the outdoor atmosphere so that the aggregate input rating of the remaining *unvented appliances* does not exceed the 20 Btu per hour per cubic foot (207 W/m³). Where the room or space is which the *appliance* is installed is directly connected to another room or space by a doorway, archway or other opening of comparable size that cannot be closed, the~~

~~volume of such adjacent room or space shall be permitted to be included in the calculations.~~

Section G2433 (603.1) is amended to read as follows:

G2433.1 (603.1) General. ~~Log lighters shall be tested in accordance with CSA 8 and shall be installed in accordance with the manufacturer's installation instructions.~~ Installation of log lighters is prohibited.

Section G2445 is amended to read as follows:

G2445.1 (621.1) General. Prohibited Installation. Installation of unvented room heaters is prohibited. ~~Unvented room heaters shall be tested in accordance with ANSI Z21.11.2 and shall be installed in accordance with the conditions of the listing and the manufacturer's installation instructions.~~

Section P2501.1 is amended to read as follows:

P2501.1 Scope. The provisions of this chapter shall establish the general administrative requirements applicable to plumbing systems and inspection requirements of this code. The intent of this code is to meet or exceed the requirements of the state of Colorado plumbing code. When technical requirements, specifications, or standards in the Colorado plumbing code conflict with this code, the more restrictive shall apply.

Section P2603.6.1 is amended to read as follows:

P2603.6.1 Sewer Depth. ~~Building sewers that connect to private sewage disposal systems shall be a minimum of [NUMBER] inches (mm) below finished grade at the point of septic tank connection. Building sewers shall be a minimum of [NUMBER] inches (mm) below grade.~~ as required by the local water and sanitation district having jurisdiction.

Section 2904 is repealed in its entirety.

Section P3103.1 is amended to read as follows:

P3103.1 Roof Extension. Open vent pipes that extend through a roof shall be terminated at least ~~6 inches (152 MM)~~ 12 inches above the roof ~~or 6 inches (152 mm) above the anticipated snow accumulation, whichever is greater,~~ except that where a roof is to be used for any purpose other than weather protection, the vent extension shall be run at least 7 feet (2134 mm) above the roof and within twenty-four inches (24") of the peak of the roof.

The following appendices are repealed in their entirety:

Appendix AE, AF, AH, AI, AM, AO & AV.

Section 4. Section 6-1-4 of the Winter Park Municipal Code is hereby repealed in its entirety and reenacted to read as follows:

6-1-4: PLUMBING CODE AMENDMENTS:

The following sections of the 2021 *International Plumbing Code*, adopted by reference in Section 6-1-1 of this Chapter, are hereby amended as follows:

Section 101.1 is amended to read as follows:

101.1 Title. These regulations shall be known as the 2021 *International Plumbing Code* of the Town of Winter Park, hereinafter referred to as this code.

Section 101.3 is amended to read as follows:

101.3 Intent. The purpose of this code is to provide minimum standards to safeguard life or limb, health, property and public welfare by regulating and controlling the design, construction, installation, quality of materials, location, operation and maintenance or use of plumbing equipment and systems. The intent of this code is to meet or exceed the requirements of the state of Colorado plumbing code. When technical requirements, specifications, or standards in the Colorado plumbing code conflict with this code, the more restrictive shall apply. Additionally, the intent is when the State of Colorado adopts the most current edition of the International Plumbing Code, the Town of Winter Park concurrently adopts the most current edition.

Section 103.2 is amended to read as follows:

103.2 Appointment Building Official. See Town Code 6-1-2, Section 103.2.

Section 103.3 is amended to read as follows:

103.3 Deputies. See Town Code 6-1-2, Section 103.3.

Section 103.4 is amended to read as follows:

103.4 Liability. See Town Code 6-1-2, Section 104.8.

Section 106.5.1 shall be amended by replacing the word "~~APPROVED~~" with "REVIEWED FOR CODE COMPLIANCE"

Section 106.5.3 is amended to read as follows:

106.5.3 Expiration. See Town Code 6-1-2, Section 105.5.

Section 106.6.2 is amended to read as follows:

106.6.2 Fee Schedule. The fees for plumbing work shall be ~~as indicated in the following schedule~~ in accordance with Title 1 Chapter 11 of the Town Code.

Section 106.6.3 is amended to read as follows:

106.6.3 Fee Refunds. The ~~code~~ building official shall authorize the refunding of fees as follows:

1. The full amount of any fee paid hereunder that was erroneously paid or collected.
2. Not more than ~~[SPECIFY PERCENTAGE]~~ 80 percent of the permit fee paid when no work has been done under a permit issued in accordance with this code.
3. Not more than ~~[SPECIFY PERCENTAGE]~~ 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~~ building official shall not authorize the refunding of any fee paid, except upon written application filed by the original permittee not later than 180 days after the date of fee payment.

Section 106.6 is amended by the addition of the following subsections:

106.6.4 Reinspections. Where any work or installation does not pass an initial test or inspection, the necessary corrections shall be made to achieve compliance with this code. The work or installation shall then be resubmitted to the code official for inspection and testing. A reinspection fee, amount per Title 1 Chapter 11 of the Town Code, 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. 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 failing to provide access on the date for which the inspection is requested or deviating from the approved plans. In instances where reinspection fees have been assessed, no additional inspection of the work will be performed until the reinspection fees have been received by the building department.

106.6.5 Investigative fee – Work without a permit. Whenever any work for which a permit is required by this code has been commenced without first obtaining said permit, a special investigation shall be made before a permit may be issued for such work. An investigation fee, in addition to the permit fee, shall be collected whether a permit is then or subsequently issued. The investigation fee may be up to or equal to the amount of the permit fee required by this code. The minimum investigation fee shall be set forth and adopted by the Town Council. The payment of such investigation fee shall not exempt any person from compliance with all other provisions of this code nor from any penalty prescribed by law.

106.6.6 Inspection Requests. It shall be the duty of the person doing the work, the owner, contractor, or subcontractor to know that the building or structure has a valid permit and to notify the building department when work is ready for inspection. It shall be the duty of the person doing the work, the owner, contractor, or subcontractor

requesting any inspections required by this code to provide access and means for inspection of such work.

All inspections requested prior to 4:00 pm the day requested will be performed the ~~same~~ following working day. Such request for inspection may be made by calling the 24-hour automated telephone answering system or the automated inspection portal.

Section 108.4 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~~ building official, or of a permit or certification issued under the provisions of this code, shall be guilty of a violation, punishable by a fine of ~~not more than (AMOUNT) dollars~~ per Town Code or by imprisonment not exceeding ~~(NUMBER OF DAYS)~~, per Town Code or both such fine and imprisonment. Each day that a violation continues after due notice has been served shall be deemed a separate offense. In accordance with Title 1 Chapter 4 of the Town Code of Winter Park.

Section 108.5 is amended to read as follows:

108.5 Stop Work Orders. See Town Code 6-1-5, Section 108.5.

Section 109 is amended to read as follows:

109 Means of Appeal. See Town Code 6-1-2, Section 113.

Section 305.6.1 is amended to read as follows:

305.6.1 Sewer Depth. Building sewers that connect to private sewage disposal systems shall be a minimum of ~~[NUMBER] inches (mm)~~ below finished grade at the point of ~~septic tank~~ connection. Building sewers shall be ~~a minimum of [NUMBER] inches (mm) below grade~~, as required by the local water and sanitation district having jurisdiction.

