

## TOWN OF LYONS, COLORADO

### ORDINANCE NO. 1145

AN ORDINANCE OF THE TOWN OF LYONS AMENDING CHAPTER 18 OF THE LYONS MUNICIPAL CODE; REPEALING AND REENACTING ARTICLES 2 THROUGH 10 OF CHAPTER 18 OF THE TOWN OF LYONS MUNICIPAL CODE AND ADOPTING BY REFERENCE THE *INTERNATIONAL BUILDING CODE*, 2021 EDITION; *INTERNATIONAL RESIDENTIAL CODE*, 2021 EDITION INCLUDING APPENDIX Q FOR TINY HOUSES (2021 INTERNATIONAL RESIDENTIAL CODE); *INTERNATIONAL MECHANICAL CODE*, 2021 EDITION; *INTERNATIONAL PLUMBING CODE*, 2021 EDITION; *INTERNATIONAL PROPERTY MAINTENANCE CODE*, 2021 EDITION; *INTERNATIONAL EXISTING BUILDING CODE*, 2021 EDITION; *INTERNATIONAL ENERGY CONSERVATION CODE*, 2021 EDITION; *INTERNATIONAL SWIMMING POOL AND SPA CODE*, 2021 EDITION; *INTERNATIONAL FUEL GAS CODE*, 2021 EDITION; MAKING SPECIFIC AMENDMENTS TO THE ABOVE-REFERENCED CODES; CODIFYING THE *INTERNATIONAL FIRE CODE*, 2021 EDITION AS A NEW ARTICLE 16 OF CHAPTER 18 OF THE TOWN OF LYONS MUNICIPAL CODE; AND MOVING ARTICLES 15 AND 16 OF CHAPTER 18 UP TO BECOME ARTICLES 6 AND 7 AND RENUMBERING THE REMAINING ARTICLES ACCORDINGLY

**WHEREAS**, international building and construction standards have been developed and from time to time amended and updated by the International Code Council ("ICC"), as set forth in the ICC's International Code Series; and

**WHEREAS**, in furtherance of the public health, safety and welfare of the inhabitants of the Town of Lyons ("Town"), the Board of Trustees ("Board") desires to update its ordinances to include the 2021 versions of the ICC's International Code Series ("International Codes"); and

**WHEREAS**, the Board held a public hearing, with proper notice provided, to consider the adoption of the International Codes as required by law; and

**WHEREAS**, copies of the International Codes are available in the Town Clerk's Office at Town Hall, 432 5<sup>th</sup> Avenue, Lyons, Colorado for review and inspection by the public; and

**WHEREAS**, a public hearing was conducted on the date, time and place noticed; and

**WHEREAS**, the Board has determined, based on the evidence and testimony

presented at the public hearing, that the adoption of the International Codes, as amended herein will further the health, safety and welfare of the inhabitants of the Town.

**NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF TRUSTEES OF LYONS, COLORADO, AS FOLLOWS:**

Section 1. The above recitals are incorporated by reference.

Section 2. Articles 2 through 10 of Chapter 18 of the Lyons Municipal Code are hereby repealed in their entirety and reenacted to read as follows:

**ARTICLE 2 – Building Code**

Sec. 18-2-10. - Adoption.

(a) The International Building Code, 2021 edition, as published by the International Code Council, 4051 West Flossmoor Road, Country Club Hills, IL 60478, Chapters 1 through 35 inclusive and Appendix Chapter I, is hereby adopted by reference as the Town of Lyons Building Code, as if fully set out in this Article with the additions, deletions, insertions and changes as provided in Section 18-2-40 below.

(b) No building shall be hereafter constructed, erected, enlarged, altered or moved into the Town unless the same shall, as to design, construction, quality of materials and workmanship, conform with the adopted building code.

Sec. 18-2-20. - Purpose.

The purpose of the International Building Code ("IBC") is to provide minimum standards to safeguard life or limb, health, property and public welfare by regulating and controlling the design, construction, quality of materials, use and occupancy, location and maintenance of all buildings and structures within the Town, and certain equipment specifically regulated in this Code.

Sec. 18-2-30. - Copy on file.

