

1 ORDINANCE 8684

2
3 AN ORDINANCE AMENDING TITLE 10, "STRUCTURES,"
4 B.R.C. 1981 AND ADOPTING BY REFERENCE THE 2024
5 INTERNATIONAL CODES REGARDING PROPERTY
6 MAINTENANCE, BUILDING, ELECTRICAL FIRE
7 MECHANICAL, FUEL, GAS, AND PLUMBING; AND
8 SETTING FORTH RELATED DETAILS.

9 BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BOULDER,
10 COLORADO:

11 Section 1. Section 10-1-1, "Definitions," B.R.C. 1981, is amended to read as follows:

12 **10-1-1. Definitions.¹**

13 (a) The following terms used in this title have the following meanings unless the context
14 clearly indicates otherwise:

15 ...

16 *Accessory dwelling unit* means an accessory dwelling unit permitted under Section 9-6-3(n),
17 "Accessory Dwelling Unit," B.R.C. 1981. Accessory dwelling units shall not have separate
18 utilities from the principal dwelling.

19 ...

20 *Approved sewer system* means a sewer system authorized by the city manager to be
21 connected to the municipal ~~waste water~~ wastewater system or by the Boulder County Health
22 Department to be connected to a properly constructed individual sewage disposal system.

23 ...

24 *Dwelling* means any building, structure, or other housing accommodation that is wholly or
25 partly used or intended to be used for living or sleeping by human ~~occupants~~, but occupants but
excludes temporary housing.

...

¹Amended by Ordinance No. 7725, effective commencing January 1, 2011.

1 *Floor area* means the total square footage of all levels included within the outside walls of a
2 building or portion thereof, but excluding courts, garages useable exclusively for the storage of
3 motor vehicles and uninhabitable areas that are located above the highest inhabitable level or
4 below the ~~first floor~~first-floor level.

5 *Industrial processes* means any ~~business-related~~business-related process supported by
6 mechanical or electrical systems other than base building systems.

7 ...
8 *Readily accessible* means capable of being reached safely and quickly for operation, repair,
9 or inspection without the necessity of climbing over or removing ~~obstacles,~~obstacles or using
10 portable access equipment.

11 *Retrocommissioning* means the process of making low-cost adjustments to an existing
12 building's operation to improve its energy performance, in a manner specified by the City
13 Manager

14 ...
15 *Water heater insulation* means a thermal insulation blanket with a membrane facing which
16 has a flame spread classification of no more than two hundred for an electric water heater and
17 twenty-five for an oil- and gas-fired water heater when tested in accordance with ASTM E 84-
18 80, ~~or 84-80~~ or originally installed insulation integral to the water heater which provides
19 equivalent resistance to heat loss.

20 ...
21 Section 2. Section 10-2-1, "Legislative Intent," B.R.C. 1981, is amended to read as
22 follows:

23 **10-2-1. Legislative Intent.**

24 (a) The city council finds:

25 (1) Energy efficiency requirements for housing are necessary because:

(A) Reducing greenhouse gas emissions in existing buildings is imperative to
meet the City of Boulder's sustainability goals;

1 (B) Rental housing represents the largest number of existing housing units in
2 the city; and

3 (C) Efforts to establish incentives for voluntary energy efficiency retrofits in
4 rental housing have proven to be ineffective.

5 (b) Reducing greenhouse gas emissions has been established as an important public policy
6 objective and mandated by the city due to:

7 (1) The well-documented link between reduction of such emissions and current and
8 projected climate change; and

9 (2) The profound public health and safety impacts of such emissions, including but
10 not limited to:

11 (A) Increased risk of extreme weather events,

12 (B) Increased flood severity,

13 (C) Increased risk and intensity of catastrophic wildfire,

14 (D) Increased insect invasions causing forest die-offs, and

15 (E) Increased risk of drought.

16 (c) The purposes of this chapter are as follows:

17 (1) To protect the public health, safety, and general welfare of the residents of the city
18 by regulating existing residential rental and privately occupied residential
19 structures and to promote conservation and the efficient use of energy;

20 (2) To establish minimum energy efficiency requirements for existing rental and
21 privately occupied housing in the city with the goal of reducing greenhouse gas
22 emissions; and

23 (3) To address the unique needs and challenges associated with energy retrofits in
24 existing rental and privately occupied housing.

25 (d) The city council hereby adopts the 2024~~18~~ edition of the *International Property
Maintenance Code* as the Property Maintenance Code of the City of Boulder. This
chapter establishes minimum code standards related to: administration; definitions;
general requirements; light, ventilation and occupancy limitations; plumbing facilities
and fixture requirements; mechanical and electrical systems; fire safety requirements; and
rental licensing; and existing residential rental structure energy conservation.

Section 3. Section 10-2-2, “Adoption of International Propety Maintenance Code With
Modifications,” B.R.C. 1981, is amended to read as follows:

1 **10-2-2. - Adoption of International Property Maintenance Code With Modifications.**

- 2 (a) The 2024~~18~~ edition of the International Property Maintenance Code (IPMC) of the
3 International Code Council is hereby adopted by reference as the City of Boulder
4 Property Maintenance Code and has the same force and effect as though fully set forth in
5 this chapter, except as specifically amended for local application by this chapter.
- 6 (b) IPMC Appendix chapters A, "Boarding Standard," B, "Rental Housing Inspections," and
7 C, "Energy Efficiency Requirement - Existing Residential Rental Structures Energy
8 Conservation," are adopted.
- 9 (c) For ease of reference, the following identifies all chapters, sections and appendices of the
10 published and adopted IPMC and includes specific amendments for local application.
11 Chapter, Section, Subsection, or Appendix numbers of provisions not amended appear,
12 followed by the words, "No changes." The amended text of specifically amended
13 provisions appears below. Chapter, Section, Subsection, or Appendix numbers of any
14 provisions not adopted appear, followed by the word, "Deleted."

11 **CHAPTER 1**
12 **SCOPE AND ADMINISTRATION**

13 **PART 1 - SCOPE AND ADMINISTRATION**

14 **SECTION 101**
15 **GENERAL**

16 **101.1 Title.** These regulations shall be known as the Property Maintenance Code of the
17 City of Boulder, hereinafter referred to as "this code."

18 **101.2 Scope.** This code applies to all existing structures and all existing premises and
19 establishes minimum requirements and standards for premises, structures, equipment and
20 facilities for light, ventilation, space, heating, sanitation, energy conservation, protection
21 from the elements, life safety, safety from fire and other hazards, and for safe and
22 sanitary maintenance; this code also specifies the responsibility of owners, operators, and
23 occupants related to code compliance, establishes requirements and standards for the
24 occupancy of existing structures and premises, and provides for administration, licensing,
25 enforcement, and penalties.

21 **101.2.1 Application of Rental Licenses Code.** Existing residential structures
22 utilized as rental properties will also be subject to the requirements of Chapter 10-
23 3, "Rental Licenses," B.R.C. 1981.

24 **101.3 Intent.** This code shall be construed to secure its expressed intent, which is to
25 ensure public health, safety, and welfare insofar as they are affected by the continued
occupancy and maintenance of structures and premises. Except as provided below,

1 existing structures and premises that do not comply with these provisions shall be altered
2 or repaired to provide a minimum level of health and safety as required herein. Existing
3 structures and premises that comply with all applicable codes in force at the time of
4 construction will be deemed to comply with this code except where the code official
5 determines that deviations from this code pose a danger to the health, safety, or welfare
6 of the public or occupants, and issues an order for the owner to correct those specific
7 conditions or alterations.

8 **101.4 Severability.** No changes.

9 **SECTION 102**
10 **APPLICABILITY**

11 **102.1 General.** No changes.

12 **102.2 Maintenance.** Equipment, systems, devices, and safeguards required by this code
13 shall be maintained in accordance with the code in effect when the structure or premises
14 were legally constructed, altered, or repaired and shall be maintained in good working
15 order.

16 **102.3 Application of Other Codes.** Repairs, additions, or alterations to a structure,
17 inspections, or changes of occupancy shall be done in accordance with the procedures
18 and provisions of the City of Boulder Building Code, City of Boulder Residential Code,
19 City of Boulder Existing Building Code, City of Boulder Fuel Gas Code, City of Boulder
20 Mechanical Code, City of Boulder Plumbing Code, City of Boulder Fire Code, City of
21 Boulder Energy Conservation Code, and City of Boulder Electrical Code.

22 **102.4—102.110** No changes.

23 **PART 2 - ADMINISTRATION AND ENFORCEMENT**

24 **SECTION 103**
25 **DIVISION OF BUILDING SAFETY CODE COMPLIANCE DIVISION**

103.1 General. "~~Division of Building Safety Code Compliance Division~~" means the
administrative unit established by the city manager or the manager's delegates, and the
personnel assigned to the unit by the manager. The ~~Division of Building Safety Code~~
Compliance Division administers the Property Maintenance Code. The executive official
in charge of the ~~Division of Building Safety Code Compliance Division~~ is the code
official.

103.2 Appointment. Deleted.

103.2 Deputies. Deleted.

103.4 Liability Fees. Neither the City nor any employee of the City who enforces,

1 attempts to enforce, or is authorized to enforce this code, or any related provisions or
2 reviews under the Boulder Revised Code, shall be liable to third parties for any damage
3 or injury to person or property as a result of enforcement or nonenforcement. The City
4 assumes no duty of care by the adoption of this code or any related provisions or reviews
5 under the Boulder Revised Code. No person is justified in relying upon the results of an
6 inspection, and such inspections are not a guarantee that the premises so approved,
7 inspected and licensed in fact complies with all the requirements of this code or any
8 related provisions or reviews under the Boulder Revised Code. It is the duty of the
9 persons owning and controlling any building or structure to ensure that the building is
10 maintained in accordance with the requirements of this code, and it is such persons, and
11 not the City, who are responsible for damages caused by breach of such duty. The fees
12 and costs for activities and services performed by the department in carrying out its
13 responsibilities under this code shall be as detailed in Section 4-20-47, "Zoning
14 Adjustment and Building Appeals Filing Fees," B.R.C. 1981.

15 **103.5 Fees.** The fees and costs for activities and services performed by the department in
16 carrying out its responsibilities under this code shall be as detailed in Section 4-20-47,
17 "Zoning Adjustment and Building Appeals Filing Fees," B.R.C. 1981.

18 SECTION 104 FEES, DELETED

19 SECTION 104 20 DUTIES AND POWERS OF THE CODE OFFICIAL

21 **104.1 General.** The code official is hereby authorized and directed to enforce the
22 provisions of this code and Chapter 10-3, "Rental Licenses," B.R.C. 1981. The code
23 official shall have the authority to render interpretations of this code and to adopt policies
24 and procedures in order to clarify the application of its provisions. Such interpretations,
25 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.

104.2 Inspections. No changes.

104.3 Right of Entry. Where it is necessary to make an inspection to enforce the
provisions of this code, or whenever the code official has reasonable cause to believe that
there exists in a structure or upon a premises a condition in violation of this code, the
code official is authorized to enter the structure or premises at reasonable times to inspect
or perform the duties imposed by this code and as necessary to effect compliance with the
provisions of this code and Chapter 10-3, "Rental Licenses," B.R.C. 1981, provided that,
if such structure or premises is occupied, the code official shall present credentials to the
occupant and request entry. If such structure or premises is unoccupied, the code official
shall first make a reasonable effort to locate the owner or other person having charge or
control of the structure or premises and request entry. If entry is refused, the code official
shall have recourse to the remedies provided by

1 law to secure entry.

2 ~~104.4—104.6~~ No changes.

3 ~~104.7 Clerk and Recorder Notices.~~ When the code official finds that there is a violation
4 of this code, a notice to that effect may be filed with the Boulder County Clerk and
Recorder against the title of the land upon which the dwelling or structure is built. The
5 code official shall inform the property owner of this action in advance, in writing
according to Section 107, allowing adequate time to correct the violation. When the
6 condition upon which the notice described in the record was based has been corrected,
the code official shall provide a written release.

7 ~~104.8 Authority to Issue Rules.~~ The code official may adopt reasonable rules to
8 implement the provisions of this code pursuant to Chapter 1-4, "Rulemaking," B.R.C.
1981.

9
10 **SECTION 105**
APPROVAL DUTIES AND POWERS OF THE CODE OFFICIAL

11 ~~105.1—105.6~~ No changes.

12 105.1 General. The code official is hereby authorized and directed to enforce the
13 provisions of this code and Chapter 10-3, "Rental Licenses," B.R.C. 1981. The code
14 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,
15 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
16 specifically provided for in this code.

17 105.2 Determination of Compliance No changes.

18 105.3 Right of Entry. Where it is necessary to make an inspection to enforce the
19 provisions of this code, or whenever the code official has reasonable cause to believe that
there exists in a structure or upon a premises a condition in violation of this code, the
20 code official is authorized to enter the structure or premises at reasonable times to inspect
or perform the duties imposed by this code and as necessary to effect compliance with
21 the provisions of this code and Chapter 10-3, "Rental Licenses," B.R.C. 1981, provided
that, if such structure or premises is occupied, the code official shall present credentials
22 to the occupant and request entry. If such structure or premises is unoccupied, the code
official shall first make a reasonable effort to locate the owner or other person having
23 charge or control of the structure or premises and request entry. If entry is refused, the
code official shall have recourse to the remedies provided by law to secure entry.

24 105.3.1 Warrant. No changes.
25

1 105.4—105.6 No changes.

2 105.7 Liability. Neither the City nor any employee of the City who enforces, attempts to
3 enforce, or is authorized to enforce this code, or any related provisions or reviews under
4 the Boulder Revised Code, shall be liable to third parties for any damage or injury to
5 person or property as a result of enforcement or nonenforcement. The City assumes no
6 duty of care by the adoption of this code or any related provisions or reviews under the
7 Boulder Revised Code. No person is justified in relying upon the results of an inspection,
8 and such inspections are not a guarantee that the premises so approved, inspected and
licensed in fact complies with all the requirements of this code or any related provisions
or reviews under the Boulder Revised Code. It is the duty of the persons owning and
controlling any building or structure to ensure that the building is maintained in
accordance with the requirements of this code, and it is such persons, and not the City,
who are responsible for damages caused by breach of such duty.

9 105.8. Approved Materials and Equipment. No changes

10 105.9 Clerk and Recorder Notices. When the code official finds that there is a violation
11 of this code, a notice to that effect may be filed with the Boulder County Clerk and
12 Recorder against the title of the land upon which the dwelling or structure is built. The
13 code official shall inform the property owner of this action in advance, in writing
according to Section 109.4, allowing adequate time to correct the violation. When the
condition upon which the notice described in the record was based has been corrected,
the code official shall provide a written release.

14 105.10 Authority to Issue Rules. The code official may adopt reasonable rules to
15 implement the provisions of this code pursuant to Chapter 1-4, "Rulemaking," B.R.C.
16 1981.

17 **SECTION 106**
18 **VIOLATIONS MEANS OF APPEALS**

19 **106.1 Violations.**

20 (a) ~~General Provisions:~~

21 (1) ~~No person shall erect, construct, enlarge, alter, extend, repair, move, remove,~~
22 ~~improve, convert, demolish, equip, use, occupy, or maintain any building or~~
23 ~~structure in the city, or cause or permit the same to be done, except in conformity~~
24 ~~with all of the provisions of this code and in conformity with the terms and~~
25 ~~conditions of approval issued under this code, or of any directive of the code~~
~~official. No person shall violate a provision of this code, or fail to comply~~
~~therewith or with any of the requirements thereof. No person shall fail to comply~~
~~with any order issued by the code official under this code.~~

(2) ~~In accordance with the provisions of Section 5-2-11, "Prosecution of Multiple~~
~~Counts for Same Act," B.R.C. 1981, each day during which illegal construction,~~

1 alteration, maintenance, occupancy, or use continues, constitutes a separate
2 offense remediable through the enforcement provisions of this code.

3 (3) ~~The owner, tenant, and occupant of a structure or land and the agents of each of
4 them are jointly and severally liable for any violation of this code with respect to
5 such structure or land.~~

6 (4) ~~The remedies for any violation of any provision of this code or of any permit,
7 certificate, or other approval issued under this code or other City of Boulder code,
8 or of any directive of the code official, may be pursued singly or in combination.~~

9 (5) ~~If any person fails or refuses to pay when due any charge imposed under this
10 section, the code official may, in addition to taking other collection remedies,
11 certify due and unpaid charges to the Boulder County Treasurer for collection as
12 provided by Section 2-2-12, "City Manager May Certify Taxes, Charges, and
13 Assessments to County Treasurer for Collection," B.R.C. 1981.~~

14 (6) ~~If an order under Section 107 is not complied with, the code official may institute
15 any appropriate proceeding at law or in equity to restrain, correct, or abate such
16 violation, or to require the removal or termination of the unlawful occupancy of
17 the structure in violation of the provisions of this code or the order or direction
18 made pursuant thereto. The code official may charge the cost of any action taken
19 to correct a violation, plus up to fifteen percent of such cost for administration, to
20 the property owner. If any property owner fails or refuses to pay when due any
21 charge imposed under this section, the code official may, in addition to taking
22 other collection remedies, certify due any unpaid charges, including interest, to
23 the Boulder County Treasurer, to be levied against the person's property for
24 collection by the county in the same manner as delinquent general taxes upon
25 such property are collected, under the procedures described by Section 2-2-12,
"City Manager May Certify Taxes, Charges, and Assessments to County
Treasurer for Collection," B.R.C. 1981.~~

(b) ~~Administrative Procedures and Remedies:~~

(1) ~~If the code official finds that a violation of any provision of this code or of any
approval granted under this code exists, the manager, after notice and an
opportunity for hearing under the procedures prescribed by Chapter 1-3, "Quasi-
Judicial Hearings," B.R.C. 1981, may take any one or more of the following
actions to remedy the violation:~~

(A) ~~Impose a civil penalty according to the following schedule:~~

(i) ~~For the first violation of the provision or approval, \$100;~~

(ii) ~~For the second violation of the same provision or approval, \$300;
and~~

(iii) ~~For the third violation of the same provision or approval, \$1,000;~~

(B) ~~For a violation concerning the use of a residential building under a rental
license, revoke such license;~~

- 1 (C) — Require the filing of a declaration of use as provided in subsection (e); or
2 (D) — Issue an order reasonably calculated to ensure compliance with the
provisions of this code or any approval granted under this code.

- 3 (2) — ~~Prior to the hearing, the code official may issue an order that no person shall
4 perform any work on any structure or land, except to correct any violation found
by the code official to exist with respect to such structure or land.~~
5 (3) — ~~If notice is given to the code official at least forty-eight hours before the time and
6 date set forth in the notice of hearing on any violation that the violation has been
corrected, the code official will reinspect the structure or land. If the code official
7 finds that the violation has been corrected, the manager may cancel the hearing.~~
8 (4) — ~~No person shall fail to comply with any action taken by the code official under
this section.~~

8 (e) — ~~Criminal Penalties. Violations of this code are punishable as provided in Section 5-2-4,
9 "General Penalties," B.R.C. 1981.~~

10 (d) — ~~Other Remedies. The city attorney may maintain an action for damages, declaratory
relief, specific performance, injunction, or any other appropriate relief in the District
11 Court in and for the County of Boulder for any violation of any provision of this code or
any approval granted under this code.~~

12 (e) — ~~Declaration of Use. If the code official determines that a person is using a structure in a
13 way that might mislead a reasonable person to believe that such use is a use by right or
otherwise authorized by this title, the code official may require such person to sign under
14 oath a declaration of use that defines the limited nature of the use and to record such
declaration in the office of the Boulder County Clerk and Recorder against the title to the
15 land. In addition to all other remedies and actions that the code official is authorized to
use under the Boulder Revised Code or other applicable federal, state, or local laws to
16 enforce the provisions of this code, the code official is authorized to withhold any
approval affecting such structure or land, including, without limitation, a building permit,
17 use review, site review, subdivision, floodplain development permit, or wetland permit,
until such time as the person submits a declaration of use that is in a form acceptable to
the code official.~~

18 **106.1 Application of Appeal.**

19 (a) Any appeal under this section shall be heard by the Board of Building Appeals
20 established under Section 2-3-4, "Board of Building Appeals," B.R.C. 1981, unless the
21 city manager determines, due to the nature of the issues in a particular appeal, to appoint
22 a hearing officer under Section 1-3-5, "Hearings and Determinations," B.R.C. 1981.

23 (b) Any person directly affected by a decision of the code official or by an order issued under
this code may appeal the decision or order on the ground that:

- 24 (1) The decision or order was based on an error of fact or an erroneous interpretation
25 of this code or the rules legally adopted thereunder;

1 (2) The code official has erroneously failed to approve an alternative material or
2 method pursuant to Section 105.2.2 prior to its installation or use. In determining
3 such an appeal, the board shall apply the standards of Section 105.2.2, but the
4 board shall have no jurisdiction to consider if a material or method expressly
5 prohibited by this code is an acceptable alternative; or

6 (3) The code official has erroneously failed to grant a modification pursuant to
7 Section 105.2.3 prior to its installation. In determining such an appeal, the board
8 or hearing officer shall apply the standards of Section 105.2.3.

9 The code official has the burden of proof under paragraph 1. The appellant has the
10 burden of proof on appeals brought pursuant to paragraphs 2 and 3. The board or hearing
11 officer shall determine the appeal and decide whether the code official's interpretation or
12 application of such code was correct or in error at a hearing under the procedures
13 described in Chapter 1-3, "Quasi-Judicial Hearings," B.R.C. 1981.

14 (c) An application for appeal must be filed in writing with the city manager within fourteen
15 days after the date the decision or order was served.

16 (d) An applicant for an appeal shall pay the fee prescribed by Section 4-20-47, "Zoning
17 Adjustment and Building Appeals Filing Fees," B.R.C. 1981. The fee for an appeal heard
18 by a hearing officer shall be the same as the fee for an appeal heard by the Board of
19 Building Appeals.

20 (e) The city manager may apply to the Board of Building Appeals, without fee, for an
21 advisory opinion concerning alternative methods, applicability of specific requirements,
22 approval of equipment and materials, and granting of special permission as contemplated
23 in Section 105.1 or 105.2 of the Property Maintenance Code.

24 (f) The board or hearing officer has neither authority to interpret Chapter 1 (the
25 administrative requirements) of this code, except as expressly provided in this section,
 nor, because this code sets minimum standards, to waive any requirement of this code.

~~106.2—106.3 Deleted.~~

~~106.4 Violation Penalties.~~

~~106.2—106.43 Deleted.~~

~~106.5 Abatement of Violation. No changes.~~

SECTION 107
NOTICES AND ORDERS VIOLATIONS

~~107.1 Notice to Person Responsible. No changes.~~

1 **107.1 Violations.**

2 (a) General Provisions:

- 3 (1) It shall be unlawful for a person, firm, or corporation to be in conflict with or in
4 violation of any of the provisions of this code. No person shall erect, construct,
5 enlarge, alter, extend, repair, move, remove, improve, convert, demolish, equip,
6 use, occupy, or maintain any building or structure in the city, or cause or permit
7 the same to be done, except in conformity with all of the provisions of this code
8 and in conformity with the terms and conditions of approval issued under this
9 code, or of any directive of the code official. No person shall violate a provision
10 of this code or fail to comply therewith or with any of the requirements thereof.
11 No person shall fail to comply with any order issued by the code official under
12 this code.
- 13 (2) In accordance with the provisions of Section 5-2-11, "Prosecution of Multiple
14 Counts for Same Act," B.R.C. 1981, each day during which illegal construction,
15 alteration, maintenance, occupancy, or use continues, constitutes a separate
16 offense remediable through the enforcement provisions of this code.
- 17 (3) The owner, tenant, and occupant of a structure or land and the agents of each of
18 them are jointly and severally liable for any violation of this code with respect to
19 such structure or land.
- 20 (4) The remedies for any violation of any provision of this code or of any permit,
21 certificate, or other approval issued under this code or other City of Boulder
22 code, or of any directive of the code official, may be pursued singly or in
23 combination.
- 24 (5) If any person fails or refuses to pay when due any charge imposed under this
25 section, the code official may, in addition to taking other collection remedies,
certify due and unpaid charges to the Boulder County Treasurer for collection as
provided by Section 2-2-12, "City Manager May Certify Taxes, Charges, and
Assessments to County Treasurer for Collection," B.R.C. 1981.
- (6) If a notice or an order under Section 108 or 109.4 is not complied with, the code
official may institute any appropriate proceeding at law or in equity to restrain,
correct, or abate such violation, or to require the removal or termination of the
unlawful occupancy of the structure in violation of the provisions of this code or
the order or direction made pursuant thereto. The code official may charge the
cost of any action taken to correct a violation, plus up to fifteen percent of such
cost for administration, to the property owner. If any property owner fails or
refuses to pay when due any charge imposed under this section, the code official
may, in addition to taking other collection remedies, certify due any unpaid
charges, including interest, to the Boulder County Treasurer, to be levied against

1 the person's property for collection by the county in the same manner as
2 delinquent general taxes upon such property are collected, under the procedures
3 described by Section 2-2-12, "City Manager May Certify Taxes, Charges, and
4 Assessments to County Treasurer for Collection," B.R.C. 1981.

5 (b) Administrative Procedures and Remedies:

6 (1) If the code official finds that a violation of any provision of this code or of any
7 approval granted under this code exists, the manager, after notice and an
8 opportunity for hearing under the procedures prescribed by Chapter 1-3, "Quasi-
9 Judicial Hearings," B.R.C. 1981, may take any one or more of the following
10 actions to remedy the violation:

11 (A) Impose a civil penalty according to the following schedule:

12 (i) For the first violation of the provision or approval, \$150;

13 (ii) For the second violation of the same provision or approval, \$300;
14 and

15 (iii) For the third violation of the same provision or approval, \$1,000;

16 (B) For a violation concerning the use of a residential building under a rental
17 license, revoke such license;

18 (C) Require the filing of a declaration of use as provided in subsection (e); or

19 (D) Issue an order reasonably calculated to ensure compliance with the
20 provisions of this code or any approval granted under this code.

21 (E) To cover the costs of investigative inspections, the city manager will
22 assess a \$250 fee per inspection, where the city manager performs an
23 investigative inspection to ascertain compliance with or violations of this
24 chapter.

25 (2) Prior to the hearing, the code official may issue an order that no person shall
perform any work on any structure or land, except to correct any violation found
by the code official to exist with respect to such structure or land.

(3) If notice is given to the code official at least forty-eight hours before the time and
date set forth in the notice of hearing on any violation that the violation has been
corrected, the code official will reinspect the structure or land. If the code official
finds that the violation has been corrected, the manager may cancel the hearing.

(4) No person shall fail to comply with any action taken by the code official under
this section.

(c) Criminal Penalties. Violations of this code are punishable as provided in Section 5-2-4,
"General Penalties," B.R.C. 1981.

1 (d) Other Remedies. The city attorney may maintain an action for damages, declaratory
2 relief, specific performance, injunction, or any other appropriate relief in the District
3 Court in and for the County of Boulder for any violation of any provision of this code or
4 any approval granted under this code.

5 (e) Declaration of Use. If the code official determines that a person is using a structure in a
6 way that might mislead a reasonable person to believe that such use is a use by right or
7 otherwise authorized by this title, the code official may require such person to sign under
8 oath a declaration of use that defines the limited nature of the use and to record such
9 declaration in the office of the Boulder County Clerk and Recorder against the title to the
10 land. In addition to all other remedies and actions that the code official is authorized to
11 use under the Boulder Revised Code or other applicable federal, state, or local laws to
12 enforce the provisions of this code, the code official is authorized to withhold any
13 approval affecting such structure or land, including, without limitation, a building permit,
14 use review, site review, subdivision, floodplain development permit, or wetland permit,
15 until such time as the person submits a declaration of use that is in a form acceptable to
16 the code official.

17 ~~**107.2 Form.** Except in those instances where Section 308, Rubbish and Garbage, or~~
18 ~~Section 309, Pest Elimination, applies, or if a violation of Chapter 10-3, "Rental~~
19 ~~Licenses," B.R.C. 1981, is alleged, whenever the code official determines that there is or~~
20 ~~has been a violation of any provision of this code, notice shall be given of such~~
21 ~~determination to the person responsible to correct the violation. The notice shall:~~

- 22 1. ~~Be in writing.~~
- 23 2. ~~Include a description of the real estate sufficient for identification.~~
- 24 3. ~~Include a statement of the violation or violations and why the notice is being~~
25 ~~issued.~~
- 26 4. ~~Include a correction order allowing a reasonable time to make the repairs and~~
27 ~~improvements required to bring the dwelling unit or structure into compliance~~
28 ~~with the provisions of this code.~~
- 29 5. ~~Inform the property owner or other person responsible to correct the violation of~~
30 ~~the right to appeal.~~
- 31 6. ~~Include a statement of the rights under Section 106.1(a)(6).~~

32 ~~**107.3 Method of Service.** Such notice shall be deemed to be properly served if a copy~~
33 ~~thereof is:~~

- 34 1. ~~Delivered personally upon the responsible person, or by leaving a copy thereof at~~
35 ~~the person's usual place of abode, with any person eighteen years of age or older~~
36 ~~and who is a member of the person's family; or at the person's usual workplace,~~
37 ~~with the person's supervisor, secretary, administrative assistant, bookkeeper,~~
38 ~~human resources representative, or managing agent; or by delivering a copy to a~~
39 ~~person authorized by appointment or by law to receive service of process;~~
- 40 2. ~~Sent by certified mail addressed to the owner at the last known address with~~
41 ~~return receipt requested; or~~

3. — Delivered in any other manner as prescribed by law. If the notice is returned showing that the letter was not delivered, a copy thereof shall be posted in a conspicuous place in or about the structure affected by such notice. Service of such notice in the foregoing manner upon the owner's agent or upon the person responsible for the structure shall constitute service of notice upon the owner.

~~107.4 Unauthorized Tampering.~~ No changes.

