

ARTICLE 2 International Residential Code¹

Sec. 18-2-10. Adoption.

Pursuant to Title 31, Article 16, Part 2, C.R.S., there is adopted as the building code of the Town, by reference thereto, the International Residential Code, 2018 Edition, Chapters 1 through 43 inclusive and Appendix Chapters F, H and M, as published by the International Code Council, Inc., 4051 West Flossmoor Road, Country Club Hills, IL 604781, to have the same force and effect as if set forth herein in every particular. The subject matter of the adopted code includes comprehensive provisions and standards regulating the erection, construction, enlargement, alteration, repair, moving, removal, conversion, demolition, occupancy, equipment, use, height, area and maintenance of buildings and structures for the purpose of protecting the public health, safety and general welfare.

(Ord. No. 5-2019 , § 2, 6-25-19, eff. 8-1-19)

Sec. 18-2-20. Copy on file.

At least one (1) copy of the International Residential Code, certified to be a true copy, has been and is now on file in the office of the Town Administrator/Clerk and may be inspected by any interested person between the hours of 8:00 a.m. and 5:00 p.m., Monday through Friday, holidays excepted. The code as finally adopted shall be available for sale to the public through the office of the Town Administrator/Clerk at a moderate price.

(Ord. No. 5-2019 , § 2, 6-25-19, eff. 8-1-19)

Sec. 18-2-30. Amendments.

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

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

IRC Section R105.2 IRC Section R105.2 (Work Exempt from Permit) is amended by:

Building Exception #1 is deleted in its entirety and replaced 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."

Building Exception #2 is deleted in its entirety and replaced with "Fences not over 6 feet high.

Building Exception #10 is deleted in its entirety and replaced with: "Shingle repair or replacement work not exceeding one square (100 square feet in area) of covering per building.

¹Editor's note(s)—Ord. No. 5-2019 , § 2, adopted June 25, 2019, effective August 1, 2019, repealed the former Art. 2, §§ 18-2-10—18-1-30, and enacted a new Art. 2 as set out herein. The former Art. 2 pertained to similar subject matter and derived from Ord. No. 1-2013 , § 2, February 12, 2013.

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

"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."

IRC Section R108.5 IRC Section R108.5 (Refunds) is amended by the deletion of this section in its entirety and replaced 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."

IRC Section R108.6 Section R108.6 (Work commencing before permit issuance) is amended by the deletion of this section in its entirety and 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 may be subject to an investigation fee established by the town. The amount of the investigation fee may be in the amount up to the amount of the permit fee that would normally be assessed for the specific type of construction activity, with any such investigation fee being in addition to all other required permit fees. The investigation fee shall be collected whether or not a permit is then subsequently issued.

IRC Section R109.1.5 IRC 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.

IRC Section R110.4 IRC Section R110.4 (Temporary occupancy) is amended by the deletion of the words "building official" in the first and second sentence and replaced with "town".

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

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

IRC Section R112.3 IRC Section R112.3 (Qualifications) is amended by the deletion of this section in its entirety.

IRC Section R113.2 IRC Section R113.2 (Notice of Violation) is amended by the addition of "Notice of Violations shall be delivered in accordance with section 107 of the IPMC" after the last paragraph.

IRC Section R202 IRC 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.

IRC Table R301.2 (1) IRC Table R301.2 (1) is filled to provide the following:

**"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
	Speed (V)	Topographic effects		Weathering	Frost Line Depth	Termite			
30 psf	115	No	B	Severe	30 in.	Slight to Moderate	1	YES	*

* The Flood Insurance Study for Larimer County, Colorado, and Incorporated Areas, Map #08069C0759F dated December 19, 2006, and amended February 4, 2013.

IRC Section R302.1 IRC 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)."

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

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

IRC Section R302.13 IRC Section R302.13 (Fire Protection of Floors) is amended by the addition of exceptions 5, 6, and 7 as follows:

Exception #5—For floor assemblies located over a basement or crawlspace, mechanical equipment rooms not larger than 80 square feet constructed per sections R302.13 with minimum ½ gypsum wallboard on the enclosing walls and a self-closing weather-stripped solid door.

Exception #6—Floor assemblies located over a basement or crawlspace, with mechanical equipment rooms not larger than 80 square feet may be constructed per Exception #4, using fire treated I joists only above furnace closet area with minimum ⅝ inch Type X gypsum wallboard on the enclosing walls and a self-closing weather stripped solid core 20 minute rated door and frame.

Exception #7—For floor assemblies located over a basement or crawl space with a mechanical equipment room not larger than 80 square feet may be unprotected if a fire sprinkler head is installed in accordance with section P2904 or the International Building Code sections 903.3.1.2 or 903.3.1.3, installed within the equipment room on a domestic water loop.

IRC Section R303.4 IRC 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 402.4.1.2 of the International Energy Conservation Code 2018 Edition.

