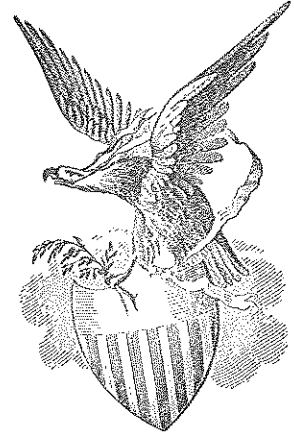


Town of Silverton

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AN ORDINANCE OF THE TOWN OF SILVERTON

ORDINANCE 2008-04

AN ORDINANCE TO AMEND CHAPTER EIGHT OF THE CODE OF THE TOWN OF SILVERTON, COLORADO AND TO ADOPT THE 2006 VERSIONS OF THE INTERNATIONAL BUILDING CODE, INTERNATIONAL RESIDENTIAL CODE, INTERNATIONAL MECHANICAL CODE, INTERNATIONAL FUEL GAS CODE, INTERNATIONAL FIRE CODE, THE 1991 UNIFORM CODE FOR BUILDING CONSERVATION, AND THE 1997 UNIFORM CODE FOR THE ABATEMENT OF DANGEROUS BUILDINGS

WHEREAS, the Board of Trustees of the Town of Silverton desires to make certain changes to chapter eight of the Code of the Town of Silverton, Colorado (“Town Code”);

WHEREAS, the Board of Trustees is in agreement that these codes will positively contribute the safety of buildings and building systems within the Town Silverton;

WHEREAS, the Board of Trustees held a duly noticed public hearing on October 27, 2008 to receive public comment, evidence and testimony relative to the proposed amendment to the Town Code.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE TOWN OF SILVERTON THAT:

Section 1. Chapter eight (8) of the Code of the Town of Silverton is hereby repealed in its entirety along with all ordinances that have led to the creation, adoption, and amendment of this chapter as written at the immediately prior to the passage of this ordinance.

Section 2. Chapter eight (8) of the Code of the Town of Silverton is amended and rewritten as follows:

CHAPTER 8 BUILDING REGULATIONS

- ARTICLE 1: BUILDING STANDARDS
 - ARTICLE 2: INTERNATIONAL MECHANICAL CODE
 - ARTICLE 3: INTERNATIONAL FUEL GAS CODE
 - ARTICLE 4: INTERNATIONAL FIRE CODE
 - ARTICLE 5: BUILDING CONSERVATION
 - ARTICLE 6: DANGEROUS BUILDINGS
 - ARTICLE 7: COMMON CLAUSES TO ARTICLES 1-6
-

ARTICLE 1 BUILDING STANDARDS

- 8-1-1 Adoption of International Building Code
- 8-1-2 Amendments and Additions to International Building Code
- 8-1-3 Adoption of International Residential Code
- 8-1-4 Amendments and Additions to International Residential Code
- 8-1-5 Adoption of the International Energy Conservation Code
- 8-1-6 Amendments and Additions to International Energy Conservation Code

8-1-1 Adoption of International Building Code The volumes, parts, chapters and appendices E-K of the International Building Code 2006 edition, as published by the International Code Council, together with amendments and deletions as set forth in sections 8-1-2 are hereby adopted pursuant to C.R.S. 31-16-201 et seq. All of the above codes shall have the same force and effect as of set forth herein in every particular. The subject matter of the adopted codes includes comprehensive provisions and standards regulating the erection, construction, enlargement, alteration, repair, moving, removal demolition, conversion, occupancy, use, height, area and maintenance of all buildings or structures located within the Town of Silverton, Colorado. The codes also have the purpose of regulating enlargement, alteration, repair, moving, removal demolition, conversion, occupancy, and use of said buildings and structures.

8-1-2 Amendments and Additions to the Code

Chapter 1

Section 101 General

101.4.1 Electrical. The provisions of the official electrical code adopted by the State of Colorado at the time of application shall apply to the installation of electrical

systems, including alterations, repairs, replacement, equipment, appliances, fixtures, fittings and appurtenances thereto.