Section 312.3 is amended to read as follows:

312.3 Drainage and vent air testing. Plastic pipe tested with air is permitted provided the individual and/or company responsible for performing the work provide proper notification by posting the area where the work and test is being performed.

Section 701.2 is repealed in its entirety and reenacted as follows:

701.2 Sewer Required. Every building in which plumbing fixtures are installed and all premises having drainage piping shall be connected to a *public sewer, where available, or an approved private sewage disposal system in accordance with the International Private Sewage Disposal Code.*

Exception: When approved by Town Council.

Section 904.1 is amended to read as follows:

904.1 Roof Extension. All open vent pipes that extend through a roof shall be terminated at least ~~(NUMBER)~~ 12 inches (304.8 mm) above the roof, except that where a roof is to be used for any purpose other than weather protection, the vent extensions shall be run at least (NUMBER) 7 feet (2134 mm) above the roof.

Section 5. Section 6-1-5 of the Winter Park Municipal Code is hereby repealed in its entirety and reenacted to read as follows:

6-1-5: MECHANICAL CODE AMENDMENTS:

The following sections of the 2021 *International Mechanical Code*, adopted by reference in Section 6-1-1 of this Chapter, are hereby amended as follows:

Section 101.1 is amended to read as follows:

101.1 Title. These regulations shall be known as the *mechanical code* of the Town of Winter Park, hereinafter referred to as "this code."

Section 103.2 is amended to read as follows:

103.2 ~~Appointment~~ Building Official. See Town Code 6-1-2, Section 103.2.

Section 103.3 is amended to read as follows:

103.3 Deputies. See Town Code 6-1-2, Section 103.3.

Section 104.8 is amended to read as follows:

104.8 Liability. See Town Code 6-1-2, Section 104.8.

Sections 106.1.1 and 106.1.2 are repealed in their entirety.

Section 106.4.1 shall be amended by replacing "~~APPROVED~~" with "REVIEWED FOR CODE COMPLIANCE"

Section 106.4.3 is amended to read as follows:

106.4.3 Expiration. See Town Code 6-1-2, Section 105.5.

Section 106.5.2 is amended to read as follows:

106.5.2 Fee Schedule. The fees for mechanical work shall be ~~as indicated in the following schedule~~ in accordance with Title 1 Chapter 11 of the Town Code of Winter Park.

Section 106.5.3 is amended to read as follows:

106.5.3 Fee Refunds. The ~~code~~ building official shall authorize the refunding of fees as follows:

1. The full amount of any fee paid hereunder which was erroneously paid or collected.
2. Not more than ~~[SPECIFY PERCENTAGE]~~ 80 percent of the permit fee paid when no work has been done under a permit issued in accordance with this code.
3. Not more than ~~[SPECIFY PERCENTAGE]~~ 80 percent of the plan review fee 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~~ building official shall not authorize the refunding of any fee paid, except upon written application filed by the original permittee not later than ~~480~~ 30 days after the date of fee payment.

Section 107.2.2 is amended by the addition of the following subsections:

107.2.2.1 Reinspection. Where any work or installation does not pass an initial test or inspection, the necessary corrections shall be made to achieve compliance with this code. The work or installation shall then be resubmitted to the code official for inspection and testing. A reinspection fee, amount per Title 1 Chapter 11 of the Town Code, 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. 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 failing to provide access on the date for which the inspection is requested or deviating from the approved plans. In instances where reinspection fees have been assessed, no additional inspection of the work will be performed until the reinspection fees have been received by the building department.

107.2.2.2 Investigative fee – Work without a permit. Whenever any work for which a permit is required by this code has been commenced without first obtaining said permit, a special investigation shall be made before a permit may be issued for such work. An investigation fee, in addition to the permit fee, shall be collected whether a permit is then or subsequently issued. The investigation fee may be up to or equal to the amount of the permit fee required by this code. The minimum investigation fee shall be set forth and adopted by the Town Council. The payment of such investigation fee shall not exempt any person from compliance with all other provisions of this code nor from any penalty prescribed by law.

107.2.2.3 Inspection Requests. It shall be the duty of the person doing the work, the owner, contractor, or subcontractor to know that the building or structure has a valid permit and to notify the building department when work is ready for inspection. It shall be the duty of the person doing the work, the owner, contractor, or subcontractor requesting any inspections required by this code to provide access and means for inspection of such work.

All inspections requested prior to 4:00 pm the day requested will be performed the ~~same~~ following working day. Such request for inspection may be made by calling the 24-hour automated telephone answering system or the automated inspection portal.

Section 113.1 is amended to read as follows:

113.1 Stop Work Orders. See Town Code 6-1-5, Section 108.5.

Section 114.1 is amended to read as follows:

114.1 Means of Appeal. See Town Code 6-1-2, Section 113.

Section 115.4 is amended to read as follows:

115.4 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~~ building official, or of a permit or certification issued under the provisions of this code, shall be guilty of a violation, punishable by a fine of ~~not more than (AMOUNT) dollars~~ per Town Code or by imprisonment not exceeding ~~(NUMBER OF DAYS)~~, per Town Code or both such fine and imprisonment. Each day that a violation continues after due notice has been served shall be deemed a separate offense. In accordance with Title 1 Chapter 4 of the Town Code of Winter Park.

Section 903.3 is amended to read as follows:

903.3 Unvented Gas Log Heaters. ~~An unvented gas log heater shall not be installed in a factory built fireplace unless the fireplace system has been specifically tested, listed and labeled for such use in accordance with UL 127.~~ Unvented gas log heaters are prohibited.

Section 905.1 is amended to read as follows:

905.1. Fireplace Stoves and room heaters. Fireplace stoves and solid-fuel-type room heaters shall be *listed & labeled* and installed in accordance with the conditions of the listing. Fireplace stoves shall be tested in accordance with UL737. Solid-fuel-type room heaters shall be tested in accordance with UL 1482. Fireplace inserts intended for installation in fireplaces shall be listed and labeled in accordance with the requirements of UL 1482 and shall be installed in accordance with the manufacturer's instructions. Detached one- and two-family dwellings may have no more than one solid fuel burning device per property. Condominiums and apartment houses may have one solid fuel burning device located in a lobby or other main common area. Factory-built fireplaces and stoves shall meet E.P.A. phase II or Colorado phase III air quality requirements. Solid fuel appliances shall be listed and tested and fully complies with E.P.A. Phase II and/or Colorado Phase III air quality requirements.

Section 1001 is amended by the addition of the following subsection:

1001.2 Operations and maintenance of boilers and pressure vessels. Boilers and pressure vessels shall be operated and maintained in conformity with requirements for adequate protection of the public according to nationally recognized standards. The State Boiler Inspector shall notify the owner or the authorized representative of defects or deficiencies, which shall be properly and promptly corrected.

Section 6. Section 6-1-6 of the Winter Park Municipal Code is hereby repealed in its entirety and reenacted to read as follows:

6-1-6: FUEL GAS CODE AMENDMENTS:

The following sections of the 2021 *International Fuel Gas Code*, adopted by reference in Section 6-1-1 of this Chapter, are hereby amended as follows:

Section 101.1 is amended to read as follows:

101.1 Title. These regulations shall be known as *the fuel gas code* of the Town of Winter Park, herein referred to as "this code."