At least one (1) copy of the IBC, certified to be a true copy, has been and is now on file in the office of the Town Clerk and may be inspected by any interested person during the regular business hours of the Town Clerk's Office. The code as finally adopted shall be available for sale to the public through the office of the Town Clerk at a moderate price.

Sec. 18-2-40. - Modifications

The following deletions, additions, insertions and changes are hereby made to the IBC as adopted herein.

(1) IBC Section 101.1, Title, is amended by the addition of the term "Town of Lyons" where

indicated.

(3) IBC Section 101.4.3, Plumbing, is amended by the deletion of the last sentence.

(4) IBC Section 103.1 is deleted in its entirety.

IBC Section 105.1, Required, is amended by replacing the words "building official" with "Town,".

(5) IBC Section 105.2, Work exempt from permit, is amended by replacing item 2 under "Building" with the following:

"2. Fences not over 6 feet high."

(6) IBC Section 109.4, Work commencing before permit issuance, is amended by deleting the Section in its entirety and replacing the Section with the following:

" Any person who commences any work on a building, structure, electrical, gas, mechanical or plumbing system before obtaining the **necessary** permits **shall** be subject to an additional fee equal to 100% of the original permit fee."

(7) IBC Section 109.6, Refunds, is amended by deleting the Section in its entirety and replacing the Section with the following:

"The Town may authorize refunding of any fee paid hereunder which was erroneously paid or collected.

"The Town may authorize refunding of not more than 80 percent (80%) of the permit fee paid when no work has been done under a permit issued in accordance with this code.

"The Town may authorize refunding of not more than 80 percent (80%) of the plan review fee paid when an application for a permit for which a plan review fee has been paid is withdrawn or canceled before any plan reviewing is done.

"The Town shall not authorize refunding of any fee paid except on written application filed by the original permittee not later than 180 days after the date of fee payment."

(8) IBC Section 110.3.6 Lath and gypsum board inspection, is amended by deleting the exception.

(9) IBC Section 111.3, Temporary occupancy, is amended by deleting the words "building official" in the first and second sentence sentences and replacing them with "Town".

(10) IBC Section 113.1, General, is amended by deleting the last two (2) sentences and inserting the following:

"The members of the Board of Appeals shall be comprised of the members of the Town Board

of Trustees."

(11) IBC Section 113.3, Qualifications, is amended by deleting the Section in its entirety.

(12) IBC Section 202, Definitions, is amended by the addition of the following:

" 'Sleeping Room' (Bedroom) is any enclosed habitable space within a dwelling unit, which complies with the minimum room dimension requirements of IBC Section 1208 and contains a closet, an area that is useable as a closet, or an area that is readily convertible for use as a closet. Living rooms, family rooms and other similar habitable areas that are so situated and designed so as to clearly indicate these intended uses, shall not be interpreted as sleeping rooms."

(13) IBC Section 1015.2, Where required, is amended by the addition of a second paragraph inserted before the exceptions, as follows:

"All area wells, stairwells, window wells, and light wells attached to any building that are located less than 36 inches (914.4 mm) from the nearest intended walking surface and deeper than 30 inches (762 mm) below the surrounding ground level, creating an opening greater than 24 inches (610 mm) measured perpendicular from the building, shall be protected with guardrails conforming to this section around the entire opening, or be provided with an equivalent barrier."

(14) IBC Section 1612.3, Establishment of flood hazard areas, is amended by the insertion of "Town of Lyons" where indicated in Boulder County, Colorado, and by insertion of "October 30, 2006," the date of the latest adopted flood insurance study for the Town, where indicated.

## **ARTICLE 3 – Residential Code**

### **Sec. 18-3-10. - Adoption.**

(a) The International Residential Code, 2021 edition, as published by the International Code Council, 4051 West Flossmoor Road, Country Club Hills, IL 60478, Chapters 1 through 44 inclusive, Appendix Chapter H, and Appendix Chapter Q from 2021 IRC for Tiny Homes\_is hereby adopted by reference as the Town of Lyons Residential Building Code, as if fully set out in this Article with the additions, deletions, insertions and changes as provided in Section 18-3-40 below.

(b) No residential building shall be hereafter constructed, erected, enlarged, altered or moved into the Town unless the same shall, as to design, construction, quality of materials and workmanship, conform with the adopted residential code.