101.4.4 Plumbing. The provisions of the official plumbing code adopted by the State of Colorado shall apply to the installation, alteration, repair and replacement of plumbing systems, including equipment, appliances, fixtures, fittings and appurtenances, and where connected to a water 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 104 Duties and Powers of Building Official

104.1 General. 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 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 105 Permits

105.2 Building (amend subsections):

7. Painting, papering, tiling, carpeting, and similar finish work.
14. Building activities with a total valuation of less than \$500, including labor and materials.

Section 107 Temporary Structures and Uses

107.1 General. The building official is authorized to issue a permit for temporary structures and temporary uses at a cost set from time to time by resolution. A permit must be issued prior to the placement of the temporary structures. A temporary structure permit is valid for a period of 90 days and is renewable for the same no more than three (3) times within a calendar year or up to eight (8) times within two years only when such a permit is associated with the construction of a primary structure.

Section 108 Fees

108.1 Payment of Fees. A permit shall not be valid until the fees prescribed by law have been paid, nor shall an amendment to a permit be released until the additional fee, if any, has been paid. All fees provided herein shall be paid to the Town Clerk and deposited in the General Fund.

108.2. 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 from time to time by resolution of the town board of trustees.

Section 113 Violations

113.4 Violation penalties. Any violation of any provision of this Code shall be punishable by a fine not exceeding five hundred dollars (\$500) or imprisonment for a term not exceeding ninety (90) days, or by both such fine and imprisonment. Each and every day that a violation continues after due notice has been served shall be deemed a separate offense.

Create a New Section: Section 116 Shipping Containers and Portable Storage Units

116.1 General. Where permitted as a non-temporary accessory use, any shipping container or portable storage unit shall require a permit for that purpose to be issued by the Building Official at such a fee established from time to time by resolution of the Town Board. Such a permit is valid for a single calendar year (January-December) and is renewable indefinitely so long as all applicable guidelines are followed. A shipping container is also eligible for a temporary structure permit but is ineligible for a standard building permit.

116.2 Conformance. Shipping containers or portable storage units of any kind shall conform to the structural strength, fire safety, and shall have two points of egress as necessary to ensure public health, safety, and general welfare. Shipping containers or storage units do not require a footing or foundation as is required in this code, but are required to be adequately anchored as to ensure public health, safety, and general welfare.

Chapter 2

Section 202 Definitions

Shipping Container: A roofed or unroofed container placed outdoors and used for the storage of goods, materials, or merchandised, and which is used in connection with a lawful principal or accessory use of the lot. The term storage container includes, but is not limited to, containers such as semi-trailers, roll-off containers, slide-off containers, portable storage units, and “piggy-back” containers.

Temporary Structure: A structure without any foundation or footing and which is removed when the designated time period, activity, or use for which the temporary structure was erected has ceased. Temporary structures include, but are not limited to utility trailers, shipping containers, lean-tos, open sheds, bleachers, booths, and tents of all types, not including wood piles (covered or otherwise) or vehicles. Non-permanent structures (i.e. Campers) with specific provisions detailed elsewhere in the Town Code shall be subject to separate regulations.

Chapter 16 Structural Design

1612.3. Insert: “Town of Silverton and Unincorporated Areas”

1612.3. Insert: “March, 1978”

Chapter 31 Special Construction

Section 3103 Temporary Structures

3103 General. The provisions of this section shall apply to structures erected for a period of less than 270 days. Tents and other membrane structures erected for a period of less than 180 days shall comply with the *International Fire Code*. Those erected for a longer period of time shall comply with applicable sections of this code.

Chapter 34 Existing Structures

3410.2 Insert: January 1, 1973.

8-1-3

Adoption of the International Residential Code. The volumes, parts, chapters and all appendices A-K and M-Q of the International Residential Code 2006 edition, as published by the International Code Council, together with amendments and deletions as set forth in sections 8-1-4 of the town code are hereby adopted pursuant to C.R.S. 31-16-201 et seq. All of the above codes shall have the same force and effect as of set forth herein in every particular. The subject matter of the adopted codes includes comprehensive provisions and standards regulating the construction, alteration, movement, enlargement, replacement, repair, equipment, location, removal and

demolition of detached one and two family dwelling and multiple single family dwellings (townhouses) not more than three stories in height with separate means of egress located within the Town of Silverton, Colorado.