~~107.2-107.4~~ Deleted

~~107.5 Abatement of Violation Penalties.~~ No changes

~~107.6 Transfer of Ownership.~~ Deleted.

SECTION 108 ~~UNSAFE STRUCTURES AND EQUIPMENT~~ STOP WORK ORDER

~~108.1—108.73~~ No changes.

108.4 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 subject to the penalties as detailed in Section 107, "Violations" or \$1000 per day per violation, 90 days in jail or both.

SECTION 109 ~~EMERGENCY MEASURES~~ UNSAFE STRUCTURES AND EQUIPMENT

~~109.1 Imminent danger.~~ When in the opinion of the code official, there is imminent danger of failure or collapse of a building or structure that endangers life, or when any structure or part of a structure has fallen and life is endangered by the occupation of the structure, or when there is actual or potential danger to the building occupants or those in the proximity of any structure because of explosives, explosive fumes or vapors or the presence of toxic fumes, gases or materials, or operation of defective or dangerous equipment, the code official is hereby authorized and empowered to order and require the occupants to vacate the premises forthwith. The code official shall cause to be posted at each entrance to such structure a notice bearing the words "Unsafe, Do Not Enter." It shall be unlawful for any person to enter such structure, except with the prior approval of the building official, for the purpose of securing the structure, making the required repairs, removing the hazardous condition or of demolishing the same.

~~109.2—109.6~~ No changes.

~~109.2—109.61-109.3~~ No changes.

109.4 Notice. No Changes

1 **109.4.1 Form.** Except in those instances where Section 308, Rubbish and
2 Garbage, or Section 309, Pest Elimination, applies, or if a violation of Chapter 10-
3 3, "Rental Licenses," B.R.C. 1981, is alleged, whenever the code official
4 determines that there is or has been a violation of any provision of this code,
5 notice shall be given of such determination to the person responsible to correct the
6 violation. The notice shall:

- 7 1. Be in writing.
- 8 2. Include a description of the real estate sufficient for identification.
- 9 3. Include a statement of the violation or violations and why the notice is
10 being issued.
- 11 4. Include a correction order allowing a reasonable time to make the repairs
12 and improvements required to bring the dwelling unit or structure into
13 compliance with the provisions of this code.
- 14 5. Inform the property owner or other person responsible to correct the
15 violation of the right to appeal.
- 16 6. Include a statement of the rights under Section 1076.1(a)(6).

17 **109.4.2 Method of Service.** Such notice shall be deemed to be properly served if
18 a copy thereof is:

- 19 1. Delivered personally upon the responsible person, or by leaving a copy
20 thereof at the person's usual place of abode, with any person eighteen
21 years of age or older and who is a member of the person's family; or at the
22 person's usual workplace, with the person's supervisor, secretary,
23 administrative assistant, bookkeeper, human resources representative, or
24 managing agent; or by delivering a copy to a person authorized by
25 appointment or by law to receive service of process;
2. Sent by certified mail addressed to the owner at the last known address
with return receipt requested; or
3. Delivered in any other manner as prescribed by law. If the notice is
returned showing that the letter was not delivered, a copy thereof shall be
posted in a conspicuous place in or about the structure affected by such
notice. Service of such notice in the foregoing manner upon the owner's
agent or upon the person responsible for the structure shall constitute
service of notice upon the owner.

109.4.3 Penalties. Penalties for non-compliance with notices issued under this
section shall be as set forth in Section 107.1.

109.5 Unauthorized Tampering. No changes.

109.6 Transfer of Ownership. Deleted.

109.7 – 109.9 No Changes

1 application of such code was correct or in error at a hearing under the procedures
described in Chapter 1-3, "Quasi-Judicial Hearings," B.R.C. 1981.

- 2 (e) — An application for appeal must be filed in writing with the city manager within fourteen
3 days after the date the decision or order was served.
- 4 (d) — An applicant for an appeal shall pay the fee prescribed by Section 4-20-47, "Zoning
Adjustment and Building Appeals Filing Fees," B.R.C. 1981. The fee for an appeal heard
5 by a hearing officer shall be the same as the fee for an appeal heard by the Board of
Building Appeals.
- 6 (e) — The city manager may apply to the Board of Building Appeals, without fee, for an
7 advisory opinion concerning alternative methods, applicability of specific requirements,
approval of equipment and materials, and granting of special permission as contemplated
in Section 105.1 or 105.2 of the Property Maintenance Code.
- 8 (f) — The board or hearing officer has neither authority to interpret Chapter 1 (the
9 administrative requirements) of this code, except as expressly provided in this section,
nor, because this code sets minimum standards, to waive any requirement of this code.

10 ~~111.2 Membership of Board. Deleted.~~

11 ~~111.2.1 Alternate Members. Deleted.~~

12 ~~112.2.2 Chairman. Deleted.~~

13 ~~112.2.3 Disqualification of Member. Deleted.~~

14 ~~112.2.4 Secretary. Deleted.~~

15 ~~112.2.5 Compensation of Members. Deleted.~~

16 ~~111.3 Notice of Meeting. Deleted.~~

17 ~~111.4 Open Hearing. Deleted.~~

18 ~~111.4.1 Procedure. Deleted.~~

19 ~~111.5 Postponed Hearing. Deleted.~~

20 ~~111.6 Board Decision. Deleted.~~

21 ~~111.6.1 Records and Copies. Deleted.~~

22 ~~111.6.2 Administration. Deleted.~~

23 ~~111.7 Court Review. Deleted.~~

24 ~~111.8 Stays of Enforcement. Deleted.~~

25 ~~111.9 Fees. Deleted.~~

111.1 - 111.4 No changes.

SECTION 112 STOP WORK ORDER

112.1 — 112. No changes.

112.4 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 subject to the penalties as detailed in
Section 106.1, "Violations."

1 **302.5 Rodent Harborage.** Rodent control is regulated and enforced under Chapter 6-5,
2 "Rodent Control," B.R.C. 1981.

3 **302.6—302.7** No changes.

4 **302.8 Motor Vehicles.** Motor vehicle parking and storage are regulated by Title 7,
5 "Regulation of Vehicle, Pedestrian and Parking," B.R.C. 1981.

6 **302.9 Defacement of Property.** Graffiti control is regulated and enforced under Section
7 5-4-14, "Graffiti Prohibited," B.R.C. 1981.

8
9
10 **SECTION 303**
SWIMMING POOLS, SPAS AND HOT TUBS

11 **303.1—303.2** No changes.

12
13 **SECTION 304**
EXTERIOR STRUCTURE

14 **304.1.-304.6** No changes.

15 ~~**304.2 Protective Treatments.** Deleted.~~

16 ~~**304.3 Premises Identification.** No changes.~~

17 ~~**304.4 Structural Members.** No changes.~~

18 ~~**304.5 Foundation Walls.** No changes.~~

19 ~~**304.6 Exterior Walls.** No changes.~~

20 **304.7 Roofs and Drainage.** The roof and flashing shall be sound, tight and not have
21 defects that admit water. Roof drainage shall be adequate to prevent dampness or
22 deterioration in the walls or interior portion of the structure. Roof drains, gutters and
23 downspouts shall be maintained in good repair and free from obstructions. Roof water
24 shall not be discharged in a manner that creates a public nuisance.

25 ~~**304.8-304.13 Decorative Features.** No changes.~~

~~**304.9 Overhang Extensions.** All overhang extensions, including but not limited to
canopies, marquees, signs, metal awnings, fire escapes, sandpipes and exhaust ducts,
shall be maintained in good repair and be properly anchored so as to be kept in a sound
condition.~~

~~**304.10 Stairways, Decks, Porches and Balconies.** No changes.~~

~~**304.11 Chimneys and Towers.** Deleted.~~

~~**304.12 Handrails and Guards.** No changes.~~

~~**304.13 Window, skylight and Door Frames.** No changes.~~

~~**304.13.1 Glazing.** Deleted.~~

~~**304.13.2 Openable Windows.** Deleted.~~

1 2. ~~Demolition of unsafe conditions shall be permitted when approved by the~~
2 code official.

3 ~~305.2 Structural Members. No changes.~~

4 ~~305.3 Interior Surfaces. Deleted.~~

5 ~~305.4 — 305.6 No changes.~~

6 305.2-305.6 No changes

7 **SECTION 306**
8 **COMPONENT SERVICEABILITY**

9 **306.1** No changes.

10 **306.1.1 Unsafe Conditions.** Where any of the following conditions cause the
11 component or system to be beyond its limit state, the component or system shall
12 be determined as unsafe and shall be repaired or replaced to comply with the City
13 of Boulder Residential Code or the City of Boulder Existing Building Code as
14 required for existing buildings:

- 15 1. Soils that have been subjected to any of the following conditions:
- 16 1.1. Collapse of footing or foundation system.
 - 17 1.2. Damage to footing, foundation, concrete or other structural
18 element due to soil expansion.
 - 19 1.3. Adverse effects to the design strength of footing, foundation,
20 concrete or other structural element due to a chemical reaction
21 from the soil.
 - 22 1.4. Inadequate soil as determined by a geotechnical investigation.
 - 23 1.5. Where the allowable bearing capacity of the soil is in doubt.
 - 24 1.6. Adverse effects to the footing, foundation, concrete or other
25 structural element due to the ground water table.
- 26 2. Concrete that has been subjected to any of the following conditions:
- 27 2.1. Deterioration.
 - 28 2.2. Ultimate deformation.
 - 29 2.3. Fractures.
 - 30 2.4. Fissures.
 - 31 2.5. Spalling.
 - 32 2.6. Exposed reinforcement.
 - 33 2.7. Detached, dislodged or failing connections.
- 34 3. Aluminum that has been subjected to any of the following conditions:
- 35 3.1. Deterioration.

- 3.2. Corrosion.
- 3.3. Elastic deformation.
- 3.4. Ultimate deformation.
- 3.5. Stress or strain cracks.
- 3.6. Joint fatigue.
- 3.7. Detached, dislodged or failing connections.

4. Masonry that has been subjected to any of the following conditions:

- 4.1. Deterioration.
- 4.2. Ultimate deformation.
- 4.3. Fractures in masonry or mortar joints.
- 4.4. Fissures in masonry or mortar joints.
- 4.5. Spalling.
- 4.6. Exposed reinforcement.
- 4.7. Detached, dislodged or failing connections.

5. Steel that has been subjected to any of the following conditions:

- 5.1. Deterioration.
- 5.2. Elastic deformation.
- 5.3. Ultimate deformation.
- 5.4. Metal fatigue.
- 5.5. Detached, dislodged or failing connections.

6. Wood that has been subjected to any of the following conditions:

- 6.1. Ultimate deformation.
- 6.2. Deterioration.
- 6.3. Damage from insects, rodents and other vermin.
- 6.4. Fire damage beyond charring.
- 6.5. Significant splits and checks.
- 6.6. Horizontal shear cracks.
- 6.7. Vertical shear cracks.
- 6.8. Inadequate support.
- 6.9. Detached, dislodged or failing connections.
- 6.10. Excessive cutting and notching.

Exceptions:

1. Where substantiated otherwise by an approved method.
2. Demolition of unsafe conditions shall be permitted where approved by the code official.

**SECTION 307
HANDRAILS AND GUARDRAILS**

1 **307.1 General.** Every exterior and interior flight of stairs having four or more risers shall
2 have a handrail on one side of the stair and every open portion of a stair, landing,
3 balcony, porch, deck, ramp, or other walking surface which is more than 30 inches (762
4 mm) high above the floor or grade below shall have guards. Handrails shall not be less
5 than 30 inches (762 mm) high or more than 42 inches (1067 mm) high measured
6 vertically above the nosing of the tread or above the finished floor of the landing or
7 walking surfaces. Guards shall not be less than 30 inches (762 mm) high above the floor
8 of the landing, balcony, porch, deck or ramp, or other walking surface.

9 **Exception:** Guards shall not be required where exempted by the adopted building
10 code.

11 **307.1-307.2 No Changes**

12 **307.2.1 Height.** Guards shall be not less than 30 inches (762 mm) high above the floor of
13 the landing, balcony, porch, deck, or ramp, or other walking surface.

14 SECTION 308 15 RUBBISH AND GARBAGE

16 **308.1 Accumulation of Rubbish or Garbage.** All exterior property and premises, and
17 the interior of every structure, shall be free from any accumulation of rubbish and
18 garbage as required by Chapter 6-3, "Trash, Recyclables and Compostables," B.R.C.
19 1981.

20 **308.2 Disposal of Rubbish.** Every occupant of a structure shall dispose of all rubbish in
21 a clean and sanitary manner by placing such rubbish in approved containers as required
22 by Chapter 6-3, "Trash, Recyclables and Compostables," B.R.C. 1981.

23 **308.2.1 Rubbish Storage Facilities.** Deleted.

24 **308.2.2 Refrigerators.** Deleted.

25 **308.3 Disposal of Garbage.** Every occupant of a structure shall dispose of garbage in a
clean and sanitary manner by placing such garbage in an approved garbage disposal
facility or approved garbage containers as required by Chapter 6-3, "Trash, Recyclables
and Compostables," B.R.C. 1981.

308.3.1 Garbage Facilities. Deleted.

308.3.2 Containers. Deleted.

SECTION 309 PEST ELIMINATION

309.1 Infestation. All structures shall be kept free from insect and rodent infestation. All
structures in which insects or rodents are found shall promptly have the infestation

1 eradicated by approved processes that will not be injurious to human health. After
2 eradication, proper precautions shall be taken to prevent reinfestation. Rodent control is
3 regulated and enforced under Chapter 6-5, "Rodent Control," B.R.C. 1981.

4 **309.2 Owner.** The owner of any structure shall be responsible for eradication within the
5 structure prior to renting or leasing the structure.

6 **309.3 Single Occupant.** The occupant of a one-family dwelling or single-tenant structure
7 shall be responsible for eradication on the premises.

8 **309.4 Multiple Occupancy.** The owner of a structure containing two or more dwelling
9 units, a multiple occupancy or a rooming house shall be responsible for eradication in the
10 public or shared areas of the structure and exterior property. If infestation is caused by
11 failure of an occupant to prevent such infestation in the area occupied, the occupant shall
12 be responsible for eradication.

13 **309.5 Occupant.** The occupant of any structure shall be responsible for the continued
14 rodent and pest-free condition of the structure.

15 **Exception:** Where the infestations are caused by defects in the structure, the
16 owner shall be responsible for the eradication.

17 **309.6 Preapplication Pesticide Notification.** No operator or occupant shall fail to
18 comply with the preapplication pesticide notification provisions of Section 6-10-7,
19 "Notification to Tenants and Employees of Indoor Application," B.R.C. 1981.

20 SECTION 310

21 ACCESSIBILITY FLOODPLAIN SAFETY SIGNAGE

22 **310.1 General.** ~~The owner and operator of every property located in the floodplain as
23 detailed in paragraph 9-3-3(a)(10), B.R.C. 1981, shall post and maintain on the exterior
24 of the premises at the entrance a sign approved by the code official stating that the
25 property is subject to flood hazard in accordance with the following:~~

1. ~~The sign shall state: "This property is located in an area subject to sudden and
severe flooding. In case of flood emergency, be prepared to seek high ground
immediately. For information go to www.boulderfloodinfo.net" or similar
language.~~
2. ~~The sign shall be a metal plaque with minimum ¼ inch letters in a contrasting
color attached with nonremovable fasteners on the exterior of the structure at the
entrance.~~

23 No Changes.

1 room shall be at least 8 percent of the floor area of the interior
2 room or space, but not less than 25 square feet (2.33 m). The
3 ventilation openings to the outdoors shall be based on a total floor
4 area being ventilated.

- 5 2. In R-3 occupancies, the glazed area need not be openable, where
6 the opening is not required to be an emergency escape and rescue
7 opening, and an approved mechanical ventilation system capable
8 of producing 0.35 air changes per hour in the room is provided.

9 **403.2 Bathrooms and Toilet Rooms.** Deleted No changes.

10 **403.3 Cooking Facilities.** Deleted.

11 **403.4 Process Ventilation.** Deleted.

12 **403.5 Clothes Dryer Exhaust.** No changes.

13 **SECTION 404**
14 **OCCUPANCY LIMITATIONS**

15 **404.1—404.7** No changes.

16 **CHAPTER 5**
17 **PLUMBING FACILITIES AND FIXTURE REQUIREMENTS**

18 No changes.

19 **CHAPTER 6**
20 **MECHANICAL AND ELECTRICAL REQUIREMENTS**
21 **SECTION 601**

22 No changes.

23 **SECTION 602**
24 **HEATING FACILITIES**

25 **602.1 Facilities Required.** No changes.

602.2 Residential Occupancies. Deleted.

602.3 Heat Supply. Interior space intended for human occupancy shall have active or passive space-heating systems capable of maintaining a minimum indoor temperature of 68°F (20°C). No portable space heaters shall be used to achieve compliance with this section.

1 **602.4 Occupiable Work Spaces.** Deleted.

2 **602.5 Room Temperature Measurement.** No changes.

3
4 **SECTION 603**
5 **MECHANICAL EQUIPMENT**

6 **603.1—603.6** No changes.

7 **SECTION 604**
8 **ELECTRICAL FACILITIES**

9 **604.1—604.3.2.1** No changes.

10 **SECTION 605**
11 **ELECTRICAL EQUIPMENT**

12 **605.1—605.2** No changes.

13 **605.2.1 Non-grounding type electrical receptacles (two-prong receptacles).** Where
14 attachment to an equipment grounding conductor (two-wire circuits) does not exist in the
15 receptacle enclosure, the installation shall comply with subsections 1, 2 or 3 below:

- 16 1. A two-prong receptacle shall be permitted to be replaced with another two-prong
17 receptacle.
- 18 2. A two-prong receptacle may be replaced with a ground-fault circuit interrupter-
19 type (GFCI) three-prong receptacle. These receptacles shall be marked "No
20 Equipment Ground." An equipment grounding conductor shall not be connected
21 from the GFCI-type receptacle to any outlet supplied from the GFCI-type
22 receptacle.
- 23 3. A two-prong receptacle may be replaced with a three-prong, grounding-type
24 receptacle where supplied through a GFCI device. Three-prong, grounding-type
25 receptacles, supplied through the GFCI shall be marked "GFCI Protected" and
 "No Equipment Ground." An equipment grounding conductor shall not be
 connected between the grounding-type receptacles.

605.3 Luminaires. No changes.

605.4 Wiring. No changes.

605.5 Branch Circuits in Buildings With More Than One Occupancy. Each occupant
 shall have ready access to all circuit breakers protecting the conductors supplying that
 occupancy.

1 battery backup, the battery shall be replaced as necessary for proper
2 function of the smoke alarm.

- 3 2. Battery-powered smoke alarms shall be tested for proper function on an
4 annual basis. Batteries shall be replaced as necessary for proper function
5 of the smoke alarm.

6 **704.9 Residential Rental Smoke Alarms.** In R-occupancies governed by Chapter 10-3,
7 "Rental Licenses," B.R.C. 1981, smoke alarms shall be installed and inspected as
8 required in this section.

9 **704.10 Fire Alarms.** Fire alarms in existing residential structures shall be installed in
10 accordance with Chapter 10-8, Section 907-3, "Fire Code," B.R.C. 1981.

11 **SECTION 705**
12 **CARBON MONOXIDE ALARMS**

13 **705.1—705.2** No changes.

14 **705.3 General.** Carbon monoxide alarms shall be installed in existing residential
15 structures in accordance with Colorado state law, including Title 38, Article 45, Carbon
16 Monoxide Alarms, C.R.S.

17 **705.4 Carbon Monoxide Alarms.** Carbon monoxide alarms shall be installed in existing
18 dwellings and rented single- and multi-family dwellings that have fuel fired heaters,
19 appliances, or fireplaces, or attached garages based on the following:

- 20 1. Alarms must be installed within 15' of the entrance to each sleeping area
21 and must be wired to AC power, connected to an electrical panel, plugged
22 into an electrical outlet without a switch or, if battery operated, attached to
23 the wall or ceiling per the manufacturer's installation instructions and in
24 accordance with Chapter 10-8, Section 915, "Fire Code," B.R.C. 1981,
25 ~~with National Fire Protection Association 70.~~
2. Alarms must be installed in existing rental dwellings upon change of
tenant occupancy after July 1, 2009.
3. Alarms must be installed in all newly constructed or renovated single-
family and multi-family rental units.
4. Alarms may be installed within 25' of any fuel-fired heater or appliance,
fireplace, or garage entrance in a multi-family dwelling used for rental
purposes ONLY if the multi-family dwelling is equipped with a
centralized alarm system or other mechanism that allows a responsible
person to hear the alarm at all times (commercially monitored system).
5. Rental owners are responsible for replacing nonfunctioning carbon
monoxide alarms upon written request of the tenant or when the unit is
being vacated and re-rented.

1 **C101 SCOPE**

2 **C101.1 Scope.** Appendix C sets standards for residential rental dwelling unit energy
3 efficiency. Effective January 2, 2019, the energy efficiency requirements of this section
4 shall apply to all residential rental dwelling units licensed according to Chapter 10-3,
5 "Rental Licenses," B.R.C. 1981, except:

- 6 1. Buildings that can be verified as meeting or exceeding the energy
7 efficiency requirements of the Energy Conservation Code, Chapter 10-7,
8 B.R.C. 1981; and
- 9 2. Any manufactured home; and
- 10 3. Attached accessory dwelling units as detailed in Section 9-6-3, "Specific
11 Use Standards Residential Uses," B.R.C. 1981.

12 **C101.2 Compliance.** The energy efficiency of existing residential rental dwelling units
13 must comply with Section C101.2.1 for performance-based energy efficiency
14 requirements or Section C101.2.2 for prescriptive-based energy efficiency requirements.
15 The code official may grant exceptions as follows:

- 16 1. Innovative Materials: Buildings achieving equivalent energy efficiency
17 performance through the use of innovative materials, methods and/or
18 equipment in accordance with Section 105 of this code as an alternative to
19 the performance and prescriptive methods. The code official shall
20 determine the relative values and effectiveness of innovative materials,
21 methods and/or equipment in satisfying the intent and purpose of this
22 code.
- 23 2. Historic Buildings: Reasonable modifications in the award of prescriptive
24 and performance points of this appendix upon a finding by the code
25 official that the application of this section requires an exterior alteration to
 an individual landmark or a contributing building within a historic district
 established under Chapter 9-11, "Historic Preservation," B.R.C. 1981, that
 would not be eligible for a landmark certificate.
3. Affordable Housing: Rental dwelling units meeting the requirements for a
 permanently affordable unit as follows:
 - a. Units weatherized according to state or federal subsidy program
 standards after September 1994.
 - b. Units eligible for weatherization according to state or federal
 subsidy program standards that have applied for weatherization
 service: an exception for one rental license cycle, to reach
 compliance. The code official may approve additional time to
 achieve compliance if one rental license cycle is not adequate.
 - c. Units not qualifying for weatherization according to state or
 federal subsidy programs: an exception for one rental license cycle
 to achieve compliance. The code official may approve additional
 time to achieve compliance if one rental license cycle is not
 adequate.

1
2 4. Technically Impractical: For buildings where energy efficiency upgrades
3 are technically impractical in accordance with IPMC Section 105.1,
4 owners shall demonstrate equivalent code compliance as follows:

- 5 a. Except as provided below, owners shall make the energy efficiency
6 improvements that are practical and shall pay, for each rental
7 license cycle an energy impact offset fee established in Section 4-
8 20-18, "Rental License Fee," B.R.C 1981, to the city's energy
9 impact offset fund.
- 10 b. If the building is the subject of an application for concept review,
11 site review, or a demolition permit, and the application shows that
12 the building will be demolished or substantially remodeled within
13 the next licensing period, the owner need not make energy
14 efficiency improvements, but must pay, for each rental license
15 cycle, the energy impact offset fee established in Section 4-20-18,
16 "Rental License Fee," B.R.C. 1981.
- 17 c. The energy impact offset fee required under this section will be
18 approximately equivalent to the energy offsets that would have
19 been achieved through the energy efficiency requirements that
20 have been waived as a modification pursuant this Paragraph 4 of
21 Section C101.2. and IPMC Section 105.1. The fee will be imposed
22 per SmartRegs point waived that is otherwise required under IPMC
23 Section C101.2.2. The city manager shall create and maintain an
24 energy impact offset fund for the receipt and management of the
25 energy impact offset fee. Monies received in that fund must be
used solely to promote or facilitate reduction in greenhouse gas
emissions or otherwise directly offset the effects of greenhouse gas
emission and for the costs of administering programs consistent
with these purposes. Possible uses of the fund may include but are
not limited to energy efficiency and renewable energy programs
and projects, such as programs installing or facilitating the
installation of rooftop solar and other measures that have
demonstrable carbon reduction benefits. For accounting purposes,
the monies received in the fund shall be held in a separate account
established for the purposes of this fund.

21 **C101.2.1 Performance energy efficiency option.** Existing residential rental structures
22 shall demonstrate energy efficiency compliance by obtaining a minimum Home Energy
23 Rating System (HERS) index of 120 per rental dwelling unit. A HERS index shall be
24 determined by a rater accredited by the Residential Energy Services Network (RESNET).
25 For multi-dwelling rental structures, a HERS index sampling protocol authorized and
approved by the code official may be utilized.

C101.2.2 Prescriptive energy efficiency option. The energy efficiency of residential
structures shall be determined by an energy efficiency inspection score of 100 points as
documented on table C101.2. The applicant shall provide an energy efficiency

1 compliance certificate signed by a licensed and approved contractor per Subsection 4-4-
 2 4(g), "Building Contractor License," and Section 4-4-5, "License Application and
 3 Qualifications," B.R.C. 1981.

4 **Table 101.2**
 5 **SmartRegs Prescriptive Pathway**

6 Need 100 Total Points + Mandatory Water Conservation Measures

7 **WALLS**

<i>R-VALUE BASE</i>	<i>FINAL</i>			
	<i>25%</i>	<i>50%</i>	<i>75%</i>	<i>100%</i>
No Insulation	0	0	0	0
R-3 Continuous (must be at least R-3)	3	6	9	12
R-5 Continuous	4	8	12	15
R-13 or Uninsulated Basement Wall	5	10	15	20
R-19 or Better	5	11	16	21
Shared Wall or Insulated Basement Wall	6	13	19	26

17 **WINDOWS/FENESTRATIONS**

<i>TYPE BASE</i>	<i>FINAL</i>			
	<i>25%</i>	<i>50%</i>	<i>75%</i>	<i>100%</i>
Single Metal (1.2 U-Value)	0	0	0	0
Single Non-Metal ¹ (.95 U-Value)	0	1	1	2
Double Metal (.8 U-Value)	1	2	3	4
Double Non-Metal ¹ (.55 U-Value)	2	3	5	6

0.35 U-Value ¹	3	7	10	13
0.30 U-Value	3	7	10	14
0.25 U-Value or Better	4	7	11	14

¹ Historically designated properties and properties older than 50 years with wooden window frames that rehabilitate and install storm panels will receive credit at the 0.35 U-Value level.

ATTIC

<i>TYPE BASE</i>	<i>FINAL</i>			
	<i>25%</i>	<i>50%</i>	<i>75%</i>	<i>100%</i>
No Insulation	0	0	0	0
R-19	6	12	18	24
R-30	6	13	19	26
R-38 or Better	7	13	20	26
Shared Ceilings	7	14	20	27

INFILTRATION

<i>nACH BASE</i>	<i>FINAL POINTS</i>
1.20 nACH or Less	2
0.75 nACH	4
0.50 nACH	6
0.35 nACH or Less (ventilate per ASHRAE 62.2)	7

SLAB ON GRADE

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<i>TYPE</i>	<i>25%</i>	<i>50%</i>	<i>75%</i>	<i>100%</i>
Slab Edge: R-0	2	3	5	6
Slab Edge: R-5	2	4	5	7
Slab Edge: R-10 or Better	2	4	6	8
Slab Edge R-10 plus Under Slab: R-10 or Better	3	6	8	11
<i>BELOW GRADE SLAB (Basement Slab)</i>				
Basement Slab	2	4	6	8
<i>FOUNDATION WALLS (Crawlspace)</i>				
R-0	0	0	0	0
R-2	2	3	5	6
R-11	2	4	6	8
R-19 or Better	2	5	7	9
<i>FLOOR (Only Available if No Ducts or HVAC Equipment are Located in Uninsulated Crawlspace Below Floor)</i>				
Floor Over Crawl: R-0	0	0	0	0
Floor Over Crawl: R-13	3	5	8	11
Floor Over Crawl: R-25	3	6	9	12
Floor Over Crawl: R-38 or Better	4	7	11	14
Shared Floor	4	8	11	15

1 **SLAB/FOUNDATION Base: Final:**

2 **DUCT LEAKAGE**

<i>CFM per 100 SF BASE</i>	<i>FINAL POINTS</i>
80 cfm @ 25 Pa	0
60 cfm @ 25 Pa	4
40 cfm @ 25 Pa	9
20 cfm @ 25 Pa	14
10 cfm @ 25 Pa or Less or no ducts (radiant)	17

10 **DUCTS/RADIANT**

<i>LOCATION/INSULATION BASE</i>	<i>FINAL</i>				
	<i>25%</i>	<i>50%</i>	<i>75%</i>	<i>100%</i>	
Uninsulated Ducts (In Unconditioned Space)	0	0	0	0	
Ducts Insulated to at Least R-4 (In Unconditioned Space)	1	3	4	6	
Radiant Heat or Ducts Entirely Within Conditioned Space	2	3	5	7	

18 **HEATING**

<i>SPECIFICATION BASE</i>	<i>FINAL POINTS</i>
Electric, Oil or ASHP	0
Gas 65 AFUE or worse	0
Gas 80 AFUE	13
Gas 90 AFUE	17
Gas 96 AFUE	19

1	GSHP (COP 3.3)	29
2	GSHP (COP 4.1)	38
3	GSHP (COP 4.8)	43

4

5 **COOLING**

6	<i>SPECIFICATION BASE</i>	<i>FINAL POINTS</i>
7	10 SEER or worse	0
8	13 SEER	4
9	15 SEER/Evaporative Cooler/no A/C	6
10	17 SEER	7
11	19 SEER/Indirect Evaporative Cooler	8
12	GSHP (>EER 13.5)	4

13

14 **FANS**

14	<i>SPECIFICATION BASE</i>	<i>FINAL POINTS</i>
15	Whole House Fan (In Addition to Cooling Points)	2

17

18 **LIGHTING**

18	<i>HIGH-EFFICIENCY LIGHTING POINTS (solar tubes/light tunnels counted as light fixtures)</i>	<i>FINAL POINTS</i>
19	0%	0
20	25%	2
21	50%	4
22	75%	6
23	100%	7

1 **HOT WATER**

2

<i>SPECIFICATION BASE</i>	<i>FINAL POINTS</i>
Electric, Oil, or Heat Pump	0
Gas 56 EF	0
Gas 60 EF	1
Gas 64 EF	2
Gas Tankless 82 EF or Better	6
Gas Boiler Side Arm (65 AFUE Boiler)	0
Gas Boiler Side Arm (80 AFUE Boiler)	3
Gas Boiler Side Arm (95 AFUE Boiler)	5

11

12 **REFRIGERATION**

13

<i>SPECIFICATION BASE</i>	<i>FINAL POINTS</i>
750 kWh	0
650 kWh	2
450 kWh	3
350 kWh or Better	4

17

18 **SOLAR THERMAL**

19

<i>SPECIFICATION BASE</i>	<i>FINAL POINTS</i>
Points per 20 sq. ft. of collector surface area	8

20

21 **PV** (includes power purchase agreements and solar leases) or verified subscription in a
22 Community Solar Garden.²

23
24
25 ²Must earn 70 prescriptive pathway points in other categories to be eligible to earn PV Points.