### **Sec. 18-3-20. - Purpose.**

The purpose of the International Residential Code ("IRC") is to provide minimum standards to safeguard life or limb, health, property and public welfare by regulating and controlling the design, construction, quality of materials, use and occupancy, location and maintenance of all residential buildings and structures within the Town and certain equipment specifically regulated in this Code.

Sec. 18-3-30. - Copy on file.

At least one (1) copy of the IRC, certified to be a true copy, has been and is now on file in the office of the Town Clerk and may be inspected by any interested person during the regular business hours of the Town Clerk's Office. The code as finally adopted shall be available for sale to the public through the office of the Town Clerk at a moderate price.

Sec. 18-3-40. – Modifications.

The following deletions, additions, insertions and changes are hereby made to the IRC as adopted herein.

(1) IRC Section R101.1, Title, is amended by the addition of the term "Town of Lyons" where indicated.

(2) IRC Section R105.1, Required, is amended by replacing the words "building official" with "Town," to read as follows:

"Any owner or owner's authorized agent who intends to construct, enlarge, alter, repair, move, demolish or change the occupancy of a building or structure, or to erect, install, enlarge, alter, repair, remove, convert or replace any electrical, gas, mechanical or plumbing system, the installation of which is regulated by this code, or to cause any such work to be performed, shall first make application to the Town and obtain the required permit."

(3) IRC Section R105.2, Work exempt from permit, is amended by replacing items 1, 2, and 10 under "Building" with the following:

"1. One-story detached *accessory structures*, provided that the floor area does not exceed 120 square feet."

"2. Fences not over 6 feet high."

"10. Decks not exceeding 120 square feet in area, that are not more than 30 inches (762 mm) above *grade* at any point, are not attached to a dwelling and do not serve the exit door required by Section R311.4."

(4) IRC Section 108.6, Work commencing before permit issuance, is replaced with the following:

"Any person who commences any work on a building, structure, electrical, gas, mechanical or plumbing system before obtaining the necessary permits shall be subject to a fee established by the Town. The fee shall be equal to 100% of the original permit fee in addition to the required permit fees."

(5) IRC Section R108.5, Refunds, is amended by deleting the Section in its entirety and replacing it with the following:

"The Town may authorize refunding of any fee paid hereunder which was erroneously paid or collected."

"The Town may authorize refunding of not more than 80 percent (80%) of the permit fee paid when no work has been done under a permit issued in accordance with this code.

"The Town may authorize refunding of not more than 80 percent (80%) of the plan review fee paid when an application for a permit for which a plan review fee has been paid is withdrawn or cancelled before any plan reviewing is done.

"The Town shall not authorize refunding of any fee paid except on written application filed by the original permittee not later than 180 days after the date of fee payment."

(6) IRC Section R109.1.5, Other inspections, is amended by the addition of two (2) new subsections as follows:

"R109.1.5.2 Insulation inspection. Inspection of the structure shall be made following installation of the wall, ceiling and floor insulation and exterior windows and before wall coverings are installed.

"R109.1.5.3 Lath and gypsum inspection. Inspection of all interior or exterior lathing and gypsum board shall be made after installation but before any plaster is applied or before gypsum board joints and fasteners are taped and finished."

(7) IRC Section R110.4, Temporary occupancy, is amended by deleting the words "building official" in the first and second sentences and replacing them with "Town."

(8) IRC Section R112.1, General, is amended by deleting the last three (3) sentences and inserting the following:

"The members of the Board of Appeals shall be comprised of the members of the Town Board of Trustees. The Board of Trustees may, at its sole and absolute discretion, appoint and designate a hearing officer, or a board or commission of any number of persons, to serve and exercise the Board of Trustees duties associated with any appeal."

(9) IRC Section R202, Definitions, is amended by the addition of the following:

" 'Sleeping Room' (Bedroom) is any enclosed habitable space within a dwelling unit, which complies with the minimum room dimension requirements of IRC Sections R304 and R305 and contains a closet, an area that is useable as a closet or an area that is readily convertible for use as a closet. Living rooms, family rooms and other similar habitable areas that are so situated and designed so as to clearly indicate these intended uses shall not be interpreted as sleeping rooms."