8-1-4

Amendments and Additions to the International Residential Code

**Chapter 1
Administration**

**Section R101
Title, Scope and Purpose**

R101.1 Title. Insert: the Town of Silverton, Colorado

**Section R104
Duties and Powers of Building Official**

R104.1 General. 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 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 105
Permits**

R105.2 Building (*amend subsections*):

6. Painting, papering, tiling, carpeting, and similar finish work.
10. Building activities with a total valuation of less than \$500, including labor and materials.

**Section R107
Temporary Structures and Uses**

R107.1 General. The building official is authorized to issue a permit for temporary structures and temporary uses at a cost set from time to time by resolution. A permit must be issued prior to the placement of the temporary structures. A temporary structure permit is valid for a period of 90 days and is renewable for the same no more than three (3) times within a calendar year or up to eight (8) times within two years only when such a permit is associated with the construction of a primary structure.

Section R108

Fees

R108.2. 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 from time to time by resolution of the town board of trustees.

Section R113

Violations

R113.4 Violation penalties. Any violation of any provision of this Code shall be punishable by a fine not exceeding five hundred dollars (\$500) or imprisonment for a term not exceeding ninety (90) days, or by both such fine and imprisonment. Each and every day that a violation continues after due notice has been served shall be deemed a separate offense.

Create a New Section:

Section R115

Shipping Containers and Portable Storage Units

R116.1 General. Where permitted as a non-temporary accessory use, any shipping container or portable storage unit shall require a permit for that purpose to be issued by the Building Official at such a fee established from time to time by resolution of the Town Board. Such a permit is valid for a single calendar year (January-December) and is renewable indefinitely so long as all applicable guidelines are followed. A shipping container is also eligible for a temporary structure permit but is ineligible for a standard building permit.

R116.2 Conformance. Shipping containers shall conform to the structural strength, fire safety, and shall have two points of egress as necessary to ensure public health, safety, and general welfare. Shipping containers do not require a footing or foundation as is required in this code, but are required to be adequately anchored as to ensure public health, safety, and general welfare.

Chapter 2

Section R202

Definitions

Shipping Container: A roofed or unroofed container placed outdoors and used for the storage of goods, materials, or merchandised, and which is used in connection with a lawful principal or accessory use of the lot. The term storage container

includes, but is not limited to, containers such as semi-trailers, roll-off containers, slide-off containers, portable storage units, and “piggy-back” containers.

Temporary Structure: A structure without any foundation or footing and which is removed when the designated time period, activity, or use for which the temporary structure was erected has ceased. Temporary structures include, but are not limited to utility trailers, shipping containers, lean-tos, open sheds, bleachers, booths, and tents of all types, not including wood piles (covered or otherwise) or vehicles. Non-permanent structures (i.e. Campers) with specific provisions detailed elsewhere in the Town Code shall be subject to separate regulations.

Chapter 3 Building Planning

Table R301.2(1) Climatic and Geographic Design Criteria

Required minimum roof live load (Snow Load): 90 lbs
Wind speed: 70 mph
Seismic design category: C
Weathering: Severe
Frost depth: 42”
Termite: Negligible
Winter design temperature: -20 F
Ice barrier underlayment required: Yes
Flood hazards: Adopted 9/1/1978
Air freezing index: 2355
Mean annual temperature: 35.7

Part VII – Plumbing Part VIII- Electrical

All chapters within these sections are deleted in their entirety; however the State of Colorado, Department of Regulatory Agencies may have jurisdiction to enforce certain codes relating to plumbing and electrical installations.