<i>kW BASE</i>	<i>FINAL POINTS</i>
Points per kW	44

OCCUPANT

<i>MEASURE BASE</i>	<i>FINAL POINTS</i>
Sub-Metering: Real Time Energy Monitoring Device	1
Programmable Thermostat	1
Provide Operation/Training Manual	1
Tenant Attends Energy Conservation Class	1

OTHER

<i>MEASURE BASE</i>	<i>FINAL POINTS</i>
Heat Pump Desuperheater	1
Electrically Commutated Motor ("ECM")	3
Passive Solar Design	Discretionary - approved by City of Boulder
Innovative Practice	Discretionary - approved by City of Boulder

MANDATORY WATER CONSERVATION

Must Earn Two Points Regardless of Whether Performance or Prescriptive SmartRegs Pathway is Chosen.

<i>WATER CONSERVATION MEASURE³</i>	<i>POINTS PER FIXTURE</i>
Low flow showerhead ⁵	1
Low flow lavatory faucets ⁴	1

1	Self-closing faucet valves	1
2	High-efficiency or dual-flush toilet ⁶	2
3		
4	ENERGY STAR washing machine	2
5	ENERGY STAR dishwasher	2

³ Points earned in this category do not count towards prescriptive ~~100-point~~100-point requirement.

⁴ The average flow rate for all bathroom faucets must be less than or equal to 1.5 gallons per minute (gpm).

⁵ The average flow rate for all shower heads must be less than or equal to 2.0 gpm.

⁶ The average flow rate for all toilets, including dual-flush toilets, must be less than or equal to 1.28 gpf (gallons per flush). A common dual-flush toilet has a 1.6 gpf and a 0.8 gpf. This makes an average of 1.2, which would qualify.

Definitions of acronyms:

R-value: A measure of thermal resistance used to describe insulation. The bigger the number, the better the insulation's effectiveness.

U-value: The overall heat transfer coefficient, describes how well a building element conducts heat. U-value is the inverse of R-value. The lower the U-value, the better.

nACH: Natural air changes per hour.

HVAC: Heating, Ventilating and Air Conditioning.

cfm: Cubic feet per minute.

Pa: Pascal; a measure of force per unit area.

ASHP: Air source heat pump.

AFUE: Annual fuel utilization efficiency; the most widely used measure of a furnace's heating efficiency.

GSHP: Ground source heat pump.

COP: Coefficient of performance of a heat pump is the ratio of the change in heat at the "output" (the heat reservoir of interest) to the supplied work.

SEER: Seasonal energy efficiency ratio; used to measure the efficiency of air conditioners.

EF: Energy factor is the ratio of useful energy output from the water heater to the total amount of energy delivered to the water heater. The higher the EF is, the more efficient the water heater.

kWh: Kilowatt hour; a unit of energy equal to ~~1,000-watt~~1,000-watt hours.

kW: Kilowatt.

C101.3 Administration and enforcement. Administration and enforcement of these measures shall be as detailed in Part 2 of this code.

1 Section 4. Section 10-5-1, "Legislative Intent," B.R.C. 1981, is amended to read as
2 follows:

3 **10-5-1. Legislative Intent.**

4 The purpose of this chapter is to protect the public health and safety by regulating the
5 construction, alteration, repair, wrecking, and moving of structures in the city. The city council
6 hereby adopts the ~~2018~~²⁰²⁴ edition of the *International Building Code* with certain amendments
and deletions thereto found to be in the best interests of the residents of the city.

7 Section 5. Section 10-5-2, "Adoption of International Building Code With
8 Modifications," B.R.C. 1981, is amended to read as follows:

9 **10-5-2. Adoption of International Building Code With Modifications.**

10 (a) The ~~2018~~²⁰²⁴ edition of the *International Building Code* of the International Code
11 Council is hereby adopted by reference as the City of Boulder Building Code and has the
same force and effect as though fully set forth in this chapter, except as specifically
amended by the provisions of this chapter.

12 (b) The appendix chapters E "SUPPLEMENTARY ACCESSIBILITY REQUIREMENTS",
13 I, "PATIO COVERS," J, "GRADING," and K, "ADMINISTRATIVE PROVISIONS,"
and sections contained therein are adopted.

14 (c) Section 101.1, "Title," is repealed and reenacted to read:

15 **101.1 Title.** These regulations shall be known as the Building Code of the City of
16 Boulder or building code, hereinafter referred to as "this code." Where other codes are
17 referenced in this code, those code provisions shall not apply unless otherwise adopted by
the City of Boulder. Where reference is made anywhere in this code to the "Department"
18 or "Department of Building Safety," it shall have the same meaning as the "Division of
Building Safety." Where reference is made anywhere in this code to the "International
19 Energy Conservation Code," it shall have the same meaning as the "City of Boulder
Energy Conservation Code."

20 (d) Section 101.4, "Referenced codes," is repealed and reenacted to read:

21 Chapter 1, "Administration," in this code shall also apply and serve as Chapter 1,
22 "Administration," in the following codes: Chapter 10-2, "International Property
Maintenance Code"; Chapter 10-5.5, "International Residential Code"; Chapter 10-5.6,
23 "International Existing Building Code"; Chapter 10-7, "City of Boulder Energy
Conservation Code"; Chapter 10-8.5, "International Wildland-Urban Interface Code";
24 Chapter 10-9, "International Mechanical Code"; Chapter 10-9.5, "International Fuel Gas
Code"; Chapter 10-10, "International Plumbing Code," B.R.C. 1981. Where
25 administrative provisions are expressly adopted, or adopted in an altered form, for use in

1 those chapters, they shall supersede any conflicting provisions of the administrative
2 provisions of this chapter.

3 The other codes listed in Sections 101.4.1 through 101.4.7 and referenced elsewhere in
4 this code shall be considered as part of the requirements of this code as applicable.

5 (e) Section 102.6, "Existing structures," is amended by addition of the following:

6 Existing structures and their systems, equipment, devices, installations, and safeguards
7 shall be maintained in proper operating conditions in accordance with the original design
8 and in a safe and sanitary condition. Structures, their systems, equipment, devices,
9 installations, and safeguards required by this code shall be maintained in compliance with
10 the code in effect when they were installed. The owner or the owner's designated agent
11 shall be responsible for the maintenance of the structures, their systems, equipment,
12 devices, installations, and safeguards. To determine compliance with this provision, the
13 city manager shall have authority to require a structure, equipment, system, device,
14 installations, or safeguards to be reinspected.

15 (f) Section 103, "~~Department of Building Safety~~Code Compliance Agency," is repealed and
16 reenacted to read:

17 **103 Division of Building Safety Code Compliance Agency.**

18 ~~*Division of Building Safety Code Compliance Agency*~~ means the administrative unit
19 established by the city manager or the manager's delegates, and the personnel assigned to
20 the unit by the manager.

21 (g) Section 104.8, "Liability," is repealed and reenacted to read:

22 **104.8 Liability.**

23 No employee of the cCity who enforces, attempts to enforce, or is authorized to enforce
24 this code renders him or herself or the City liable to third parties for any damage or injury
25 to the person or property of such third parties as a result of the enforcement or
nonenforcement of this code. The cCity assumes no duty of care by virtue of the adoption
of this code. No person is justified in relying upon the approval of a plan, the results of an
inspection, or the issuance of a certificate of inspection or occupancy, and such
approvals, inspections, and certificates are not a guarantee that the plan or work so
approved, inspected, or certificated in fact complies with all the requirements of this
code. It is the duty of the person owning, controlling, or constructing any building or
structure to ensure that the work is done in accordance with the requirements of this code,
and it is such persons and not the cCity who are responsible for damages caused by
negligent breach of such duty.

(h) ~~Subsection 104.10.1, "Flood hazard areas," is repealed.~~

1 (h) A new Section 104.12 is added to read:

2 **104.12 - Compliance with Federal and State Legislation.**

3 The building official may modify for individual cases the provisions of this code to allow
4 a design, installation, or construction not in compliance with the provisions of this code,
5 if otherwise the provisions of this code would result in a violation of federal or state
6 legislation, including but not limited to the Federal Fair Housing Act or the Americans
7 with Disabilities Act, and the modification would be the minimum modification that
8 provides relief.

9 ...
10 (j) Section 105.2, "Work exempt from permit," is repealed and reenacted to read:

11 **105.2 Work exempt from permit.** Exemptions from the building permit requirements of
12 this code do not grant authorization for any work to be done in violation of the
13 requirements of this code or any other laws or ordinances of the cCity. Building permits
14 shall not be required for the following:

15 General:

- 16 1. One-story detached nonconditioned buildings accessory to a residential
17 structure and not more than ~~12080~~ square feet in area or ten feet in height
18 and not being served by any electrical, mechanical, or plumbing fixtures
19 or systems.
- 20 2. Fences not over 7 feet (2,134 mm) high.
- 21 3. Retaining walls which are not over 3 feet in height measured from the
22 bottom of the footing to the top of the wall, unless supporting a surcharge
23 or impounding Class I, II, or III-A flammable liquids.
- 24 4. Sidewalks and driveways not more than thirty inches above grade and not
25 over any basement or story below and which are not part of an accessible
route.
5. Painting, papering, tiling, carpeting, cabinets, countertops, and similar
finish work.
6. Temporary motion picture, television, and theater stage sets and scenery.
7. Prefabricated swimming pools accessory to a Group R-3 occupancy which
are less than 24 inches deep, do not exceed 5,000 gallons, and are installed
entirely above ground.
8. Shade cloth structures constructed for nursery or agricultural purposes and
not including service systems.
9. Swings and other playground equipment on private property or in a
Common Interest Community as that is defined in C.R.S. Section 38-33.3-
101, et seq. The equipment shall be in compliance with the consumer
product safety commission guidance. Swings and other playground
equipment accessory to detached one- and two-family dwellings.

10. Window awnings in Group R and Group U occupancies supported entirely by an exterior wall and which do not project more than 54 inches from the exterior wall.
11. Moveable cases, counters and partitions not over 5 feet 9 inches in height.
12. Decks accessory to single-family homes or townhomes, not exceeding 200 square feet 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 of the IRC.
- ~~12. Replacement of windows in low-rise residential buildings that are three stories or less in height. Decks are~~
- ~~13. Replacement of exterior siding on low-rise residential buildings that are three stories or less in height.~~
- ~~14. Building energy efficiency components that (a) are required as part of a city energy efficiency program; (b) do not include any electrical, heating, ventilation, and air conditioning equipment, solar photovoltaic and solar hot water heating systems; and (c) are inspected by a HERS rater (a Home Energy Rating System rater certified through Residential Energy Services Network) or a city licensed energy inspector as defined in Chapter 4-4, "Building Contractor License," B.R.C. 1981.~~

Electrical:

Minor repair and maintenance work, including the replacement of lamps or the connection of approved portable electrical equipment to approved permanently installed receptacles, radio and television transmitting stations, temporary testing systems for the testing or servicing of electrical systems or apparatus and those items in Article 90.2 (B) of the electrical code.

Gas:

1. Portable heating appliances.
2. Replacement of any minor part that does not alter approval of equipment or make such equipment unsafe.

Mechanical:

1. Portable heating appliance, portable cooling unit, portable evaporative cooler, or portable ventilation equipment.
2. Steam, hot, or chilled water piping within any heating or cooling equipment regulated by this code.
3. Replacement of any part which does not alter an approval or listing or make any appliance or equipment unsafe.
4. Self-contained refrigeration system containing ten pounds (4.54 kg) or less of refrigerant and actuated by motors of one horsepower (746 W) or less.

1 Plumbing:

- 2 1. The stopping of leaks in drains, water, soil, waste, or vent pipe; provided,
3 however, that if any concealed trap, drain pipe, water, soil, waste, or vent
4 pipe becomes defective and it becomes necessary to remove and replace
5 the same with new material, such work shall be considered as new work
6 and a permit shall be obtained and inspection made as provided in this
7 code.
- 8 2. The clearing of stoppages or the repairing of leaks in pipes, valves, or
9 fixtures, and the replacement of water closets, provided such repairs do
10 not involve or require the replacement or rearrangement of valves or pipes.

11 (k) A paragraph is added to Section 105.3.1, "Action on application," to read:

12 No building permit shall be issued until approved by every department of the city or
13 Boulder County that has applicable regulations, including, without limitation, the
14 following departments: building, flood control, utilities, wastewater, health, fire,
15 engineering, zoning, planning, parks, and city clerk.

16 (l) Section 105.3.2, "Time limitation of application," is repealed and reenacted to read:

17 **105.3.2 Time limitation of application.** An application for a permit for any proposed
18 work shall be deemed to have been abandoned 180 days after the date of filing, unless
19 such application has been pursued in good ~~faith~~faith, or a permit has been issued; except
20 that the building official is authorized to grant one or more extensions of time for
21 additional periods not exceeding 180 days each. The extension shall be requested in
22 writing before the expiration date and justifiable cause demonstrated.

23 (m) Section 105.5, "Expiration," is repealed and reenacted to read:

24 **105.5 Expiration.** Every permit issued shall become invalid unless the work on the site
25 authorized by such permit is commenced within one hundred eighty days after its
issuance, or if the work authorized on the site by such permit is suspended or abandoned
for a period of one hundred eighty days after the time the work is commenced. The
building official is authorized to grant in writing one or more extensions of time for
periods not more than one hundred eighty days each. The extension shall be requested in
writing and justifiable cause demonstrated. Every permit issued by the building official
under the provisions of this code shall expire by limitation and become null and void if
the building or work authorized by such permit is not completed and approved for
occupancy within three years from the date the permit was issued. The permit fee for
renewals may be prorated based on the amount of work completed and approved under
the previous permit.

(n) Section 107.1, "General," is repealed and reenacted to read:

1 **107.1 General.** An applicant for a building permit shall submit, in digital format, submit
2 a minimum of two sets of plans and specifications with each application when required
3 by the building official for enforcement of any provisions of this code. Where special
4 conditions exist, the building official is authorized to require additional construction
5 documents to be prepared by a registered design professional for any work.

6 (1) A professional engineer or architect registered in the State of Colorado shall
7 prepare the plans and specifications for and observe the construction of all
8 buildings except for the following:

- 9 (a) Detached dwellings intended solely for private use, occupancy, or resale,
10 including accessory buildings commonly associated with the same;
11 (b) Farm buildings and buildings for the marketing, storage, or processing of
12 farm products;
13 (c) Minor additions, alterations, or repairs to the foregoing buildings that do
14 not cause the completed buildings to exceed the applicable limitations
15 herein set forth; or
16 (d) Nonstructural alterations of any nature to any building if such alterations
17 do not affect the safety of the building.

18 (2) Drawings and specifications for footings and foundations shall bear the seal and
19 signature of a professional engineer registered in Colorado or an architect licensed
20 in Colorado and be designed as specified in Chapter 18 of the building code for
21 all occupancies.

22 Exceptions:

- 23 (a) Detached structures not intended for human occupancy;
24 (b) Additions to existing detached dwellings not exceeding 200450
25 square feet where the existing foundation is found to be performing
adequately without evidence of excessive settling or heaving.

(o) Section 107.3.2, "Previous approvals," is amended to read:

107.3.2 Previous approvals. This code shall not require changes in the construction documents, construction or designated occupancy of a structure for which a lawful permit has heretofore been issued or otherwise lawfully authorized, and the constraints of which have been pursued in good faith within one hundred eighty days after the effective date of this code and has not been abandoned. No person shall fail to comply with all of the conditions of such a building permit and the provisions of the building code under which such building permit has been issued.

(p) Section 109.3, "Building permit valuations," is repealed and reenacted to read:

109.3 Building permit valuation. The valuation for buildings shall be as set forth in Subsections 4-20-4(d) and (e), B.R.C. 1981.

1 (q) Section 113, "~~Means Board~~ of Appeals," is repealed and reenacted to read:

2 **113 Appeals and advisory opinions.**

- 3
- 4 (a) Any appeal under this section shall be heard by the Board of Building Appeals
5 established under Section 2-3-4, "Board of Building Appeals," B.R.C. 1981,
6 unless the city manager determines, due to the nature of the issues in a particular
7 appeal, to appoint a hearing officer under Section 1-3-5, "Hearings and
8 Determinations," B.R.C. 1981.
- 9 (b) A person refused a building permit or refused approval of work done under a
10 permit on the grounds that the proposed or completed construction fails to comply
11 with this code or any other city building code other than the fire code may appeal
12 the decision on the ground that:
- 13 (1) The denial was based on an error in fact or an erroneous interpretation of
14 such code by the Building Official ~~city manager~~;
- 15 (2) The Building Official ~~manager~~ has erroneously failed to approve an
16 alternate material or method pursuant to Section 104.2.311 prior to its
17 installation or use. In determining such an appeal, the board or hearing
18 officer shall apply the standards of Section 104.2.311, but the board or
19 hearing officer shall have no jurisdiction to consider if a material or
20 method expressly prohibited by this code is an acceptable alternative;
- 21 (3) The Building Official ~~manager~~ has erroneously failed to grant a
22 modification pursuant to Section 104.2.410 prior to its installation. In
23 determining such an appeal, the board or hearing officer shall apply the
24 standards of Section 104.2.410; or
- 25 (4) The Building Official ~~manager~~ has erroneously failed to approve an
alternative design pursuant to Section K105 prior to its installation or use.
In determining such an appeal, the board or hearing officer shall apply the
standards of Section K105, but the board or hearing officer shall have no
jurisdiction to consider if a design expressly prohibited by this code is an
acceptable alternative.
- (5) The Building Official ~~manager~~ has the burden of proof under paragraph
(1). The appellant has the burden of proof on appeals brought pursuant to
paragraphs (2), (3), and (4). The board or hearing officer shall determine
the appeal and decide whether the Building Official's ~~manager's~~
interpretation or application of such code was correct or in error at a
hearing under the procedures described by Chapter 1-3, "Quasi-Judicial
Hearings," B.R.C. 1981.

- 1 (c) Any person whose building permit or certificate of occupancy or certificate of
2 completion has been suspended or revoked may appeal such action by the
3 Building Official ~~city manager~~ on the ~~ground~~ grounds that the suspension or
4 revocation was based on an error in fact or an erroneous application of this code
5 to the facts. The manager has the burden of proving the facts upon which the
6 Building Official ~~manager~~ relies at such a hearing.
- 7 (d) An application for appeal must be filed in writing with the Building Official ~~city~~
8 ~~manager~~ within fourteen days after the date of refusal of the building permit or
9 approval of work performed under the permit or revocation or suspension of the
10 building permit or certificate of occupancy or certificate of completion stating the
11 basis for appeal.
- 12 (e) An applicant for an appeal shall pay the fee prescribed by Section 4-20-47,
13 "Zoning Adjustment and Building Appeals Filing Fees," B.R.C. 1981. The fee for
14 an appeal heard by a hearing officer shall be the same as the fee for an appeal
15 heard by the Board of Building Appeals.
- 16 (f) The Building Official ~~city manager~~ may apply to the Board of Building Appeals,
17 without fee, for an advisory opinion concerning alternative methods, applicability
18 of specific requirements, approval of equipment and materials, and granting of
19 special permission as contemplated in Section 104.2.3 or 104.2.410 ~~or 104.11~~ of
20 the Building Code.
- 21 (g) The board or hearing officer has no authority to interpret Chapter 1 (the
22 administrative requirements) of this code except as expressly provided in this
23 section, nor, because this code sets minimum standards, to waive any requirement
24 of this code.
- 25 (r) Section 114, "Violations," is repealed and reenacted to read:
- 114 Violations.**
- (a) General Provisions.
- (1) No person shall violate a provision of this code or fail to comply therewith
or with any of the requirements thereof. No person shall fail to comply
with any order issued by the code official under this code. No person shall
erect, construct, enlarge, alter, extend, repair, move, remove, improve,
convert, demolish, equip, use, occupy, or maintain any building or
structure in the city or cause or permit the same to be done except in
conformity with all of the provisions of this code and in conformity with
the terms and conditions of any permit, certificate, or other approval
issued under this code, or of any directive of the building official.

- 1 (2) In accordance with the provisions of Section 5-2-11, "Prosecution of
2 Multiple Counts for Same Act," B.R.C. 1981, each day during which
3 illegal construction, alteration, maintenance, occupancy, or use continues
4 constitutes a separate offense remediable through the enforcement
5 provisions of this code.
- 6 (3) The owner, tenant, and occupant of a structure or land, and the agents of
7 each of them, are jointly and severally liable for any violation of this code
8 with respect to such structure or land.
- 9 (4) The remedies for any violation of any provision of this code or of any
10 permit, certificate, or other approval issued under this code or other City
11 of Boulder code, or of any directive of the code official, may be pursued
12 singly or in combination.
- 13 (5) If any person fails or refuses to pay when due any charge imposed under
14 this section, the city manager may, in addition to taking other collection
15 remedies, certify due and unpaid charges to the Boulder County Treasurer
16 for collection as provided by Section 2-2-12, "City Manager May Certify
17 Taxes, Charges, and Assessments to County Treasurer for Collection,"
18 B.R.C. 1981.

19 (b) Administrative Procedures and Remedies.

- 20 (1) If the city manager finds that a violation of any provision of this code or
21 any approval granted under this code exists, the manager, after notice and
22 an opportunity for hearing under the procedures prescribed by Chapter 1-
23 3, "Quasi-Judicial Hearings," B.R.C. 1981, may take any one or more of
24 the following actions to remedy the violation:
 - 25 (A) Impose a civil penalty according to the following schedule:
 - (i) For the first violation of the provision or approval, \$100;
 - (ii) For the second violation of the same provision or approval,
\$300; and;
 - (iii) For the third violation of the same provision or approval,
\$1,000;
 - (B) For a violation concerning the use of a residential building under a
rental license, revoke such license;
 - (C) Require the filing of a declaration of use as provided in subsection
(e) of this section; or
 - (D) Issue an order reasonably calculated to ensure compliance with the
provisions of this code or any approval granted under this code.

1 (2) Prior to the hearing, the manager may issue an order that no person shall
2 perform any work on any structure or land, except to correct any violation
found by the manager to exist with respect to such structure or land.

3 (3) If notice is given to the manager at least forty-eight hours before the time
4 and date set forth in the notice of hearing on any violation that the
5 violation has been corrected, the manager will reinspect the structure or
land. If the manager finds that the violation has been corrected, the
manager may cancel the hearing.

6 (4) No person shall fail to comply with any action taken by the manager under
7 this section.

8 (c) Criminal Penalties. Violations of this code are punishable as provided in Section
9 5-2-4, "General Penalties," B.R.C. 1981.

10 (d) Other Remedies. The city attorney may maintain an action for damages,
11 declaratory relief, specific performance, injunction, or any other appropriate relief
in the District Court in and for the County of Boulder for any violation of any
provision of this code or any approval granted under this code.

12 (e) Declaration of Use. If the city manager determines that a person is using a
13 structure in a way that might mislead a reasonable person to believe that such use
14 is a use by right or otherwise authorized by this title, the manager may require
15 such person to sign under oath a declaration of use that defines the limited nature
16 of the use and to record such declaration in the office of the Boulder County
17 Clerk and Recorder against the title to the land. In addition to all other remedies
18 and actions that the manager is authorized to use under the Boulder Revised Code
or other applicable federal, state, or local laws to enforce the provisions of this
code, the manager is authorized to withhold any approval affecting such structure
or land, including, without limitation, a building permit, use review, site review,
subdivision, floodplain development permit, or wetland permit until such time as
19 the person submits a declaration of use that is in a form acceptable to the
manager.

20 ...

21 (s) Section 116.1, "Unsafe Conditions," is repealed and reenacted to read:

22 **116.1 Unsafe Conditions.** Premises, structures, or existing equipment that are or
23 hereafter become unsafe, insanitary, or deficient because of inadequate means of egress
24 facilities, inadequate light and ventilation, or which constitute a fire hazard, or are
otherwise dangerous to human life or the public welfare, or that involve illegal or
improper occupancy or inadequate maintenance, shall be deemed an unsafe condition.
25 Unsafe premises shall be made safe and unsafe structures shall be taken down and

1 removed or made safe, as the building official deems necessary and as provided for in
2 this section. A vacant structure that is not secured against entry shall be deemed unsafe.

3 (t) Section 116.3, "Notice," is repealed and reenacted to read:

4 **116.3 Notice.** If an unsafe condition is found, the building official shall serve on the
5 owner, agent, or person in control of the structure or premises, a written notice that
6 describes the condition deemed unsafe and specifies the required repairs, improvements,
7 or modifications to be made to abate the unsafe condition, or that requires the unsafe
8 structure to be demolished within a stipulated time. Such notice shall require the person
9 thus notified to declare immediately to the building official acceptance or rejection of the
10 terms of the order.

11 (u) The last two sentences of Section 116.4, "Method of service," are amended to read as
12 follows:

13 If the certified or registered letter is returned showing that the letter was not delivered, a
14 copy thereof shall be posted in a conspicuous place on the premises or in or about the
15 structure affected by such notice. Service of such notice in the foregoing manner upon the
16 owner's agent or upon the person responsible for the premises or structure shall constitute
17 service of notice upon the owner.

18 (v) Section 116.5, "Restoration or abatement," is amended by adding the following sentence:

19 The abatement of an unsafe condition of premises shall comply with the requirements of
20 this code.

21 ~~(w) The definition of "Building official" in Section 202 is repealed and reenacted to read:
22 BUILDING OFFICIAL is the city manager.~~

23 ~~(wx)~~ Section 202, "Definitions," is amended by the addition of the following new definitions:

24 ~~MULTIPLE FIXTURE~~ ALL GENDER TOILET FACILITY. A toilet facility consisting
25 of multiple water closet compartments and associated lavatories which serve all genders.
PERMIT ISSUANCE is the date that the approved building permit is paid for and
received back from the Building Official ~~city manager~~ by the applicant or a
representative of the applicant.

26 (xy) A new Subsection 96 is added to Section 708.1, "General," to read:

27 96. Walls separating marijuana growing, processing, and dispensing occupancies from
28 adjacent occupancies.

29 (yz) A paragraph is added to Section (F) 903.2, "Where required," to read:

1 The maximum fire area without an automatic sprinkler system shall be determined by
2 Section 903.2 of the fire code.

3 ~~(aa) Section 907.2.10, "Single and multiple station smoke alarms," is amended by the
4 addition of the following subsections:~~

5 ~~**907.2.10.8 Alterations, repairs, and enlargements.** (1) When buildings or structures, or
6 portions of buildings or structures, classified as Group R₂ are altered, repaired, or
7 enlarged and the work requires a building permit, or (2) when one or more sleeping
8 rooms are added or created, smoke alarms shall be installed for each dwelling or sleeping
9 unit affected by such work in accordance with Section 907.2.10, except as provided
10 otherwise in this section or its subsections.~~

11 ~~**Exceptions:**~~

- 12 ~~1. Work involving solely the exterior surfaces of the building or structure, such as
13 replacement of roofing or siding or the addition of a porch or deck.
14 2. Installation, alterations, and repairs of plumbing or mechanical systems.~~

15 ~~**907.2.10.8.1 Exception to interconnection.** Section 907.2.10.5 applies except that
16 interconnection of smoke alarms in existing areas shall not be required where alterations
17 and repairs do not include removal of interior wall and ceiling finishes exposing the
18 structure unless an attic, crawlspace, or basement is available to provide access for
19 interconnection without removal of interior finishes.~~

20 ~~**907.2.10.8.2 Exception to power source.** Section 907.2.10.6 applies except that (1)
21 smoke alarms may be battery operated when installed in a building without commercial
22 power and (2) hard-wired smoke alarms shall not be required in existing areas where
23 alterations or repairs do not result in the removal of interior wall and ceiling finishes
24 exposing the structure unless an attic, crawlspace, or basement is available to provide
25 access for hard wiring without removal of interior finishes.~~

~~(bb) Section 1109.2.2, "Water closet compartment," is repealed and reenacted to read:~~

~~**1109.2.2 Water closet compartment.** Where water closet compartments are provided in
a toilet room or bathing room, at least one wheelchair accessible compartment shall be
provided. Where the combined total water closet compartments and urinals provided in a
toilet room or bathing room is eleven or more, at least one ambulatory accessible water
closet compartment shall be provided in addition to the wheelchair accessible
compartment.~~

~~(cc) Section 1404.3, "Vapor retarders," is amended by adding two exceptions:~~

- ~~4. Commercial and multiple residence buildings complying with the 20240 City of
Boulder Energy Conservation Code Section C402.5, Air leakage (mandatory).~~

1 ~~5. Residential buildings complying with the 2024 City of Boulder Energy~~
2 ~~Conservation Code Section R402.4, Air leakage (mandatory).~~

3 (~~zdd~~) Section 1505.1, "General," is repealed and reenacted to read:

4 **1505.1 General.** All roof assemblies and roof coverings required to be listed by this
5 section shall be tested in accordance with ASTM Standard E 108 or UL Standard 790.
6 Class A roofs and the exceptions noted in Section 1505.3 for class B roofs as described in
7 this Chapter 15 are the only roof assemblies and roof coverings allowed to be installed on
any new or existing building within the City of Boulder. Wood shakes, wood shingles,
and wood roof covering materials are prohibited except as provided in Section 10-5-5,
"Wood Roof Covering Materials Prohibited," B.R.C. 1981, for certain minimal repairs.

