

**CITY OF WHEAT RIDGE, COLORADO**  
**INTRODUCED BY COUNCIL MEMBER BERRY**  
**Council Bill No. 20**  
**Ordinance No. 1494**

Series 2011

**TITLE: AN ORDINANCE AMENDING CHAPTER 5 OF THE CODE OF LAWS OF THE CITY OF WHEAT RIDGE CONCERNING THE REGULATION OF HOOP HOUSES**

**WHEREAS**, the City Council ("Council") of the City of Wheat Ridge, Colorado ("City") has authority to enact ordinances for the protection of public health, safety and welfare; and

**WHEREAS**, the City of Wheat Ridge Home Rule Charter ("Charter") Section 5.16 provides that standard codes promulgated by any recognized trade or professional organization may be adopted by reference; and

**WHEREAS**, exercising this authority, the Council has previously adopted the 2006 editions of certain uniform codes, including the International Building Code, the International Residential Code and the International Fire Code, all of which codes have been made a part of Chapter 5 of the Wheat Ridge Code of Laws ("Code"); and

**WHEREAS**, the Council wishes to amend certain sections of Chapter 5 incorporate the 2006 versions of the above-referenced uniform codes concerning the regulation of hoop houses.

**NOW THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF WHEAT RIDGE, COLORADO:**

**Section 1.** Section 5-76 (b) of the Code is amended by the addition of the following language, to be inserted numerically as the amendments are so referenced:

*Section 105.2* amend with the addition of the following language:

...

14. HOOP HOUSES AS DEFINED IN SECTION 3102.2 THAT DO NOT EXCEED 400 SQUARE FEET IN FLOOR AREA, THAT ARE NOT OCCUPIED BY THE GENERAL PUBLIC, AND THAT DO NOT CONTAIN MECHANICAL OR ELECTRICAL DEVICES, EQUIPMENTS OR SYSTEMS.

**Section 2.** Section 5-76 (b) of the Code is amended by the addition of the following language, to be inserted numerically as the amendments are so referenced:

*Section 3102.2* amend with the addition of the following language:

**HOOP HOUSE.** A STRUCTURE NOT EXCEEDING 1,000 SQUARE FEET IN FLOOR AREA WITH A MAXIMUM SIX MILS THICK POLY FILM ROOF AND WALL COVERING INSTALLED OVER ROUNDED STRUCTURAL MEMBERS IN WHICH THERE IS NO STORAGE OF SOLVENTS, FERTILIZERS, GASES OR OTHER CHEMICALS OR FLAMMABLE MATERIALS. STRUCTURES NOT SATISFYING THE REQUIREMENTS OF 105.2 AND 3102.2 SHALL BE CONSIDERED OTHER PERMANENT STRUCTURES, WHICH MUST COMPLY WITH APPLICABLE PORTIONS OF THE CODE FOR SUCH STRUCTURES. HOOP HOUSES EXCEEDING 1,000 SQUARE FEET IN SIZE SHALL BE DEFINED AS GREENHOUSES FOR THE PURPOSE OF DETERMINING APPLICABILITY OF ADOPTED CODES AND REGULATIONS.

**Section 3.** Section 5-76 (b) of the Code is amended by the addition of the following language, to be inserted numerically as the amendments are so referenced:

*Section 1607.11* amend to read in its entirety:

**1607.11 Roof loads.** The structural supports of roofs and marquees shall be designed to resist wind and, where applicable, snow and earthquake loads, in addition to the dead load of construction and the appropriate live loads as prescribed in this section, or as set forth in Table 1607.1. The live loads acting on a sloping surface shall be assumed to act vertically on the horizontal projection of that surface. FOR HOOP HOUSES AS DEFINED IN SECTION 3102.2, THE MINIMUM LIVE LOAD FOR ROOFS SHALL BE 5 PSF FOR COVERINGS AND 20 PSF FOR STRUCTURAL COMPONENTS.

**Section 4.** Section 5-76 (b) of the Code is amended by the addition of the following language, to be inserted numerically as the amendments are so referenced:

*Section 1609.1* amend to read in its entirety:

**1609.1 Applications.** Buildings, structures and parts thereof shall be designed to withstand the minimum wind loads described herein.