" 'reconstructed dwelling' is any dwelling which has been completely deconstructed, deconstructed to the foundation level, or deconstructed to the first-floor level. For the purposes of this code, a reconstructed dwelling shall be considered a new dwelling. "

(10) Table R301.2(1) Climatic and Geographic Design Criteria is amended to read as follows:

GROUND SNOW LOAD  Pounds per square foot (psf)	WIND DESIGN				SEISMIC DESIGN CATEGORY	SUBJECT TO DAMAGE FROM			WINTER DESIGN TEMP	ICE BARRIER UNDERLAYMENT REQUIRED	FLOOD HAZARDS	AIR FREEZING INDEX	MEAN ANNUAL TEMP
	Speed (mph)	Topographic effects	Special Wind region	Wind-borne debris zone		Weathering	Frost line depth	Termite					
30	140	NO	NO	NO	B	SEVERE	30 in	None to Slight	1	N O	See Town Adopted Regulations and FIRM Map	1000	45°F

(11) IRC Section R310.2.3.1, Ladder and steps, is amended by the addition of the following exception, to read as follows:

"Exception: Only one window well egress ladder shall be required in an unfinished basement."

(12) IRC Section R312.1.1, Where required, is amended by the addition of a second paragraph as follows:

"All area wells, stairwells, window wells and light wells attached to any building that are located less than 36 inches (914 mm) from the nearest intended walking surface and deeper than 30 inches (762 mm) below the surrounding ground level, creating an opening greater than 24 inches (610 mm) measured perpendicular from the building, shall be protected with guardrails conforming to this section around the entire opening, or be provided with an equivalent barrier.

"Exceptions:

"1. The access side of stairways need not be protected.

"2. Area and window wells provided for emergency escape and rescue windows may be protected with approved grates or covers that comply with Section R310 of this code.

"3. Covers and grates may be used over stairways and other openings used exclusively for the service access or for admitting light or ventilation."

(13) IRC Section R401.2, Requirements, is amended by the addition of the following:

"Foundations shall be designed and the construction drawings stamped by a Colorado registered design professional. The foundation design must be based on an engineer's soil report. The drawings must be noted with the engineering firm name, specific location for design and soil report number. A site certification prepared by the State of Colorado registered design professional is required for setback verification on all new Group R Division 3 occupancies."

(14) IRC Section R405.1, Concrete and masonry foundations, is amended with the addition of the following after the first sentence:

"All foundation drains shall be designed and inspected by a State of Colorado registered design

professional."

(15) IRC Section G2415.12, Minimum burial depth, is amended by the addition of the following:

"All plastic fuel gas piping shall be installed a minimum of 18 inches (457 mm) below grade."

(16) IRC Section G2415.12.1, Individual outside appliances, is deleted in its entirety.

(17) IRC Section G2417.4.1, Test pressure, is amended by changing "3 psig" to "10 psig."

(18) IRC Section P2603.5.1, Sewer depth, is amended by filling in both areas where indicated to read "12 inches (305 mm)."

(19) The 2021 International Residential Code Appendix Q for Tiny Homes is added in its entirety.

#### **ARTICLE 4 – Mechanical Code**

Sec. 18-4-10. - Adoption.

(a) The International Mechanical Code, 2021 edition, as published by the International Code Council, 4051 West Flossmoor Road, Country Club Hills, IL 60478, Chapters 1 through 15 inclusive and Appendix Chapters A, is hereby adopted by reference as the Town of Lyons Mechanical Code as if fully set out in this Article, with the additions, deletions, insertions and changes as provided in Section 18-4-40 below.

(b) No building shall be hereafter constructed, erected, enlarged, altered or moved into the Town unless the same shall, as to design, construction, quality of materials and workmanship, conform with the adopted mechanical code.

Sec. 18-4-20. - Purpose.

The purpose of the International Mechanical Code ("IMC") is to provide minimum standards to safeguard life or limb, health, property and public welfare by regulating and controlling the

design, construction, quality of materials, use and occupancy, location and maintenance of all buildings and structures within the Town and certain equipment specifically regulated in this Code.

Sec. 18-4-30. - Copy on file.

