

## CHAPTER 18

### Building Regulations

- Article I Building Code**  
Sec. 18-1 Adoption of code  
Sec. 18-2 Additions, deletions and amendments
- Article II Residential Code**  
Sec. 18-11 Adoption of code  
Sec. 18-12 Additions, deletions and amendments
- Article III Mechanical Code**  
Sec. 18-21 Adoption of code  
Sec. 18-22 Additions, deletions and amendments
- Article IV Fuel Gas Code**  
Sec. 18-31 Adoption of code  
Sec. 18-32 Additions, deletions and amendments
- Article V Plumbing Code**  
Sec. 18-41 Adoption of code  
Sec. 18-42 Additions, deletions and amendments
- Article VI Energy Conservation Code**  
Sec. 18-51 Adoption of code  
Sec. 18-52 Additions, deletions and amendments
- Article VII Property Maintenance Code**  
Sec. 18-61 Adoption of code  
Sec. 18-62 Additions, deletions and amendments
- Article VIII Existing Building Code**  
Sec. 18-71 Adoption of code  
Sec. 18-72 Additions, deletions and amendments

## **ARTICLE I**

### **Building Code**

#### **Sec. 18-1. Adoption of code.**

The International Building Code, 2012 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 Kersey Building Code as if fully set out in this Article, with the additions, deletions, insertions and changes as follow. (Ord. 2013-002 §§1, 2)

#### **Sec. 18-2. Additions, deletions and amendments.**

The International Building Code is amended as follows:

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

(2) Section 101.4.3 (Plumbing) is amended by deletion of the last sentence.

(3) Section 101.4.5 (Fire prevention) is amended by replacing "International Fire Code" with "adopted fire code."

(4) Section 101.4.6 (Energy) is amended by replacing the words "International Energy Conservation Code" to "2009 International Energy Conservation Code."

(5) Section 105.1 (Required) is amended by replacing the words "building official" with "Town."

(6) Section 105.2 (Work exempt from permit) is amended by:

a. Deleting Exception #1 and replacing with "One-Story detached accessory structures used as tool and storage sheds, playhouses and similar uses, provided the floor area does not exceed 120 square feet and the roof height does not exceed 10 feet above grade measured from a point directly outside the exterior walls of the structure."

b. Deleting Exception #2 and replacing with "Fences not over 6 feet high."

c. Adding #14 "Shingles repair or replacement work not exceeding one square (100 square feet in area) of covering per building."

(7) Section 105.5 (Expiration) is amended by the deletion of this section in its entirety and replaced with:

"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 commenced within 180 days from the date of such permit, or if the building or work authorized by such permit is suspended or abandoned at any time after the work is commenced for a

period of 180 days. Before such work can be recommenced, a new permit shall be first obtained to do so, and the fee therefor shall be one-half the amount required for a new permit for such work, provided no changes have been made or will be made in the original plans and specifications for such work, and provided further that such suspension or abandonment has not exceeded one year. In order to renew action on a permit after expiration, the permittee shall pay a new full permit fee."

(8) 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 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."

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

(10) 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) Section 113.3 (Qualifications) is amended by deleting the section in its entirety.

(12) Section 114.2 (Notice of Violation) is amended by adding "Notice of Violations shall be delivered in accordance with section 107 of the IPMC" after the last paragraph.

(13) Section 202 (Definitions) is amended by 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."

(14) Section 1013.2 (Where required) is amended by the addition of a second paragraph inserted before the exceptions as follows:

"All area wells, stair wells, 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 guards conforming to this section around the entire opening, or be provided with an equivalent barrier."

(15) Section 1029.5.1 (Minimum size) is amended by the addition of the following;

"For all building permits issued after the effective date of Ordinance No. 7-98 adopted June 9, 1998, adopting the UBC 1997 Ed., all escape and rescue windows requiring a window well pursuant to the International Building Code shall comply with the dimension requirements set forth

in this section, whether or not said escape or rescue window is located in a sleeping room.

"With regard to building permits issued prior to the effective date of Ordinance No. 7-98 adopted June 9, 1998, adopting the UBC 1997 Ed., for additions to or alterations of existing buildings or structures, any window well with a finished sill height below adjacent ground level shall be deemed in compliance with the Town's regulations if said window well meets the dimensions set forth in the 1991 Edition of the Uniform Building Code, previously in effect in the Town."