Section 103.2 is amended to read as follows:

103.2 ~~Appointment~~ Building Official. See Town Code 6-1-2, Section 103.2.

Section 103.3 is amended to read as follows:

103.3 Deputies. See Town Code 6-1-2, Section 103.3.

Section 104.8 is amended to read as follows:

104.8 Liability. See Town Code 6-1-2, Section 104.8.

Section 106.1.1 & 106.1.2 shall be repealed in its entirety.

Section 106.5.1 shall be amended by replacing the word "~~APPROVED~~" with "REVIEWED FOR CODE COMPLIANCE"

Section 109.2 is amended to read as follows:

109.2 Fee Schedule. The fees for work shall be ~~as indicated in the following schedule~~ in accordance with **Title 1 Chapter 11** of the Town Code.

Section 109.6 is amended to read as follows:

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

1. The full amount of any fee paid hereunder that was erroneously paid or collected.

2. Not more than ~~[SPECIFY PERCENTAGE]~~ 80 percent of the permit fee paid when no work has been done under a permit issued in accordance with this code.

3. Not more than ~~[SPECIFY PERCENTAGE]~~ 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~~ building official shall not authorize the refunding of any fee paid, except upon written application filed by the original permittee not later than ~~480~~ 30 days after the date of fee payment.

Section 107.2.2 is amended by adding a new subsection to read as follows:

107.2.2 Inspection Requests. It shall be the duty of the holder of the permit or his or her duly authorized agent to notify the code official when work is ready for inspection. It shall be the duty of the permit holder to provide *access* to and means for inspection of such work that is required by this code. All inspections requested prior to 4:00 pm the day requested will be performed the ~~same~~ following working day. Such request for inspection may be made by calling the 24-hour automated telephone answering system or the automated inspection portal.

107.2.2.1 Reinspections. A reinspection fee, as specified in Title 1, Chapter 11 of the Town Code, may be assessed for each inspection or reinspection when such portion of work for which inspections is called is not complete or when corrections called for are not made. 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 failing to provide access on the date for which the inspection is requested, or for deviating from plans requiring the approval of the building official. In instances where reinspection fees have been assessed, no additional inspection of work will be performed until the reinspection fees have been collected by the building department.

107.2.2.2 Investigative fee – Work without a permit. Whenever any work for which a permit is required by this code has been commenced without first obtaining said permit, a special investigation shall be made before a permit may be issued for such work. An investigation fee, in addition to the permit fee, shall be collected whether a permit is then or subsequently issued. The investigation fee may be up to or equal to the amount of the permit fee required by this code. The minimum investigation fee shall be set forth and adopted by the Town Council. The payment of such investigation fee shall not exempt any person from compliance with all other provisions of this code nor from any penalty prescribed by law.

Section 108.4 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 erect, install, alter or repair work in violation of the *approved construction documents* or directive of the ~~code~~ building official, or of a permit or certification issued under the provisions of this code, shall

be guilty of a violation, punishable by a fine of ~~not more than (AMOUNT)~~ dollars per Town Code or by imprisonment not exceeding ~~(NUMBER OF DAYS)~~ per Town Code, or both such fine and imprisonment. Each day that a violation continues after due notice has been served shall be deemed a separate offense. In accordance with **Title 1 Chapter 4** of the Town Code of Winter Park.

Section 108.5 is amended to read as follows:

108.5 Stop Work Orders. See Town Code 6-1-5, Section 108.5.

Section 109 is repealed in its entirety and reenacted to read as follows:

Section 109 Means of Appeal. See Town Code 6-1-2, Section 113.

Section 303.3 is amended to read as follows:

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

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

2. Vented room heaters, wall furnaces, vented decorative appliances, vented gas fireplaces, vented gas fireplace heaters and decorative appliances for installation in vented solid fuel-burning fireplaces are installed in rooms that meet the required volume criteria of section 304.5.

- ~~3. A single wall mounted unvented room heater is installed in a bathroom and such unvented room heater is equipped as specified in Section 621.6 and has an input rating not greater than 6,000 BTU/h (1.76 kW). The bathroom shall meet the required volume criteria of Section 304.5.~~

- ~~4. A single wall mounted unvented room heater is installed in a bedroom and such unvented room heater is equipped as specified in Section 621.6 and has an input rating not greater than 10,000 BTU/h (2.93 kW). The bedroom shall meet the required volume criteria of Section 304.5.~~

- 5.3 The *appliance* is installed in a room or space that opens only into a bedroom or bathroom, and such room or space is used for no other purpose and is provided with a solid weather-stripped door equipped with an *approved* self-closing device. All *combustion* air shall be taken directly from the outdoors in accordance with section 304.6.

Section 406.4.1 is amended to read as follows:

406.4.1 Test Pressure. The test pressure to be used shall not be no less 1¹/₂ times the proposed maximum working pressure, but not less than ~~3 (20 kPa gauge)~~ 10 psig,

irrespective of design pressure. 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.

Section 501.8 is amended to read as follows:

501.8 Appliances Not Required to Be Vented. The following appliances shall not be required to be vented provided appliance is listed and tested and installed per manufacturers specifications:

1. Ranges.
2. Built-in domestic cooking units *listed* and marked for optional venting.
3. Hot plates and laundry stoves.
4. Type 1 clothes dryers (type 1 clothes dryers shall be exhausted in accordance with the requirements of section 614.).
5. A single booster type automatic instantaneous water heater, where designed and used solely for the sanitizing rinse requirements of a dishwashing machine, provided that the heater is installed in a commercial kitchen having a mechanical exhaust system. Where installed in this manner, the draft hood, is required, shall be in place and unaltered and the draft hood *outlet* shall be not less than 36 inches (914 mm) vertically and 6 inches (152 mm) horizontally from any surface other than the heater.
6. Refrigerators.
7. Counter appliances.
8. ~~Room heaters *listed* for unvented use.~~
8. Direct-fired make-up air heaters.
9. Other equipment *listed* for unvented use and not provided with flue collars.
10. Specialized equipment of limited input such as laboratory burners and gas lights.

~~Where the appliances and equipment listed in Items 5 through 11 **10** above are installed so that the aggregate input rating exceeds 20 British Thermal Units (Btu) per hour per cubic foot (207 watts per m³) of volume of the room or space in which such appliances are installed, one or more shall be provided with venting systems or other *approved* means for conveying the vent gases to the outdoor atmosphere so that the aggregate input rating of the remaining unvented appliances does not exceed the 20 Btu per hour per cubic foot (207 watts per m³). Where the room or space in which, the *appliance* is installed is directly connected to another room or space by a doorway, archway or other opening of comparable size that cannot be closed, the volume of such adjacent room or space shall be permitted to be included in the calculations.~~

Section 603.1 is amended to read as follows:

603.1 General. Log lighters ~~shall be tested in accordance with CSA 8 and be installed in accordance with the manufacturer's installation instructions~~ are prohibited.