At least one (1) copy of the IMC, certified to be a true copy, has been and is now on file in the office of the Town Clerk and may be inspected by any interested person during the regular business hours of the Town Clerk's Office. The code as finally adopted shall be available for sale to the public through the office of the Town Clerk at a moderate price.

Sec. 18-4-40. – Modifications.

The following deletions, additions, insertions and changes are hereby made to the IMC as



adopted herein:

(1) IMC Section 101.1, Title, is amended by the addition of the term "Town of Lyons" where indicated.

(2) IMC Section 109.2, Membership of Board, is deleted in its entirety and replaced by the following:

"The members of the Board of Appeals shall be comprised of the members of the Town Board of Trustees."

(3) IMC Section 109.2.2, Alternate Members, is deleted in its entirety.

## **ARTICLE 5 – Plumbing Code**

Sec. 18-5-10. - Adoption.

(a) The International Plumbing Code, 2021 edition as published by the International Code Council, 4051 West Flossmoor Road, Country Club Hills, IL 60478, Chapters I through 14 inclusive and Appendix Chapters B through E with State of Colorado adopted amendments, is hereby adopted by reference as the Town of Lyons Plumbing Code as if fully set out in this Article with the additions, deletions, insertions and changes as provided in Section 18-5-40 below.

(b) No building shall be hereafter constructed, erected, enlarged, altered or moved into the Town unless the same shall, as to design, construction, quality of materials and workmanship conform with the adopted plumbing code

Sec. 18-5-20. - Purpose.

The purpose of the International Plumbing Code ("IPC") is to provide minimum standards to safeguard life or limb, health, property and public welfare by regulating and controlling the design, construction, quality of materials, use and occupancy, location and maintenance of all buildings and structures within the Town and certain equipment specifically regulated in this Code.

Sec. 18-5-30. - Copy on file.

At least one (1) copy of the IPC, certified to be a true copy, has been and is now on file in the office of the Town Clerk and may be inspected by any interested person during the regular business hours of the Town Clerk's Office. The code as finally adopted shall be available for sale to the public through the office of the Town Clerk at a moderate price.

Sec. 18-5-40. – Modifications.

The following deletions, additions, insertions and changes are hereby made to the International Plumbing Code as adopted herein:

(1) IPC Section 101.1, Title, is amended by the addition of the term "Town of Lyons" where

indicated.

(2) IPC Section 305.4.1, Sewer depth, is amended by filling in both areas where indicated to read "12 inches (305 mm)."

(3) IPC Section 109.2, Membership of Board, is deleted in its entirety and replaced by:

"The members of the Board of Appeals shall be comprised of the members of the Town Board of Trustees."

(4) IPC Section 109.2.2, Alternate Members, is deleted in its entirety.

(5) IPC Section 903.1, Roof extension, is amended by inserting the number "6 (152.4 mm)" where indicated in the second sentence.

## **ARTICLE 6 - Electrical Code**

Sec. 18-6-10. - Adoption.

The National Electrical Code, 2020 edition, as published by the National Fire Protection Association, 1 Batterymarch Park, Quincy, MA, 02169, as currently adopted by the State of Colorado ("NEC") is hereby adopted by reference as the Town of Lyons Electrical Code without modifications.

Sec. 18-6-20. - Copy on file.

At least one (1) copy of the NEC, certified to be a true copy, has been and is now on file in the office of the Town Clerk and may be inspected by any interested person during the regular business hours of the Town Clerk's Office. The NEC as finally adopted shall be available for sale to the public through the office of the Town Clerk at a moderate price.

## **ARTICLE 7 – Fire Code**

Sec. 18-7-10. - Codification.

The International Fire Code, 2021 edition, as published by the International Code Council, 4051 West Flossmoor Road, Country Club Hills, IL 60478, Chapters 1 through 80 inclusive, Appendix B, Appendix C, Appendix D, Appendix F, Appendix H, Appendix I, and Appendix O is hereby codified by reference as the Town of Lyons Fire Code as if fully set out in this Article with the additions, deletions, insertions and changes as provided in Section 18-7-40 below.

Sec. 18-7-20. - Purpose.

The purpose of the International Fire Code ("IFC") is to provide minimum standards to safeguard life or limb, health, property and public welfare by providing a reasonable level of life safety and property protection from the hazards of fire, explosion, and dangerous conditions in

new and existing building, structures, and premises, and to provide for the safety of firefighters, and emergency responders during emergency operations within the Town.