Decreases in wind loads shall not be made for the effect of shielding by other structures.

**EXCEPTION:** HOOP HOUSES AS DEFINED IN SECTION 3102.2 SHALL BE DESIGNED TO PROVIDE RESISTANCE TO A MINIMUM WIND SPEED OF 70 MILES PER HOUR.

**Section 5.** Section 5-76 (b) of the Code is amended by the addition of the following language, to be inserted numerically as the amendments are so referenced:

*Section 3102.3* amend to read in its entirety:

**3102.3 Type of construction.** Noncombustible membrane structures shall be classified as Type IIB construction. Noncombustible frame or cable-supported structures covered by an approved membrane in accordance with Section 3012.3.1 shall be classified as Type IIB construction. Heavy timber frame-supported structures covered by an approved membrane in accordance with Section 3102.3.1 shall be classified as Type IV construction. Other membrane structures, and hoop houses as defined in Section 3102.2, shall be classified as Type V construction.

**Exception:** Plastic less than 30 feet above any floor used in HOOP HOUSES AS DEFINED IN SECTION 3102.2 AND greenhouses, where occupancy by the general public is not authorized, and for aquaculture pond covers is not required to meet the fire propagation performance criteria of NFPA 701.

**Section 6.** Section 5-76 (b) of the Code is amended by the addition of the following language, to be inserted numerically as the amendments are so referenced:

*Section 3102.3.1* amend to read in its entirety:

**3102.3.1 Membrane and interior liner material.** Membrane and interior liners shall be either noncombustible as set forth in Section 703.4 or meet the fire propagation performance criteria of NFPA 701 and the manufacturer's test protocol.

**Exception:** Plastic less than 20 mil in thickness used in HOOP HOUSES AS DEFINED IN SECTION 3102.2 AND IN greenhouses, where occupancy by the general public is not authorized, and for aquaculture pond covers is not required to meet the fire propagation performance criteria of NFPA 701.

**Section 7.** Section 5-76 (b) of the Code is amended by the addition of the following language, to be inserted numerically as the amendments are so referenced:

*Section 3102.4* amend to read in its entirety:

**3102.4 Allowable floor areas.** The area of a membrane structure shall not exceed the limitations set forth in Table 503, except as provided in Section 506. THE FLOOR AREA OF HOOP HOUSES AS DEFINED IN SECTION 3102.2 SHALL NOT EXCEED 1,000 SQUARE FEET.

**Section 8.** Section 5-76 (b) of the Code is amended by the addition of the following language, to be inserted numerically as the amendments are so referenced:

*Section 3102.5* amend to read in its entirety:

**3102.5 Maximum height.** Membrane structures shall not exceed one story nor shall such structures exceed the height limitations in feet set forth in Table 503. HOOP HOUSES AS DEFINED IN SECTION 3102.2 SHALL NOT EXCEED APPLICABLE HEIGHTS SET FORTH IN CODE OF LAWS SECTIONS 26-205 THROUGH 26-214, AND 26-625.

**Exception:** Noncombustible membrane structures serving as roofs only.

**Section 9.** Section 5-76 (b) of the Code is amended by the addition of the following language, to be inserted numerically as the amendments are so referenced:

*Section 3102.6.1* amend to read in its entirety:

**3102.6.1 Noncombustible membrane.** A noncombustible membrane shall be permitted for use as the roof or as a skylight of any building or atrium of a building of any type of construction provided it is at least 20 feet above any floor, balcony or gallery. A NONCOMBUSTIBLE POLY FILM NOT EXCEEDING 6 MILLIMETERS IN THICKNESS SHALL BE PERMITTED TO BE USED AS THE ROOF AND WALL COVERING FOR STRUCTURES DEFINED AS HOOP HOUSES IN SECTION 3102.2, REGARDLESS OF HEIGHT.