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

IRC Section R310.1 IRC Section R310.1 (Emergency escape and rescue opening required) is amended by adding the following after the first paragraph:

"All windows located in basements, habitable attics and sleeping rooms shall meet all the requirements of section R310.1 through R310.2.5."

Exception #2 is amended by the deletion of the exception and its conditions.

IRC Section R310.2.1 IRC Section R310.2.1 (Minimum opening area) is amended by the deletion of the exception.

IRC Section R310.2.3 IRC Section R310.2.3 (Window wells) is amended by the addition of the following;

"For all building permits issued after the effective date of Ordinance 9-2002, all escape and rescue windows requiring a window well pursuant to the International Residential 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 9-2002, 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 Towns 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."

IRC Section R310.2.3.1 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 ladder shall be required in an unfinished basement."

IRC Section R312.1 IRC 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 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 R310.4 of this code.
3. Covers and grates may be used over stairways and other openings used exclusively for service access or for admitting light or ventilation."

IRC Section R313 IRC Section R313 (Automatic Fire Sprinkler Systems) is amended by the deletion of this section in its entirety.

IRC Section 315.3 IRC Section 315.3 (Location) is amended by deleting the first sentence and replacing it with the following:

"Carbon monoxide detection shall be installed in dwelling units within 15 feet of each separate sleeping area."

IRC Section R401.2 IRC Section R401.2 (Requirements) is amended by the addition of the following after the first paragraph:

"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 State of Colorado registered design professional is required for setback verification on all new Group R Division 3 occupancies."

IRC Section R405.1 IRC 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.

IRC Chapter 11 IRC Chapter 11 (Energy Efficiency) is amended by the deletion of this chapter in its entirety and replaced with the 2018 International Energy Conservation Code.

IRC Section M1502.4.5.2 IRC Section M1502.4.5.2 (Manufactures instructions) is amended by the deletion of this section in its entirety.

IRC Section G2415.12 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.

IRC Section G2415.12.1 IRC Section G2415.12.1 (Individual outdoor appliances) is deleted in its entirety.

IRC Section G2417.4.1 IRC Section G2417.4.1 (Test pressure) is amended by replacing 3 psig with 10 psig.

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

IRC Section P2503.5.1 IRC Section P2503.5.1 (Rough plumbing) is amended by the deletion of the first sentence and replaced with "DWV systems shall be tested on completion of the rough piping installation by water or air without evidence of leakage."

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

IRC Section P2913 IRC Section P2913 (Reclaimed water systems) is deleted in its entirety.

IRC Section P3103.1.1 IRC Section P3103.1.1 (Roof extension) is amended by replacing "6 inches" with "12 inches".

IRC Section AF101 IRC Section AF101 (General) is amended by the deletion of this section in its entirety and replaced with "This appendix contains requirements for new construction."

IRC Section AM102 IRC Section AM102 (Definition) is amended by the addition of "Home Care Facilities".

HOME CARE FACILITIES. A home wherein care is given to up to eight care recipients with a maximum number of nine occupants located in the primary residence of the care giver. A Home Care Facility is considered a home occupation.

IRC Section AM103.1 IRC Section AM103.1 (Exits required) is deleted in its entirety and replaced with the following: During the time of operation of the day care, two exits are required from the ground-level story. Two exits are required from a home day care operated in a manufactured home regardless of the occupant load. Exits shall comply with Section R311.

IRC Section AM103.1.3 IRC Section AM103.1.2 (Basements) is amended by the addition of the following paragraph; An emergency and escape window used as the second means of egress from a basement shall comply with Sections R310 and AM 103.1.1 and be located in the area or room used for home care purposes.

IRC Section AM103.1.3 IRC Section AM103.1.3.1 (Type of fence and hardware) is deleted in its entirety and replaced with the following; The fence shall be of durable materials and be not less than 4 feet (1219 mm) tall, completely enclosing the area used for the day care operations. Each opening shall be a gate or door equipped with a self-closing and self-latching device to be installed at not less than 42 inches (1067 mm) above the ground.

IRC Section AM103.1.3.2 IRC Section AM103.1.3.2 (Construction of fence) is amended by the deletion of exception #3 in its entirety.

(Ord. No. 5-2019 , § 2, 6-25-19, eff. 8-1-19)

Sec. 18-2-40. Violations.

It is unlawful and constitutes a public nuisance for any person to maintain any property, building or any other structure in the Town in a condition which is in violation of the Building Code or this Chapter.

(Ord. No. 5-2019 , § 2, 6-25-19, eff. 8-1-19)

Sec. 18-2-50. Penalties.

Any person who violates a provision of this Code or this Chapter or fails to comply with any of the requirements thereof or who erects, constructs, alters or repairs a building or structure in violation of the approved construction documents or directive of the building official, or of a permit or certificate issued under the provisions of the Code or Chapter, shall be subject to penalties as prescribed by law.

(Ord. No. 5-2019 , § 2, 6-25-19, eff. 8-1-19)