Section 621.1 is amended to read as follows:

621.1 General Prohibited Installation. Installation of unvented room heaters is prohibited. ~~Unvented room heaters shall be tested in accordance with ANSI Z21.11.2 and shall be installed in accordance with the conditions of the listing and the manufacturer's installation instructions. Unvented room heaters utilizing fuels other than fuel gas shall be regulated by the *International Mechanical Code*.~~

Section 7. Section 6-1-7 of the Winter Park Municipal Code is hereby repealed in its entirety and reenacted to read as follows:

6-1-7: ENERGY CONSERVATION CODE AMENDMENTS:

The following sections of the 2021 *International Energy Conservation Code*, adopted by reference in Section 6-1-1 of this Chapter, are hereby amended as follows:

Section 101.1 is amended to read as follows:

101.1 Title. This code shall be known as the *international energy conservation code* of the Town of Winter Park and shall be cited as such. It is referred to herein as "this code."

Section 109.3 is amended to read as follows:

109.3 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 or repair or do work in violation of the *approved construction documents* or directive of the fire code official **or building official**, or of a permit or certification used under the provisions of this code, shall be guilty of a **violation**, punishable by a fine of not more than **1,000** dollars or by imprisonment not exceeding **one year**, or both such fine and imprisonment. Each day that a violation continues after due notice has been served shall be deemed a separate offense. **In accordance with Title 1 Chapter 4 of the Town Code of Winter Park.**

Blower door tests would not be mandatory, mechanical ventilation is required.

Section 506.1 is amended to read as follows:

506.1 General. The proposed design complies with this section provided that:

1. Sections 502.4, 502.5, 503.2, 504, 505.2, 505.3, 505.4, 505.6, 505.7 are each satisfied, and

2. Annual energy costs of the proposed design as determined in accordance with section 506.3 do not exceed those of the standard design as determined in accordance with section 506.4.

B. Exemptions: The following buildings are exempt from provisions of the energy conservation code adopted herein:

1. Any building that is otherwise exempt from the provisions of the building code adopted by the Town Council in which the Town is located and buildings that do not contain a conditioned space.

2. Any building that does not use either electricity or fossil fuels for comfort heating. A building will be presumed to be heated by electricity even in the absence of equipment used for electric comfort heating if the building is provided with electrical service in excess of one hundred (100) amps, unless the code enforcement official of the Town determines that the electrical service is necessary for a purpose other than for providing electric comfort for heating.

3. Historic buildings that are listed on the national register of historic places or Colorado state register of historic properties and buildings that have been designated as historically significant or that have been deemed eligible for designation by a local governing body that is authorized to make such designations.

4. Any building that is exempt pursuant to the energy code.

Section 8. Section 6-1-8 of the Winter Park Municipal Code is hereby repealed in its entirety and reenacted to read as follows:

6-1-8 : FIRE CODE AMENDMENTS:

The following sections of the 2021 *International Fire Code*, adopted by reference in Section 6-1-1 of this Chapter, are hereby amended as follows:

Section 101.1 is amended to read as follows:

101.1 Title. These regulations shall be known as the *fire code* of the Town of Winter Park and East Grand Fire Protection District, hereinafter referred to as "this code."

Section 101.2.1 is amended to read as follows:

101.2.1 Appendices. ~~Provisions in the appendices shall not apply unless specifically adopted.~~ Provisions in the appendices are specifically adopted.

Section 103.2 is amended to read as follows:

103.2 Appointment. Building and/or fire code official. See Town Code 6-1-2, Section 103.2.

Section 103.3 is amended to read as follows:

103.3 Deputies. See Town Code 6-1-2, Section 103.3.

Section 103.4 is amended to read as follows:

103.4 Liability. See Town Code 6-1-2, Section 104.8.

Section 105.3.1 is amended to read as follows:

105.3.1 Expiration. See Town Code 6-1-2, Section 105.5.

Section 105.5 is amended to read as follows:

105.5.11. An operational permit is required to produce, transport on site use, handle or dispense cryogenic fluids in any amount.

Section 105.5 is amended by the addition of the following subsection:

105.5.53. Each and every listed permit may not be required by the district.

Section 105.6.3 is repealed in its entirety and reenacted to read as follows:

105.6.3 Cryogenic Fluids. Cryogenic fluids storage is prohibited.

Section 106.2 is amended by the addition of the following subsection:

106.2.1.1 Reinspections. A reinspection fee, as specified in Title 1, Chapter 11 of the Town Code, may be assessed for each inspection or reinspection when such portion of work for which inspections is called is not complete or when corrections called for are not made. 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 failing to provide access on the date for which the inspection is requested, or for deviating from plans requiring the approval of the building official and or fire code official. In instances where reinspection fees have been assessed, no additional inspection of work will be performed until the reinspection fees have been collected by the building department or fire department. (Fire department - East Grand Fire Protection District No. 4, plan review & inspection fee schedule)

Section 108 is repealed in its entirety and reenacted to read as follows:

108.1 Board of Appeals Established. A person shall have the right to appeal a decision of the building official and fire code official to the construction and fire code board of appeals established pursuant to Section 6-1-2, 113 of the Town Code of Winter Park.

Section 115 is amended by the addition of the following subsection:

115 Water Flushing. The fire chief or fire code official shall be authorized to witness, accept, or approve flushing and flow testing of a water system supplying water for all fire protection systems.

Section 903.2.8 is amended by the addition of the following subsection:

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: An automatic sprinkler system is not required in existing non-sprinkled buildings, two stories or less, where a change of occupancy/alteration creates no more than two dwelling units, provided that a manual and automatic fire alarm system is installed in accordance with NFPA 72 throughout the building and the residential occupancies are separated from other occupancies per Section 508.4 of the international Building Code.

That the limits referred to in certain sections of the 2021 International Fire Code are hereby established as follows:

Section 5504.3.1.1.3 Location. ~~Containers of cryogenic fluids shall not be located within diked areas containing other hazardous materials.~~ Any amount of storage of flammable cryogenic fluids is prohibited.

Section 3404.2.9.6.1 Locations Where Above-Ground Tanks Are Prohibited. ~~Storage of Class I and Class II liquids in above-ground tanks outside of buildings is prohibited within the limits established by law as the limits of districts in which such storage is prohibited.~~ Storage of class I and class II liquids in above ground tanks outside of buildings is restricted to 250 gallons or less.

Exception: When a permit has been issued by the fire chief.

Section 5704.2.9.6.1 Locations Where Above-Ground Tanks Are Prohibited. ~~Storage of Class I and Class II liquids in above-ground tanks outside of buildings is prohibited within the limits established by law as the limits of districts in which such storage is prohibited.~~ Storage of Class I and Class II liquids in above ground tanks is restricted to 250 gallons or less.

Exception: When a permit has been issued by the fire chief.

Section 5806.2 Limitations. ~~Storage of flammable cryogenic fluids in stationary containers outside of building is prohibited within the limits established by law as the limits of districts in which such storage is prohibited (see Section 3 of the Sample Ordinance for Adoption of the International Fire Code on page xiii).~~ Any amount of storage of flammable cryogenic fluids is prohibited.

Section 6104.2 Maximum Capacity Within Established Limits. Within the limits established by law restricting the storage of liquefied petroleum gas ~~for the protection of heavily populated or congested areas,~~ the aggregate capacity of any one installation shall not exceed a water capacity of 2,000 gallons (7570L).

Exception: When a permit has been issued by the fire chief.