**Section 10.** Section 5-85 (b) of the Code is amended by the addition of the following language, to be inserted numerically as the amendments are so referenced:

*R202 Definitions* amend with the addition of the following language:

**HOOP HOUSE.** A STRUCTURE NOT EXCEEDING 1,000 SQUARE FEET IN FLOOR AREA WITH A MAXIMUM SIX MILS THICK POLY FILM ROOF AND WALL COVERING INSTALLED OVER ROUNDED STRUCTURAL MEMBERS IN WHICH THERE IS NO STORAGE OF SOLVENTS, FERTILIZERS, GASES OR OTHER CHEMICALS OR FLAMMABLE MATERIALS. HOOP HOUSES AS DEFINED ABOVE SHALL BE REGULATED IN ACCORDANCE WITH THE *INTERNATIONAL BUILDING CODE* AS ADOPTED. STRUCTURES NOT SATISFYING THE REQUIREMENTS OF 105.2 AND 3102.2 OF THE *INTERNATIONAL BUILDING CODE*, AS ADOPTED, SHALL BE CONSIDERED OTHER PERMANENT STRUCTURES, WHICH MUST COMPLY WITH APPLICABLE PORTIONS OF THE CODE FOR SUCH STRUCTURES. HOOP HOUSES EXCEEDING 1,000 SQUARE FEET IN SIZE SHALL BE DEFINED AS GREENHOUSES OR MEMBRANE STRUCTURES FOR THE PURPOSE OF DETERMINING APPLICABILITY OF ADOPTED CODES AND REGULATIONS.

**Section 11.** Section 5-86 (b) of the Code is amended by the addition of the following language, to be inserted numerically as the amendments are so referenced:

*Section 2402.1* amend with the addition of the following language:

**HOOP HOUSE.** A STRUCTURE NOT EXCEEDING 1,000 SQUARE FEET IN FLOOR AREA WITH A MAXIMUM SIX MILS THICK POLY FILM ROOF AND WALL COVERING INSTALLED OVER ROUNDED STRUCTURAL MEMBERS IN WHICH THERE IS NO STORAGE OF SOLVENTS, FERTILIZERS, GASES OR OTHER CHEMICALS OR FLAMMABLE MATERIALS. HOOP HOUSES AS DEFINED ABOVE SHALL BE REGULATED IN ACCORDANCE WITH THE *INTERNATIONAL BUILDING CODE* AS ADOPTED. STRUCTURES NOT SATISFYING THE REQUIREMENTS OF 105.2 AND 3102.2 OF THE *INTERNATIONAL BUILDING CODE*, AS ADOPTED, SHALL BE CONSIDERED OTHER PERMANENT STRUCTURES, WHICH MUST COMPLY WITH APPLICABLE PORTIONS OF THE CODE FOR SUCH STRUCTURES. HOOP HOUSES EXCEEDING 1,000 SQUARE FEET IN SIZE SHALL BE DEFINED AS GREENHOUSES OR MEMBRANE STRUCTURES FOR THE PURPOSE OF DETERMINING APPLICABILITY OF ADOPTED CODES AND REGULATIONS.

**Section 12. Severability, Conflicting Ordinances Repealed.** If any section, subsection or clause of this Ordinance shall be deemed to be unconstitutional or otherwise invalid, the validity of the remaining sections, subsections and clauses


shall not be affected thereby. All other ordinances or parts of ordinances in conflict with the provisions of this Ordinance are hereby repealed.

**Section 13. Effective Date.** This Ordinance shall take effect fifteen (15) days after final publication, as provided by Section 5.11 of the Charter.

**INTRODUCED, READ, AND ADOPTED** on first reading by a vote of 7 to 0 on this 23rd day of May, 2011, ordered published in full in a newspaper of general circulation in the City of Wheat Ridge, and Public Hearing and consideration on final passage set for June 13, 2011 at 7:00 p.m., in the Council Chambers, 7500 West 29<sup>th</sup> Avenue, Wheat Ridge, Colorado.

**READ, ADOPTED AND ORDERED PUBLISHED** on second and final reading by a vote of 7 to 0, this 13th day of June, 2011.

**SIGNED** by the Mayor on this 14th day of June, 2011.

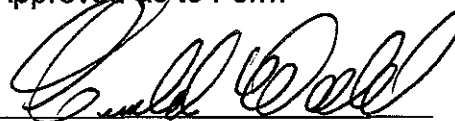
  
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Jerry DiTullio, Mayor

ATTEST:

  
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Michael Snow, City Clerk



Approved as to Form

  
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Gerald E. Dahl, City Attorney

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