(16) Section 1301.1.1 (Criteria) is amended by replacing "International Energy Conservation Code" with "2009 International Energy Conservation Code."

(17) Section 1612.3 (Establishment of flood hazard areas) is amended by the insertion of "Town of Kersey" where indicated in "[Name of Jurisdiction]" and "the most recent" flood study for the Town of Kersey, where indicated in "[Date of Issuance]."

(18) Section 3401.3 (Compliance with other codes) is amended by deleting International Fire Code and inserting in its place "adopted fire code," deleting International Private Sewage Disposal Code, and deleting NFPA 70 and inserting in its place "National Electrical Code adopted by the State of Colorado."

(19) Section 3412.2 (Applicability) is amended by the insertion of "June 1, 2013, the effective date of building codes for the Town" where indicated in "[Date to Be Inserted by Jurisdiction]." (Ord. 2013-002 §§1, 2)

**Secs. 18-3—18-10. Reserved.**

## ARTICLE II

### Residential Code

#### **Sec. 18-11. Adoption of code.**

The International Residential Code, 2012 Edition, as published by the International Code Council, 4051 West Flossmoor Road, Country Club Hills, IL 60478, Chapters 1 through 43 inclusive and Appendix Chapters G and H, is hereby adopted by reference as the Town of Kersey Residential Building Code as if fully set out in this Article, with the additions, deletions, insertions and changes as follow. (Ord. 2013-002 §§1, 3)

#### **Sec. 18-12. Addition, deletions and amendments.**

The International Residential Code is amended as follows:

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

(2) Section R105.1 (Required) is amended by replacing the words "building official" with "Town."

(3) Section R105.2 (Work exempt from permit) is amended by deleting:

a. Exception #1 and replacing with "One-story detached accessory structures used as tool and storage sheds, playhouses and similar uses, provided the floor area does not exceed 120 square feet and the roof height does not exceed 10 feet above grade measured from a point directly outside the exterior walls of the structure."

b. Exception #2 and replacing with "Fences not over 6 feet high."

c. Exception #10 and replacing with "Shingle repair or replacement work not exceeding one square (100 square feet in area) of covering per building."

(4) Section R105.5 (Expiration) is amended by the deletion of this section in its entirety and replaced with:

"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 commenced within 180 days from the date of such permit, or if the building or work authorized by such permit is suspended or abandoned at any time after the work is commenced for a period of 180 days. Before such work can be recommenced, a new permit shall be first obtained to do so, and the fee therefor shall be one-half the amount required for a new permit for such work, provided no changes have been made or will be made in the original plans and specifications for such work, and provided further that such suspension or abandonment has not exceeded one year. In order to renew action on a permit after expiration, the permittee shall pay a new full permit fee."

(5) Section R108.5 (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 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) Section R109.1.5 (Other inspections) is amended by the addition of a new subsection 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."

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

(8) 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."

(9) Section R112.3 (Qualifications) is amended by deleting this section in its entirety.

(10) Section R202 (Definitions) is amended by 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.'"

(11) Table R301.2 (1) is completed to provide the following:

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

Ground Snow Load	Wind Design		Seismic Design Category	Subject to Damage From			Winter Design Temp	Ice Barrier Underlayment Required	Flood Hazard	Air Freezing Index	Mean Annual Temp
	Speed (mph)	Topographic effects		Weathering	Frost Line Depth	Termite					
20psf	90	No	B	Severe	30 in.	Slight to Moderate	1	NO	Per Town Ordinance	1000	45°F

(12) Section R302.1 (Exterior walls) is amended by the deletion of the wording "or dwellings equipped throughout with an automatic sprinkler system installed in accordance with section P2904 shall comply with table R302.1(2)."

(13) Table R302.1(2) is deleted in its entirety.

(14) Section R302.2 (Townhouses) is amended by replacing "1-Hour fire resistance-rated wall" with "2-Hour fire resistance-rated wall."

(15) Section R302.3 (Two-family dwelling) is amended by replacing "1-Hour fire-resistance rating" with "2-Hour fire-resistance rating."

(16) Section R303.4 (Mechanical ventilation) is amended by replacing "5 air changes per hour" with "7 air changes per hour" and replacing the words "in accordance with section N1102.4.1.2" with "in accordance with section 402.4.2.1 of the International Energy Conservation Code 2009 Edition."