Section A101.3 is repealed and reenacted to read as follows:

A101.3 Membership. The membership of the appeals board shall consist of five voting members, three of which having the qualifications established by this section. Members shall be nominated by the building official, *fire code official* or the chief administrative officer of the respective jurisdiction, subject to confirmation by a majority vote of the governing body.

A101.3.1 ~~FIRE PROTECTION ENGINEERING PROFESSIONAL.~~ ~~One member shall be a qualified engineer, technologist, technician or safety professional trained in fire protection engineering, fire science or fire technology. Qualified representative in this category shall include fire protection contractors and certified technicians engaged in fire protection system design.~~ Registered design professional with electrical engineering experience or an electrical contractor with at least ten years' experience, five of which shall have been in responsible charge of work.

A101.2.3 ~~Industrial safety professional.~~ ~~One member shall be a registered industrial or chemical engineer, certified hygienist, certified safety professions, certified hazardous materials manager or comparably qualified specialist experienced in chemical process safety or industrial safety.~~ Registered design professional with mechanical and plumbing experience or a mechanical contractor with at least ten years' experience, five of which shall have been in responsible charge of work.

Section D102.1 is amended to read as follows:

D102.1 Access and Loading. Facilities, buildings, or portions of buildings hereafter constructed shall be accessible to fire department apparatus by way of an *approved* fire apparatus access road with asphalt, concrete, or other *approved* driving surface capable of supporting the imposed load of fire apparatus weighing at least 84,000 ~~75,000~~ pounds (~~34,050 kg~~).

Section 9. Section 6-1-9 of the Winter Park Municipal Code is hereby repealed in its entirety and reenacted to read as follows:

6-1-9: EXISTING BUILDING CODE AMENDMENTS:

The following sections of the 2021 International Existing Building Code, adopted by reference in Section 6-1-1 of this Chapter, are hereby amended as follows:

Section 101.1 is amended to read as follows:

101.1 Title. These regulations shall be known as the existing building code of the Town of Winter Park, hereinafter referred to as "this code".

Section 103.2 is amended to read as follows:

103.2 ~~Appointment~~ Building Official. See Town Code **6-1-2**, Section 103.2.

Section 103.3 is amended to read as follows:

103.3 Deputies. See Town Code 6-1-2, Section 103.3.

Section 104.1 is amended to read as follows:

104.1 General. The ~~code official~~ building official is hereby authorized and directed to enforce all of the provisions of this code; however, a guarantee that all buildings and structures have been constructed in accordance with all the provisions of this code is neither intended nor implied. The building official shall have the authority to render interpretations of this code and to adopt policies and procedures in order to clarify the application of its provisions. Such interpretations, policies, and procedures shall be in compliance with the intent and purpose of this code. Such policies and procedures shall not have the effect of waiving requirements specifically provided for in this code.

Section 104.8 is amended to read as follows:

104.8 Liability. See Town Code 6-1-2, Section 104.8.

Sections 105.1.1 and 105.1.2 are repealed in their entirety.

Section 105.5 is amended to read as follows:

105.5 Expiration. See Town Code 6-1-2, Section 105.5.

Section 106.3.3 is amended to read as follows:

106.3.3 Phased Approval. The ~~building official~~ *Community Development Director* ~~shall not issue a permit until the construction documents for the whole building or structure have been submitted and approved.~~ is authorized to issue a *permit* for the construction of foundations or any other part of a building or structure before the construction documents for the whole building or structure have been submitted, provide that adequate information and detailed statements have been filed complying with pertinent requirement of this code. The holder of such *permit* for the foundation or other parts of a building or structure shall proceed at the holder's own risk with the building operation and without assurance that a permit for the entire structure will be granted.

Section 106.3.4 is repealed in its entirety.

(1) Provide documentation to the building official that a minimum of \$500,000 of errors and omissions insurance is in place and that the owner of the residential or commercial structure upon which the architect/engineer is working is a named beneficiary of such policy; and

(2) Place their professional stamp/seal on any and all plats/plans submitted to the Town for review as a condition of the Town's receipt and review of such plans/plats.

Any plan/plat submitted in connection with any residential or commercial project/development that is not accompanied by the items identified herein shall not be accepted, processed, or approved by the Town.

Section 107.3 is repealed in its entirety.

Section 108.2 is amended to read as follows:

108.2 Schedule of Permit Fees. On buildings, structures, gas, mechanical, and plumbing systems or alterations requiring a permit, a fee for each permit shall be paid as required in accordance with Title 1, Chapter 11 of the Town Code of Winter Park.

Section 108 is amended by the addition of the following subsection:

108.7 Re-Inspections Fees. A re-inspection fee amount per Title 1, Chapter 11 of the Town Code of Winter Park, may be assessed for each inspection or re-inspection when such work for which inspection is called is not complete or when corrections called for are not made. Re-inspection 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 failing to provide access on the date for which the inspection is requested or deviating from the approved plans. In instances where re-inspection fees have been assessed, no additional inspection of the work will be performed until the re-inspection fees have been received by the building department.

Section 109.5 is amended to read as follows:

109.5 Inspection Requests. It shall be the duty of the person doing the work, the owner, contractor, or subcontractor to know that the building or structure has a valid building permit and to notify the building department when work is ready for inspection. It shall be the duty of the person who requests an inspection to provide access to and means for any inspections of such work that are required by this code.

Section 112.1 is amended to read as follows:

112.1 General. In order to hear and decide appeals of orders, decisions, or determinations made by the building official or fire code official relative to the application and interpretation of this code, there shall be and is hereby created the construction and fire code board of appeals established pursuant to Title 6, Chapter 1, Section 2: building code amendments – Section 113 of the Town Code of Winter Park. The building official or fire code official shall be an ex officio member of said board but shall have no vote on any matter before the board. The board of appeals shall be appointed by the governing body and shall hold office at its pleasure. The board shall adopt rules of procedure for conducting its business and shall render all decisions and findings in writing to the appellant with a duplicate copy to the building official or fire code official.

Section 1301.2 is amended to read as follows:

[B] 1301.2 Applicability. Structures existing prior to December 21, 1978 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 Chapter 4 through 12. The provisions of sections 1301.2.1 through 1301.2.5 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 I.

Section 10. Section 6-1-10 of the Winter Park Municipal Code is hereby enacted to read as follows:

6-1-10 : NATIONAL ELECTRICAL CODE:

The National Electrical Code (NEC), most current edition, issued and published by the National Fire Protection Association, Batterymarch, Quincy, MA 02269, and Title 12, Article 23 of the Colorado State Electrical Laws and Rules and Regulations, are enacted and adopted by reference in Section 6-1-1 of this Chapter as secondary codes and incorporated herein. A copy of said code, certified as a true copy by the mayor and Town clerk, shall be on file in the office of the Town clerk and may be inspected during regular business hours.

The intent and purpose of this Code is to provide minimum standards to safeguard life or limb, health, property, and public welfare by regulating and controlling the design, construction and installation, quality of materials, location, operation and maintenance or use of electrical equipment, systems, and methods. The intent of this Code is to meet or exceed the requirements of the State of Colorado Electrical Code.

When technical requirements, specifications, or standards in the Colorado Electrical Code conflict with this code, the more restrictive shall apply. Additionally, the intent is when the State of Colorado adopts the most current edition of the National Electrical Code, the Town of Winter Park concurrently adopts the most current edition.