8 (~~aaee~~) Section 1608.2, "Ground snow loads," is repealed and reenacted to read:

9 Ground snow loads shall be 40 pounds per square foot, $P_g = 40 \text{ lb/ft}^2$

10 (~~bbff~~) Section 1609.3, "Basic design wind speed," is amended by adding the following
11 sentence:

12 The basic design wind speed, V, in mph, for the determination of wind loads shall be
13 determined by Table 1609.3. based on the wind zone and building risk category.

14 TABLE 1609.3.^a
15 BASIC DESIGN WIND SPEED

Basic Design Wind Speed (V) in MPH according to Wind Zone and Building Risk Category			
Wind Zone	Risk Category I	Risk Category II	Risk Category III and IV
East of Broadway	140	150	160
West of Broadway	155	165	175

16 ^a These standards were developed by Jon A. Peterka in the Colorado Front Range Gust
17 Map—ASCE 7-16 Compatible dated November 18, 2013.

18 (~~ccgg~~) Sections 1612.2, 1612.3 and 1612.4 are repealed.

19 (~~ddhh~~) Section 1705, "Required Special Inspections and Tests," is amended by adding the
20 following subsection:

21 **1705.19 Special inspection for medical gas systems.** Medical gas systems shall be
22 tested as detailed in Chapter 12, "Special Piping and Storage Systems," of the City of
23 Boulder Plumbing Code.

1 (eeii) A new exception 75 is added to Section 2902.2, **Separate Facilities**:

2 75. Separate facilities are not required when multiple fixture all gender facilities are
3 provided. Multiple fixture all gender facilities are not required; they are an
4 alternative to be determined by the property owner or the owners' agent.

5 (jj) ~~2902.4 "Signage" is repealed and reenacted to read:~~

6 ~~**2902.4 Signage.** Required public facilities shall be provided with signs that designate
7 which genders the facility accommodates as required by section 2902.2. Signs shall be
8 readily visible and located near the entrance to each toilet facility. Signs for accessible
9 toilet facilities shall comply with Section 1111.~~

10 ~~Exception: Toilet facilities with only one water closet shall not be identified for
11 exclusive use by any gender and shall be deemed to meet the requirements of this
12 section. Signage shall be provided in accordance with Section 2902.4.2.~~

13 ~~**2902.4.1 Directional signage.** Directional signage indicating the route to the required
14 public toilet facilities shall be posted in a lobby, corridor, aisle or similar space, such that
15 the sign can be readily seen from the main entrance to the building or tenant space.~~

16 ~~**2902.4.2 All gender signage.** Single-user toilet facilities provided in accordance with
17 Section 2902.1.2, and family or assisted-use toilet facilities provided in accordance with
18 Section 2902.2.1, shall be provided with signs which clearly indicate the facilities are
19 available for use by all genders.~~

20 ~~**2902.4.2.1 Existing facilities.** After December 31, 2024, all existing single-user toilet
21 facilities and family or assisted-use toilet facilities, shall be provided with signage in
22 accordance with Section 2902.4.2.~~

23 (ffkk) Section J103, "Permits required," of Appendix J, "GRADING," is amended by adding the
24 following subsections:

25 **J103.3 Compliance with code and permit requirements.** No person shall fail to
perform and no property owner shall fail to perform or fail to cause the performance of
all grading in compliance with this code, the Boulder Revised Code, and the conditions of
the grading permit.

J103.4 No adverse effects. No person shall perform and no property owner shall perform
or fail to prevent any grading that adversely affects the property of another without first
obtaining the consent of the owner of such property.

J103.5 Unsafe premises. No person shall perform and no property owner shall perform
or fail to prevent grading that results in any premises that are unsafe. For purposes of this
Appendix J, premises are considered unsafe if they are found to be dangerous to life,
health, property, or the safety of the public.

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J103.6 Abatement of unsafe premises. If the city manager determines that grading is not performed in accordance with the law and resulted in unsafe premises, the city may notify the owner of the unsafe premises, agent, or other person in control of the premises in accordance with Section 116.3 of this code. If the person so notified fails to abate the unsafe condition as required by the notice, the manager may enter the property, pursuant to an administrative warrant issued by the municipal ~~court, and~~court and abate the unsafe condition. The manager may collect the full cost of the abatement and any expense to the city related to the abatement against the property owner, agent, or other person in control of the premises, and against the financial guarantee provided under Subsection J103.7. The permit holder, property owner, and guarantor shall be jointly and severally liable for such costs and expenses. If the property owner fails or refuses to pay when due any charge imposed under this subsection, the manager may certify due and unpaid charges, including interest, to the Boulder County Treasurer for collection, as provided in Section 2-2-12, "City Manager May Certify Taxes, Charges, and Assessments to County Treasurer for Collection," B.R.C. 1981.

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J103.7 Financial guarantee. Prior to the issuance of a permit under this Appendix J, "GRADING," for any work on steep slope lots with a 15 percent or greater slope and on any projects with a cut, fill, or excavation of ten feet or more, or cut, fill, or excavation less than two feet from the property line, the permittee or property owner shall provide a financial security in the form of a performance bond or other form of guarantee approved by the city manager that will satisfy the objectives of this subsection, for the benefit of the city to secure the abatement of an unsafe condition of any premises that may result from grading work. The performance bond or other financial guarantee shall be provided for a period of two years following the expiration of the ~~permit, and~~permit and shall be for \$10,000 for construction costs less than \$10,000 and for the value of the project permit for construction costs greater than \$10,000. At the time of permit application, the permittee shall submit documentation of the project costs, subject to review and approval by the manager. A bond shall be issued by a company licensed to do business in Colorado and shall be in a form acceptable to the city attorney. The manager shall review the performance bond or other financial guarantee annually to assure that it meets the term requirements and the full current cost of the completion of the work that is guaranteed and may require the permittee to augment the performance bond or other financial guarantee amount to meet such costs.

20 (ggH) A new Chapter 36 is added to read:

21 **CHAPTER 36. COMMERCIAL CONSTRUCTION WASTE RECYCLING.**

22
23
24
3601.1 Commercial construction recycling requirement. An applicant for a building permit to construct a new building shall demonstrate all recyclable wood, metal and cardboard materials were donated, reused or recycled.

25 **3601.1.1 Reporting.** Within sixty days following the completion of the project and prior to final inspection, the applicant shall submit documentation to the city

1 manager which proves that all recyclable wood, metal and cardboard was
2 donated, reused, or recycled. The documentation shall consist of a final completed
3 waste diversion report in a form as prescribed by the city manager showing the
4 tonnage of materials salvaged for recycling and reuse, supported by original
5 weight receipts or other waste documentation that reasonably verifies that
6 materials generated from the site have been accepted for recycling, reuse, salvage
7 or otherwise diverted. For construction debris for which weighing is not practical
8 due to size, lack of scales at the facility, or other considerations, a volumetric
9 measurement shall be used. For conversion of volumetric measurements to
10 weight, the applicant shall use the standardized conversion rates established by
11 the city manager.

12
13 **3601.2 Commercial deconstruction waste recycling.** An applicant for a full demolition
14 shall adhere to the requirements of Sections 3601.2.1 through 3601.2.5.

15
16 **3601.2.1 Diversion requirements.** The applicant shall divert from landfills at
17 least seventy-five percent of the waste tonnage of demolition debris generated
18 from the project by using recycling, reuse, and diversion programs. The city
19 manager may modify this requirement if the applicant demonstrates it is
20 unfeasible as set forth in Section 3601.2.2. The materials diverted must also
21 include at least three of the material types set forth in the deconstruction plan
22 form established by the city manager.

23
24 **3601.2.2 Information required before issuance of demolition permit.** The
25 applicant shall submit a properly completed deconstruction plan in a form as
established by the city manager. The applicant must propose to divert at least
three of the material types identified by the city manager in the deconstruction
plan form. No building permit or demolition permit shall be issued prior to the
approval of the deconstruction plan by the city manager. In estimating the volume
or weight of materials identified in the deconstruction plan, the applicant shall use
the standardized conversion rates established by the city manager. The city
manager may modify the required diversion percentage if the applicant
demonstrates in the deconstruction plan that the percentage is not feasible because
the maximum weight of materials that can be reused or recycled is less than the
required diversion rate, or due to the presence of materials that are unable to be
diverted due to special waste conditions such as environmental hazards.

26
27 **3601.2.3 Administrative fee and deposit required.** Prior to issuance of a permit for a
28 full demolition or level 4 alteration as defined in the *2024~~0~~ City of Boulder Energy
29 Conservation Code*, the applicant shall post a cash deposit and pay the administrative fee
30 described in Section 4-20-72, B.R.C. 1981. The cash deposit shall be one dollar per
31 square foot of the demolition or work area of the alteration as identified in the permit
32 application, or \$1,500, whichever is greater.

33
34 **3601.2.4 Reporting.** Within sixty days following the completion of the demolition, the
35 applicant shall submit documentation to the city which proves compliance with the

1 requirements of Sections 3601.2.1 and 3601.2.2. The documentation shall consist of a
2 final completed waste diversion report in a form established by the city manager showing
3 the tonnage of materials salvaged for recycling and reuse, supported by original weight
4 receipts or other waste documentation that reasonably verifies that materials generated
5 from the site have been accepted for recycling, reuse, salvage or otherwise diverted at the
6 required diversion percentage. The documentation shall further demonstrate that the
7 diverted materials include at least three material types. For demolition debris for which
8 weighing is not practical due to size, lack of scales at facility, or other considerations, a
9 volumetric measurement shall be used. For conversion of volumetric measurements to
10 weight, the applicant shall use the standardized conversion rates established by the city
11 manager.

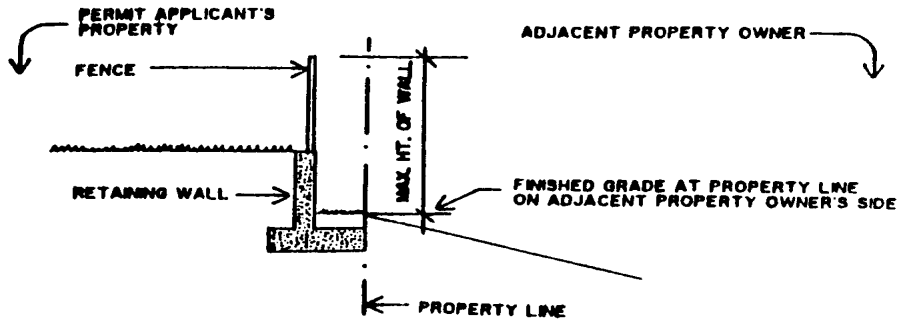
12 **3601.2.5 Deposit refunded or forfeited.** No applicant shall fail to comply with Sections
13 3601.2.1 through 3601.2.4. The deposit shall be refunded to the applicant in proportion to
14 the ratio of the actual diversion rate to the required diversion rate. If the required
15 diversion percentage is not fully complied with, the remainder of the deposit shall be
16 forfeited to the city as a civil penalty for failure to comply with the requirements of this
17 chapter, after notice and an opportunity for hearing under the procedures prescribed by
18 Chapter 1-3, "Quasi-Judicial Hearings," B.R.C. 1981. The city manager may adjust the
19 amount of the refund or forfeiture where the applicant demonstrates that the required
20 diversion percentage was not feasible based on the factors identified in Section 3601.2.2
21 for modification of the diversion percentage. The forfeiture remedy is cumulative and is
22 in addition to any other action the city manager is authorized to take, including
23 suspension or revocation of a building contractor license or prosecution in the municipal
24 court. Each 2,500 square feet of the demolition or alteration shall give rise to a separate
25 violation, and each violation is subject to a maximum fine of \$2,500.

(hhmm)A new Chapter 99 is added to the Building Code to read:

CHAPTER 99. FENCES AND WALLS.

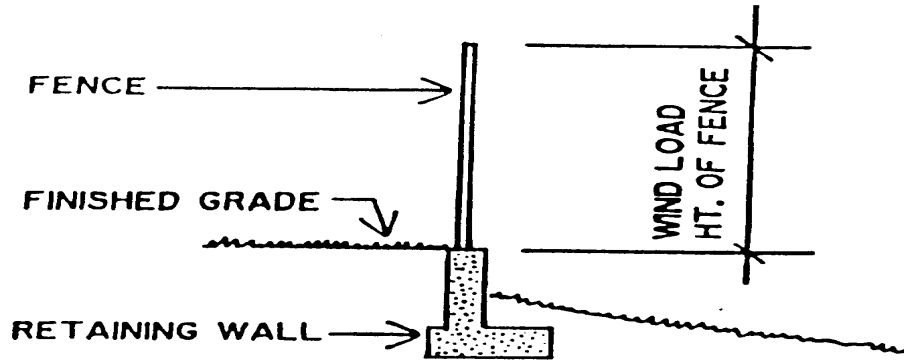
9901. Definitions.

- (1) As used herein, the term "wall" means a freestanding structure such as a fence or retaining wall.
- (2) As used herein and in Section 9-9-15, "Fences and Walls," B.R.C. 1981, the term "finished grade" means the top surfaces of lawns, walks, drives, or other improved surfaces after completion of construction or grading ~~operations,~~ but operations but not including vegetation growing on the surface.
- (3) For purposes of determining the maximum height allowable for any fence or wall other than wind load height as specified in subsection (4) of this section, refer to Section 9-9-15, "Fences and Walls," B.R.C. 1981, and the diagram below.



B.R.C. 9-9-15(c), Figure #19.

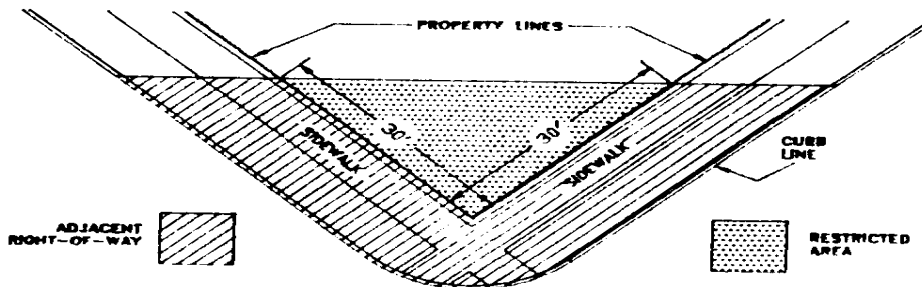
(4) For purposes of determining the maximum height allowable for any fence or wall other than wind load height as specified in subsection (4) of this section, refer to Section 9-9-15, "Fences and Walls," B.R.C. 1981, and the diagram below:



B.R.C. 9-9-15(c), Figure #20.

(5) Nothing in this section is intended to prohibit the installation of a guardrail for safety purposes which otherwise conforms to the requirements of this code.

9902. All fences and walls hereafter installed in the City shall comply with Section 9-9-15, "Fences and Walls," B.R.C. 1981, and the following provisions:



B.R.C. 9-9-7, Figure #17.

(6) Where permitted, fences exceeding seven feet in height shall conform to the zoning requirements for accessory structures.

1 Section 6. Section 10-5-3, “Adoption of Uniform Code for Abatement of Dangerous
2 Buildings With Modifications,” B.R.C. 1981, is amended to read as follows:

3 **10-5-3. Adoption of Uniform Code for Abatement of Dangerous Buildings With**
4 **Modifications.**

5 Repealed.

6 Section 7. Section 10-5.5-1, “Legislative Intent,” B.R.C. 1981, is amended to read as
7 follows:

8 **10-5.5-1. Legislative Intent.**

9 The purpose of this chapter is to protect the public health, safety, and general welfare by
10 regulating the construction, alteration, movement, enlargement, replacement, repair, equipment,
11 use and occupancy, location, removal, and demolition of detached one- and two-family
12 dwellings and townhouses, not more than three stories above grade in height with a separate
13 means of egress, and their accessory structures. The city council hereby adopts the ~~2024~~2018
14 edition of the *International Residential Code* with certain amendments thereto found to be in the
15 best interests of the city.

16 Section 8. Section 10-5.5-2, “Adoption of the International Residential Code With
17 Modifications,” B.R.C. 1981, is amended to read as follows:

18 **10-5.5-2. Adoption of the International Residential Code With Modifications.**

19 (a) The ~~2024~~2018 edition of the International Residential Code of the International Code
20 Council is hereby adopted by reference as the City of Boulder Residential Building Code
21 and has the same force and effect as though fully set forth in this chapter, except as
22 specifically amended by the provisions of this chapter.

23 (b) The Appendix chapters CC, BA, BE, BF, BO, BG, CF, BB, BI AND BJ ~~D, E, F, H, J, K,~~
24 ~~P, Q, R and S~~ and sections contained therein are adopted.

25 (c) Section R101.1, "Title," is repealed and reenacted to read:

R101.1 Title. These provisions shall be known as the Residential Code of the City of
Boulder or residential code and shall be cited as such and will be referred to herein as
"this code".

(d) Sections R102 through R114 are repealed. This code shall be administered in accordance
with Chapter 1, "Administration," of the International Building Code as adopted, with

1 amendments, by Section 10-5-2, "Adoption of International Building Code With
2 Modifications," B.R.C. 1981.

3 (e) The following definitions are added to Section R202, "Definitions":

4 COMMUNITY SOLAR GARDEN. A solar generation facility where the beneficial use
5 of the electricity generated by the facility belongs to subscribers to the solar generation
6 facility as authorized in Section 40-2-127, C.R.S.

7 FLOOR AREA. The total square footage of all levels as measured from the inside
8 finished surface of the walls, but excluding courts, garages usable exclusively for the
9 storage of motor vehicles and uninhabitable areas that are located above the highest
10 inhabitable level or below the first-floor level.

11 NEW DWELLING UNIT. A dwelling unit is considered to be a new dwelling unit when
12 the entire structure is newly built and when the dwelling unit is built on top of an existing
13 foundation, such as caissons, footings, and other foundation systems, that remains from a
14 demolished structure.

15 SHADING. Shading is the protection from heat gains because of direct solar radiation by
16 permanently attached exterior devices or building elements, interior shading devices,
17 glazing material, or adherent materials.

18 SKYLIGHT AREA. Skylight area is the area of the rough opening for the skylight.

19 SOLAR ZONE. A solar zone is a section of the roof designated and reserved for the
20 future installation of a solar electric or solar thermal system.

21 STANDARD TEST CONDITIONS. A fixed set of conditions for which PV module
22 performance is rated. These conditions are 1000 W/m² incident solar radiation, 24°C cell
23 temperature, 0.0 wind speed, and air mass 1.5 spectrum.

24 STORAGE ROOMS OR SPACES. Storage rooms or spaces are rooms or spaces with a
25 level of finish sufficient only to make the room usable for the intended storage purposes.
Rooms or areas that exceed these minimums will be considered habitable space and will
have to meet the code requirements applicable to habitable space.

(f) A new sentence is added to the end of Section R301.1, "Application," stating:

Structural calculations shall be submitted to the building official, demonstrating the
proposed construction meets the applicable requirements for design loads.

(g) The climatic and geographic design criteria applicable to Table R301.2(1) are:

Ground snow load = 40 pounds per square foot, $P_g = 40 \text{ lb/ft}^2$.

1 Three-second wind gust velocity = 150 mph east of Broadway, 165 mph west of
2 Broadway

3 Topographic effects = Yes

4 Special wind region = Yes

5 Windborne debris zone = No

6 Seismic Design Category = B

7 Weathering = severe

8 Frost line depth = 32 inches

9 Termite = slight

10 Decay = none to slight

11 Winter Design Temp = 2 degrees Fahrenheit

12 Ice barrier underlayment required = NO

13 Flood Hazards = See Sections 9-3-3 through 9-3-9, B.R.C. 1981

14 Air freezing index = 459

15 Mean annual temp = 52.1

16 Elevation = 5,385 feet

17 Latitude = 40 degrees

18 Winter Heating = 0 degrees Fahrenheit

19 Summer Cooling = 91 degrees Fahrenheit

20 Altitude Correction Factor= 0.821

21 Indoor Design Temperature = 72 degrees Fahrenheit

22 Design Temperature Cooling = 75 degrees Fahrenheit

23 Heating Temperature difference = 66 degrees Fahrenheit

24 Cooling Temperature difference = 18 degrees Fahrenheit

25 Wind Velocity Heating = 15

Wind Velocity Cooling = 7.5

Coincident Wet Bulb = 59 degrees Fahrenheit

Daily Range = High

Winter Humidity = 30%

Summer Humidity = 50%

- (h) Section R301.2.4, "Floodplain construction": A new sentence is added to the end of the section reading "All work on structures in the scope of this code shall also meet the requirements of Sections 9-3-2 through 9-3-9, B.R.C 1981."

1 (i) The exception listed in Section R302.2, "Townhouses," is repealed and reenacted to read:

2
3 ~~**Exception:** A common 1-hour fire-resistance-rated wall assembly tested in accordance~~
4 ~~with ASTM E 119 or UL 263 is permitted for townhouses equipped throughout with an~~
5 ~~automatic sprinkler system installed in accordance with the requirements of Section~~
6 ~~P2904 if such walls do not contain plumbing or mechanical equipment, ducts, or vents in~~
7 ~~the cavity of the common wall. The wall shall be rated for fire exposure from both sides~~
8 ~~and shall extend to and be tight against exterior walls and the underside of the roof~~
9 ~~sheathing. Electrical installations shall be installed in accordance with chapters 34~~
10 ~~through 41 and chapter 43. Penetrations of electrical outlet boxes shall be in accordance~~
11 ~~with Section R302.4. For townhouses not equipped throughout with an automatic~~
12 ~~sprinkler system installed in accordance with the requirements of Section P2904, a~~
13 ~~common 2-hour fire-resistance-rated wall is permitted if such walls do not contain~~
14 ~~plumbing or mechanical equipment, ducts or vents in the cavity of the common wall.~~
15 ~~Electrical installations shall be installed in accordance with chapters 34 through 41 and~~
16 ~~chapter 43. Penetrations of electrical outlet boxes shall be in accordance with Section~~
17 ~~R302.4.~~

11 Section R306, "Flood-resistant construction," is repealed and reenacted to read:

12 **R306 Flood resistant construction.** Buildings and structures constructed in whole or in
13 part in the floodplain must be designed and constructed in accordance with the floodplain
14 regulations of Title 9, Land Use Code, B.R.C. 1981.

14 (j) ~~The first sentence of the Exception to Item 2 in Section R302.2.4, "Parapets for~~
15 ~~townhouses," is amended by deleting "a minimum class C roof covering" and replacing it~~
16 ~~with "a minimum Class B roof covering."~~

17 (j) A new Section R333, Construction Waste Management, is added to read:

SECTION R333 CONSTRUCTION WASTE MANAGEMENT

19 **R333.1 Residential construction waste recycling.** An applicant for a building permit to
20 construct a new dwelling unit shall demonstrate all recyclable wood, metal and cardboard
21 materials were donated, reused or recycled.

21 **R333.1.1 Reporting.** Within sixty days following rough inspections and prior to final
22 inspection, the applicant shall submit documentation to the city manager which proves
23 that all recyclable wood, metal and cardboard was donated, reused, or recycled. The
24 documentation shall consist of a final completed waste diversion report in a form as
25 prescribed by the city manager showing the tonnage of materials salvaged for recycling
and reuse, supported by original weight receipts or other waste documentation that
reasonably verifies that materials generated from the site have been accepted for
recycling, reuse, salvage or otherwise diverted. For construction debris for which
weighing is not practical due to size, lack of scales at the facility, or other considerations,

1 a volumetric measurement shall be used. For conversion of volumetric measurements to
2 weight, the applicant shall use the standardized conversion rates established by the city
3 manager.

4 **R333.2 Residential deconstruction waste recycling.** An applicant for a full demolition
5 shall adhere to the requirements of Sections R333.2.1 through R333.2.5.

6 **R333.2.1 Diversion requirements.** The applicant shall divert from landfills at least
7 seventy-five percent of the waste tonnage of demolition debris generated from the project
8 by using recycling, reuse, and diversion programs. The building official may modify this
9 requirement if the applicant demonstrates it is unfeasible as set forth in Section R333.2.2.
10 The materials diverted must also include at least three of the material types set forth in
11 the deconstruction plan form established by the city manager.

12 **R333.2.2 Information required before issuance of demolition and/or building**
13 **permit.** The applicant shall submit a properly completed deconstruction plan in a form as
14 established by the city manager. The applicant must propose to divert at least three of the
15 material types identified by the building official in the deconstruction plan form. No
16 building permit or demolition permit shall be issued prior to the approval of the
17 deconstruction plan by the building official. In estimating the volume or weight of
18 materials identified in the deconstruction plan, the applicant shall use the standardized
19 conversion rates established by the building official. The building official may modify
20 the required diversion percentage if the applicant demonstrates in the deconstruction plan
21 that the percentage is not feasible because the maximum weight of materials that can be
22 reused or recycled is less than the required diversion rate, or due to the presence of
23 materials that are unable to be diverted due to special waste conditions such as
24 environmental hazards.

25 **R333.2.3 Administrative fee and deposit required.** Prior to issuance of a permit for a
26 full demolition or level 4 alteration as defined in the 2024 City of Boulder Energy
27 Conservation Code, the applicant shall post a cash deposit and pay the administrative fee
28 described in Section 4-20-72, B.R.C. 1981. The cash deposit shall be one dollar per
29 square foot of the demolition or work area of the alteration as identified in the permit
30 application, or \$1,500, whichever is greater.

31 **R333.2.4 Reporting.** Within sixty days following the completion of the demolition or
32 alteration, the applicant shall submit documentation to the city which proves compliance
33 with the requirements of Sections R328.2.1 and R328.2.2. The documentation shall
34 consist of a final completed waste diversion report in a form established by the building
35 official showing the tonnage of materials salvaged for recycling and reuse, supported by
36 original weight receipts or other waste documentation that reasonably verifies that
37 materials generated from the site have been accepted for recycling, reuse, salvage or
38 otherwise diverted at the required diversion percentage. The documentation shall further
39 demonstrate that the diverted materials include at least three material types. For
40 demolition debris for which weighing is not practical due to size, lack of scales at facility,
41 or other considerations, a volumetric measurement shall be used. For conversion of

1 volumetric measurements to weight, the applicant shall use the standardized conversion
2 rates established by the building official.

3 **R333.2.5 Deposit refunded or forfeited.** No applicant shall fail to comply with Sections
4 R328.2.1 through R328.2.4. The deposit shall be refunded to the applicant in proportion
5 to the ratio of the actual diversion rate to the required diversion rate. If the required
6 diversion percentage is not fully complied with, the remainder of the deposit shall be
7 forfeited to the city as a civil penalty for failure to comply with the requirements of this
8 chapter, after notice and an opportunity for hearing under the procedures prescribed by
9 Chapter 1-3, "Quasi-Judicial Hearings," B.R.C. 1981. The city manager may adjust the
10 amount of the refund or forfeiture where the applicant demonstrates that the required
11 diversion percentage was not feasible based on the factors identified in Section R328.2.2
12 for modification of the diversion percentage. The forfeiture remedy is cumulative and is
13 in addition to any other action the city manager is authorized to take, including
14 suspension or revocation of a building contractor license or prosecution in the municipal
15 court. Each 2,500 square feet of the demolition or alteration shall give rise to a separate
16 violation, and each violation is subject to a maximum fine of \$2,500.

17 (k) Section R302.5.1, "Opening protection," is repealed and reenacted to read:
18 **R302.5.1 Opening protection.** Openings from a garage directly into a room used for
19 sleeping purposes shall not be permitted. Other openings between the garage and
20 residence shall be equipped with weather-stripped, solid wood doors not less than 1 and
21 3/8 inches (35 mm) in thickness, solid or honeycomb-core steel doors not less than 1 and
22 3/8 inches (35 mm) in thickness, or 20-minute fire-rated doors, equipped with a self-
23 closing device.

24 The first paragraph of Section R401.1, "Application," is repealed and reenacted to read:

25 **R401.1 Application.** The provisions of this chapter shall control the design and
construction of the foundation and foundation spaces for all buildings. In addition to the
provisions of this chapter, the design and construction of foundations in a floodplain as
established in Title 9, Land Use Code, B.R.C. 1981, shall meet all applicable provisions
of Title 9, Land Use Code, B.R.C. 1981. Where, in any specific case, the provisions of
this code and the B.R.C. are in conflict, the most restrictive shall govern. Where there is a
conflict between a general requirement and a specific requirement, the specific
requirement shall be applicable. Wood foundations shall be designed and installed in
accordance with AF&PA PWF.

