

**CITY OF WHEAT RIDGE, COLORADO
INTRODUCED BY COUNCIL MEMBER STITES**

Council Bill No. 20
Ordinance No. 1450
Series of 2009

TITLE: AN ORDINANCE ADOPTING AMENDMENTS TO THE 2003 INTERNATIONAL BUILDING CODE AND THE 2003 INTERNATIONAL RESIDENTIAL CODE, BOTH AS PREVIOUSLY ADOPTED BY REFERENCE, CONCERNING BUILDING PERMIT FEES AND CERTAIN REFERENCED STANDARDS.

WHEREAS, pursuant to its home rule authority and C.R.S. § 31-15-601, the City of Wheat Ridge (the "City") possesses the authority to adopt regulations concerning the construction of homes and other structures within the City; and

WHEREAS, pursuant to C.R.S. § 31-16-201, *et seq.*, the City possesses the authority to adopt codes promulgated by other agencies by reference; and

WHEREAS, in accordance with the above, the City Council ("Council") previously acted to adopt the 2003 International Building Code ("IBC") and the 2003 International Residential Code ("IRC") by reference; and

WHEREAS, building permit fees, as set forth in Table 1-A to the IBC, are currently based on the total valuation of project; and

WHEREAS, the Council finds that the City and the country are in the midst of a severe economic downturn and that certain home improvement projects may be foregone by homeowners due to the costs of such projects; and

WHEREAS, the Council further finds that it is in the public interest to provide some type of economic relief to the citizens of Wheat Ridge and possibly stimulate the economy by effectively lowering certain residential building permit fees related to home improvement projects; and

WHEREAS, the IRC, as previously adopted by the City, contains certain appendices, one of which is "Appendix J – Existing Building and Structures"; and

WHEREAS, said Appendix J requires a homeowner to bring areas of his or her home that are not being renovated into compliance with all applicable codes when the homeowner performs work in areas exceeding fifty-percent (50%) of the total floor area of the home; and

WHEREAS, the Council finds that deleting said Appendix J would also effectively reduce the burden on homeowners who wish to perform home improvement projects, in furtherance of the public health, safety and welfare.

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

Section 1. Table 1-A of the 2003 International Building Code, as adopted by reference and amended by the City pursuant to Section 5-76 of the Code of Laws, is hereby amended by adding the following rows and columns:

The following building permit fees shall be imposed as flat fees and <i>not</i> based upon project valuation. These fees are exclusive of applicable use taxes based on valuation.	
Fences subject to the provisions of the International Residential Code	\$ 35.00
Residential furnace/boiler replacement	\$ 40.00
Residential air conditioning	\$60.00
Residential water heater replacement	\$40.00
Backflow device for residential lawn irrigation	\$40.00
Residential evaporative coolers	\$40.00
Residential hot tubs and above-ground pools	\$60.00

Section 2. The amendments to the 2003 International Residential Code adopted by the last section of Section 5-85(b) of the Code of Laws, are hereby amended as follows:

Referenced standards to be adopted into 2003 International Residential Code:

- Appendix A – Sizing and Capacities of Gas Piping
- Appendix B – Sizing of Venting Systems Serving Appliances Equipped with Drafthoods, Category 1 Appliances, and Appliances listed for Use and Type B Vents
- Appendix C – Exit Terminals of Mechanical Draft and Direct-Vent Venting Systems
- Appendix D – Recommended Procedure for Safety Inspection of an Existing Appliance Installation
- Appendix E – Manufactured Housing Used as Dwellings
- Appendix G – Swimming Pools, Spas and Hot Tubs
- Appendix H – Patio Covers
- Appendix J – Existing Building and Structures
- Appendix L – ICC International Residential Electrical Provisions/National Electrical Code Cross Reference
- Minimum Foundation Standards as prescribed by the City of Wheat Ridge Chief Building Official.

Section 3. 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 4. Effective Date. This Ordinance shall take effect fifteen days after final publication, as provided by Section 5.11 of the Charter.

INTRODUCED, READ, AND ADOPTED on first reading by a vote of 8 to 0 on the 3rd day of August, 2009, 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 August 24, 2009, at 7:00 o'clock p.m., in the Council Chambers, 7500 West 29th Avenue, Wheat Ridge, Colorado.

READ, ADOPTED AND ORDERED PUBLISHED on second and final reading by a vote of 8 to 0, this 24th day of August, 2009.

SIGNED by the Mayor on this 25th day of August, 2009.



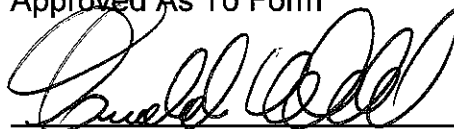
Jerry DiTullio, Mayor

ATTEST:



Michael Snow, City Clerk

Approved As To Form



Gerald E. Dahl, City Attorney

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Wheat Ridge Transcript:

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