8-1-5

Adoption of the International Energy Conservation Code

The Town of Silverton, Colorado hereby adopts by reference the 2006 edition of the International Energy Conservation Code, as amended, as published by the International Code Council. This code shall be for the purpose of regulating and governing energy efficient building envelopes and installation of energy efficient mechanical, lighting and power systems as herein provided; providing for the

issuance of permits and collection of fees therefor; and each an all of the regulations, provisions, penalties, conditions and terms of said Energy Conservation Code on file in the office of the Town of Silverton are hereby referred to, adopted, and made a part hereof, as if fully set out in this ordinance, with the additions, insertions, deletions and changes, if any, prescribed in section 8-1-6 of this ordinance and of the Code of the Town of Silverton, Colorado. Three (3) copies of said code are on file in the office of the Town Clerk and may be inspected by the public during regular business hours.

8-1-6 Amendments and Additions to the International Energy Conservation Code

The following sections are hereby revised or added:

101.1 Insert: Town of Silverton

**108
Violations**

Violation penalties. Any violation of any provision of this Code shall be punishable by a fine not exceeding five hundred dollars (\$500) or imprisonment for a term not exceeding ninety (90) days, or by both such fine and imprisonment. Each and every day that a violation continues after due notice has been served shall be deemed a separate offense.

ARTICLE 2
INTERNATIONAL MECHANICAL CODE

8-2-1 Adoption of Code the International Mechanical Code

8-2-2 Amendments and Alterations to the International Mechanical Code

8-2-1 Adoption of the International Mechanical Code

The Town of Silverton, Colorado hereby adopts by reference the 2006 edition of the International Mechanical Code, as amended, as published by the International Code Council. This code shall be for the purpose of regulating and governing the design, construction, quality of materials, erection, installation, alteration, repair, location, relocation, replacement, addition to, use or maintenance of mechanical systems as herein provided; providing for the issuance of permits and collection of fees therefor; and each an all of the regulations, provisions, penalties, conditions and terms of said Mechanical Code on file in the office of the Town of Silverton are hereby referred to, adopted, and made a part hereof, as if fully set out in this ordinance, with the additions, insertions, deletions and changes, if any, prescribed in section 8-2-2 of this ordinance and of the Code of the Town of Silverton, Colorado. Three (3) copies of

said code are on file in the office of the Town Clerk and may be inspected by the public during regular business hours.

8-2-2 Amendments and Additions to the International Mechanical Code

Section 2

The following sections are hereby revised:

- 101.1 Insert: Town of Silverton
- 106.5.2 Insert: As adopted from time-to-time by resolution of the Silverton Town Board of Trustees.
- 106.5.3 Insert: 80% in two locations
- 108.4 Insert: Misdemeanor, \$500, 90 days
- 108.5 Insert: \$100, \$1,000

ARTICLE 3
INTERNATIONAL FUEL GAS CODE

- 8-3-1 Adoption of the International Fuel Gas Code
- 8-3-2 Amendments and Alterations to the International Fuel Gas Code

8-3-1 Adoption of the International Fuel Gas Code

The Town of Silverton, Colorado hereby adopts by reference the 2006 edition of the International Fuel Gas Code, as amended, as published by the International Code Council. This code shall be for the purpose of regulating and governing all fuel gas work done or performed as herein provided; providing for the issuance of permits and collection of fees therefor; and each an all of the regulations, provisions, penalties, conditions and terms of said Fuel Gas Conservation Code on file in the office of the Town of Silverton are hereby referred to, adopted, and made a part hereof, as if fully set out in this ordinance, with the additions, insertions, deletions and changes, if any, prescribed in section 8-3-2 of this ordinance and of the Code of the Town of Silverton, Colorado. Three (3) copies of said code are on file in the office of the Town Clerk and may be inspected by the public during regular business hours.

8-3-2 Amendments and Additions to the International Fuel Gas Code

Section 2

The following sections are hereby revised:

- 101.1 Insert: Town of Silverton
 - 106.5.2 Insert: As adopted from time-to-time by resolution of the Silverton Town Board of Trustees.
 - 106.5.3 Insert: 80% in two locations
 - 108.4 Insert: Misdemeanor, \$500, 90 days
 - 108.5 Insert: \$100, \$1,000
-

ARTICLE 4
INTERNATIONAL FIRE CODE

- 8-4-1 Adoption of the International Fire Code
- 8-4-2 Amendments and Alterations to the International Fire Code