(l) Section R311.2, "Egress doors," is repealed and reenacted to read:
R311.2 Egress doors. At least one egress door shall be provided for each dwelling unit.
The egress door shall be side hinged, and shall provide a minimum clear width of 32
inches (813 mm) when measured between the face of the door and the stop, with the door
open 90 degrees (1.57 rad). The minimum clear height of the door opening shall not be
less than 78 inches (1981 mm) in height measured from the top of the threshold to the
bottom of the stop.

1 A new Section R401.5, "Placement of backfill," is added to read:

2 **R401.5 Placement of backfill.** The provisions of Section 1804.3 of the Building Code of
3 the City of Boulder shall apply to the placement of backfill.

4 (m) The following sentences are added to the end of Section R311.7.5.1, "Risers":

5 Where the bottom or top riser adjoins a sloping public way, walkway, or driveway having
6 an established grade and serving as a landing, the bottom or top riser is permitted to be
7 reduced along the slope, with the variation in height of the bottom or top riser not to
8 exceed one unit vertical in 12 units horizontal (8-percent slope) of stairway width. The
9 nosings or leading edges of treads at such non-uniform height risers shall have a
10 distinctive marking stripe, different from any other nosing marking provided on the stair
11 flight. The distinctive marking stripe shall be visible in descent of the stair and shall have
12 a slip-resistant surface. Marking stripes shall have a width of at least 1 inch (25 mm) but
13 not more than 2 inches (51 mm).

14 Section R408.7, "Flood resistance," is repealed and reenacted to read:

15 **R408.7 Flood resistance.** Buildings located in a floodplain as established in Title 9, Land
16 Use Code, B.R.C. 1981, shall comply with the applicable provisions in Title 9, Land Use
17 Code, B.R.C. 1981.

18 (n) ~~A new Section R311.9, "Access to exterior balconies, porches, decks, and other walking
19 surfaces from the interior of the building," is added, reading as follows:~~

20 ~~**R311.9 Access to exterior balconies, porches, decks, and other walking surfaces
21 from the interior of the building.** Access to exterior balconies, porches, decks, and
22 other walking surfaces from the interior of the building shall be through a side-hinged or
23 sliding glass door and shall provide a minimum clear width of 24 inches (610 mm), when
24 measured between the face of the door and the stop, when the door, other than the sliding
25 glass door, is open 90 degrees (1.57 rad). The minimum clear height of the door opening
shall not be less than 78 inches (1981 mm) in height, measured from the top of the
threshold to the bottom of the stop. Access to exterior balconies, porches, decks, and
other walking surfaces from the interior of the building for the required egress door shall
meet the provisions of Section 311.2 for required height and width.~~

26 Section R315.1, "Carbon monoxide alarms," is repealed and reenacted to read:

27 **R315.1 Carbon monoxide alarms.** For new construction, an approved carbon monoxide
28 alarm shall be installed outside each sleeping area in the immediate vicinity of bedrooms
29 in dwelling units within which fuel-fired appliances are installed and in dwelling units
30 and accessory structures containing habitable space that have attached garages. All
31 carbon monoxide alarms shall be installed so as to meet the requirements of Section
32 R315, Carbon monoxide alarms, and of the applicable provisions of Sections 38-45-101
33 through 106, C.R.S. Where the provisions of this code and the C.R.S. are in conflict, the

1 most restrictive shall govern. Where there is a conflict between a general requirement and
2 a specific requirement, the specific requirement shall be applicable.

- 3 (n) Item 3 of Section R806.5, "Unvented attic and unvented enclosed rafter assemblies," is
4 deleted.

5 ~~Section R322, "Flood resistant construction," is repealed and reenacted to read:~~
6 **R322 Flood resistant construction.** Buildings and structures constructed in whole or in
7 part in the floodplain must be designed and constructed in accordance with the floodplain
8 regulations of Title 9, Land Use Code, B.R.C. 1981.

9 Section R902.1, "Roof assemblies," is repealed and reenacted to read:

10 **R902.1 Roof covering materials.** All roof covering materials shall be listed as Class A
11 as tested in accordance with UL Standard 790 or ASTM Standard E 108. Roof assemblies
12 with covering of brick, masonry, slate, clay, or concrete roof tile, exposed concrete roof
13 deck, ferrous or copper shingles or sheets, and metal sheets and shingles, shall be
14 considered Class A roof coverings. Unless otherwise specified in this section, roof
15 coverings shall be installed to resist the component and cladding loads specified in table
16 R301.2(2), adjusted for height and exposure in accordance with table R301.2(3).

- 17 (q) ~~A new Section R328, Construction Waste Management, is added to read:~~

- 18 (o) Exception 1 in Section R703.2, "Water-resistive barrier," is repealed and reenacted to
19 read:

20 **Exception 1:** In detached accessory buildings which are not intended to be
21 conditioned and where the interior wall cavities will remain exposed and unfilled.

- 22 (v) ~~Exception 3 of Section R806.5, "Unvented attic and unvented enclosed rafter~~
23 ~~assemblies," is deleted.~~

- 24 (w) ~~Section R902.1, "Roof covering materials," is repealed and reenacted to read:~~

25 **R902.1 Roof covering materials.** All roof covering materials shall be listed as Class A
as tested in accordance with UL Standard 790 or ASTM Standard E 108. Roof assemblies
with covering of brick, masonry, slate, clay, or concrete roof tile, exposed concrete roof
deck, ferrous or copper shingles or sheets, and metal sheets and shingles, shall be
considered Class A roof coverings. Unless otherwise specified in this section, roof
coverings shall be installed to resist the component and cladding loads specified in table
R301.2(2), adjusted for height and exposure in accordance with table R301.2(3).

- (p*) Section R905.7, "Wood shingles," is repealed and reenacted to read:

1 **R905.7 Wood shingles.** Wood shakes, wood shingles, and wood roof covering materials
2 are prohibited except as provided in Section 10-5-5, "Wood Roof Covering Materials
Prohibited," B.R.C. 1981, for certain minimal repairs.

3 (~~qy~~) Section R905.8, "Wood shakes," is repealed and reenacted to read:

4 **R905.8 Wood shakes.** Wood shakes, wood shingles, and wood roof covering materials
5 are prohibited except as provided in Section 10-5-5, "Wood Roof Covering Materials
Prohibited," B.R.C. 1981, for certain minimal repairs.

6 (~~rz~~) Chapter 11, "Energy Efficiency." Sections N1101 through N111305 are repealed. A new
7 Section N1101 is added to read:

8 **N1101 Scope.** Regulations concerning the design and construction of buildings for the
9 effective use of energy and requirements for green building practices shall be
administered in accordance with the ~~20240~~ *City of Boulder Energy Conservation Code* as
adopted by Chapter 10-7, "Energy Conservation Code," B.R.C. 1981.

10 (~~saa~~) Section M1301.1.1, "Flood-resistant installation," is repealed and reenacted to read:

11 **M1301.1.1 Flood-resistant installation.** In floodplains, as established in Title 9, Land
12 Use Code, B.R.C. 1981, the mechanical appliances, equipment and systems shall be
located or installed in accordance with the applicable provisions of Title 9, Land Use
13 Code, B.R.C. 1981.

14 (~~tbb~~) A new Section M1308.3, "Rooftop equipment support and clearances," is added to read:

15 **M1308.3 Rooftop equipment support and clearances.**

16 (1) Mechanical equipment placed, replaced, or resting over roofing shall be supported
17 by curbs or legs which shall be flashed to the roofing and made watertight.
Mechanical equipment includes, but is not limited to, heating equipment, cooling
18 and refrigeration equipment, ventilating fans, blowers, and other similar devices
located on the roof.

19 (2) Flat roofs. On roofs having a pitch of less than 2 in 12, mechanical equipment
20 shall be supported on a solid curb greater in size than the equipment which it
serves. Curbs may be manufactured or built-in-place. If built-in-place, the curb
21 shall be covered with metal of at least 26 gauge. The metal shall be weather-tight.
The curb shall be a minimum of 9 inches above the finished roof.

22 (A) Ducts less than 4 feet in width shall have at least 12 inches clearance from
23 the finished roof surface to the bottom of the duct.

24 (B) Ducts between 4 feet and 8 feet in width shall have at least 24 inches
clearance from the finished roof surface to the bottom of the duct.

25 (C) Ducts over 8 feet in width shall have at least 36 inches clearance from the
finished roof surface to the bottom of the duct.

1 (3) Pitched roofs. On roofs having a roof pitch exceeding 2 in 12, mechanical
2 equipment may be set on legs which provide a minimum of 11 inches clearance
between the finished roof surface and the equipment frame.

3 (~~uee~~) Section M1401.5, "Flood hazard," is repealed and reenacted to read:

4 **M1401.5 Flood hazard.** In floodplains, as established in Title 9, Land Use Code, B.R.C.
5 1981, heating and cooling equipment and appliances shall be located or installed in
accordance with the provisions of Title 9, Land Use Code, B.R.C. 1981.

6 (~~ydd~~) Section M1601.4.10, "Flood hazard areas," is repealed and reenacted to read:

7 **M1601.4.10 Flood hazard areas.** In floodplains, as established in Title 9, Land Use
8 Code, B.R.C. 1981, duct systems shall be located or installed in accordance with the
provisions of Title 9, Land Use Code, B.R.C. 1981.

9 (~~wee~~) A new sentence is added to Section M1602.2, "Return air openings," to read:

10 11. Within individual dwelling units there shall be at least one return air opening on each
11 floor.

12 (~~xff~~) Section M2001.4, "Flood-resistant installation," is repealed and reenacted to read:

13 **M2001.4 Flood-resistant installation.** In floodplains, as established in Title 9, Land Use
14 Code, B.R.C. 1981, boilers, water heaters and their control systems shall be located or
installed in accordance with the provisions of Title 9, Land Use Code, B.R.C. 1981.

15 (~~ygg~~) Section M2201.6, "Flood-resistant installation," is repealed and reenacted to read:

16 **M2201.6 Flood-resistant installation.** In floodplains, as established in Title 9, Land Use
17 Code, B.R.C. 1981, tanks shall be located or installed in accordance with the provisions
of Title 9, Land Use Code, B.R.C. 1981.

18 (~~zhh~~) Section G2404.7, "Flood hazard," is repealed and reenacted to read:

19 **G2404.7 Flood hazard.** In floodplains, as established in Title 9, Land Use Code, B.R.C.
20 1981, the appliance, equipment, and system installations regulated by this code shall be
21 located or installed in accordance with the provisions of Title 9, Land Use Code, B.R.C.
1981.

22 (~~aañ~~) ~~Items 2 and 3 of~~ Section G2427.8, "Venting system termination- clearances ~~location~~," is
23 amended by adding ~~are amended by adding~~ a new sentence to the end of the section
reading:

24 ~~of each Items 2 and 3, reading:~~

1 Mechanical draft venting system and through-the-wall direct vent terminals shall
2 terminate a minimum of 18 inches (46 mm) above finished grade in the immediate
3 vicinity of each vent.

4 Vents shall terminate a minimum of 18 inches (46 mm) above finished grade in the
5 immediate vicinity of each vent.

6 (jj) ~~Section P2503.7, "Water supply system testing," is repealed and reenacted to read:~~

7 ~~**P2503.7 Water supply system testing.** Upon completion of the water supply system or a
8 portion of it, the system or portion completed shall be tested and proved tight under a
9 water pressure of not less than the working pressure of the system or by an air test of not
10 less than 100 psi (689.5 kPa). This pressure shall be held for not less than 15 minutes.
11 The water used for tests shall be obtained from a potable water source.~~

12 (bbkk) The Exception to Section P2601.2, "Connections to drainage system," is deleted in its
13 entirety.

14 (ccH) Section P2601.3, "Flood hazard areas," is repealed and reenacted to read:

15 **P2601.3 Flood hazard areas.** In floodplains, as established in Title 9, Land Use Code,
16 B.R.C. 1981, plumbing fixtures, drains, and appliances shall be located or installed in
17 accordance with the provisions of Title 9, Land Use Code, B.R.C. 1981.

18 (ddmm) ~~The first sentence of Section P2602.2, "Flood-resistant installation," is repealed and
19 reenacted to read:~~

20 In floodplains, as established in Title 9, Land Use Code, B.R.C. 1981:

21 Items 1 and 2 remain unchanged.

22 (mmnn) ~~Table P2903.2, "Maximum Flow Rates and Consumption for Plumbing Fixtures and
23 Fixture Fittings," shall be repealed and reenacted to read:~~

PLUMBING FIXTURE OR FIXTURE FITTING	PLUMBING FIXTURE OR FIXTURE FITTING
Lavatory Faucet	1.5 gpm at 60 psi
Shower Head	2.0 gpm at 60 psi
Sink Faucet	1.5 gpm at 60 psi
Water Closet	1.28 gallons per flushing cycle

24 For SI: 1 gallon per minute = 3.785 L/m,
25 1 pound per square inch = 6.895 kPa.

1 a. ~~— A handheld shower spray is also a shower head.~~

2 b. ~~— Consumption tolerances shall be determined from referenced standards.~~

3 (~~eee~~) Section P3001.3, "Flood-resistant installation," is repealed and reenacted to read:

4 **P3001.3 Flood-resistant installation.** In floodplains, as established in Title 9, Land Use
5 Code, B.R.C. 1981, drainage, wastes, and vent systems shall be located and installed to
6 prevent infiltration of floodwaters into the systems and discharges from the systems into
7 floodwaters.

8 (~~fff~~) Section P3009, "Subsurface Landscape Irrigation Systems Greywater Soil Absorption
9 Systems," is deleted in its entirety.

10 (~~ggg~~) Section P3101.5, "Flood resistance," is repealed and reenacted to read:

11 **P3101.5 Flood resistance.** In floodplains, as established in Title 9, Land Use Code,
12 B.R.C. 1981, vents shall be located or installed in accordance with the provisions of Title
13 9, Land Use Code, B.R.C. 1981.

14 (~~hhh~~) Appendix ~~BEF~~, "Radon Control Method," is hereby repealed and reenacted to read as
15 follows:

16 **APPENDIX ~~BEF~~**
17 **RADON CONTROL METHOD**

18 The requirements of Appendix ~~BE F~~ to the 2024~~18~~ edition of the *International*
19 *Residential Code* of the International Code Council shall hereby be complied with which
20 appendix is hereby adopted by reference as part of the City of Boulder Residential Code
21 and have the same force and effect as though fully set forth in this subsection.

22 (~~iiss~~) Appendix ~~CFP~~, "Sizing of Water Piping System," is hereby repealed and reenacted to
23 read as follows:

24 **APPENDIX ~~CFP~~**
25 **SIZING OF WATER PIPING SYSTEM**

The requirements of Appendix ~~CFP~~ to the 2024~~18~~ edition of the *International Residential*
Code of the International Code Council shall hereby be complied with which appendix is
hereby adopted by reference as part of the City of Boulder Residential Code and have the
same force and effect as though fully set forth in this subsection, except as specifically
amended by the provisions of this subsection.

(~~jjt~~) Appendix ~~BBQ~~, "Tiny Houses," is hereby repealed and reenacted to read as follows:

APPENDIX ~~BBQ~~
TINY HOUSES

1 The requirements of Appendix ~~BBQ~~ to the 2024~~18~~ edition of the *International*
2 *Residential Code* of the International Code Council shall hereby be complied with which
3 appendix is hereby adopted by reference as part of the City of Boulder Residential Code
4 and have the same force and effect as though fully set forth in this subsection, except as
specifically amended by the provisions of this subsection.

5 ~~AQ101.1 "Scope" is hereby repealed and reenacted to read as follows:~~

6 ~~This appendix shall be applicable to tiny houses used as single dwelling units. Tiny~~
7 ~~houses shall comply with this code except as otherwise stated in this appendix. Tiny~~
8 ~~houses shall be on permanent foundations and permanently connected to utilities, as~~
9 ~~required by this code. Tiny houses constructed off-site shall be inspected and approved~~
10 ~~for compliance with this code, by third party special inspectors pre-approved by the~~
11 ~~building official. The building official may use the provisions of the City of Boulder~~
12 ~~Building Code to administer the requirements for approving special inspectors.~~

13 BB101.1 "Scope" is hereby repealed and reenacted to read as follows:

14 This appendix shall be applicable to site built tiny houses used as single dwelling units.
15 Tiny houses shall comply with this code except as otherwise stated in this appendix. Tiny
16 houses shall be on permanent foundations and permanently connected to utilities, as
17 required by this code. Tiny houses constructed off-site shall be built and installed in
18 accordance with C.R.S. § 24-32-3311(6).

19 ~~(ttuu) A new footnote notation "b" is added to the heading and a new footnote "b" is added to~~
20 ~~AP Table AP103.3(2), "Load values assigned to fixtures," reading:~~

21 ~~b. For the purpose of determining the largest instantaneous demand required in order to size~~
22 ~~a water meter, this table is repealed and replaced by Chapter 11-1-35, "Meter Size~~
23 ~~Requirements," B.R.C. 1981.~~

24 Section 9. Section 10-5.6.1, "Legislative Intent," B.R.C. 1981, is amended to read as
25 follows:

10-5.6-1. Legislative Intent.

26 The purpose of this chapter is to protect the public health and safety by regulating the repair,
27 alteration, change of occupancy, addition to and relocation of existing buildings in the city. This
28 chapter is intended to encourage the use and reuse of existing buildings while requiring
29 reasonable upgrades and improvements. The city council hereby adopts the 2024~~18~~ edition of the
30 *International Existing Building Code* with certain amendments, additions and deletions found to
31 be in the best interests of the city.

1 Section 10. Section 10-5.6.2, “Adoption of the International Existing Building Code
2 With Modifications,” B.R.C. 1981, is amended to read as follows:

3 **10-5.6-2. Adoption of the International Existing Building Code With Modifications.**

4 (a) The ~~2024~~¹⁸ edition of the *International Existing Building Code* of the International Code
5 Council is hereby adopted by reference as the City of Boulder Existing Building Code
6 and has the same force and effect as though fully set forth in this chapter, ~~except as~~
7 ~~specifically amended by the provisions of this chapter. This code shall be administered in~~
8 ~~accordance with Chapter 1, "Administration," of the International Building Code as~~
9 ~~adopted, with amendments, by Section 10-5-2, "Adoption of International Building Code~~
10 ~~With Modifications," B.R.C. 1981.~~

11 (b) ~~Section 104.2.1, Determination of substantially improved or substantially damaged~~
12 ~~existing buildings and structures in flood hazard areas, is amended by the addition of a~~
13 ~~new sentence to read:~~

14 ~~"In floodplains, as established in Title 9, Land Use Code, all work on structures in the~~
15 ~~scope of this code shall also be in accordance with the provisions of Title 9, Land Use~~
16 ~~Code, B.R.C. 1981."~~

17 Section 101.1, “Title” is repealed and reenacted to read:

18 101.1 Title. These regulations shall be known as the Existing Building Code of the City
19 of Boulder or existing building code and shall be cited as such and will be referred to
20 herein as “this code.”

21 (c) ~~Section 104.10.1, "Flood hazard areas," is repealed and reenacted to read:~~

22 ~~In floodplains, as established in Title 9, Land Use Code, all work on structures in the~~
23 ~~scope of this code shall also be in accordance with the provisions of Title 9, Land Use~~
24 ~~Code, B.R.C. 1981.~~

25 Sections 102 through 103 are repealed. This code shall be administered in accordance
26 with Chapter 1, "Administration," of the International Building Code as adopted, with
27 amendments, by Section 10-5-2, "Adoption of International Building Code with
28 Modifications," B.R.C. 1981.

29 (d) Section 104.2.4.1, "Flood hazard areas," is repealed and reenacted to read:

30 In floodplains, as established in Title 9, Land Use Code, all work on structures in the
31 scope of this code shall also be in accordance with the provisions of Title 9, Land Use
32 Code, B.R.C. 1981.

1 (e) Section 104.3.1, "Determination of substantially improved or substantially damaged
2 existing buildings and structures in flood hazard areas", is amended by the addition of a
3 new sentence to read:

4 "In floodplains, as established in Title 9, Land Use Code, all work on structures in the
5 scope of this code shall also be in accordance with the provisions of Title 9, Land Use
6 Code, B.R.C. 1981."

7 (fd) Section 109.3.3, "Lowest floor elevation," is repealed and reenacted to read:

8 In floodplains, as established in Title 9, Land Use Code, all work on structures in the
9 scope of this code shall also be in accordance with the provisions of Title 9, Land Use
10 Code, B.R.C. 1981.

11 (ge) Section 301.3 Alteration, addition or change of occupancy, is amended by replacing the
12 exception with the following:

13 Exception:

14 Subject to the approval of the code official, alterations complying with the laws in
15 existence at the time the building or the affected portion of the building was built
16 shall be considered in compliance with the provisions of this code. New structural
17 members added as part of the alteration shall comply with the International
18 Building Code. This exception shall not apply to alterations that constitute
19 substantial improvement in flood hazard areas, which shall comply with Section
20 503.2, 701.3 or 1301.3.3; and in accordance with the provisions of Title 9, Land
21 Use Code, B.R.C. 1981. This exception shall not apply to the structural provisions
22 of Chapter 5 or to the structural provisions of Sections 706, 806 and 906.

23 (hf) Section 401.3 "Flood hazard areas" is repealed and reenacted to read:

24 In floodplains, as established in Title 9, Land Use Code, all work on structures in the
25 scope of this code shall also be in accordance with the provisions of Title 9, Land Use
Code, B.R.C. 1981.

(ig) Section 405.2.6~~5~~ "Flood hazard areas" is repealed and reenacted to read:

In floodplains, as established in Title 9, Land Use Code, all work on structures in the
scope of this code shall also be in accordance with the provisions of Title 9, Land Use
Code, B.R.C. 1981.

(jh) Section 502.2~~3~~ "Flood hazard areas" is repealed and reenacted to read:

In floodplains, as established in Title 9, Land Use Code, all work on structures in the
scope of this code shall also be in accordance with the provisions of Title 9, Land Use
Code, B.R.C. 1981.

1 (k†) Section 503.2 Flood hazard areas is repealed and reenacted to read:

2
3 In floodplains, as established in Title 9, Land Use Code, all work on structures in the
4 scope of this code shall also be in accordance with the provisions of Title 9, Land Use
Code, B.R.C. 1981.

5 (lj) Section 507.3 "Flood hazard areas" is repealed and reenacted to read:

6 In floodplains, as established in Title 9, Land Use Code, all work on structures in the
7 scope of this code shall also be in accordance with the provisions of Title 9, Land Use
Code, B.R.C. 1981.

8 (mk) Section 701.3 "Flood hazard areas" is repealed and reenacted to read:

9 In floodplains, as established in Title 9, Land Use Code, all work on structures in the
10 scope of this code shall also be in accordance with the provisions of Title 9, Land Use
Code, B.R.C. 1981.

11 (nl) Section 1103.3 "Flood hazard areas" is repealed and reenacted to read:

12 In floodplains, as established in Title 9, Land Use Code, all work on structures in the
13 scope of this code shall also be in accordance with the provisions of Title 9, Land Use
Code, B.R.C. 1981.

14 (om) Section 1201.4 "Flood hazard areas" is repealed and reenacted to read:

15 In floodplains, as established in Title 9, Land Use Code, all work on structures in the
16 scope of this code shall also be in accordance with the provisions of Title 9, Land Use
Code, B.R.C. 1981.

17 (pn) Section 1301.3.3 "Compliance with flood hazard provisions" is repealed and reenacted to
18 read:

19 **1301.3.3 Compliance with flood hazard provisions.** In floodplains, as established in
20 Title 9, Land Use Code, all work on structures in the scope of this code shall also be in
accordance with the provisions of Title 9, Land Use Code, B.R.C. 1981.

21 (qø) Section 1402.6 "Flood hazard areas" is repealed and reenacted to read:

22 If relocated or moved into a flood hazard area, as established in Title 9, Land Use Code,
23 all work on structures in the scope of this code shall also be in accordance with the
provisions of Title 9, Land Use Code, B.R.C. 1981.

24 (p) ~~Section 803.2.2 "Groups A, B, E, F 1, H, I, M, R 1, R 2, R 4, S 1 and S 2" is repealed
25 and reenacted to read:~~

1 In buildings with occupancies in Groups A, B, E, F-1, H, I, M, R-1, R-2, R-4, S-1 and S-
2 2, ~~work areas that have exits or corridors shared by more than one tenant or that have~~
3 ~~exists or corridors serving an occupant load greater than 30 shall be provided with~~
4 ~~automatic sprinkler protection where both of the following conditions occur:~~

- 4 1. ~~The work area is required to be provided with automatic sprinkler protection in~~
5 ~~accordance with the *International Building Code* as applicable to new~~
6 ~~construction.~~
- 5 2. ~~The work area exceeds 50 percent of the floor area.~~

6 (q) ~~Section 904.1.4 Other required automatic sprinkler systems, is repealed and reenacted to~~
7 ~~read:~~

8 ~~**904.1.4 Other required automatic sprinkler systems.** In buildings and areas listed in~~
9 ~~Table 903.2.11.6 of the *International Building Code*, work areas that have exits or~~
10 ~~corridors shared by more than one tenant or that have exits or corridors serving an~~
11 ~~occupant load greater than 30 shall be provided with an automatic sprinkler system under~~
12 ~~the following conditions:~~

- 11 1. ~~The work area is required to be provided with an automatic sprinkler system in~~
12 ~~accordance with the *International Building Code* applicable to new construction.~~

13 (r) APPENDIX B, "SUPPLEMENTARY ACCESSIBILITY REQUIREMENTS FOR
14 EXISTING BUILDINGS AND FACILITIES," and sections contained therein are
15 adopted.

15 Section 11. Section 10-6-2, "Adoption of the National Electrical Code With

16 Modifications," B.R.C. 1981, is amended to read as follows:

17 **10-6-2. Adoption of the National Electrical Code With Modifications.**

18 (a) The current National Electrical Code of the National Fire Protection Association, as
19 currently adopted by the State of Colorado or as is from time to time modified, reenacted
20 or readopted by the State of Colorado is hereby adopted by reference as the City of
21 Boulder Electrical Code or electrical code and has the same force and effect as though
22 fully set forth in this chapter, except as specifically amended by the provisions of this
23 chapter.

22 (b) This code shall be administered in accordance with Chapter 1, Administration, of the
23 202418 edition of the International Building Code and Appendix K, Administrative
24 Provisions, of the 202418 edition of the International Building Code, as adopted,
25 respectively, with amendments, by Section 10-5-2, "Adoption of the International
Building Code With Modifications," B.R.C. 1981.

1 Section 12. Section 10-6-3, “Arc-Fault Circuit-Interrupter Protection in Existing
2 Dwelling Units,” is deleted in its entirety and reserved:

3 ~~When electrical panels or sub-panels are replaced or added in existing dwelling units, arc-~~
4 ~~fault circuit interrupter protection shall be provided for each replaced or added electrical~~
5 ~~panel or subpanel meeting the standards for new construction under the City of Boulder~~
6 ~~Electrical Code. The listed arc-fault circuit interrupter protective device shall be located~~
7 ~~at the origin of each circuit requiring protection.~~

8 Section 13. Section 10-8-1, “Legislative Intent,” B.R.C. 1981, is amended to read as
9 follows:

10 **10-8-1. Legislative Intent.**

11 The purpose of this chapter is to protect public health and safety by regulating the use, condition,
12 construction, alteration, and repair of property, structures, and occupancies in the city in order to
13 prevent the ignition and spread of fire and risk of harm to persons or property from fire and other
14 causes. The city council hereby adopts the 2024~~18~~ edition of the *International Fire Code* with
15 certain amendments, additions, and deletions thereto found to be in the best interests of the city.
16 The standards provided in this chapter shall be used, insofar as they are applicable, in
17 determining whether a condition is hazardous, whether any work that has been performed has
18 been done in an approved manner, or whether any equipment is of an approved type or quality,
19 and in any determination concerning fire hazards and fire safety in the city building code not
20 specifically provided for therein.

21 Section 14. Section 10-8-2, “Adoption of International Fire Code With Modifications,”
22 B.R.C. 1981, is amended to read as follows:

23 **10-8-2. Adoption of International Fire Code With Modifications.**

24 (a) The 2024~~18~~ edition of the *International Fire Code* of the International Code Council is
25 adopted by reference as the City of Boulder Fire ~~Code, and Code and~~ has the same force
and effect as though fully set forth in this chapter, except as specifically amended by the
provisions of this chapter.

(b) The Fire Code adopted by Subsection (a) of this section is amended in the following
places:

(1) ~~Section 102.3 is repealed and reenacted to read:~~
102.3 Change of use or occupancy. No change shall be made in the use or
occupancy of any structure that would place the structure in a different division of
the same group or occupancy or in a different group of occupancies, unless such

1 structure is made to comply with the requirements of this code and the
2 International Building Code.

3 (12) Section 103.1 is repealed and reenacted to read:

4 **103.1 Community Risk Reduction.** A Community Risk Reduction is established
5 within the fire department under the direction of the manager, which shall consist
6 of such fire department personnel as may be assigned thereto by the manager. The
7 function of this division shall be to assist the manager in the administration and
8 enforcement of the provisions of this code.

9 (2) Section 104.5 is repealed and reenacted to read:

10 **104.5 Identification.** For the purposes of this section, the term "fire code official"
11 includes all firefighters appointed pursuant to Section 2-5-4, "Identification Card
12 for Firefighters," B.R.C. 1981.

13 (3) Section 104.8 ~~103.4~~ is repealed and reenacted to read:

14 **104.8 ~~103.4~~ Liability.**

15 The fire code shall not be construed to hold the City of Boulder or any of its
16 employees or agents responsible for any damage to persons or property by reason
17 of inspection or reinspection or failure to inspect or reinspect as herein provided
18 or by reason of the approval or disapproval of any equipment as herein provided.