Permit fees shall be assessed as set forth by this code shall be established by Town Council from time to time as amended and adopted by the Town of Winter Park and shall be based on valuation of the work to be done.

It shall be unlawful for any person, firm, or corporation to erect, construct, enlarge, alter, repair, move, improve, remove, convert, or demolish, equip, use, occupy or maintain and electrical system or equipment or cause or same to be done contrary to or in violation of any of the provisions of the National Electrical Code. Any person, firm or corporation violating any of the provisions of the National Electrical Code shall be deemed guilty of a misdemeanor, and subject to penalties set forth of the Town of Winter Park.

Section 11. Section 6-1-11 of the Winter Park Town Code is hereby enacted to read as follows:

6-1-11 : VIOLATION AND PENALTY:

- A. It is unlawful to violate any provision of this Chapter.
- B. Violations of this Chapter shall be subject to the penalties set forth in Chapter 4 of Title 1 of this Code. Each day of violation shall be a separate offense.

INTRODUCED, APPROVED ON FIRST READING, AND ORDERED PUBLISHED IN FULL this __ day of _____. A public hearing shall be held at the regular meeting of the Winter Park Town Council on the __ day of _____, 2023 at 5:30 p.m., or as soon thereafter as possible, at the Winter Park Town Hall.

TOWN OF WINTER PARK

Nick Kutrumbos, Mayor

ATTEST:

Danielle Jardee, Town Clerk

READ, ADOPTED AND ORDERED PUBLISHED on second and final reading by a vote of ____ to ____ on this ____ day of _____, 2023.

TOWN OF WINTER PARK

Nick Kutrumbos, Mayor

ATTEST:

Danielle Jardee, Town Clerk

MEMO

TO Mayor and City Council
FROM Keith Riesberg, Town Manager
CC
DATE November 20, 2023
RE Ordinance amending the FY 23 budget

Background

Each year Town staff prepares an Ordinance to address changes in the Town's budget and/or financial statements that may have a substantive impact on the Town's Adopted Budget. The FY 23 budget, as adopted, anticipated receiving \$15,000,000 of Capital Grants & Contributions ("Grants" or "Grant Revenue") in the Transit & Trails Fund. These Grants were related to the cost of construction of the Winter Park Transit Maintenance Facility. A portion of the Grant Revenue was received by the Town in fiscal year 2022 or was required to be recognized and reported as revenue in the Town's 2022 Annual Comprehensive Financial Statements ("ACFR"), in accordance with U.S. GAAP, totaling \$8,000,000. Because of this, Ordinance 615 will reduce the budgeted amount of the Capital Grants & Contributions line item, in the Transit and Trails Fund, to \$7,000,000, to be in line with the anticipated amount to be recognized and reported as revenue in the Town's 2023 ACFR. Staff has not identified any other budget amendments as being needed at this time.

Analysis

Ordinance 615 amends the FY 23 Adopted Budget to reduce the budgeted amount of revenue for the Capital Grants & Contributions line item of the Transit & Trails Fund. This ordinance will amend the budget to reduce this revenue line item from \$15,000,000 to \$7,000,000. The reduction in this revenue line item is to acknowledge that a substantial amount of the Grant Revenue was received, or recognized and reported as revenue in 2022 in accordance with U.S. GAAP, totaling \$8,000,000.

Recommendation

Staff recommends the adoption of Ordinance 615 amending the Transit & Trails budget as presented.

Should the Town Council wish to approve Ordinance 615 amending, the amounts budgeted and appropriated for FY 2023, the following motion should be made:

I move to approve Ordinance 615 amending the amounts budgeted and appropriated for FY 2023 as presented.

Should the Town Council wish to deny the proposed ordinance, the following motion should be made:

I move to deny Ordinance 615 amending the amounts budgeted and appropriated for FY 2023 as presented.

If the Ordinance is not adopted, the FY 2023 budget would remain as adopted. Because the amount that will be reported as revenue in the Town's 2023 ACFR, for the Transit and Trails Fund, will be substantially less than the amount shown in the Town's 2023 Adopted Budget, it would be noted as significant budget variance in the ACFR. This variance would be explained by the timing of the receipt of a portion of the Grant Revenue, and the incurrence of underlying payment obligations in 2022, which required a portion of the Grant Revenue to be recognized and reported as revenue in 2022.

Should you have any questions or need additional information regarding this matter, please contact me.

TOWN OF WINTER PARK
ORDINANCE NO. 615
SERIES OF 2023

AN ORDINANCE REVISING AMOUNTS BUDGETED AND APPROPRIATED FOR
FISCAL YEAR 2023 AND AMENDING THE 2023 ADOPTED BUDGET FOR THE TOWN
OF WINTER PARK, COLORADO

WHEREAS, Section 9.12 of the Town of Winter Park Home Rule Charter provides that the Town Council by ordinance, may make supplemental appropriations; and

WHEREAS, upon due and proper notice, published or posted in accordance with state law, a public hearing was held on December 6, 2022, and interested taxpayers were given the opportunity to file or register any objections to said supplemental appropriations, and;

NOW THEREFORE, BE IT ORDAINED by the Town Council of the Town of Winter Park, Colorado:

Section 1. The 2023 Adopted Budget shall be amended, such that the following fund and specified fund budget line item shall be replaced, as follows:

Transit and Trails Fund

	<u>Revenues</u>
Capital Grants & Contribution	<u>\$7,000,000</u>
Total	<u><u>\$7,000,000</u></u>

Section 2. That the fund and fund budget line item, as submitted and herein above summarized, is approved and adopted. No other revenue and expenditure amounts included in the 2023 Adopted Budget are impacted and remain, as previously submitted, amended, approved and adopted.

INTRODUCED, APPROVED ON FIRST READING, AND ORDERED PUBLISHED IN FULL this ____ day of _____, 2023. A public hearing shall be held at the regular meeting of the Winter Park Town Council on the ____ day of _____, 2023 at ____p.m., or as soon thereafter as possible, at the Winter Park Town Hall.

TOWN OF WINTER PARK

Nick Kutrumbos, Mayor

ATTEST:

Danielle Jardee, Town Clerk

READ, ADOPTED AND ORDERED PUBLISHED on second and final reading by a vote
of _____ to _____ on the ____ day of _____, 2022.

TOWN OF WINTER PARK

Nick Kutumbos, Mayor

ATTEST:

Danielle Jardee, Town Clerk

MEMO

TO Town Council
FROM Keith Riesberg, Town Manager
CC Craig Rutherford, Finance Director
DATE December 5, 2023
RE 2024 Property Tax Mill Levy Resolution

In order to levy general property taxes in accordance with the local Government budget law and the Home Rule Charter of the Town, we are requesting Town Council certify the tax levy for the 2024 budget year in order to balance the budget and meet the general operating expenses of the Town. The Grand County Assessor certified the total gross and net assessed valuation (adjusted for the estimated impacts of SB 23B-001), of \$264,502,490. The mill levy will be set at 3.765 mills (1.765 general operating mill and 2.000 natural resources/forestry mills) upon each dollar of the total valuation for assessment of all taxable property within the Town of Winter Park. The total estimated revenue generated from the mill levy assessment will be \$995,852 as calculated on the net valuation.