(17) Section R309.5 (Fire sprinklers) is amended by the deletion of this section in its entirety.

(18) Section R310.1 (Emergency escape and rescue openings) is amended by the deletion of the first paragraph and replaced with:

"All windows located in basements, habitable attics and sleeping rooms shall meet all the requirements of section R310.1 through R310.2.2."

(19) Section R310.1.1 (Minimum opening area) is amended by the deletion of the exception.

(20) Section R310.2 (Window wells) is amended by the addition of the following;

"For all building permits issued after the effective date of Ordinance No. 7-98 adopted June 9, 1998, adopting the UBC 1997 Ed., all escape and rescue windows requiring a window well pursuant to the International Building Code shall comply with the dimension requirements set forth in this section, whether or not said escape or rescue window is located in a sleeping room.

"With regard to building permits issued prior to the effective date of Ordinance No. 7-98 adopted June 9, 1998, adopting the UBC 1997 Ed., for additions to or alterations of existing

buildings or structures, any window well with a finished sill height below adjacent ground level shall be deemed in compliance with the Town's regulations if said window well meets the dimensions set forth in the 1991 Edition of the Uniform Building Code, previously in effect in the Town."

(21) Section R310.2.1 (Ladder and steps) is amended by the addition of the following exception to read as follows:

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

(22) Section R312.1 (Guards required) is amended by the addition of a third paragraph as follows:

"All area wells, stair wells, 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 guards conforming to this section around the entire opening, or be provided with an equivalent barrier.

"Exceptions:

"The access side of stairways need not be protected.

"Area and window wells provided for emergency escape and rescue windows may be protected with approved grates or covers that comply with Section R310.4 of this code.

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

(23) Section R313 (Automatic fire sprinkler systems) is amended by the deletion of this section in its entirety.

(24) 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 soils report. The drawings must be noted with the engineering firm name, specific location for design and soils report number. A site certification prepared by a State of Colorado registered design professional is required for setback verification on all new Group R Division 3 occupancies."

(25) Section R405.1 (Concrete or 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."

(26) Section R501.3 (Fire protection of floors) is amended by the deletion of this section in its entirety.

(27) Chapter 11 (Energy efficiency) is deleted in its entirety and replaced with the 2009 International Energy Conservation Code.

(28) Section M1502.4.4.2 (Manufacturer's instructions) is amended by the deletion of this section in its entirety.

(29) 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."

(30) Section G2415.12.1 (Individual outside appliances) is deleted in its entirety.

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

(32) Section G2417.4.2 (Test duration) is amended by replacing "10 Minutes" with "15 Minutes."

(33) Section P2503.5.1 (Rough plumbing) is amended by deleting the first paragraph and replacing with "DWV systems shall be tested on completion of the rough piping installation by water or air with no evidence of leakage."

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

(35) Section P3103.1 (Roof extension) is amended by replacing the words "6 inches" with "12 inches." (Ord. 2013-O02 §§1, 3)

**Secs. 18-13—18-20. Reserved.**

### **ARTICLE III**

#### **Mechanical Code**

**Sec. 18-21. Adoption of code.**

The International Mechanical Code, 2012 Edition, as published by the International Code Council, 4051 West Flossmoor Road, Country Club Hills, IL 60478, Chapters 1 through 15 inclusive, is hereby adopted by reference as the Town of Kersey Mechanical Code as if fully set out in this Article, with the additions, deletions, insertions and changes as follow. (Ord. 2013-O02 §§1, 4)

**Sec. 18-22. Additions, deletions and amendments.**

The International Mechanical Code is amended as follows:

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

(2) Section 504.6.4.2 (Manufacturer's instructions) is amended by the deletion of this section in its entirety. (Ord. 2013-O02 §§1, 4)

**Secs. 18-23—18-30. Reserved.**

## **ARTICLE IV**

### **Fuel Gas Code**

#### **Sec. 18-31. Adoption of code.**

The International Fuel Gas Code, 2012 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 Kersey Fuel Gas Code as if fully set

out in this Article with the additions, deletions, insertions and changes as follow. (Ord. 2013-002 §§1, 5)

#### **Sec. 18-32. Additions, deletions and amendments.**

The International Fuel Gas Code is amended as follows:

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

(2) Section 404.12 (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."

(3) Section 406.4.1 (Test pressure) is amended by changing "3 psig" to "10 psig."