19 No employee of the city who enforces, attempts to enforce, or is authorized to
20 enforce the fire code renders him or herself or the city liable to third parties for
21 any damage or injury to the person or property of such third parties as a result of
22 the enforcement or nonenforcement of the fire code. The city assumes no duty of
23 care by virtue of the adoption of the fire code. No person is justified in relying
24 upon the approval of a plan, the results of an inspection, or the issuance of a
25 certificate of inspection or occupancy, and such approvals, inspections, and
certificates are not a guarantee that the plan or work so approved, inspected, or
certificated in fact complies with all requirements of the fire code. It is the duty of
the person owning, controlling, or constructing any building or structure to ensure
that the work is done in accordance with the requirements of the fire code, and it
is such persons and not the city who are responsible for damages caused by
negligent breach of such duty.

(4) Section 104.4 is repealed and reenacted to read:

104.4 Identification. For the purposes of this section, the term "fire code official"
includes all firefighters appointed pursuant to Section 2-5-4, "Identification Card
for Firefighters," B.R.C. 1981.

1 Section 105.5 is repealed and reenacted to read:

2 **105.5 Required operational permits.** The fire code official may issue an
3 operational permit for the following operations:

- 4 (a) 105.5.16, Explosives
- 5 (b) 105.5.25 Hot Work Operations (outside)
- 6 (c) 105.5.29 Lithium batteries
- 7 (d) 105.5.36, Open Burning
- 8 (e) 105.5.40, Outdoor assembly events
- 9 (f) 105.5.44, Pyrotechnic special effects material
- 10 (g) 105.5.51, Temporary membrane structures and tents
- 11 (h) 105.5.58 Valet trash and recycling collection in Group R-2 occupancies

12 (5) Section 105.6 is repealed and reenacted to read:

13 ~~**105.6 Required operational permits.** The fire code official may issue an
14 operational permit for the following operations:~~

- 15 (a) ~~105.6.14, Explosives~~
- 16 (b) ~~105.6.32, Open Burning~~
- 17 (c) ~~105.6.36, Outdoor assembly events~~
- 18 (d) ~~105.6.38, Plant extraction systems~~
- 19 (e) ~~105.6.40, Pyrotechnic special effects material~~
- 20 (f) ~~105.6.47, Temporary membrane structures and tents~~

21 **105.6 Required construction permits.** All construction permits will be issued by
22 the building official. Community Risk Reduction will be the approving authority
23 for the following:

- 24 (a) 105.6.1, Automatic fire-extinguishing systems
- 25 (b) 105.6.2 Automatic sprinkler systems
- 26 (c) 105.6.3 Compressed gases
- 27 (d) 105.6.5 Emergency responder communication coverage system
- 28 (e) 105.6.7, Fire alarm and detection systems and related equipment
- 29 (f) 105.6.8, Fire pumps and related equipment
- 30 (g) 105.6.11 Gas detection systems
- 31 (h) 105.6.14 High-pile combustible storage
- 32 (i) 105.6.16 LP-Gas
- 33 (j) 105.6.24, Stand-pipe systems
- 34 (k) 105.6.26 Access control system

35 (6) Section 105.7 is repealed and reenacted to read:

36 ~~**105.7 Required construction permits.** All construction permits will be issued by
37 the building official. Community Risk Reduction will be the approving authority
38 for the following:~~

- (a) ~~105.7.1, Automatic fire extinguishing systems~~
- (b) ~~105.7.7, Fire alarm and detection systems and related equipment~~
- (c) ~~105.7.8, Fire pumps and related equipment~~
- (d) ~~105.7.11 Gas detection systems~~
- (e) ~~105.7.14 High pile combustible storage~~
- (f) ~~105.7.18 Plant indoor cultivation and extraction systems~~
- (g) ~~105.7.24, Stand pipe systems~~

Section 112, "Means of Appeals," is repealed and reenacted to read:

112 Appeals.

(a) Any appeal under this section shall be heard by the Board of Building Appeals established under Section 2-3-4, "Board of Building Appeals," B.R.C. 1981, unless the city manager determines, due to the nature of the issues in a particular appeal, to appoint a hearing officer under Section 1-3-5, "Hearings and Determinations," B.R.C. 1981.

(b) Appeal of refusal to approve work or building permit. A person refused a building permit or refused approval of work done under a permit on the grounds that the proposed or completed construction fails to comply with this code or any other city building code may appeal the decision on the grounds that:

1. The denial was based on an erroneous interpretation of such code by the manager; or
2. The manager has erroneously failed to approve an alternate material or method pursuant to Section 104.2.3 of the fire code prior to its installation or use. In determining such an appeal, the board or hearing officer shall apply the standards of Section 104.2.3 of the fire code.

The manager has the burden of proof under paragraph 1. above. The appellant has the burden of proof on appeals brought pursuant to paragraph 2. The board or hearing officer shall determine the appeal and decide whether the manager's interpretation or application of such code was correct or in error at a hearing under the procedures described by Chapter 1-3, "Quasi-Judicial Hearings," B.R.C. 1981.

(c) Appeal of suspension or revocation of building permit or certificates. Any person whose building permit or certificate of occupancy or certificate of completion has been suspended or revoked may appeal such action by the city manager on the ground that the suspension or revocation was based on an error in fact or an erroneous application of this code to the facts. The manager has the burden of proving the facts upon which the manager relies at such a hearing.

1 (d) An application for appeal must be filed in writing with the city manager
2 within fourteen days after the date of refusal of the building permit or
3 approval of work performed under the permit or revocation or suspension
4 of the building permit or certificate of occupancy or certificate of
5 completion stating the basis for appeal.

6 (e) Appeals Concerning Existing Conditions.

7 1. Any aggrieved person who has been issued an order or other notice
8 of violation under this fire code, other than a summons and
9 complaint, under Sections 102.1 and 102.2 concerning legally
10 existing conditions in a structured based upon the city manager's
11 determination that such conditions constitute a distinct hazard to
12 life or property, and who believes the alleged violation to be
13 factually or legally contrary to the requirements of this fire code or
14 rules and regulations issued pursuant to this fire code may appeal
15 the order or notice. An appellant shall file the appeal with the
16 board within thirty days from the date of service of the notice of
17 alleged violation. The appellant may request enlargement of time
18 to file if such request is made before the end of the time period.
19 The manager may extend for a reasonable period the time to file
20 with the board if the applicant shows good cause therefore.

21 2. Any person aggrieved by a decision of the manager upon a
22 reinspection that any or all of the violations alleged in the notice of
23 violation have not been adequately corrected may appeal such
24 determination by filing a notice of appeal within fourteen days of
25 the date of the reinspection.

3. The appeal will be conducted under the procedures of Chapter 1-3,
 "Quasi-Judicial Hearings," B.R.C. 1981. The burden of proof is on
 the manager to establish an alleged violation.

4. If the board of appeals or hearing officer affirms the determination
 by the manager, it shall grant the person a reasonable period of
 time to correct the violation appealed. Any subsequent
 determination by the manager as to whether the violations alleged
 in the notice of violation have been adequately corrected is final.

5. If no person appeals a notice of violation under this section, the
 provisions of the notice become final when the time for filing an
 appeal with the board has expired. An order appealed to court is
 final unless a stay is in effect.

6. If a person to whom the manager has issued a notice of violation
 does not appeal under this section, such person may not raise a

1 defense to any subsequent prosecution in municipal court for a
2 violation of an order that the conditions alleged to be violations in
3 the notice of violation were not in fact or law violations.

4 (f) An applicant for an appeal shall pay the fee prescribed by Section 4-20-52,
5 "Fire Code Permit and Inspection Fees," B.R.C. 1981. The fee for an
6 appeal heard by a hearing officer shall be the same as the fee for an appeal
7 heard by the Board of Building Appeals.

8 (g) The manager may apply to the Board of Building Appeals, without fee, for
9 an advisory opinion concerning alternative methods, applicability of
10 specific requirements, approval of equipment and materials, and granting
11 of special permission as contemplated in Section 104.2.3 or 104.2.4 of the
12 fire code.

13 (h) The Board of Building Appeals or hearing officer has no authority to
14 interpret Chapter 1 (the administrative requirements) of this code except as
15 expressly provided in this section, nor, because this code sets minimum
16 standards, to waive any requirement of this code.

17 (i) An aggrieved person seeking judicial review of a decision of the Board of
18 Building Appeals or hearing officer made under this section shall file a
19 complaint for such review within thirty days after the date of the decision
20 under Colorado Rule of Civil Procedure 106(a)(4).

21 (j) If the city manager determines that the subject of an order or notice issued
22 under this fire code constitutes an immediate hazard to the public health,
23 safety, or welfare, the manager may order immediate compliance. Persons
24 subject to such orders shall comply forthwith but shall be entitled to a
25 prompt post-compliance appeal hearing before the Board of Building
Appeals or a hearing officer under the procedures specified in this section.

(7) ~~Section 109, "Board of Appeals," is repealed and reenacted to read:~~

~~**109 Appeals.**~~

~~(a) — Any appeal under this section shall be heard by the Board of Building Appeals established under Section 2-3-4, "Board of Building Appeals," B.R.C. 1981, unless the city manager determines, due to the nature of the issues in a particular appeal, to appoint a hearing officer under Section 1-3-5, "Hearings and Determinations," B.R.C. 1981.~~

~~(b) — Appeal of refusal to approve work or building permit. A person refused a building permit or refused approval of work done under a permit on the grounds that the proposed or completed construction fails to comply with this code or any other city building code may appeal the decision on the grounds that:~~

~~1. — The denial was based on an erroneous interpretation of such code by the manager; or~~

1 2. — ~~The manager has erroneously failed to approve an alternate material or~~
2 ~~method pursuant to Section 104.9 of the fire code prior to its installation or~~
3 ~~use. In determining such an appeal, the board or hearing officer shall apply~~
4 ~~the standards of Section 104.9 of the fire code.~~

5 The manager has the burden of proof under paragraph 1. above. The appellant has the
6 burden of proof on appeals brought pursuant to paragraph 2. The board or hearing officer
7 shall determine the appeal and decide whether the manager's interpretation or application
8 of such code was correct or in error at a hearing under the procedures described by
9 Chapter 1-3, "Quasi-Judicial Hearings," B.R.C. 1981.

10 (c) — ~~Appeal of suspension or revocation of building permit or certificates. Any person~~
11 ~~whose building permit or certificate of occupancy or certificate of completion has~~
12 ~~been suspended or revoked may appeal such action by the city manager on the~~
13 ~~ground that the suspension or revocation was based on an error in fact or an~~
14 ~~erroneous application of this code to the facts. The manager has the burden of~~
15 ~~proving the facts upon which the manager relies at such a hearing.~~

16 (d) — ~~An application for appeal must be filed in writing with the city manager within~~
17 ~~fourteen days after the date of refusal of the building permit or approval of work~~
18 ~~performed under the permit or revocation or suspension of the building permit or~~
19 ~~certificate of occupancy or certificate of completion stating the basis for appeal.~~

20 (e) — ~~Appeals Concerning Existing Conditions:~~

21 1. — ~~Any aggrieved person who has been issued an order or other notice of~~
22 ~~violation under this fire code, other than a summons and complaint, under~~
23 ~~Sections 102.1 and 102.2 concerning legally existing conditions in a~~
24 ~~structured based upon the city manager's determination that such~~
25 ~~conditions constitute a distinct hazard to life or property, and who believes~~
26 ~~the alleged violation to be factually or legally contrary to the requirements~~
27 ~~of this fire code or rules and regulations issued pursuant to this fire code~~
28 ~~may appeal the order or notice. An appellant shall file the appeal with the~~
29 ~~board within thirty days from the date of service of the notice of alleged~~
30 ~~violation. The appellant may request enlargement of time to file if such~~
31 ~~request is made before the end of the time period. The manager may~~
32 ~~extend for a reasonable period the time to file with the board if the~~
33 ~~applicant shows good cause therefor.~~

34 2. — ~~Any person aggrieved by a decision of the manager upon a reinspection~~
35 ~~that any or all of the violations alleged in the notice of violation have not~~
36 ~~been adequately corrected may appeal such determination by filing a~~
37 ~~notice of appeal within fourteen days of the date of the reinspection.~~

38 3. — ~~The appeal will be conducted under the procedures of Chapter 1-3,~~
39 ~~"Quasi-Judicial Hearings," B.R.C. 1981. The burden of proof is on the~~
40 ~~manager to establish an alleged violation.~~

41 4. — ~~If the board of appeals or hearing officer affirms the determination by the~~
42 ~~manager, it shall grant the person a reasonable period of time to correct the~~
43 ~~violation appealed. Any subsequent determination by the manager as to~~

1 whether the violations alleged in the notice of violation have been
adequately corrected is final.

2 5. If no person appeals a notice of violation under this section, the provisions
3 of the notice become final when the time for filing an appeal with the
4 board has expired. An order appealed to court is final unless a stay is in
effect.

5 6. If a person to whom the manager has issued a notice of violation does not
6 appeal under this section, such person may not raise a defense to any
7 subsequent prosecution in municipal court for a violation of an order that
8 the conditions alleged to be violations in the notice of violation were not
in fact or law violations.

9 (f) An applicant for an appeal shall pay the fee prescribed by Section 4-20-52, "Fire
Code Permit and Inspection Fees," B.R.C. 1981. The fee for an appeal heard by a
10 hearing officer shall be the same as the fee for an appeal heard by the Board of
11 Building Appeals.

12 (g) The manager may apply to the Board of Building Appeals, without fee, for an
13 advisory opinion concerning alternative methods, applicability of specific
14 requirements, approval of equipment and materials, and granting of special
15 permission as contemplated in Section 104.8 or 104.9 of the fire code.

16 (h) The Board of Building Appeals or hearing officer has no authority to interpret
17 Chapter 1 (the administrative requirements) of this code except as expressly
18 provided in this section, nor, because this code sets minimum standards, to waive
any requirement of this code.

19 (i) An aggrieved person seeking judicial review of a decision of the Board of
20 Building Appeals or hearing officer made under this section shall file a complaint
21 for such review within thirty days after the date of the decision under Colorado
22 Rule of Civil Procedure 106(a)(4).

23 (j) If the city manager determines that the subject of an order or notice issued under
24 this fire code constitutes an immediate hazard to the public health, safety, or
25 welfare, the manager may order immediate compliance. Persons subject to such
orders shall comply forthwith, but shall be entitled to a prompt post-compliance
appeal hearing before the Board of Building Appeals or a hearing officer under
the procedures specified in this section.

Section 113.1, "Unlawful acts," is repealed and reenacted to read:

113.1 Violations.

(a) General Provisions:

(1) No person shall violate a provision of this code or fail to comply therewith
or with any of the requirements thereof. No person shall fail to comply
with any order issued by the city manager under this code. No person shall
erect, construct, enlarge, alter, extend, repair, move, remove, improve,
convert, demolish, equip, use, occupy, maintain, or utilize any building,
structure, occupancy, premises, or system in the city or cause or permit the
same to be done except in conformity with all of the provisions of this

1 code and in conformity with the terms and conditions of approval issued
2 under this code, or of any directive of the code official.

3 (2) In accordance with the provisions of Section 5-2-11, "Prosecution of
4 Multiple Counts for Same Act," B.R.C. 1981, each day during
5 which illegal construction, alteration, maintenance, occupancy, or use
6 continues, constitutes a separate offense remediable through the
7 enforcement provisions of this code.

8 (3) The owner, tenant, and occupant of a structure or land, and the agents of
9 each of them, are jointly and severally liable for any violation of this code
10 with respect to such structure or land.

11 (4) The remedies for any violation of any provision of this code or of any
12 permit, certificate, or other approval issued under this code or other City
13 of Boulder code or of any directive of the fire code official may be
14 pursued singly or in combination.

15 (5) If any person fails or refuses to pay when due any charge imposed under
16 this section, the fire code official may, in addition to taking other
17 collection remedies, certify due and unpaid charges to the Boulder County
18 Treasurer for collection as provided by Section 2-2-12, "City Manager
19 May Certify Taxes, Charges, and Assessments to County Treasurer for
20 Collection," B.R.C. 1981.

21 (6) The fire code official may charge the cost of any action taken to correct or
22 abate a violation, as authorized by this code, plus up to fifteen percent of
23 such cost for administration, to the property owner. If any property owner
24 fails or refuses to pay when due any charge imposed under this section, the
25 fire code official may, in addition to taking other collection remedies,
certify due any unpaid charges, including interest, to the Boulder County
Treasurer, to be levied against the person's property for collection by the
county in the same manner as delinquent general taxes upon such property
are collected, under the procedures described by Section 2-2-12, "City
Manager May Certify Taxes, Charges, and Assessments to County
Treasurer for Collection," B.R.C. 1981.

26 (b) Administrative Procedures and Remedies:

27 (1) If the fire code official finds that a violation of any provision of this code
28 or any approval granted under this code exists, the city manager, after
29 notice and an opportunity for hearing under the procedures prescribed by
30 Chapter 1-3, "Quasi-Judicial Hearings," B.R.C. 1981, may take any one or
31 more of the following actions to remedy the violation:

32 (A) Impose a civil penalty according to the following schedule:

- 1
2
3
4
- (i) For the first violation of the provision or approval, \$100;
 - (ii) For the second violation of the same provision or approval, \$300; and
 - (iii) For the third violation of the same provisions or approval, \$1,000.

5
6

(B) For a violation concerning the use of a residential building under a rental license, revoke such license;

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8

(C) Require the filing of a declaration of use as provided in subsection (e); or

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10

(D) Issue an order reasonably calculated to ensure compliance with the provisions of this code or any approval granted under this code.

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(2) Prior to the hearing, the fire code official may issue an order that no person shall perform any work on any structure or land, except to correct any violation found by the fire code official to exist with respect to such structure or land.

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(3) If notice is given to the fire code official at least forty-eight hours before the time and date set forth in the notice of hearing on any violation that the violation has been corrected, the fire code official will reinspect the structure or land. If the fire code official finds that the violation has been corrected, the manager may cancel the hearing.

16
17

(4) No person shall fail to comply with any action taken by the fire code official under this section.

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(c) Criminal Penalties. Violations of this code are punishable as provided in Section 5-2-4, "General Penalties," B.R.C. 1981.

20
21

(d) Other Remedies. The city attorney may maintain an action for damages, declaratory relief, specific performance, injunction, or any other appropriate relief in the District Court in and for the County of Boulder for any violation of any provision of this code or any approval granted under this code.

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(e) Declaration of Use. If the fire code official determines that a person is using a structure in a way that might mislead a reasonable person to believe that such use is a use by right or otherwise authorized by this title, the fire code official may require such person to sign under oath a declaration of use that defines the limited nature of the use and to record such declaration in the office of the Boulder County Clerk and Recorder against the title to the land. In addition to all other remedies and actions that the code official is authorized to use under the Boulder Revised Code or other applicable federal, state, or local laws to enforce the

1 provisions of this code, the city manager is authorized to withhold any approval
2 affecting such structure or land, including, without limitation, a building
3 permit, use review, site review, subdivision, floodplain development permit, or
4 wetland permit, until such time as the person submits a declaration of use that is
5 in a form acceptable to the fire code official.

6 (8) — Section 110.1, "Unlawful acts," is repealed and reenacted to read:

7 **110.1 Violations.**

8 (a) — General Provisions:

9 (1) — ~~No person shall violate a provision of this code, or fail to comply~~
10 ~~therewith or with any of the requirements thereof. No person shall~~
11 ~~fail to comply with any order issued by the city manager under this~~
12 ~~code. No person shall erect, construct, enlarge, alter, extend, repair,~~
13 ~~move, remove, improve, convert, demolish, equip, use, occupy,~~
14 ~~maintain, or utilize any building, structure, occupancy, premises,~~
15 ~~or system in the city or cause or permit the same to be done except~~
16 ~~in conformity with all of the provisions of this code and in~~
17 ~~conformity with the terms and conditions of approval issued under~~
18 ~~this code, or of any directive of the code official.~~

19 (2) — ~~In accordance with the provisions of Section 5-2-11, "Prosecution~~
20 ~~of Multiple Counts for Same Act," B.R.C. 1981, each day during~~
21 ~~which illegal construction, alteration, maintenance, occupancy, or~~
22 ~~use continues, constitutes a separate offense remediable through~~
23 ~~the enforcement provisions of this code.~~

24 (3) — ~~The owner, tenant, and occupant of a structure or land, and the~~
25 ~~agents of each of them, are jointly and severally liable for any~~
violation of this code with respect to such structure or land.

(4) — ~~The remedies for any violation of any provision of this code or of~~
any permit, certificate, or other approval issued under this code or
other City of Boulder code or of any directive of the fire code
official may be pursued singly or in combination.

(5) — ~~If any person fails or refuses to pay when due any charge imposed~~
under this section, the fire code official may, in addition to taking
other collection remedies, certify due and unpaid charges to the
Boulder County Treasurer for collection as provided by Section 2-
2-12, "City Manager May Certify Taxes, Charges, and
Assessments to County Treasurer for Collection," B.R.C. 1981.

(6) — ~~The fire code official may charge the cost of any action taken to~~
correct or abate a violation, as authorized by this code, plus up to
fifteen percent of such cost for administration, to the property
owner. If any property owner fails or refuses to pay when due any
charge imposed under this section, the fire code official may, in
addition to taking other collection remedies, certify due any unpaid

1 charges, including interest, to the Boulder County Treasurer, to be
2 levied against the person's property for collection by the county in
3 the same manner as delinquent general taxes upon such property
4 are collected, under the procedures described by Section 2-2-12,
5 "City Manager May Certify Taxes, Charges, and Assessments to
6 County Treasurer for Collection," B.R.C. 1981.

7 (b) — Administrative Procedures and Remedies:

8 (1) — If the fire code official finds that a violation of any provision of
9 this code or any approval granted under this code exists, the city
10 manager, after notice and an opportunity for hearing under the
11 procedures prescribed by Chapter 1-3, "Quasi-Judicial Hearings,"
12 B.R.C. 1981, may take any one or more of the following actions to
13 remedy the violation:

14 (A) — Impose a civil penalty according to the following schedule:

15 (i) — For the first violation of the provision or approval,
16 \$100;

17 (ii) — For the second violation of the same provision or
18 approval, \$300; and

19 (iii) — For the third violation of the same provisions or
20 approval, \$1,000.

21 (B) — For a violation concerning the use of a residential building
22 under a rental license, revoke such license;

23 (C) — Require the filing of a declaration of use as provided in
24 subsection (e); or

25 (D) — Issue an order reasonably calculated to ensure compliance
with the provisions of this code or any approval granted
under this code.

(2) — Prior to the hearing, the fire code official may issue an order that
no person shall perform any work on any structure or land, except
to correct any violation found by the fire code official to exist with
respect to such structure or land.

(3) — If notice is given to the fire code official at least forty-eight hours
before the time and date set forth in the notice of hearing on any
violation that the violation has been corrected, the fire code official
will reinspect the structure or land. If the fire code official finds
that the violation has been corrected, the manager may cancel the
hearing.

(4) — No person shall fail to comply with any action taken by the fire
code official under this section.

(e) — Criminal Penalties. Violations of this code are punishable as provided in
Section 5-2-4, "General Penalties," B.R.C. 1981.

1 (d) — ~~Other Remedies. The city attorney may maintain an action for damages,~~
2 ~~declaratory relief, specific performance, injunction, or any other~~
3 ~~appropriate relief in the District Court in and for the County of Boulder for~~
4 ~~any violation of any provision of this code or any approval granted under~~
5 ~~this code.~~

6 (e) — ~~Declaration of Use. If the fire code official determines that a person is~~
7 ~~using a structure in a way that might mislead a reasonable person to~~
8 ~~believe that such use is a use by right or otherwise authorized by this title,~~
9 ~~the fire code official may require such person to sign under oath a~~
10 ~~declaration of use that defines the limited nature of the use and to record~~
11 ~~such declaration in the office of the Boulder County Clerk and Recorder~~
12 ~~against the title to the land. In addition to all other remedies and actions~~
13 ~~that the code official is authorized to use under the Boulder Revised Code~~
14 ~~or other applicable federal, state, or local laws to enforce the provisions of~~
15 ~~this code, the city manager is authorized to withhold any approval~~
16 ~~affecting such structure or land, including, without limitation, a building~~
17 ~~permit, use review, site review, subdivision, floodplain development~~
18 ~~permit, or wetland permit, until such time as the person submits a~~
19 ~~declaration of use that is in a form acceptable to the fire code official.~~

20 Section 113.3.3, "Prosecution of violations," is repealed.

21 (9) — ~~Section 110.3.3, "Prosecution of violations," is repealed.~~

22 Section 113.4.1, "Abatement of violationViolation penalties," is repealed and reenacted
23 to read:

24 **113.4.1 Abatement of violation.** In addition to the imposition of the penalties described
25 in Section 113.1, Violations, the fire code official is authorized to institute appropriate
26 action to prevent unlawful construction or to restrain, correct, or abate a violation; or to
27 prevent illegal occupancy of a structure or premises; or to stop an illegal act, conduct of
28 business, or occupancy of a structure on or about any premises.

29 (10) — ~~Section 110.4, "Violation penalties," is repealed and reenacted to read:~~

30 ~~**110.4 Abatement of violation.** In addition to the imposition of the penalties~~
31 ~~described in Section 110.1, Violations, the fire code official is authorized to~~
32 ~~institute appropriate action to prevent unlawful construction or to restrain, correct,~~
33 ~~or abate a violation; or to prevent illegal occupancy of a structure or premises; or~~
34 ~~to stop an illegal act, conduct of business, or occupancy of a structure on or about~~
35 ~~any premises.~~

36 (10+) Chapter 2, "Definitions," is amended by the addition of the following additional
37 definitions. For any definition that already exists, it is repealed and reenacted with
38 the definition listed here:

1 *Accessible Private Drive* means a twenty-foot unobstructed clear width with a twelve-
2 foot hard, all-weather, drivable surface which can support forty tons on ten wheels and has an
SU-30 turning radius for the fire department's fire apparatus.

3 ~~*Attached Dwelling Unit* means a structure which contains more than one dwelling unit
4 regardless of any fire separation features.~~

5 *Ceremonial Fire* means a fire that is used as an indispensable part of a religious
6 ceremony or ritual. The fire must be attended by a qualified individual recognized by the
organization and conducted in a ceremonial fire oven or ceremonial fire pit.

7 *Ceremonial Fire Chantico* is a structure enclosed on three sides by brick, cinderblock,
8 stone, or other non-combustible construction. The oven is covered on the top with non-
combustible construction and contains a chimney at least two feet in height that has a spark
9 arrestor conforming to nationally recognized standards.

10 *Ceremonial Fire Pit* is a three-foot-deep pit that does not exceed ten feet in diameter with
11 a twenty-four-inch horseshoe shaped berm void of vegetation. A five-foot buffer zone surrounds
the berm and is clear of vegetation and/or other combustibles.

12 ~~*Detached Dwelling Unit* means a structure which contains only one dwelling unit
13 together with any building accessory to the dwelling unit, and is structurally independent of other
structures or occupancies, and has a fire separation distance of not less than six feet from other
14 structures.~~

15 *Emergency Vehicle Access Street* means a street meeting the requirements of this code
and the City of Boulder Design and Construction Standards.

16 *Fire Access Distance* means the distance between two hydrants, or the distance from a
17 hydrant to any external portion of any building or buildings, or the distance from the centerline
of a non-dead-end emergency vehicle access street to the point on the curb on such street from
18 which access to such building is gained, measured along public or private (but accessible to fire
equipment) roadways or fire lanes, as would be traveled by motorized firefighting equipment.

19 *Fire code official* means the city manager or the manager's delegate.

20 *Fire Department* or *Municipal Fire Department* means the Fire Department of the City of
21 Boulder, Colorado.

22 ~~*House Behind a House* exists if the dwelling unit is on a lot which does not front on an
23 emergency vehicle access street meeting the requirements of sections 503.1 and 503.2, or the
dwelling unit is not served by a fire lane meeting the requirements of Section 502.1 from an
24 emergency vehicle access street to an entrance to the dwelling unit, and access from the
emergency vehicle access street to the unit is obstructed by any structure.~~

1 *Open Burning* is the burning of materials where visible products of combustion are
2 emitted directly into the ambient air without passing through a chimney from a fireplace built in
3 compliance with the City of Boulder Building Code.

4 *Portable Appliance* means any appliance that is designed to be moved or relocated on a
5 daily basis without any special knowledge. This includes, but is not limited to, box or oscillating
6 fans, power tools, vacuum cleaners, and floor polishers.

7 ~~*Sky Lantern* means an unmanned device, whether tethered or untethered, made of paper
8 or other thin material with a frame that contains a candle or other fuel source which creates an
9 open flame or other heat source designed to heat the air inside the device, causing it to lift into
10 the air in a manner similar to a hot air balloon.~~

11 ~~*Unobstructed by Any Structure Above Grade* means that no structure blocks the view so
12 that there is not at least one entire face of the building substantially visible in a direct line over
13 the lot upon which the building sits from the nearest emergency vehicle access street, and no
14 structure would significantly interfere with a stream of water being sprayed on the building by a
15 nozzle mounted on a fire truck parked on the nearest emergency vehicle access street. For the
16 purposes of this definition, a legal fence shall not be considered an obstruction if it has a gate
17 which opens at least three feet wide, which is not locked, and through which firefighters on foot
18 have ready access to the building within the distance limitations.~~

19 (112) **304.1.1 Valet trash** is repealed and reenacted to read:

20 Valet trash collection shall be permitted only where approved. The owner and
21 valet trash collection service provider shall comply with Appendix O as adopted
22 and amended.

23 (12) **304.1.1.1 Permits Required** is added to read:

24 **Permits required.** An operational permit shall be obtained from the fire code
25 official in accordance with Section 105.5.58 prior to contracting and using valet
trash services. Operational permit will be issued to the owner or the owner's
designated representative for the property where the services will be used.