8-4-1 Adoption of the International Fire Code The Town of Silverton, Colorado hereby adopts by reference the 2003 edition of the International Fire Code, as amended, as published by the International Code Council and with the modifications set forth in part 8-4-2 of this ordinance. This code shall be for the purpose of prescribing regulations regulating and governing the safe-guarding of life and property from fire and explosion hazards arising from the storage, handling and use of hazardous substances, materials and devices, and from conditions hazardous to life or property in the occupancy of buildings and premises in the Town of Silverton; providing for the issuance of permits and collection of fees therefore; repealing all other ordinance or parts of ordinance in conflict therewith. Three (3) copies of said code are on file in the office of the Town Clerk and may be inspected by the public during regular business hours.

8-4-2 Amendments and Alterations to the International Fire Code

**Chapter 1
Administration**

**Section 101
General**

101.1 Title. Insert: Town of Silverton

**Section 103
Department of Fire Prevention**

103.1 General. The Bureau of Fire Prevention shall be established in the Silverton Volunteer Fire Department and shall be operated under the supervision of the Chief of the Fire Department. The Chief of the Fire Department shall act as the fire code official.

103.2 Appointment. The Chief in charge of the Bureau of Fire Prevention shall be elected by the Silverton Volunteer Fire Department membership on the basis of his or her qualifications.

Section 109 Violations

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, repair or do work in violation of the approved construction documents or directive of the fire code official, or of a permit or certificate used under provisions of this code, shall be guilty of a misdemeanor, punishable by a fine of not more than five-hundred (500) dollars or by imprisonment not exceeding 90 days, or both such fine and imprisonment. Each day that a violation continues after due notice has been served shall be deemed a separate offense.

Section 111 Stop Work Order

111.4 Failure to comply. Any person who shall continue any work after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be liable to a fine of not less than fifty dollars (\$50) or more than one thousand (\$1000) dollars.

Chapter 33 Explosives and Fireworks

Create Section 3301.2 and amend as follows: The storage of explosives and blasting agents is prohibited within the limits of the Town of Silverton.

Delete sections 3301.1.1- 3301.8.1.4

Delete sections 3304-3307

ARTICLE 5 BUILDING CONSERVATION

8-5-1 Adoption of the Uniform Code for Building Conservation

8-5-2 Amendments and Additions to the Code

8-5-1 Adoption of the Uniform Code for Building Conservation Pursuant to C.R.S. 31-16-2 et seq as amended, there is hereby adopted the Uniform Code for Building Conservation, 1991 Edition as published by the International Conference of Building Officials. The purpose of this code is to encourage the continued use or reuse of

legally existing buildings and structures. Three (3) copies of said code are on file in the office of the Town Clerk and may be inspected by the public during regular business hours.

This adoption shall specifically include the provisions set forth in the Uniform Code for Building Conservation, 1991 Edition and include appendix chapters 3 and 4.

8-5-2 Amendments and Additions to the Code

(a) Section 207 of the Uniform Code for Building Conservation is specifically amended as follows:

“In order to provide for final interpretation of the provisions of this code and hear appeals hereunder, there is hereby established a Building Conservation advisory and Appeals Board consisting of the Trustees of the Town of Silverton and the Mayor, who shall pass upon matters pertaining to building conservation.

The building official shall be an ex officio of and shall act as secretary to said Board, but shall have no vote upon any matter before the Board. The Board of Appeals 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 who shall make them freely accessible to the public.”

(b) Violation penalties. Any violation of any provision of this Code shall be punishable by a fine not exceeding five hundred dollars (\$500) or imprisonment for a term not exceeding ninety (90) days, or by both such fine and imprisonment.