Recommended Motion

Staff recommends the Town Council approve the Property Tax Mill Levy and direct the Town Manager to certify the mill levy to the Grand County Board of County Commissioners as presented, by adopting the following motion:

I move to approve the levying of property taxes to help defray the costs of government for the Town of Winter Park, Colorado for the purposes of meeting general operating expenses of the Town of Winter Park during the 2024 budget year. There is hereby levied a tax of 3.765 mills upon each dollar of the total valuation for assessment of all taxable property within the Town of Winter Park, and;

The Town Manager is hereby authorized and directed, to certify to the Board of County Commissioners of Grand County, Colorado, the mill levy for the Town of Winter Park as herein above determined and set, but as recalculated as needed, upon receipt of the final certification of valuation from the Grand County Colorado Assessor, in order to comply with any applicable revenue and other budgetary limits.

TOWN OF WINTER PARK

RESOLUTION NO. 2106
SERIES OF 2023

A RESOLUTION LEVYING PROPERTY TAXES FOR THE YEAR 2023
TO HELP DEFRAY THE COSTS OF GOVERNMENT FOR THE
TOWN OF WINTER PARK, COLORADO FOR THE 2024 BUDGET

WHEREAS, the Town Council of the Town of Winter Park adopted the 2024 annual budget on November 21, 2023, in accordance with the local Government Budget law and the Home Rule Charter of the Town of Winter Park;

WHEREAS, the amount of money necessary to balance the budget for general operating purposes from property tax revenue is \$995,852; and

WHEREAS, the 2023 valuation for assessment for the Town of Winter Park, as certified by the Grand County Colorado Assessor, and as adjusted for the estimated impacts for SB 23B-001, is \$264,502,490.

NOW, THEREFORE, BE IT RESOLVED by the Town Council of Winter Park, Colorado:

Section 1. That for the purposes of meeting general operating expenses of the Town of Winter Park during the 2024 budget year, there is hereby levied a tax of 3.765 mills upon each dollar of the total valuation for assessment of all taxable property within the Town of Winter Park for the year.

Section 2. That the Town Manager is hereby authorized and directed to certify to the Board of County Commissioners of Grand County, Colorado the mill levies for the Town of Winter Park as herein above determined and set, but recalculated as needed upon receipt of the final certification of valuation from the Grand County Colorado Assessor in order to comply with any applicable revenue and other budgetary limits.

APPROVED AND PASSED this 5th day of December, 2023, by a vote of ____ to ____.

TOWN OF WINTER PARK

Nick Kutumbos, Mayor

ATTEST:

Danielle Jardee, Town Clerk

CERTIFICATION OF TAX LEVIES for NON-SCHOOL Governments**TO:** County Commissioners¹ of _____, Colorado.

On behalf of the _____,
 (taxing entity)^A
 the _____,
 (governing body)^B
 of the _____,
 (local government)^C

Hereby officially certifies the following mills
 to be levied against the taxing entity's GROSS \$ _____
 assessed valuation of: (GROSS^D assessed valuation, Line 2 of the Certification of Valuation Form DLG 57^E)

Note: If the assessor certified a NET assessed valuation
 (AV) different than the GROSS AV due to a Tax
 Increment Financing (TIF) Area^F the tax levies must be \$ _____
 calculated using the NET AV. The taxing entity's total (NET^G assessed valuation, Line 4 of the Certification of Valuation Form DLG 57)
 property tax revenue will be derived from the mill levy
 multiplied against the NET assessed valuation of: **USE VALUE FROM FINAL CERTIFICATION OF VALUATION PROVIDED
 BY ASSESSOR NO LATER THAN DECEMBER 10**

Submitted: _____ for budget/fiscal year _____.
 (no later than Dec. 15) (mm/dd/yyyy) (yyyy)

PURPOSE (see end notes for definitions and examples)**LEVY²****REVENUE²**

1. General Operating Expenses ^H	_____ mills	\$ _____
2. <Minus> Temporary General Property Tax Credit/ Temporary Mill Levy Rate Reduction ^I	< _____ > mills	\$ < _____ >
SUBTOTAL FOR GENERAL OPERATING:	<div style="border: 1px solid black; width: 100px; height: 20px;"></div> mills	<div style="border: 1px solid black; width: 100px; height: 20px;"></div> \$
3. General Obligation Bonds and Interest ^J	_____ mills	\$ _____
4. Contractual Obligations ^K	_____ mills	\$ _____
5. Capital Expenditures ^L	_____ mills	\$ _____
6. Refunds/Abatements ^M	_____ mills	\$ _____
7. Other ^N (specify): _____	_____ mills	\$ _____
	_____ mills	\$ _____

TOTAL: [Sum of General Operating
Subtotal and Lines 3 to 7]
 mills \$

Contact person: _____ Phone: (____) _____
 Signed: _____ Title: _____

Survey Question: Does the taxing entity have voter approval to adjust the general operating levy to account for changes to assessment rates? ☐ Yes ☐ No

Include one copy of this tax entity's completed form when filing the local government's budget by January 31st, per 29-1-113 C.R.S., with the Division of Local Government (DLG), Room 521, 1313 Sherman Street, Denver, CO 80203. Questions? Call DLG at (303) 864-7720.

¹ If the *taxing entity's* boundaries include more than one county, you must certify the levies to each county. Use a separate form for each county and certify the same levies uniformly to each county per Article X, Section 3 of the Colorado Constitution.

² Levies must be rounded to three decimal places and revenue must be calculated from the total NET assessed valuation (Line 4 of Form DLG57 on the County Assessor's **FINAL** certification of valuation).

CERTIFICATION OF TAX LEVIES, continued

THIS SECTION APPLIES TO TITLE 32, ARTICLE 1 SPECIAL DISTRICTS THAT LEVY TAXES FOR PAYMENT OF GENERAL OBLIGATION DEBT (32-1-1603 C.R.S.). Taxing entities that are

Special Districts or Subdistricts of Special Districts must certify separate mill levies and revenues to the Board of County Commissioners, one each for the funding requirements of each debt (32-1-1603, C.R.S.) Use additional pages as necessary. The Special District's or Subdistrict's total levies for general obligation bonds and total levies for contractual obligations should be recorded on Page 1, Lines 3 and 4 respectively.

CERTIFY A SEPARATE MILL LEVY FOR EACH BOND OR CONTRACT:

BONDS^J:

1. Purpose of Issue: _____
Series: _____
Date of Issue: _____
Coupon Rate: _____
Maturity Date: _____
Levy: _____
Revenue: _____

2. Purpose of Issue: _____
Series: _____
Date of Issue: _____
Coupon Rate: _____
Maturity Date: _____
Levy: _____
Revenue: _____

CONTRACTS^K:

3. Purpose of Contract: _____
Title: _____
Date: _____
Principal Amount: _____
Maturity Date: _____
Levy: _____
Revenue: _____

4. Purpose of Contract: _____
Title: _____
Date: _____
Principal Amount: _____
Maturity Date: _____
Levy: _____
Revenue: _____

Use multiple copies of this page as necessary to separately report all bond and contractual obligations per 32-1-1603, C.R.S.

