

ORDINANCE NO. 2393
INTRODUCED BY: _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BRIGHTON, COLORADO, AMENDING CHAPTER 15 OF THE BRIGHTON MUNICIPAL CODE; ADOPTING BY REFERENCE THE 2021 EDITIONS OF THE INTERNATIONAL BUILDING CODE, INTERNATIONAL ENERGY CONSERVATION CODE, INTERNATIONAL EXISTING BUILDING CODE, INTERNATIONAL FIRE CODE, INTERNATIONAL FUEL GAS CODE, INTERNATIONAL MECHANICAL CODE, INTERNATIONAL PLUMBING CODE, INTERNATIONAL PROPERTY MAINTENANCE CODE, INTERNATIONAL RESIDENTIAL CODE, AND INTERNATIONAL SWIMMING POOL AND SPA CODE; AND SETTING FORTH AMENDMENTS THERETO

WHEREAS, the Chief Building Official of the City of Brighton (the “City”), has recommended that the City Council adopt the 2021 International Codes named above concurrent with repealing those portions of currently adopted 2018 International Codes that are to be superseded by the 2021 International Codes; and

WHEREAS, the City Council finds and determines that the adoption of the International Codes, as amended and as provided for herein, shall enhance, protect, and otherwise further the public health, safety, and welfare of the citizens of Brighton.

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

Section 1. Pursuant to Article V, Sections 5.8, 5.9, and 5.12 of the City Charter and Colo. Rev. Stat. § 31-16-201, *et seq.*, the 2021 International Building Code, 2021 International Energy Conservation Code, 2021 International Existing Building Code, 2021 International Fire Code, 2021 International Fuel Gas Code, 2021 International Mechanical Code, 2021 International Plumbing Code, International Property Maintenance Code, 2021 International Residential Code, and 2021 International Swimming Pool and Spa Code are hereby adopted, as amended herein, by reference and shall be effective January 1, 2023. The 2018 International Codes and their amendments are hereby repealed. Copies of the International Codes adopted herein are now filed in the office of the City Clerk and may be inspected during regular business hours.

Section 2. Section 15-2-30 is hereby amended as follows:

International Building Code, also known as the *Brighton Building Code*, is the 2021 Edition of the International Building Code promulgated by the International Code Council and as adopted and amended by the City.

International Energy Conservation Code, also known as the *Brighton Energy Conservation Code*, is the 2021 Edition of the International Energy Conservation Code promulgated by the International Code Council and as adopted and amended by the City.

International Existing Building Code, also known as the *Brighton Existing Building Code*, is the 2021 Edition of the International Existing Building Code promulgated by the International Code Council and as adopted and amended by the City.

International Fire Code, also known as the *Brighton Fire Code*, is the 2021 Edition of the International Fire Code promulgated by the International Code Council and as adopted and amended by the City and the Brighton Fire and Rescue District.

International Fuel Gas Code, also known as the *Brighton Fuel Gas Code*, is the 2021 Edition of the International Fuel Gas Code promulgated by the International Code Council and as adopted and amended by the City.

International Mechanical Code, also known as the *Brighton Mechanical Code*, is the 2021 Edition of the International Mechanical Code promulgated by the International Code Council and as adopted and amended by the City.

International Plumbing Code, also known as the *Brighton Plumbing Code*, is the 2021 Edition of the International Plumbing Code promulgated by the International Code Council and as adopted and amended by the City.

International Property Maintenance Code, also known as the *Brighton Property Maintenance Code*, is the 2021 Edition of the International Property Maintenance Code promulgated by the International Code Council and as adopted and amended by the City.

International Residential Code, also known as the *Brighton Residential Code for One and Two Family Dwellings*, is the 2021 Edition of the International Residential Code for One and Two Family Dwellings promulgated by the International Code Council and as adopted and amended by the City.

International Swimming Pool and Spa Code, also known as the *Brighton Swimming Pool and Spa Code*, is the 2021 Edition of the International Swimming Pool and Spa Code promulgated by the International Code Council and as adopted and amended by the City.

Section 3. Section 15-4-10(a) is hereby amended as follows:

(a) The “International Building Code, 2021 Edition,” with the exception of Chapter 1 and any appendices, published by the International Code Council, Inc., is hereby adopted as the Brighton Building Code of and for the City.