Sec. 18-7-30. - Copy on file.

At least one (1) copy of the IFC, certified to be a true copy, has been and is now on file in the office of the Town Clerk and may be inspected by any interested person during the regular business hours of the Town Clerk's Office. The code as finally adopted shall be available for sale to the public through the office of the Town Clerk at a moderate price.

Sec. 18-7-40. – Modifications.

The deletions, additions, insertions and changes are hereby made to the IFC as amended by the Lyons Fire Protection District and reflected in Resolution 2023-23.

## **ARTICLE 8 – Property Maintenance Code**

Sec. 18-8-10. - Adoption.

(a) The International Property Maintenance Code, 2021 edition, as published by the International Code Council, 4051 West Flossmoor Road, Country Club Hills, IL 60478, Chapters 1 through 8 inclusive, is hereby adopted by reference as the Town of Lyons International Property Maintenance Code as if fully set out in this Article with the additions, deletions, insertions and changes as provided in Section 18-8-40 below.

(b) No building shall be hereafter constructed, erected, enlarged, altered or moved into the Town unless the same shall, as to design, construction, quality of materials and workmanship conform with the adopted property maintenance code

Sec. 18-8-20. - Purpose.

The purpose of the International Property Maintenance Code ("IPMC") is to provide minimum standards to safeguard life or limb, health, property and public welfare by regulating and controlling the design, construction, quality of materials, use and occupancy, location and maintenance of all buildings and structures within the Town and certain equipment specifically regulated in this Code.

Sec. 18-8-30. - Copy on file.

At least one (1) copy of the IPMC, certified to be a true copy, has been and is now on file in the office of the Town Clerk and may be inspected by any interested person during the regular business hours of the Town Clerk's Office. The code as finally adopted shall be available for sale to the public through the office of the Town Clerk at a moderate price.

Sec. 18-8-40. – Modifications.

The following deletions, additions, insertions and changes are hereby made to the IPMC as adopted herein:

(1) IPMC Section 101.1, Title, is amended by the addition of the term "Town of Lyons" where indicated.

(2) IPMC Section 102.3, Application of other codes, is amended by the deletion of "International Fire Code" and the insertion of "adopted fire code".

(3) IPMC Section 103.5, Fees, is deleted in its entirety.

(4) IPMC Section 111.2, Membership of board, is amended by deleting the Section in its entirety and inserting the following:

"The members of the Board of Appeals shall be comprised of the members of the Town Board of Trustees."

## **ARTICLE 9 – Existing Building Code**

Sec. 18-9-10. - Adoption.

(a) The International Existing Building Code, 2021 edition as published by the International Code Council, 4051 West Flossmoor Road, Country Club Hills, IL 60478, Chapters 1 through 15 inclusive and Appendix Chapters A, B and C, is hereby adopted by reference as the Town of Lyons International Existing Building Code as if fully set out in this Article with the additions, deletions, insertions and changes as provided in Section 18-9-40 below.

(b) No building shall be hereafter constructed, erected, enlarged, altered or moved into the Town unless the same shall, as to design, construction, quality of materials and workmanship, conform with the existing building code.

Sec. 18-9-20. - Purpose.

The purpose of the International Existing Building Code ("IEBC") is to provide minimum standards to safeguard life or limb, health, property and public welfare by regulating and controlling the design, construction, quality of materials, use and occupancy, location and maintenance of all buildings and structures within the Town and certain equipment specifically regulated in this Code.

Sec. 18-9-30. - Copy on file.

At least one (1) copy of the IEBC, certified to be a true copy, has been and is now on file in the office of the Town Clerk and may be inspected by any interested person during the regular business hours of the Town Clerk's Office. The code as finally adopted shall be available for sale to the public through the office of the Town Clerk at a moderate price.

Sec. 18-9-40. – Modifications.

The following deletions, additions, insertions, and changes are hereby made to the IEBC as adopted herein:

(1) The IEBC is amended by replacing all references to "International Fire Code" with "adopted

fire code."

(2) The IEBC is amended by replacing all references to "ICC Electrical Code" with "National Electrical Code," as adopted by the State of Colorado.