(143) 307, "Open burning, recreational fires, and portable outdoor fireplaces," is
repealed and reenacted to read:

307 Open burning and recreational fires.

(1) No person shall kindle or maintain outside of a habitable building or
outside of an exterior fireplace built in accordance with the City of
Boulder Building Code any bonfire or burn or permit to be burned any
trash, paper, rubbish, wastepaper, wood, weeds, brush, plants, or other
combustible or flammable material anywhere within the city limits or
anywhere on city property outside of the city limits, except when:

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- (a) The burning is in the course of an agricultural operation in the growing of crops as a gainful occupation and presents no fire hazard to other property in the vicinity;
- (b) The burning is a smokeless ~~flare~~flare, or a safety flare used to indicate some danger to the public;
- (c) The burning is a training fire conducted by the fire department, or is a training fire conducted by another fire department, or privately for industrial or commercial fire training purposes; or
- (d) The burning is solely for the purpose of fuel mitigation to alleviate wildland fire ~~potential~~, or potential or weed abatement to assist restoration of native plants.
- (e) The burning is part of a "ceremonial fire" where all the following are met:
 - 1. A permit must be obtained from Boulder Fire Rescue Department;
 - 2. Fire must be contained in a ceremonial fire pit or a ceremonial chantico;
 - 3. A water source with a garden hose attached and charged must be readily available and can reach all parts of the ceremonial fire;
 - 4. Ceremonial fire must be extinguished if winds exceed 15 mph; and
 - 5. Ceremonial fire must adhere to all state and county requirements for air quality and burn restrictions.

(2) Mobile or portable type outdoor fireplaces are prohibited to use within the city limits or anywhere on city property outside of the city limits.

~~(14) Section 308.1.6.3 is repealed and reenacted to read:~~

~~**308.1.6.3 Sky lanterns.** No person shall use any sky lantern within the City of Boulder, or anywhere on city-owned property outside of city limits, including Open Space and Mountain Parks land.~~

Section 308.1.7 "Sky lanterns" is repealed and reenacted to read:

308.1.7 Sky lanterns. No person shall use any sky lantern(s) within the City of Boulder, or anywhere on city-owned property outside of city limits, including Open Space and Mountain Parks land.

~~(14) Exceptions 1, 2 and 3 to Section 311.2.2, "Fire protection," are repealed.~~

(15) **322.4 Battery charging areas:** is amended by the addition of the following:

1 9. The indoor room or area shall be protected with an automatic fire sprinkler
2 system designed as an ordinary group II hazard and a maximum sprinkler area
3 coverage of 100 square feet.

4 (176) A new Section 401.9, "Fire alarm fees," is added to read:

5 **401.9 Fire alarm fees.**

- 6 (a) After the fire department has responded to two nuisance alarms from the
7 fire alarm system from any property or address in any calendar year, the
8 city manager may impose a charge for each additional response to an
9 alarm which originates from the property during the same calendar year, in
10 accordance with the schedule prescribed by Section 4-20-52, "Fire Code
11 Permit and Inspection Fees," B.R.C. 1981.
- 12 (b) The city manager may waive a charge imposed for a nuisance fire alarm
13 response if the property owner of record demonstrates that such alarm was
14 caused by a fire or the threat of a fire, or that such alarm was not under the
15 property owner's control. It shall not be a defense that the alarm system is
16 malfunctioning, unless the owner or manager is able to demonstrate that
17 said alarm system is currently being serviced to remedy the problems
18 being encountered.
- 19 (c) If any fee is not paid within thirty days after demand therefor has been
20 mailed to the record owner of the building, the city manager may certify
21 the amount due to the County Treasurer pursuant to Section 2-2-12, "City
22 Manager May Certify Taxes, Charges, and Assessments to County
23 Treasurer for Collection," B.R.C. 1981.

24 (187) Section 503.2.1, "Dimensions," is repealed and reenacted to read:

25 **503.2.1 Dimensions.** Fire apparatus access roads shall have an unobstructed width of not
less than twenty feet (6,096 mm), except for approved security gates in accordance with
Section 503.6, and an unobstructed vertical clearance of not less than fifteen feet (4,572
mm).

 (198) Section 507.5.1, "Where required," is repealed and reenacted to read:

507.5.1 Where required. Location and spacing of fire hydrants will be in accordance
with the City of Boulder Design and Construction Standards.

 (2019) Section 510.4.1.1 is repealed and reenacted to read:

510.4.1.1 Minimum signal strength into the building. ~~A minimum signal strength of~~
~~95 dBm shall be receivable within the building.~~

1 The minimum downlink signal strength shall be sufficient to provide usable voice
2 communications throughout the coverage area as specified by the fire code official. The
3 downlink signal level shall be a minimum of -95 dBm throughout the coverage area and
4 sufficient to provide not less than a Delivered Audio Quality (DAQ) of 3.0 throughout
5 the coverage area using either narrow band analog, digital or wideband LTE signals or an
6 equivalent bit error rate (BER), or signal-to-interference-plus-noise ratio (SINR)
7 applicable to the technology for either analog or digital signals.

8 (240) Section 5140.4.1.2 is repealed and reenacted to read:

9 **510.4.1.2 Minimum signal strength out of the building.** A minimum signal strength of
10 -95 dBm shall be received by the agency's radio system ~~with transmitted from within the~~
11 ~~building.~~

12 (21) ~~Section 603.4, "Portable unvented heaters," is repealed and reenacted to read:~~

13 ~~**603.4 Portable unvented heaters.** Portable unvented fuel-fired heating equipment are~~
14 ~~prohibited inside any occupied structure.~~

15 (21) Section 901.6, "Inspection, testing and maintenance," is amended by the addition
16 of the following:

17 If any building, structure, or portion of the same is protected by a fire detection, alarm,
18 and extinguishing system, or the owner has agreed with the city manager so to protect the
19 building or structure or portion thereof, then no person shall shut off or disable such
20 system except as authorized under Section 11-1-45, "Water to Be Shut Off for Failure to
21 Pay," B.R.C. 1981, and no owner, manager, or tenant of such space shall fail to prevent
22 the shutting off or disabling of such system. It is a specific defense to a charge of
23 violation of this section that the system was shut off in order to perform maintenance
24 work on the system, that it was shut off for the minimum period of time necessary to
25 perform such work, and that maintenance personnel were on the premises performing
such work during the entire time the system was shut off. The minimum penalty for
violation of this section, no portion of which may be suspended, is a fine of \$1,000.

(232) Section 903 is amended by the addition of the following:

Any new building or change of occupancy of an existing building that does not have
approved fire department access as required by the fire code may be required by the fire
code official to have an automatic fire sprinkler system installed regardless of the
building size.

(243) Section 903.1 is repealed and reenacted to read:

903.1 General. An automatic sprinkler system shall be installed in the occupancies and
locations as set forth in this section.

1 (254) The first sentence of Section 903.2 is repealed and reenacted to read:

2 Approved automatic sprinkler system in new buildings and structures shall be provided in
3 the locations described in Sections 903.2.1 through 903.2.156.

4 (265) Section 903.2.1 is amended by the addition of the following:

5 **903.2.1 Group A.** All basements classified as, or a part of, a Group A occupancy shall be
6 provided with an automatic sprinkler system regardless of the gross square footage.

7 (a) Section 903.2.1.1 Group A-1, #1 is repealed and reenacted to read:

8 1. The fire area exceeds 2,000 square feet (185.8 m²)

9 (b) Section 903.2.1.2 Group A-2, #1 is repealed and reenacted to read:

10 1. The fire area exceeds 2,000 square feet (185.8 m²)

11 (c) Section 903.2.1.3 Group A-3, #1 is repealed and reenacted to read:

12 1. The fire area exceeds 2,000 square feet (185.8 m²)

13 (d) Section 903.2.1.4 Group A-4, #1 is repealed and reenacted to read:

14 1. The fire area exceeds 2,000 square feet (185.8 m²)

15 (276) Section 903.2.32, Group E, B is repealed and reenacted to read:

16 ~~An automatic sprinkler system shall be provided for Group E occupancies as follows:~~

17 (a) ~~Throughout all Group E fire areas greater than 2,000 square feet (185.8 m²)~~
18 ~~in area.~~

19 (b) ~~The Group E fire area is located on a floor other than a level of exit~~
20 ~~discharge serving such occupancies.~~

21 (c) ~~The Group E fire area has an occupant load of 300 or more.~~

22 (d) ~~All basements classified as, or a part of, a Group E occupancy shall be~~
23 ~~provided with an automatic sprinkler system regardless of the gross square~~
24 ~~footage.~~

25 An automatic sprinkler system shall be provided for all new Group B occupancies greater
than 2,000 square feet (185.8m²) and as required by Sections 903.2.2.1 and 903.2.2.2.

(278) Section 903.2.43, Group F-1E, is repealed and reenacted to read:

~~An automatic sprinkler system shall be provided throughout all new Group F occupancies~~
~~greater than 2,000 square feet (185.8 m²).~~

An automatic sprinkler system shall be provided for Group E occupancies as follows:

(a) Throughout all Group E fire areas greater than 2,000 square feet (185.8
m²) in area.

- 1 (b) The Group E fire area is located on a floor other than a level of exit
2 discharge serving such occupancies.
3 (c) The Group E fire area has an occupant load of 300 or more.
4 (d) All basements classified as, or a part of, a Group E occupancy shall be
5 provided with an automatic sprinkler system regardless of the gross square
6 footage.

7 (298) Section 903.2.74, Group ~~MF-1, #1~~ is repealed and reenacted to read:

8 ~~An automatic sprinkler system shall be provided throughout all Group M occupancies~~
9 ~~greater than 2,000 square feet (185.8 m²).~~

10 1. A group F-1 fire area exceeds 2,000 square feet (185.5 m²)(29)

11 (29) 903.2.4.1, Woodworking operations, is repealed and reenacted to read:

12 An automatic sprinkler system shall be provided throughout all GroupF-1
13 occupancy fire areas that contain woodworking operations in excess of 2,000
14 square feet (185.8 m²) in area that generate finely divided combustible waste or
15 use finely divided combustible materials.

16 (30) 903.2.4.3, Group F-1 upholstered furniture or mattresses, is repealed and
17 reenacted to read:

18 An automatic sprinkler system shall be provided throughout a Group F-1 fire area
19 that exceeds 2,000 square feet (185.8 m²) used for the manufacture of upholstered
20 furniture or mattresses.

21 (3029) ~~Section 903.2.8 is amended by the addition of the following:~~

- 22 (a) ~~Detached one and two family dwellings and multiple single family~~
23 ~~dwellings (townhomes) not more than three stories above grade plane in~~
24 ~~height with a separate means of egress and their accessory structure shall~~
25 ~~comply with the fire sprinkler system requirements of the City of Boulder~~
26 ~~Residential Building Code.~~
27 (b) ~~An automatic sprinkler system installed in accordance with Section 903.3~~
28 ~~shall be provided throughout all buildings with a Group R fire areas.~~

29 (30) ~~Section 903.2.9, Group S-1, is repealed and reenacted to read:~~

30 ~~An automatic sprinkler system shall be provided throughout all Group S-1 occupancies~~
31 ~~greater than 2,000 square feet (185.8 m²), including, but not limited to, repair garages.~~

32 (31) Section 903.2.107, Group ~~S-2M~~, is repealed and reenacted to read:

33 ~~An automatic sprinkler system shall be provided throughout all Group S-2 occupancies~~
34 ~~greater than 2,000 square feet (185.8 m²).~~

1 An automatic sprinkler system shall be provided throughout buildings containing a Group
2 M occupancy where one of the following conditions exists:

- 3 1. A Group M fire area exceeds 2,000 square feet (185.8 m²).
4 2. A Group M fire area is located more than three stories above grade plane.
5 3. The combined area of all Group M fire areas on all floors, including any
mezzanines, exceeds 2,000 square feet (185.8 m²).

6 ~~(32) A new Section 903.2.13, "Group U occupancies," is added to read:~~

7 ~~**903.2.13 Group U occupancies.** An automatic sprinkler system shall be provided~~
8 ~~throughout all new Group U occupancies greater than 2,000 gross square feet~~
~~(185.8 m²).~~

9 903.2.7.2 Group M upholstered furniture or mattresses is repealed and reenacted
10 to read:

11 An automatic sprinkler system shall be provided throughout a Group M fire area
12 where the area used for the display and sale of upholstered furniture or mattresses
exceeds 2,000 square feet (185.8 m²).

13 ~~(33) A new Section 903.2.14, Group B Occupancies, is added to read:~~

14 ~~**Section 903.2.14 Group B Occupancies.** An automatic sprinkler system shall be~~
15 ~~provided throughout all new Group B occupancies greater than 2,000 gross square~~
~~feet (185.8m²).~~

16 Section 903.2.8, Group R, is amended by the addition of the following:

17 (a) Detached one- and two-family dwellings and multiple single-family
18 dwellings (townhomes) not more than three stories above grade plane in
19 height with a separate means of egress and their accessory structure shall
comply with the fire sprinkler system requirements of the City of Boulder
Residential Building Code.

20 (b) An automatic sprinkler system installed in accordance with Section 903.3
shall be provided throughout all buildings with a Group R fire areas.

21 ~~(34) A new Section 903.2.15 is added to read:~~

22 ~~**903.2.15.** Any occupancy, structure, or unit required to be protected by a sprinkler~~
23 ~~system by one provision of the fire code or the building code, and falling within~~
24 ~~an exception to a requirement of such protection to any other provision of the fire~~
25 ~~code or building code, shall be so protected.~~

1 Section 903.2.9, Group S-1, is repealed and reenacted to read:

2 An automatic sprinkler system shall be provided throughout all buildings
3 containing a Group S-1 occupancy where one of the following conditions exists:

- 4 1. A Group S-1 fire area exceeds 2,000 square feet (185.8 m²).
- 5 2. A Group S-1 fire area is located more than three stories above
6 grade plane.
- 7 3. The combined area of all Group S-1 fire areas on all floors,
8 including any mezzanines, exceeds 2,000 square feet (185.8 m²).
- 9 4. A Group S-1 fire area used for the storage of commercial motor
10 vehicles where the fire area exceeds 2,000 square feet (185.8 m²).
- 11 5. A Group S-1 fire area used for the storage of lithium-ion or lithium
12 metal batteries or any equipment containing lithium-ion or lithium
13 metal batteries including vehicles, micro-mobility devise and
14 energy storage systems.

15 (35) ~~A new Section 903.2.16 is added to read:~~

16 ~~**903.2.16.** If the floor area of an addition to any existing occupancy as described in~~
17 ~~Sections 903.1 through 903.2.14 above is greater than either fifty percent of the~~
18 ~~existing gross floor area or 2,000 square feet, and the total altered structure would~~
19 ~~be required to be protected by a sprinkler system by this section if it were new~~
20 ~~construction, then the entire addition shall be protected throughout by an~~
21 ~~approved and supervised automatic sprinkler system, installed in accordance with~~
22 ~~Section 903.3.1. Said sprinkler system shall be continuous throughout the addition~~
23 ~~up to a fire barrier built in accordance with the building code for that occupancy.~~

24 Section 903.2.9.1, Repair garages, is repealed and reenacted to read:

25 An automatic sprinkler system shall be provided throughout all buildings used as
26 repair garages in accordance with Section 406.8 of the International Building
27 Code, as shown:

- 28 1. Buildings having two or more stories above grade plane, including
29 basement, with fire area containing a repair garage exceeding
30 2,000 square feet (185.8 m²).
- 31 2. Buildings not more than one story above grade plane, with a fire
32 area containing a repair garage exceeding 2,000 square feet (185.8
33 m²).
- 34 3. Buildings with repair garages servicing vehicles parked in
35 basements.
- 36 4. A Group S-1 fire used for the repair of commercial motor vehicles
37 where the fire area exceeds 2,000 square feet (185.8 m²)
- 38 5. A Group S-1 fire area used for the storage of lithium-ion or lithium
39 metal powered vehicles.

1 (36) Section 903.3.1.1.1 Exception 4 is repealed.

2 Section 903.2.9.4, Group S-1 upholstered furniture and mattresses, is repealed and
3 reenacted to read.

4 An automatic sprinkler system shall be provided throughout a Group S-1 fire area
5 where the area used for the storage of upholstered furniture or mattresses exceeds
6 2,000 square feet (185.8 m²).

7 Exception: New self-service storage facilities not greater than on story
8 above grade plane and separated by a fire barrier per the International
9 Building Code every 2,000 square feet (185.8 m²)

10 (37) Section 903.2.10, Group S-2 Parking Garages, is repealed and reenacted to read:

11 An automatic sprinkler system shall be provided throughout buildings classified
12 as parking garages where any of the following conditions exist:

13 1. Where the fire area of the enclosed parking garage, in accordance with
14 section 406.6 of the International Building Code, exceeds 2,000 square
15 feet (185.8 m²) 3.1.2.3, #4 – Subsections 4.2 and 4.5 are repealed.

16 2. Where the enclosed parking garage, in accordance with Section 406.6 of
17 the International Building Code, is located beneath other groups

18 Exception: Enclosed parking garages located beneath Group R-3
19 occupancies.

20 3. Where the fire area of the open parking garage, in accordance with Section
21 406.5 of the International Building Code, exceeds 2,000 square feet (185.8
22 m²).

23 (38) Section 903.2.10.1, Commercial parking garages, is repealed and reenacted to read:

24 An automatic sprinkler system shall be provided throughout buildings used for
25 storage of commercial motor vehicles where the fire area exceeds 2,000 square
26 feet (185.8 m²)~~Section 903.3.5.2 is repealed and reenacted to read:~~

~~**903.3.5.2 Residential combination services.** Combination of domestic and fire
service lines shall be in accordance with the City of Boulder Design and
Construction Standard.~~

(39) Section 903.4.1, "Monitoring," is repealed and reenacted to read:

1 **903.4.1 Monitoring.** Alarm, supervisory and trouble signals shall be distinctly
2 different and shall be automatically transmitted to an Underwriters Laboratory
3 listed supervising station.

3 **Exceptions:**

- 4 1. ~~Underground key or hub valves in roadway boxes provided~~
5 ~~by the municipality or public utility need not be supervised.~~
6 2. ~~Systems installed in accordance with NFPA 13D.~~

6 A new Section 903.2.13, "Group U occupancies," is added to read:

7 **903.2.13 Group U occupancies.** An automatic sprinkler system shall be provided
8 throughout all new Group U occupancies greater than 2,000 gross square feet
9 (185.8 m²).

9 (40) Section 903.4.2, "Alarms," is repealed and reenacted to read:

10 **~~903.4.2 Alarms.~~** ~~Approved audible and visual devices shall be connected to every~~
11 ~~new automatic sprinkler system. Such sprinkler water flow alarm devices shall be~~
12 ~~activated by water flow equivalent to the flow of a single sprinkler of the smallest~~
13 ~~orifice size installed in the system. Alarm devices shall be provided in the interior~~
14 ~~of the building in accordance with NFPA 72 and on the exterior of the building in~~
15 ~~an approved location. Where a fire alarm system is installed, actuation of the~~
16 ~~automatic sprinkler shall actuate the building fire alarm system.~~

14 A new Section 903.2.14 is added to read:

15 **903.2.14.** Any occupancy, structure, or unit required to be protected by a sprinkler
16 system by one provision of the fire code or the building code and falling within an
17 exception to a requirement of such protection to any other provision of the fire
18 code or building code, shall be so protected.

18 (41) ~~A new Section 903.7, "Response time sprinkler requirement," is adopted to read:~~

19 **~~903.7 Response time sprinkler requirement.~~**

- 20 (a) ~~It is the city's goal, as reflected in the Boulder Valley Comprehensive~~
21 ~~Plan's urban fire service criteria, that land not be annexed unless the~~
22 ~~response travel time for service is normally four minutes or less.~~
23 ~~Nonetheless, there may be occasions when annexation outside the existing~~
24 ~~four minute travel time but within six minutes or less is allowed due to~~
25 ~~special circumstances, in the city's best interest. Before such land is~~
~~annexed, consideration must be given to the need for and provision of~~
~~additional fire stations and equipment to serve properly the area being~~
~~annexed and to bring it within the four minute travel time eventually.~~

1 Protection by a sprinkler system as required by subsection (e) below is a
2 temporary substitute, and is not intended to eliminate the requirement for
additional fire stations and equipment.

3 (b) — Land used or to be used for residential purposes will not normally be
4 annexed if it is outside the four minute travel time unless excepted from
5 this policy by subsection (d) below. All new dwelling units on land
annexed outside the four minute travel time shall be protected by an
automatic fire sprinkler system.

6 (c) — On land annexed after the effective date of this chapter and not excepted
7 under subsection (d) below, all new nonresidential construction and any
8 existing nonresidential structures shall be provided throughout with an
9 approved and supervised fire sprinkler system installed in accordance with
10 Section 903.3.1 adopted in Chapter 10-8, "Fire Code," B.R.C. 1981, if
such land is outside of the four minute travel time from city fire stations
housing at least one pumper which is rated at one thousand gallons per
minute pumping capacity or greater, and which requires a crew of three or
more for proper operation.

11 (d) — The requirements of this Section may be waived by the city council by a
12 provision doing so in an annexation agreement incorporated into an
annexation ordinance if, in the opinion of the city council, it is in the city's
best interest to do so because:

13 (1) — Of changed or special conditions;

14 (2) — The land to be annexed is located on Arapahoe Avenue west of the
city; or

15 (3) — The land to be annexed is below the blue line, west of Broadway,
16 south of Norwood Avenue, and north of Table Mesa Drive.

17 Exceptions (2) and (3) above reflect the fact that it is not anticipated that new fire
18 stations will be constructed to bring these areas within the six minute limit. In
other areas, it is anticipated that new fire stations will eventually be constructed or
upgraded to bring the service area within this limit.

19 A new Section 903.2.15 is added to read:

20 **903.2.15.** If the floor area of an addition to any existing occupancy as described in
21 Sections 903.1 through 903.2.13 above is greater than either fifty percent of the
22 existing gross floor area or 2,000 square feet, and the total altered structure would
23 be required to be protected by a sprinkler system by this section if it were new
24 construction, then the entire addition shall be protected throughout by an
25 approved and supervised automatic sprinkler system, installed in accordance with
Section 903.3.1. Said sprinkler system shall be continuous throughout the addition
up to a fire barrier built in accordance with the building code for that occupancy.

1 (42) Section 903.3.1.1.1 Exception 3 is repealed. A new Section 903.8, Fire
2 suppression systems, is added to read:

3 **903.8 Fire suppression systems.** All existing structures in the following
4 categories shall be protected throughout by an approved and supervised automatic
5 sprinkler system installed in accordance with the provisions of Section 903.3.1.
6 Except that any structure or portion thereof required by this section to be so
7 protected prior to the effective date of Ordinance No. 7566, shall be immediately
8 so protected:

- 9 (a) — ~~R-1 and R-2 occupancies greater than fifty-five feet high.~~
10 (b) — ~~Hotels and motels. Exceptions: One- and two-story structures, and three-~~
11 ~~story structures with an exterior exit balcony for all rooms above grade.~~
12 (c) — ~~Congregate residences classified as Group R-4.~~
13 (d) — ~~Group I-1 and I-2 occupancies as defined in the fire code.~~
14 (e) — ~~Basements greater than 2,000 gross square feet.~~

15 Exception 1. ~~Basements below R-occupancies.~~

16 Exception 2. ~~Basements used exclusively for "services to the building,"~~
17 ~~such as electric meters, compressors, and so forth. But "services to the~~
18 ~~building" shall not include any storage (either combustible or~~
19 ~~noncombustible), nor routine human occupancy.~~

20 Exception 3. ~~Basements where there is provided at least 20 square feet of~~
21 ~~opening entirely above the adjoining ground level in each fifty lineal feet~~
22 ~~or fraction thereof of exterior wall in the basement on at least one side of~~
23 ~~the building. Openings shall have a minimum dimension of not less than~~
24 ~~30 inches, and shall be accessible to the fire department from the exterior,~~
25 ~~and shall not be obstructed in a manner that firefighting or rescue cannot~~
~~be accomplished from the exterior.~~

When openings are provided on only one side and the opposite wall of
said basement is more than seventy-five feet from such openings, said
basement shall be provided with an approved automatic sprinkler system,
or openings as specified above shall be provided on at least two sides of an
exterior wall of the basement.

- (f) — All Group A occupancies used primarily for dining, drinking, or motion
picture viewing shall be protected throughout by an approved and
supervised automatic sprinkler system installed in accordance with the
provisions of Section 903.3.1 when said Group A occupancy is greater
than 2,000 gross square feet in size.

For Group A occupancies described in this part (f) not currently provided with
complete automatic sprinkler protection, this paragraph shall take effect during a
remodel or renovation which 1) requires one or more building permits with a
combined valuation (labor and materials) of \$30 per square foot or more within

1 any calendar year, and 2) necessitates business closure for a combined period of
2 five calendar days or more, in the aforementioned calendar year.

3 (43) Section 907.6.6 is repealed and reenacted to read:

4 **907.6.6 Monitoring.** Fire alarm systems shall be supervised by an Underwriters
5 Laboratory listed supervising station or a Proprietary Supervising Station Alarm
6 System meeting all of the requirements in NFPA 72, *The National Fire Alarm and
7 Signaling Code*.

8 **Exception:** Monitoring by a supervising station is not required for:

9 (1) — Single and multiple station smoke alarms required by Section
10 907.2.10.

11 (2) — Automatic sprinklers systems in one and two family dwellings.

12 Section 903.3.1.2.3, Attics, #4 - Subsections 4.2 and 4.5 are repealed.

13 (44) Section 1103.5, Sprinkler systems, is repealed and reenacted to read:

14 **1103.5 Sprinkler systems.** The automatic sprinkler system requirements set forth
15 in Sections 903.1 and 903.2 of this code shall be complied with in existing
16 buildings where the occupancy or use, as defined in Chapter 2 of the Existing
17 Building Code of the City of Boulder, changes in a fire area exceeding 2,000
18 square feet.

19 **Exception:** Changes of occupancy or use which are a lower relative
20 hazard per Table 1011.4 of the City of Boulder Existing Building Code
21 and the new occupancy or use is not required to be provided with an
22 automatic sprinkler system by other provisions of the City of Boulder
23 Building Code or the City of Boulder Existing Building Code.

24 Section 903.3.5.2, Residential combination services, is repealed and reenacted to
25 read:

26 **903.3.5.2 Residential combination services.** Combination of domestic and fire
27 service lines shall be in accordance with the City of Boulder Design and
28 Construction Standard.

29 (45) Section 1204.2.1.1, Pathways to ridge, is repealed and reenacted to read:

30 **1204.2.1.1, Pathways to ridge.** No fewer than two 30-inch wide (914 mm)
31 pathways on separate roof planes, from the lowest roof edge to ridge, shall be
32 provided on all buildings. At least one pathway shall be provided on the street or
33 driveway side of the roof. For each roof plane with a photovoltaic array, at least
34 one 30-inch wide (914 mm) pathway from lowest roof edge to ridge shall be
35 provided on the same roof plane as the photovoltaic array, on an adjacent roof
36 plane or straddling the same and adjacent roof plane.

1 All access pathways required under this section shall be provided in a structurally
2 strong location on the building capable of supporting the live load of fire fighters
3 accessing the roof.

4 Section 903.4.2, "Monitoring," is repealed and reenacted to read:

5 **903.4.2 Monitoring.** Alarm, supervisory and trouble signals shall be distinctly
6 different and shall be automatically transmitted to an Underwriters Laboratory
listed supervising station.

- 7 (46) ~~Section 1204.2.1.2, Setbacks at ridge, is repealed and reenacted to read:~~
8 ~~**1204.2.1.2, Setbacks at ridge.** Not less than a 12-inch wide setback is provided~~
~~on each side of the horizontal ridge.~~

9 Section 903.4.3, "Alarms," is repealed and reenacted to read:

10 **903.4.3 Alarms.** Approved audible and visual devices shall be connected to every
11 new automatic sprinkler system. Such sprinkler water-flow alarm devices shall be
12 activated by water flow equivalent to the flow of a single sprinkler of the smallest
13 orifice size installed in the system. Alarm devices shall be provided throughout
14 the interior of the building in accordance with NFPA 72 and at least one on the
exterior of the building in an approved location. Where a fire alarm system is
installed, actuation of the automatic sprinkler shall actuate the building fire alarm
system.

15 **Exception:** Automatic sprinkler systems protecting one-and two-family
16 dwelling.

- 17 (47) ~~Section 1204.2.1.3, Alternative setbacks at ridge, is repealed.~~

18 A new Section 903.7, "Response time sprinkler requirement," is adopted to read:

19 **903.7 Response time sprinkler requirement.**

- 20 (a) It is the city's goal, as reflected in the Boulder Valley Comprehensive
21 Plan's urban fire service criteria, that land not be annexed unless the
22 response travel time for service is normally four minutes or less.
23 Nonetheless, there may be occasions when annexation outside the existing
24 four-minute travel time but within six minutes or less is allowed due to
25 special circumstances, in the city's best interest. Before such land is
annexed, consideration must be given to the need for and provision of
additional fire stations and equipment to serve properly the area being
annexed and to bring it within the four-minute travel time eventually.
Protection by a sprinkler system as required by subsection (c) below is a

1 temporary substitute and is not intended to eliminate the requirement for
2 additional fire stations and equipment.

3 (b) Land used or to be used for residential purposes will not normally be
4 annexed if it is outside the four-minute travel time unless excepted from
5 this policy by subsection (d) below. All new dwelling units on land
6 annexed outside the four-minute travel time shall be protected by an
7 automatic fire sprinkler system.

8 (c) On land annexed after the effective date of this chapter and not excepted
9 under subsection (d) below, all new nonresidential construction and any
10 existing nonresidential structures shall be provided throughout with an
11 approved and supervised fire sprinkler system installed in accordance with
12 Section 903.3.1 adopted in Chapter 10-8, "Fire Code," B.R.C. 1981, if
13 such land is outside of the four-minute travel time from city fire stations
14 housing at least one pumper which is rated at one thousand gallons per
15 minute pumping capacity or greater, and which requires a crew of three or
16 more for proper operation.