ARTICLE 6
DANGEROUS BUILDINGS

8-6-1 Adoption of Uniform Code for the Abatement of Dangerous Buildings

8-6-2 Amendments and Additions to the Code

8-6-1 Adoption of Uniform Code for the Abatement of Dangerous Buildings Pursuant to C.R.S. 31-16-201, et seq., there is hereby adopted as the code for the abatement of dangerous buildings of the Town of Silverton, by reference thereto, the Uniform Code for the Abatement of Dangerous Buildings, 1997 Edition of the International Conference of Building Officials, 5360 South Workman Mill Road, Whittier, California, to have the same force and effect as if set herein in every particular. It is the purpose of this code to provide a just, equitable and practicable method, to be cumulative with and in addition to any other remedy provided by the Building Code, Housing Code or otherwise available by law, whereby buildings or structures, which

from any cause, endanger the life, limb, health, morals, property, safety or welfare of the general public or their occupants, whereby the same may be required to be repaired, vacated, or demolished. Three (3) copies of said code are on file in the office of the Town Clerk and may be inspected by the public during regular business hours.

8-6-2 Amendments and Additions to the Code

(a) The following penalty clause as contained in the Uniform Code for the Abatement of Dangerous Buildings is herewith set forth in full and adopted:

No person, firm, or corporation, whether as owner, lessee, sublessee, or occupant, shall erect, construct, enlarge, alter, repair, move, improve, remove, demolish, equip, use, occupy, or maintain any building or premises, or cause or permit the same to be done, contrary or in violation of any provisions of this Code or any order issued by the Building Official hereunder. Any person violating the provisions of this Section shall be guilty of a misdemeanor for each day such violation continues.

(b) Violation penalties. Any violation of an provision of this Ordinance shall be punishable by the maximum penalties which may be assessed under state law in Silverton Municipal Court.

ARTICLE 7
COMMON CLAUSES TO ARTICLES 1-6

- 8-7-1 Savings Clause
- 8-7-2 Repeal
- 8-7-3 Conflicts Between Codes
- 8-7-4 Pending Court Proceedings
- 8-7-5 Date of Adoption

8-7-1 Savings Clause If any part, section, subsection, sentence, clause, or phrase of this Ordinance or of the Code adopted hereby is for any reason held to be invalid, such decisions shall not affect the validity of the remaining sections of this Ordinance or of said Code; the Board of Trustees hereby declares that it would have passed this Ordinance and adopted said Code in each part, section, subsection, sentence, clause or phrase thereof, irrespective of the fact that any one or more parts, sections, subsections, sentences, clauses or phrases be declared invalid.

- 8-7-2 Repeal Any or all Ordinances or parts of Ordinances of the Town of Silverton, in conflict or inconsistent herewith are hereby repealed, provided, however, that the repeal of an Ordinance or parts of Ordinances of the Town of Silverton shall not revive any section of an Ordinance or Ordinances heretofore repealed or superseded.
- 8-7-3 Conflicts Between Codes Whenever the provisions of this Ordinance or of the Code shall conflict with the provisions of a any other Town of Silverton Codes, Standards, or Regulations, the more restrictive requirements shall apply.
- 8-7-4 Pending Court Proceedings Nothing in this ordinance or the Code adopted hereby shall be construed to affect any suit or proceeding impending in any court, or any rights acquired, or liability incurred, or any cause or causes of action acquired or existing, under any act or ordinance hereby repealed as cited in section 8-5-2 of this ordinance; nor shall any just or legal right or remedy of any character be lost, impaired or affected by this ordinance.
- 8-7-5 Date of Adoption The Town Clerk of the Town of Silverton is hereby ordered and directed to cause this ordinance to be published following the provisions of State Law. This ordinance and the rules, regulations, provisions, requirements, orders and matters established and adopted hereby shall take effect and be in full force and effect thirty days from and after the date of its final passage, adoption, and publication.


Section 3. That the Town Clerk of the Town of Silverton is hereby ordered and directed to cause this ordinance to be published in a newspaper in general circulation in the Town of Silverton and to post other notice as required by Colorado State Statute.


Section 4. That this ordinance and the rules, regulations, provisions, requirements, orders and matters established and adopted hereby shall take effect and be in full force and effect thirty (30) days from and after the date of its final passage, adoption, and publication.

PASSED AND ADOPTED THIS 27 DAY OF October, 2008

ATTEST:

TOWN OF SILVERTON:


 Brian Carlson


 Terrence M. Kerwin

Town Clerk-Treasurer

Mayor