Notes:

^A **Taxing Entity**—A jurisdiction authorized by law to impose ad valorem property taxes on taxable property located within its territorial limits (please see notes B, C, and H below). For purposes of the DLG 70 only, a *taxing entity* is also a geographic area formerly located within a *taxing entity*'s boundaries for which the county assessor certifies a valuation for assessment and which is responsible for payment of its share until retirement of financial obligations incurred by the *taxing entity* when the area was part of the *taxing entity*. For example: an area of excluded property formerly within a special district with outstanding general obligation debt at the time of the exclusion or the area located within the former boundaries of a dissolved district whose outstanding general obligation debt service is administered by another local government^C.

^B **Governing Body**—The board of county commissioners, the city council, the board of trustees, the board of directors, or the board of any other entity that is responsible for the certification of the *taxing entity*'s mill levy. For example: the board of county commissioners is the governing board ex officio of a county public improvement district (PID); the board of a water and sanitation district constitutes ex officio the board of directors of the water subdistrict.

^C **Local Government** - For purposes of this line on Page 1 of the DLG 70, the *local government* is the political subdivision under whose authority and within whose boundaries the *taxing entity* was created. The *local government* is authorized to levy property taxes on behalf of the *taxing entity*. For example, for the purposes of this form:

1. a municipality is both the *local government* and the *taxing entity* when levying its own levy for its entire jurisdiction;
2. a city is the *local government* when levying a tax on behalf of a business improvement district (BID) *taxing entity* which it created and whose city council is the BID board;
3. a fire district is the *local government* if it created a subdistrict, the *taxing entity*, on whose behalf the fire district levies property taxes.
4. a town is the *local government* when it provides the service for a dissolved water district and the town board serves as the board of a dissolved water district, the *taxing entity*, for the purpose of certifying a levy for the annual debt service on outstanding obligations.

^D **GROSS Assessed Value** - There will be a difference between gross assessed valuation and net assessed valuation reported by the county assessor only if there is a "tax increment financing" entity (see below), such as a downtown development authority or an urban renewal authority, within the boundaries of the *taxing entity*. The board of county commissioners certifies each *taxing entity*'s total mills upon the *taxing entity*'s *Gross Assessed Value* found on Line 2 of Form DLG 57.

^E **Certification of Valuation by County Assessor, Form DLG 57** - The county assessor(s) uses this form (or one similar) to provide valuation for assessment information to a *taxing entity*. The county assessor must provide this certification no later than August 25th each year and may amend it, one time, prior to December 10th. Each entity must use the **FINAL** valuation provided by assessor when certifying a tax levy.

^F **TIF Area**—A downtown development authority (DDA) or urban renewal authority (URA), may form plan areas that use "tax increment financing" to derive revenue from increases in assessed valuation (gross minus net, Form DLG 57 Line 3) attributed to the activities/improvements within the plan area. The DDA or URA receives the differential revenue of each overlapping *taxing entity*'s mill levy applied against the *taxing entity*'s gross assessed value after subtracting the *taxing entity*'s revenues derived from its mill levy applied against the net assessed value.

^G **NET Assessed Value**—The total taxable assessed valuation from which the *taxing entity* will derive revenues for its uses. It is found on Line 4 of Form DLG 57. **Please Note:** A downtown development authority (DDA) may be both a *taxing entity* and have also created its own *TIF area* and/or have a URA *TIF Area* within the DDA's boundaries. As a result DDAs may both receive operating revenue from their levy applied to their certified *NET assessed value* and also receive TIF revenue generated by any *tax entity* levies overlapping the DDA's *TIF Area*, including the DDA's own operating levy.

^H General Operating Expenses (DLG 70 Page 1 Line 1)—The levy and accompanying revenue reported on Line 1 is for general operations and includes, in aggregate, all levies for and revenues raised by a *taxing entity* for purposes not lawfully exempted and detailed in Lines 3 through 7 on Page 1 of the DLG 70. For example: a fire pension levy is included in general operating expenses, unless the pension is voter-approved, if voter-approved, use Line 7 (Other).

^I Temporary Tax Credit for Operations (DLG 70 Page 1 Line 2)—The Temporary General Property Tax Credit/ Temporary Mill Levy Rate Reduction of 39-1-111.5, C.R.S. may be applied to the *taxing entity*'s levy for general operations to effect refunds. Temporary Tax Credits (TTCs) are not applicable to other types of levies (non-general operations) certified on this form because these levies are adjusted from year to year as specified by the provisions of any contract or schedule of payments established for the payment of any obligation incurred by the *taxing entity* per 29-1-301(1.7), C.R.S., or they are certified as authorized at election per 29-1-302(2)(b), C.R.S.

^J General Obligation Bonds and Interest (DLG 70 Page 1 Line 3)—Enter on this line the total levy required to pay the annual debt service of all general obligation bonds. Per 29-1-301(1.7) C.R.S., the amount of revenue levied for this purpose cannot be greater than the amount of revenue required for such purpose as specified by the provisions of any contract or schedule of payments. Title 32, Article 1 Special districts and subdistricts must complete Page 2 of the DLG 70.

^K Contractual Obligation (DLG 70 Page 1 Line 4)—If repayment of a contractual obligation with property tax has been approved at election and it is not a general obligation bond (shown on Line 3), the mill levy is entered on this line. Per 29-1-301(1.7) C.R.S., the amount of revenue levied for this purpose cannot be greater than the amount of revenue required for such purpose as specified by the provisions of any contract or schedule of payments.

^L Capital Expenditures (DLG 70 Page 1 Line 5)—These revenues are not subject to the statutory property tax revenue limit if they are approved by counties and municipalities through public hearings pursuant to 29-1-301(1.2) C.R.S. and for special districts through approval from the Division of Local Government pursuant to 29-1-302(1.5) C.R.S. or for any *taxing entity* if approved at election. Only levies approved by these methods should be entered on Line 5.

^M Refunds/Abatements (DLG 70 Page 1 Line 6)—The county assessor reports on the *Certification of Valuation* (DLG 57 Line 11) the amount of revenue from property tax that the local government did not receive in the prior year because taxpayers were given refunds for taxes they had paid or they were given abatements for taxes originally charged to them due to errors made in their property valuation. The local government was due the tax revenue and would have collected it through an adjusted mill levy if the valuation errors had not occurred. Since the government was due the revenue, it may levy, in the subsequent year, a mill to collect the refund/abatement revenue. An abatement/refund mill levy may generate revenues up to, but not exceeding, the refund/abatement amount from Form DLG 57 Line 11.

1. Please Note: Pursuant to Article X, Section 3 of the Colorado Constitution, if the *taxing entity* is in more than one county, as with all levies, the abatement levy must be uniform throughout the entity's boundaries and certified the same to each county. To calculate the abatement/refund levy for a *taxing entity* that is located in more than one county, first total the abatement/refund amounts reported by each county assessor, then divide by the *taxing entity*'s total net assessed value, then multiply by 1,000 and round down to the nearest three decimals to prevent levying for more revenue than was abated/refunded. This results in an abatement/refund mill levy that will be uniformly certified to all of the counties in which the *taxing entity* is located even though the abatement/refund did not occur in all the counties.

^N Other (DLG 70 Page 1 Line 7)—Report other levies and revenue not subject to 29-1-301 C.R.S. that were not reported above. For example: a levy for the purposes of television relay or translator facilities as specified in sections 29-7-101, 29-7-102, and 29-7-105 and 32-1-1005 (1) (a), C.R.S.; a voter-approved fire pension levy; a levy for special purposes such as developmental disabilities, open space, etc.