17 (d) The requirements of this Section may be waived by the city council by a
18 provision doing so in an annexation agreement incorporated into an
19 annexation ordinance if, in the opinion of the city council, it is in the city's
20 best interest to do so because:

21 (1) Of changed or special conditions;

22 (2) The land to be annexed is located on Arapahoe Avenue west of the
23 city; or

24 (3) The land to be annexed is below the blue line, west of Broadway,
25 south of Norwood Avenue, and north of Table Mesa Drive.

Exceptions (2) and (3) above reflect the fact that it is not anticipated that
new fire stations will be constructed to bring these areas within the six-
minute limit. In other areas, it is anticipated that new fire stations will
eventually be constructed or upgraded to bring the service area within this
limit.

(48) ~~Section 5601.2.4.2, "Fireworks," is amended by the addition of the following:~~

~~The city manager shall require a certificate of insurance to protect persons and
property from death or injury as a result of the fireworks display, in an amount not
less than \$1,000,000 general liability per occurrence and \$2,000,000 aggregate
limit. The insurance shall cover any liability of the city or any employee or agent
thereof arising out of or connected with the permit and the fireworks display
permitted thereunder. Before any permit for a fireworks display is issued, the
applicant shall comply with the provisions of this section.~~

1 A new Section 903.8, Fire suppression systems, is added to read:

2 **903.8 Fire suppression systems.** All existing structures in the following
3 categories shall be protected throughout by an approved and supervised automatic
4 sprinkler system installed in accordance with the provisions of Section 903.3.1.
5 Except that any structure or portion thereof required by this section to be so
6 protected prior to the effective date of Ordinance No. 7566, shall be immediately
7 so protected:

- 8 (a) R-1 and R-2 occupancies greater than fifty-five feet high.
- 9 (b) Hotels and motels. Exceptions: One- and two-story structures, and
10 three-story structures with an exterior exit balcony for all rooms
11 above grade.
- 12 (c) Congregate residences classified as Group R-4.
- 13 (d) Group I-1 and I-2 occupancies as defined in the fire code.
- 14 (e) Basements greater than 2,000 gross square feet.

15 Exception 1. Basements below R occupancies.

16 Exception 2. Basements used exclusively for "services to the
17 building," such as electric meters, compressors, and so forth. But
18 "services to the building" shall not include any storage (either
19 combustible or noncombustible), nor routine human occupancy.

20 Exception 3. Basements where there is provided at least 20 square
21 feet of opening entirely above the adjoining ground level in each
22 fifty lineal feet or fraction thereof of exterior wall in the basement
23 on at least one side of the building. Openings shall have a
24 minimum dimension of not less than 30 inches and shall be
25 accessible to the fire department from the exterior and shall not be
obstructed in a manner that firefighting or rescue cannot be
accomplished from the exterior.

When openings are provided on only one side and the opposite wall of said
basement is more than seventy-five feet from such openings, said basement shall
be provided with an approved automatic sprinkler system, or openings as
specified above shall be provided on at least two sides of an exterior wall of the
basement.

- (f) All Group A occupancies used primarily for dining, drinking, or
motion picture viewing shall be protected throughout by an
approved and supervised automatic sprinkler system installed in
accordance with the provisions of Section 903.3.1 when said
Group A occupancy is greater than 2,000 gross square feet in size.

For Group A occupancies described in this part (f) not currently provided with
complete automatic sprinkler protection, this paragraph shall take effect during a

1 remodel or renovation which 1) requires one or more building permits with a
2 combined valuation (labor and materials) of \$30 per square foot or more within
3 any calendar year, and 2) necessitates business closure for a combined period of
4 five calendar days or more, in the aforementioned calendar year.

5 (49) Chapter 80, Referenced Standards, is amended by the addition of the following:

6 **8001 NFPA Standards.** In every case where this code references a standard
7 published by the National Fire Protection Association (NFPA), the most current
8 edition of the referenced standard is hereby adopted. The most current edition of
9 the referenced NFPA standard shall become effective on January 1st following the
10 publication and release of the standard.

11 Section 907.6.6, Monitoring, is repealed and reenacted to read:

12 **907.6.6 Monitoring.** Fire alarm systems shall be supervised by an Underwriters
13 Laboratory listed supervising station or a Proprietary Supervising Station Alarm
14 System meeting all of the requirements in NFPA 72, *The National Fire Alarm and*
15 *Signaling Code.*

16 **Exception:** Monitoring by a supervising station is not required for:

- 17 (1) Single and multiple-station smoke alarms required by
18 Section 907.2.11.
19 (2) Automatic sprinklers systems in one- and two-family
20 dwelling.

21 (50) Section 1103.5, Sprinkler systems, is repealed and reenacted to read:

22 **1103.5 Sprinkler systems.** The automatic sprinkler system requirements set forth
23 in Sections 903.1 and 903.2 of this code shall be complied with in existing
24 buildings where the occupancy or use, as defined in Chapter 2 of the Existing
25 Building Code of the City of Boulder, changes in a fire area exceeding 2,000
26 square feet.

27 **Exception:** Changes of occupancy or use which are a lower relative
28 hazard per Table 1011.5 of the City of Boulder Existing Building Code
29 and the new occupancy or use is not required to be provided with an
30 automatic sprinkler system by other provisions of the City of Boulder
31 Building Code or the City of Boulder Existing Building Code.

32 (51) A new section 1108, Battery Storage, is added to read:

33 **Battery storage.** Existing battery storage areas containing lithium-ion and lithium
34 metal batteries shall comply with Section 320.

35 (52) A new Section 1109, Micro Mobility Devices, is added to read:

1 **Micro Mobility Devices.** Existing lithium-ion and lithium metal battery powered
2 micro mobility devices shall be operated and maintained in accordance with
3 Section 322.

4 (53) Section 1205.2.1.1, Pathways to ridge, is repealed and reenacted to read:

5 **1205.2.1.1, Pathways to ridge.** No fewer than two 30-inch-wide (914 mm)
6 pathways on separate roof planes, from the lowest roof edge to ridge, shall be
7 provided on all buildings. At least one pathway shall be provided on the street or
8 driveway side of the roof. For each roof plane with a photovoltaic array, at least
9 one 30-inch-wide (914 mm) pathway from lowest roof edge to ridge shall be
10 provided on the same roof plane as the photovoltaic array, on an adjacent roof
11 plane or straddling the same and adjacent roof plane.

12 All access pathways required under this section shall be provided in a structurally
13 strong location on the building capable of supporting the live load of fire fighters
14 accessing the roof.

15 (54) Section 1205.2.1.2, Setbacks at ridge, is repealed and reenacted to read:

16 **1205.2.1.2, Setbacks at ridge.** Not less than a 12-inch-wide setback is provided
17 on each side of the horizontal ridge.

18 (55) Section 1205.2.1.3, Alternative setbacks at ridge, is repealed.

19 (56) Section 5307.1, General, is repealed and reenacted to read:

20 General. Compressed gases in storage or use not regulated by this material-
21 specific provisions of Chapters 6, 54, 55 and 60 through 67, including asphyxiant,
22 irritant and radioactive gasses, shall comply with this section in addition to other
23 requirements of this chapter. The provisions of this chapter shall apply to new or
24 existing systems.

25 (57) Section 5307.3, Insulated liquid carbon dioxide systems used in beverage
 dispensing applications, is repealed and reenacted to read:

5307.3 Liquid carbon dioxide systems used in beverage dispensing
 applications. Liquid carbon dioxide systems used in beverage dispensing
 applications. Liquid carbon dioxide systems with more than 100 pounds (45.4 kg)
 of carbon dioxide used in beverage dispensing applications shall comply with
 Section 5307.3.1

(58) Section 5601.2.4.2, "Fireworks display," is amended by the addition of the
 following:

1 The city manager shall require a certificate of insurance to protect persons and
2 property from death or injury as a result of the fireworks display, in an amount not
3 less than \$1,000,000 general liability per occurrence and \$2,000,000 aggregate
4 limit. The insurance shall cover any liability of the city, or any employee or agent
5 thereof arising out of or connected with the permit and the fireworks display
6 permitted thereunder. Before any permit for a fireworks display is issued, the
7 applicant shall comply with the provisions of this section.

8
9
10 (59) Chapter 80, Referenced Standards, is amended by the addition of the following:

11 **8001 NFPA Standards.** In every case where this code references a standard
12 published by the National Fire Protection Association (NFPA), the most current
13 edition of the referenced standard is hereby adopted. The most current edition of
14 the referenced NFPA standard shall become effective on January 1st following the
15 publication and release of the standard.

16
17 (60) Appendix O is adopted and amended with the addition of the following sections:

18 O102.4, Capacity limit, is amended by the addition of the following:

19 O102.4.1 Quantities more than the capacity limit. Trash and recyclables not able
20 to fit within the approved container with a closed lid, shall not be left within the
21 corridor.

22 A new section, O102.6 Container lids, is added:

23 All valet trash and recycling container lids shall be self-closing.

24 O104, Additional Requirements, is amended by the addition of the following:

25 O104.4. Automatic sprinkler systems. An automatic sprinkler system shall be
 installed in accordance with Chapter 9.

O104.5. Door closing. Each dwelling unit shall have an operable self-closing door
 from the living space to the corridor. Doors shall close from a fully open position
 and latch automatically.

O104.6. Emergency planning and preparedness. Each complex shall create an
 emergency guide describing the location, function, and use of fire protection
 equipment and appliance available for use by residents, including fire alarm
 systems, smoke alarms, and portable fire extinguishers. Guides shall include fire
 evacuation plans in accordance with Section 404.2.1 and fire safety plans in
 accordance with Section 404.2.2 for each dwelling and distributed to each
 resident.

1 Section 15. Section 10-9-1, “Legislative Intent,” B.R.C. 1981, is amended to read as
2 follows:

3 **10-9-1. Legislative Intent.**

4 The purpose of this chapter is to protect the public health and safety by regulating the
5 installation, alteration, and repair of heating, ventilating, cooling, and refrigeration devices in
6 structures in the city. The city council hereby adopts the ~~2024~~2018 edition of the *International
7 Mechanical Code* with certain amendments and deletions thereto found to be in the best interests
8 of the residents of the city.

9 Section 16. Section 10-9-2, “Adoption of the International Mechanical Code With
10 Modifications,” B.R.C. 1981, is amended to read as follows:

11 **10-9-2. Adoption of the International Mechanical Code With Modifications.**

12 (a) The ~~2024~~2018 edition of the *International Mechanical Code*, including Appendix A thereto,
13 of the International Code Council, is hereby adopted by reference as the Mechanical
14 Code of the City of Boulder or mechanical code and has the same force and effect as
15 though fully set forth in this chapter, except as specifically amended by the provisions of
16 this chapter.

17 (b) Except as specified below, Chapter 1 is repealed. This code shall be administered in
18 accordance with Chapter 1, "Administration," of the International Building Code as
19 adopted, with amendments, by Section 10-5-2, "Adoption Of International Building Code
20 With Modifications," B.R.C. 1981.

21 (1) Section 101.2, "Scope," is adopted as an administrative provision.

22 (2) Section 101.2.1, "Appendices," is adopted as an administrative provision.
23 Appendix A is adopted as a part of this code.

24 (3) Section 101.3, "Purpose," is adopted as an administrative provision.

25 (c) Section 301.10, "Electrical," is repealed and reenacted to read:

301.10 Electrical. Electrical wiring, controls, and connections to equipment and
appliances regulated by this code shall be in accordance with Chapter 10-6, "Electrical
Code," B.R.C. 1981.

(d) A new Section 306.6, "Rooftop equipment support and clearances," is added:

306.6 Rooftop equipment support and clearances.

- 1 (1) Mechanical equipment placed, replaced, or resting over roofing shall be supported
2 by curbs or legs which shall be flashed to the roofing and made watertight.
3 Mechanical equipment shall include, but not be limited to, heating equipment,
4 cooling and refrigeration equipment, ventilating fans, blowers, and other similar
5 devices located on the roof.
- 6 (2) Flat roofs. On roofs having a pitch of less than 2 in 12, mechanical equipment
7 shall be supported on a solid curb greater in size than the equipment which it
8 serves. Curbs can be manufactured or built-in-place. If built-in-place, the curb
9 shall be covered with metal of at least 26 gauge. All seams and miter corners of
10 the metal shall be riveted and soldered so as to be weather-tight. The curb shall be
11 a minimum of 9 inches above the finished roof.
- 12 (A) Ducts less than four feet in width shall have at least twelve inches
13 clearance from the finished roof surface to the bottom of the duct.
- 14 (B) Ducts between four feet and eight feet in width shall have at least twenty-
15 four inches clearance from the finished roof surface to the bottom of the
16 duct.
- 17 (C) Ducts over eight feet in width shall have at least thirty-six inches clearance
18 from the finished roof surface to the bottom of the duct.
- 19 (3) Pitched Roofs. On roofs having a slope over a 2 and 12, mechanical equipment
20 may be set on legs which provide a minimum of 11 inches clearance between the
21 finished roof surface and the equipment frame.

22 ~~(e) Section 603.6.1.1, "Duct length," is repealed and reenacted to read:~~

23 ~~603.6.1.1 Duct length. Approved Class 0 and Class 1 flexible air duct shall not
24 exceed fourteen feet in length.~~

25 ~~(f) Section 606.3, "Installation," is amended by the addition of a new sentence to read:~~

~~Smoke detectors must be capable of being tested from a remote and readily
accessible location.~~

...
26 Section 17. Section 10-9.5-1, "Legislative Intent," B.R.C. 1981, is amended to read as
27 follows:

28 **10-9.5-1. Legislative Intent.**

29 The purpose of this chapter is to protect the public health and safety by regulating fuel gas
30 systems and gas-fired appliances in the city. The city council hereby adopts the 2024~~18~~ edition
31 of the *International Fuel Gas Code* as a new Chapter 10-9.5 with certain amendments thereto
32 found to be in the best interest of the city.

1 Section 18. Section 10-9.5-2, “Adoption of the International Fuel Gas Code With
2 Modifications,” B.R.C. 1981, is amended to read as follows:

3 **10-9.5-2. Adoption of the International Fuel Gas Code With Modifications.**

4 (a) The ~~2024~~18 edition of the *International Fuel Gas Code* of the International Code Council
5 is hereby adopted by reference as the City of Boulder Fuel Gas Code or fuel gas code and
6 has the same force and effect as though fully set forth in this chapter, except as
7 specifically amended by the provisions of this chapter.

8 (b) Except as specified below, Chapter 1 is repealed. This code shall be administered in
9 accordance with Chapter 1, "Administration," of the International Building Code as
10 adopted, with amendments, by Section 10-5-2, "Adoption of International Building Code
11 With Modifications," B.R.C. 1981.

12 (1) Section 101, "General," is adopted as an administrative provision with the
13 following amendment:

14 (A) Section 101.1, "Title," is amended to read:

15 **101.1 Title.** These regulations shall be known as the Fuel Gas Code of the City of
16 Boulder or fuel gas code.

17 (2) Section ~~111~~07, "Inspections and Testing," is adopted as an administrative
18 provision.

19 ~~(e) — Exceptions 2, 3, and 4 in Section 303.3, “Prohibited locations,” are repealed.
20 Section 404.4, “Piping through foundation wall,” is repealed and reenacted to read:~~

21 ~~404.4 Piping through foundation wall. Gas piping shall enter the building above grade
22 through the foundation wall, building, or structure.~~

23 ...

24 ~~(f) — Section 602.1, “General,” is amended by adding a new sentence to read:~~

25 ~~Within a vented fireplace, the damper must be removed or welded open and glass doors
installed over the fire place.~~

26 Section 19. Section 10-10-1-, “Legislative Intent,” B.R.C. 1981, is amended to read as
27 follows:

28 **10-10-1. Legislative Intent.**

29 The purpose of this chapter is to protect the public health and safety by regulating the
30 installation, alteration, and repair of plumbing devices in structures in the city. The city council

1 hereby adopts the 2024~~18~~ edition of the *International Plumbing Code* with certain amendments
2 and deletions thereto found to be in the best interests of the residents of the city.

3 Section 20. Section 10-10-2, “Adoption of the International Plumbing Code With
4 Modifications,” B.R.C. 1981, is amended to read as follows:

5 **10-10-2. Adoption of the International Plumbing Code With Modifications.**

6 (a) The 2024~~18~~ edition of the *International Plumbing Code*, published by the International
7 Code Council, including Appendix E, "Sizing of Water Piping System," is hereby
8 adopted by reference as the City of Boulder Plumbing Code or plumbing code, and has
the same force and effect as though fully set forth in this chapter, except as specifically
amended by the provisions of this chapter.

9 ...

10 (o) Section 903.1, "Vent Terminal Required Roof extension," is repealed and reenacted to
11 read:

12 **903.1 Vent Terminal Required Roof extension.** Open vent pipes that extend through a
13 roof shall be terminated not less than 6 inches above the roof, ~~except that where a roof is~~
14 ~~to be used for any purpose other than weather protection, the vent extensions shall~~
15 ~~terminate not less than 7 feet above the roof.~~

16 ...

17 (t) Chapter 14, "SUBSURFACE GRAYWATER SOIL ABSORPTION SYSTEMS
18 LANDSCAPE IRRIGATION SYSTEMS," is deleted in its entirety.

19 ...

20 Section 21. Section 10-12-1, “Legislative Intent,” B.R.C. 1981, is amended to read as
21 follows:

22 **10-12-1. Legislative Intent.**

23 The purpose of this chapter is to protect the public health, safety, and welfare of the
24 residents of the city by regulating the construction, alteration, extension, location, installation,
25 use and maintenance of all mobile homes and mobile home parks in the city. Mobile homes,
manufactured housing, and factory-built housing are important and effective ways to meet
Boulder's affordable housing needs. Moving mobile homes is costly and it is challenging to find
an alternative mobile home park with vacancies willing to accept a mobile home. In some
instances, a mobile ~~home owner~~homeowner may not be able to move their mobile home because
of the mobile home's age and condition. A mobile ~~home owner~~homeowner may be forced to sell

1 their home for an unreasonably low price due to the abbreviated timeline to move it or the
2 inability to do so. This chapter is intended to supplement the State of Colorado's Mobile Home
3 Park Act which provides broader protections for owners of mobile homes. Nothing in this
4 chapter shall be construed to discriminate against mobile homes as housing.

5 Section 22. Section 10-12-6, "Nonresidential Use of Mobile Home," B.R.C. 1981, is
6 deleted in its entirety and reserved:

7 **~~10-12-6. Nonresidential Use of Mobile Home.~~**

8 (a) ~~— A person may use a mobile home as an office or other nonresidential use on a temporary
9 basis during construction or remodeling connected with a use permitted on the lot, if the
10 use and location of the mobile home comply with all applicable zoning and building
11 provisions of this code and other ordinances of the city, but only if the mobile home is
12 removed from the site upon completion of the construction or remodeling and only if the
13 home is adequately secured against damage and overturning by winds while on the
14 premises.~~

15 (b) ~~— A person may use a mobile home for nonresidential purposes on other than a mobile
16 home park for other than construction or remodeling if the person requests a special
17 exception for such use from the board of zoning adjustment. The board may grant a
18 special exception if it finds that:~~

19 (1) ~~— The use of the mobile home is a temporary and accessory use necessary to
20 enhance the principal use of the property;~~

21 (2) ~~— The use is limited to no more than twenty four months, unless the board finds
22 good cause for a longer use;~~

23 (3) ~~— The mobile home installation meets all of the requirements of this chapter relating
24 to tie-down and wind security;~~

25 (4) ~~— The applicant has demonstrated an undue hardship and the need for the temporary
use pending permanent construction of other facilities; and~~

(5) ~~— If granted, the special exception will not adversely affect the character of the
neighborhood in which the mobile home is proposed to be located nor
substantially impair the appropriate use and development of adjacent property.~~

(c) ~~— The board may impose reasonable conditions upon the use that it deems necessary to
promote the purposes of this chapter.~~

(d) ~~— Until April 15, 2014, the city manager may waive any zoning requirement, building
provision, or other provision of this code for the nonresidential use of a mobile home as
made necessary by flooding.~~

Reserved

Section 23. Section 10-12-8, "~~Foundations Blocking and Tie-Down Required~~," B.R.C.

1981, is amended to read as follows:

10-12-8. Blocking and Tie-Down Required.

(a) ~~No owner or occupant of a mobile home shall fail to provide a skirting of rigid material for the mobile home or fail to secure the mobile home against wind damage by providing tie-downs as required in this section.~~

(b) ~~The city manager may reduce the number of tie-down sets for any mobile home park constructed before July 5, 1973 and annexed to the city after July 5, 1973, if the manager determines, after presentation of evidence by the owner or occupant of a mobile home, that certain spaces are not subject to the wind forces upon which these requirements are based.~~

(c) ~~No owner or occupant of a mobile home shall fail to provide it with tie-downs to the main framing members of the mobile home that comply with the following conditions:~~

(1) ~~In mobile home parks constructed before July 5, 1973:~~

<i>Length of Mobile Home</i>	<i>Required Tie-Down Sets</i>	<i>Number of Anchors</i>
Up to 50 feet	2	4
50 to 70 feet	3	6
Over 70 feet	4	8

(2) ~~In mobile home parks constructed after July 5, 1973:~~

<i>Length of Mobile Home</i>	<i>Required Tie-Down Sets</i>	<i>Number of Anchors</i>
Up to 30 feet	2	4
30 to 50 feet	3	6
50 to 70 feet	4	8
Over 70 feet	5	10

(3) ~~All ties are fastened to an anchorage as provided in Section 10-12-9, "Anchorage," B.R.C. 1981, and are drawn tight with one-half inch or larger galvanized, drop-forged turnbuckles, or other equivalent tightening device approved by the city manager. Turnbuckles are ended with jaws or forged or welded eyes. Turnbuckles with hood ends are not used.~~

(4) ~~All cable ends are secured with at least two U-bolt type cable clamps or other fastening device approved by the city manager.~~

- 1 (5) ~~Cable used for tie-downs is either galvanized steel or stainless steel and either~~
2 ~~three eighths inch diameter 7 × 7 (seven strands of seven wires each) steel cable~~
3 ~~or three eighths inch diameter 7 × 19 (seven strands of nineteen wires each)~~
4 ~~"aircraft" cable.~~
- 5 (6) ~~When flat steel strapping is used, it meets federal specifications QQ-S-781 (one~~
6 ~~and one-fourth inch × 0.035 inch Type 1, Class B, Grade 1). Zinc coating is a~~
7 ~~minimum of 0.30 ounces per square foot of surface. Breaking strength is a~~
8 ~~minimum of four thousand seven hundred fifty pounds.³ Other material used is at~~
9 ~~least equal to the above specifications in tensile strength and weather resistance.~~
- 10 (7) ~~Steel bands used for ties terminate with a D-ring bolt or other device that will not~~
11 ~~cause distortion of the band with a tensioning device attached.~~
- 12 (8) ~~Sharp edges of the mobile home that would tend to cut the cable when the home is~~
13 ~~buffeted by wind are protected by a thimble or other device to prevent such~~
14 ~~cutting.~~
- 15 (9) ~~Connection to the I beam may be by a five eighths inch drop forged closed eye,~~
16 ~~bolted through a hole drilled through the beam. A washer or its equivalent is used~~
17 ~~so that the beam is sufficiently fish-plated through the hole.~~

18 (d) ~~The city manager may approve other connectors or means of securing the cable to the~~
19 ~~beam if they are of equivalent holding power and permanence.~~

20 **10-12-8. Foundations.**

21 (a) Mobile Homes must be installed in compliance with the Colorado Department of Local
22 Affairs, Division of Housing, handbook and must bear the state insignia prior to receiving
23 a certificate of occupancy.

24 Section 24. Section 10-12-9, "Anchorage," B.R.C. 1981, is deleted in its entirety and
25 reserved:

26 **10-12-9. Anchorage.**

27 (a) ~~Ground anchors shall comply with the following conditions:~~

- 28 (1) ~~They are aligned with the piers required by Section 10-12-10, "Piers and~~
29 ~~Footings," B.R.C. 1981, and are situated immediately below the outer wall if they~~
30 ~~are to accommodate over-the-home ties, if this placement allows for sufficient~~
31 ~~angle for the anchor to frame connection.~~
- 32 (2) ~~Steel rods are of a five eighths inch minimum diameter with a forged or welded~~
33 ~~eye at the top; the bottom of the rod for dead-man anchors is hooked into the~~
34 ~~concrete.~~
- 35 (3) ~~Augers are at least six inches in diameter, with arrowheads of eight inches, and~~
36 ~~are sunk to a depth of at least five feet.~~

37 ³See paragraphs 1.2.1.1, 1.2.1.2, 3.10.2, 6.1.7, and table II of QQ-S-781.

1 ~~(4) — Dead man anchors are sunk to a depth of at least five feet with a minimum~~
2 ~~vertical dimension of two feet and a diameter of six inches; no celled concrete~~
3 ~~blocks are provided.~~

4 ~~(b) — The city manager may approve anchors to reinforced concrete slabs if they are of strength~~
5 ~~comparable to the requirements set forth in this section and if the weight of the mobile~~
6 ~~home rests on the slab.~~

7 ~~Reserved.~~

8 ~~Section 25. Section 10-12-10, “Piers and Footings,” B.R.C. 1981, is amended to read as~~
9 ~~follows:~~

10 ~~**10-12-10. Piers and Footings.**~~

11 ~~(a) — Piers and footings on all mobile homes, except those installed before April 21, 1972,~~
12 ~~shall meet the following conditions:~~

13 ~~(1) — All piers are placed on footers of concrete with a minimum dimension of sixteen~~
14 ~~inches by sixteen inches by four inches or an equivalent as approved by the city~~
15 ~~manager.~~

16 ~~(2) — Piers are constructed as standard eight inches by eight inches by sixteen inches~~
17 ~~celled concrete blocks placed over the footings with the long dimension~~
18 ~~crossways to the main frame members and centered under them, with cells~~
19 ~~vertical; piers are of a height so that the mobile home will be located as close to~~
20 ~~the ground as possible.~~

21 ~~(3) — Piers are topped with a concrete cap eight inches by sixteen inches by four inches.~~

22 ~~(4) — Hardwood shims are driven tight between the cap and the main frame to provide~~
23 ~~uniform bearing and are four inches or less in thickness and wide enough to~~
24 ~~provide bearing over the top cap.~~

25 ~~(5) — Required piers are centered under each main frame or chassis member within five~~
 ~~feet of anchorage, and the end piers are no farther than five feet from the ends of~~
 ~~the mobile home. There is at least one pier for required anchorage.~~

~~(b) — The city manager may approve other types of piers and footings of equivalent~~
 ~~permanence and weight bearing ability.⁴~~

~~Mobile homes must be installed in compliance with the Colorado Department of Local Affairs,~~
 ~~Division of Housing, Installation Handbook~~

⁴~~The use of a heavy metal adjustment column anchored to both frame and footing is recommended.~~

1 Section 26. Section 10-12-12, “Alternative Tie Down and Blocking Methods,” B.R.C.

2 1981, is deleted in its entirety and reserved:

3 **~~10-12-12. Alternative Tie Down and Blocking Methods.~~**

4 ~~If a mobile home park owner or developer wishes to use different tie down, blocking or~~
5 ~~anchorage systems than those required by this chapter, before seeking approval of a final mobile~~
6 ~~home park site plan from the planning board, the owner or developer shall obtain approval from~~
7 ~~the city manager for typical tie downs and for each individual space shown on the proposed final~~
8 ~~site plan, based on plans for the method and materials for tie down pads designed by a Colorado~~
9 ~~licensed professional engineer and complying with the city building code, Chapter 10-5,~~
10 ~~"Building Code," B.R.C. 1981.~~

11 Reserved.

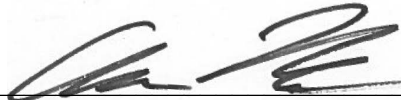
12 ...

13 Section 27. This Ordinance shall take effect on August 1, 2025. It shall be applied to
14 building permit applications submitted on or after the effective date. Building permits applied for
15 before the effective date shall be considered under the code effective at the time of application.

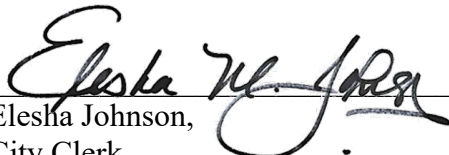
16 Section 28. This ordinance is necessary to protect the public health, safety, and welfare
17 of the residents of the city and covers matters of local concern.

18 Section 29. The city council deems it appropriate that this ordinance be published by title
19 only and orders that copies of this ordinance be made available in the office of the city clerk for
20 public inspection and acquisition.

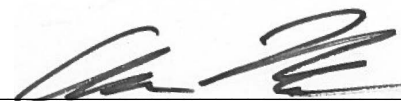
1 INTRODUCTION, READ ON FIRST READING, AND ORDERED PUBLISHED BY
2 TITLE ONLY this 6th day of February 2025.

3
4 
5 Aaron Brockett,
Mayor

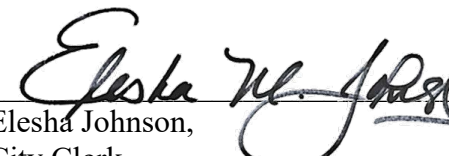
6 Attest:

7 
8 Elesha Johnson,
City Clerk

9 READ ON SECOND READING, AMENDED AND PASSED this day of 20th day of
10 February 2025.

11
12 
13 Aaron Brockett,
14 Mayor


15 Attest:

16 
17 Elesha Johnson,
City Clerk

1 READ ON THIRD READING AND ADOPTED this day of 20th day of March 2025.

2
3
4 
Aaron Brockett,
Mayor

5 Attest:

6 
7 Elesha Johnson,
8 City Clerk

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