(3) IEBC Section 101.1, Title, is amended by the addition of the term "Town of Lyons" where indicated.

(4) IEBC Section, 1401.2 Conformance, is amended by deleting the Section in its entirety and replacing it with the following:

"Structures moved into or within the jurisdiction shall comply with the provision of this code for new structures."

## **ARTICLE 10 – Energy Conservation Code**

Sec. 18-10-10. - Adoption.

(a) The International Energy Conservation Code, 2021 edition, as published by the International Code Council, 4051 West Flossmoor Road, Country Club Hills, IL 60478, Chapters 1 through 6 inclusive, is hereby adopted by reference as the Town of Lyons International Energy Conservation Code as if fully set out in this Article with the additions, deletions, insertions and changes as provided in Section 18-10-40 below.

(b) No building shall be hereafter constructed, erected, enlarged, altered or moved into the Town unless the same shall, as to design, construction, quality of materials and workmanship conform with the adopted energy conservation code.

Sec. 18-10-20. - Purpose.

The purpose of the International Energy Conservation Code ("IECC") is to provide minimum standards to safeguard life or limb, health, property and public welfare by regulating and controlling the design, construction, quality of materials, use and occupancy, location and maintenance of all buildings and structures within the Town and certain equipment specifically regulated in this Code.

Sec. 18-10-30. - Copy on file.

At least one (1) copy of the IECC, certified to be a true copy, has been and is now on file in the office of the Town Clerk and may be inspected by any interested person during the regular business hours of the Town Clerk's Office. The code as finally adopted shall be available for sale to the public through the office of the Town Clerk at a moderate price.

Sec. 18-10-40. – Modifications.

The following deletions, additions, insertions and changes are hereby made to the IECC as adopted herein:

(1) The IECC is amended by replacing all references to "International Fire Code" with "adopted fire code."

(2) The IECC is amended by replacing all references to "ICC Electrical Code" with "National Electrical Code," as adopted by the State of Colorado.

(3) IECC Section 101.1, Title, is amended by the addition of the term "Town of Lyons" where indicated.

## **ARTICLE 11 - Swimming Pool and Spa Code**

Sec. 18-11-10. - Adoption.

(a) The International Swimming Pool and Spa Code, 2021 edition, as published by the International Code Council, 4051 West Flossmoor Road, Country Club Hills, IL 60478, Chapters 1 through 8 inclusive, is hereby adopted by reference as the Town of Lyons International Swimming Pool and Spa Code as if fully set out in this Article with the additions, deletions, insertions and changes as provided in Section 18-11-40 below.

(b) No building shall be hereafter constructed, erected, enlarged, altered or moved into the Town unless the same shall, as to design, construction, quality of materials and workmanship conform with the adopted swimming pool and spa code.

Sec. 18-11-20. - Purpose.

The purpose of the International Swimming Pool and Spa Code ("ISPSC") is to provide minimum standards to safeguard life or limb, health, property and public welfare by regulating and controlling the design, construction, quality of materials, use and occupancy, location and maintenance of all buildings and structures within the Town and certain equipment specifically regulated in this Code.

Sec. 18-11-30. - Copy on file.

At least one (1) copy of the ISPSC, certified to be a true copy, has been and is now on file in the office of the Town Clerk and may be inspected by any interested person during the regular business hours of the Town Clerk's Office. The code as finally adopted shall be available for sale to the public through the office of the Town Clerk at a moderate price.

Sec. 18-11-40. – Modifications.

The following deletions, additions, insertions and changes are hereby made to the ISPSC as adopted herein:

(1) ISPSC Section 101.1, Title, is amended by the addition of the term "Town of Lyons" where indicated.

(2) ISPSC Section 108.2, Membership of board, is amended by deleting the Section in its entirety and inserting the following:

"The members of the Board of Appeals shall be comprised of the members of the Town Board of Trustees."

(3) ISPSC Section 108.2, Alternate members, is deleted in its entirety.

(4) ISPSC Section 108.2.3, Chairman, is deleted in its entirety.

(5) ISPSC Section 108.2.4, Disqualification of member, is deleted in its entirety.

(6) ISPSC Section 108.2.5, Secretary, is deleted in its entirety.