(4) Section 406.4.2 (Test duration) is amended by changing the second paragraph to read:

"When testing a system having a volume less than 10 cubic feet or a system in a single-family dwelling, the test duration shall be not less than 15 minutes."

(5) Section 614.6.5.2 (Manufacturer's instructions) is amended by the deletion of this section in its entirety. (Ord. 2013-002 §§1, 5)

**Secs. 18-33—18-40. Reserved.**

## ARTICLE V

### Plumbing Code

#### **Sec. 18-41. Adoption of code.**

The International Plumbing Code, 2012 Edition, as published by the International Code Council, 4051 West Flossmoor Road, Country Club Hills, IL 60478, Chapters 1 through 13 inclusive, is hereby adopted by reference as the Town of Kersey Plumbing Code as if fully set out in this Article, with the additions, deletions, insertions and changes as follow. (Ord. 2013-002 §§1, 6)

#### **Sec. 18-42. Additions, deletions and amendments.**

The International Plumbing Code is amended as follows:

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

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

(3) Section 312.3 (Drainage and vent air test) is amended by deleting the first paragraph.

(4) Section 904.1 (Roof extension) is amended by inserting the number "12" (152.4 mm)" where indicated in the second sentence. (Ord. 2013-002 §§1, 6)

#### **Secs. 18-43—18-50. Reserved.**

## ARTICLE VI

### Energy Conservation Code

#### **Sec. 18-51. Adoption of code.**

The International Energy Conservation Code, 2009 Edition, as published by the International Code Council, 4051 West Flossmoor Road, Country Club Hills, IL 60478, Chapters 1 through 5 inclusive, is hereby adopted by reference as the Town of Kersey Energy Conservation Code as if fully set out in this Article, with the additions, deletions, insertions and changes as follow. (Ord. 2013-002 §§1, 7)

#### **Sec. 18-52. Additions, deletions and amendments.**

The International Energy Conservation Code is amended as follows:

(1) Section C101.1 (Title) is amended by the addition of the term "Town of Kersey" where indicated. (Ord. 2013-002 §§1, 7)

#### **Secs. 18-53—18-60. Reserved.**

## **ARTICLE VII**

### **Property Maintenance Code**

#### **Sec. 18-61. Adoption of code.**

The International Property Maintenance Code, 2012 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 Kersey Property Maintenance Code as if fully set out in this Article, with the additions, deletions, insertions and changes as follow. (Ord. 2013-002 §§1, 8)

#### **Sec. 18-62. Additions, deletions and amendments.**

The International Property Maintenance Code is amended as follows:

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

(2) Section 103.5 (Fees) is amended by deleting the section in its entirety.

(3) 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."

(4) Section 111.2.1 (Membership of board) is amended by deleting the section in its entirety.

(5) Section 111.2.2 (Chairman) is amended by deleting the section in its entirety.

(6) Section 111.2.3 (Disqualification of member) is amended by deleting the section in its entirety.

(7) Section 111.2.4 (Secretary) is amended by deleting the section in its entirety.

(8) Section 111.2.5 (Compensation of members) is amended by deleting the section in its entirety.

(9) Section 302.4 (Weeds) is amended by deleting the section in its entirety.

(10) Section 302.8 (Motor Vehicles) is amended by deleting the section in its entirety.

(11) Section 308 (Rubbish and garbage) is amended by deleting the section in its entirety.

(12) Section 604.2 (Service) is amended by replacing "NFPA 70" with "Electrical Code adopted by the state of Colorado." (Ord. 2013-002 §§1, 8)

#### **Secs. 18-63—18-70. Reserved.**

## **ARTICLE VIII**

### **Existing Building Code**

#### **Sec. 18-71. Adoption of code.**

The International Existing Building Code, 2012 Edition, as published by the International Code Council, 4051 West Flossmoor Road, Country Club Hills, IL 60478, Chapters 1 through 15 inclusive, is hereby adopted by reference as the Town of Kersey Existing Building Code as if fully set out in this Article, with the additions, deletions, insertions and changes as follow. (Ord. 2013-002 §§1, 9)

#### **Sec. 18-72. Additions, deletions and amendments.**

The International Existing Building Code is amended by replacing all references to "ICC Electrical Code" with "Electrical Code adopted by the state of Colorado."

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

(2) Section 1301.1 (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." (Ord. 2013-002 §§1, 9)

#### **Secs. 18-73—18-80. Reserved.**