(7) ISPSC Section 108.2.6, Compensation of members, is deleted in its entirety.

## **ARTICLE 12 – Fuel Gas Code**

Sec. 18-12-10. - Adoption.

(a) The International Fuel Gas Code, 2021 edition, as published by the International Code Council, 4051 West Flossmoor Road, Country Club Hills, IL 60478, Chapters 1 through 8 inclusive and Appendix Chapters A through D with State of Colorado adopted amendments, is hereby adopted by reference as the Town of Lyons International Fuel Gas Code as if fully set out in this Article, with the additions, deletions, insertions and changes as provided in Section 18-12-40 below.

(b) No building shall be hereafter constructed, erected, enlarged, altered or moved into the Town unless the same shall, as to design, construction, quality of materials and workmanship conform with the adopted fuel gas code.

Sec. 18-12-20. - Purpose.

The purpose of the International Fuel Gas Code ("IFGC") is to provide minimum standards to safeguard life or limb, health, property and public welfare by regulating and controlling the design, construction, quality of materials, use and occupancy, location and maintenance of all buildings and structures within the Town and certain equipment specifically regulated in this Code.

Sec. 18-12-30. - Copy on file.

At least one (1) copy of the IFGC, certified to be a true copy, has been and is now on file in the office of the Town Clerk and may be inspected by any interested person during the regular business hours of the Town Clerk's Office. The code as finally adopted shall be available for sale to the public through the office of the Town Clerk at a moderate price.

Sec. 18-12-40. – Modifications.

The following deletions, additions, insertions and changes are hereby made to the IFGC as adopted herein:

(1) IFGC Section 101.1, Title, is amended by the addition of the term "Town of Lyons" where

indicated.

(2) IFGC Sections 109.2, Membership of Board, is deleted in its entirety and replaced by the following:

"The members of the Board of Appeals shall be comprised of the members of the Town Board of Trustees."

(3) IFGC Sections 109.2.2, Alternate members, is deleted in its entirety.

(4) IFGC Section 404.12, Minimum burial depth, is amended by the addition of the following:

"All underground gas piping shall be installed a minimum of 18 inches (457 mm) below grade."

(5) IFGC Section 404.12.1, Individual outside appliances, is deleted in its entirety.

(6) IFGC Section 406.4.1, Test pressure, is amended by changing "3 psig" to "10 psig"

Section 3. Safety Clause. The Board of Trustees hereby finds, determines, and declares that this Ordinance is promulgated under the general police power of the Town of Lyons, that it is promulgated for the health, safety, and welfare of the public, and that this Ordinance is necessary for the preservation of health and safety and for the protection of public convenience and welfare. The Board of Trustees further determines that the Ordinance bears a rational relation to the proper legislative object sought to be attained.

Section 4. Codification Amendments. The codifier of the Town's Municipal Code is hereby authorized to make such numerical, technical, and formatting changes as may be necessary to incorporate the provisions of this Ordinance within the Lyons Municipal Code.

Section 5. Severability. Should any one or more sections or provisions of this Ordinance enacted hereby be judicially determined invalid or unenforceable, such judgment shall not affect, impair or invalidate the remaining provisions of this Ordinance, the intention being that the various sections and provisions are severable.

Section 6. Repeal. Any and all ordinances, resolutions, or codes or parts thereof in conflict or inconsistent herewith are, to the extent of such conflict or inconsistency, hereby repealed; provided, however, that the repeal of any such ordinance, resolution, or code or part thereof shall not revive any other section or part of any ordinance, resolution, or code provision heretofore repealed or superseded and this repeal shall not affect or prevent the prosecution or punishment of any person for any act done or committed in violation of any ordinance or code hereby repealed prior to the taking effect of this ordinance.

Section 7. Effective Date. Except as otherwise expressly provided herein, the provisions of this Ordinance shall become effective **June 1, 2023.**





**INTRODUCED AND PASSED ON FIRST READING THIS 17<sup>th</sup> DAY OF APRIL, 2023.**

**INTRODUCED, AMENDED, PASSED, ADOPTED AND ORDERED PUBLISHED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2023.**

**TOWN OF LYONS, COLORADO**

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Hollie Rogin, Mayor

**ATTEST:**

Dolores M. Vasquez, CMC - Town Clerk