Section 4. Section 15-4-110 is hereby enacted as follows:

Sec. 15-4-110. – Section 501.2, amended.

New and existing buildings shall be provided with approved address identification. The address identification shall be legible and placed in a position that is visible from the street or road fronting the property. Address identification characters shall contrast with their background. Address numbers shall be Arabic numbers or alphabetical letters. Numbers shall not be spelled out. Each character shall be a minimum of 6 inches (152.4 mm) high with a minimum stroke width of ¾ inch (19.05 mm). Where required by the fire code official, address identification shall be provided in additional approved locations to facilitate emergency response. Where access is by means of a private road and the building address cannot be viewed from the public way, a monument, pole or other approved sign or means shall be used to identify the structure. Address identification shall be maintained.

Section 5. Section 15-20-10(a) is hereby amended as follows:

(a) The “International Fire Code, 2021 Edition,” including Appendix B - Fire Flow Requirements for Buildings, Appendix C - Fire Hydrant Locations and Distribution, Appendix D - Fire Apparatus Access Road, Appendix E - Hazard Categories, Appendix F - Hazard Ranking and Appendix G - Cryogenic Fluids Weight and Volume Equivalents, published by the International Code Council, Inc., is hereby adopted as the Brighton Fire Code of and for the City.

Section 6. Section 15-20-90 is hereby enacted as follows:

Sec. 15-20-90. – Section 105.5.32, amended.

A permit is required for mobile food preparation vehicles equipped with appliances that produce smoke or grease-laden vapors. A mobile food preparation vehicle means a motorized or towed wheeled vehicle that is designed, equipped, and used to prepare or serve and sell food.

Section 7. Section 15-20-100 is hereby enacted as follows:

Sec. 15-20-100. – Section 109.3, amended.

(a) A record of periodic inspections, tests, servicing and other operations and maintenance shall be maintained on the premises or other approved location for not less than 3 years, or a different period of time where specified in this code or referenced standards. Records shall be made available for inspection by the fire code official, and a copy of the records shall be provided to the fire code official on request. The fire code official is authorized to prescribe the form and format of such recordkeeping. The fire code official is authorized to require that certain required records be filed with the fire code official.

(b) All licensed contract companies shall submit inspections, test, and service reports through The Compliance Engine, a cloud-based, electronic program for recordkeeping of the fire protection system reports for Brighton Fire Rescue District. Fire protection contractors shall submit service reports and shall register with The Compliance Engine. Contractors shall submit all complaint and deficient inspection, testing, and maintenance reports as soon as possible, but no later than 12 days after service date. System impairment reports shall be submitted immediately.

Section 8. Section 15-20-110 is hereby enacted as follows:

Sec. 15-20-110. – Section 307.6.

Open burning is prohibited on windy days in which surface wind speeds exceed 10 miles per hour or, if a particular wind direction may result in a hazardous fire or smoke condition, as determined by the fire code official.

Section 9. Section 15-20-120 is hereby enacted as follows:

Sec. 15-20-120. – Section 307.7.

Unless an alternative time has been approved by the fire code official, opening burning shall commence only after sunrise and conclude upon sunset.

Section 10. Section 15-20-130 is hereby enacted as follows:

Sec. 15-20-130. – Section 308.1.4, amended.

Charcoal burners and other open-flame cooking devices shall not be operated on combustible balconies or within 10 feet (3048 mm) of combustible construction.

Exceptions:

1. 1. One- and two-family *dwelling*s.

Section 11. Section 15-20-140 is hereby enacted as follows:

Sec. 15-20-140. – Section 503.2.7, amended.

The grade of a fire apparatus access road shall not exceed 7%. The grade of an aerial fire apparatus access road shall not exceed 5%.

Section 12. Section 15-20-150 is hereby enacted as follows:

Sec. 15-20-150. – Section 503.6.1.

Electrically-operated security gates installed in areas of residential occupancy shall have the following means of emergency operation: (1) an approved key switch; (2) automatic opening upon power loss; or (3) the capability to be manually opened.

Section 13. Section 15-20-160 is hereby enacted as follows:

Sec. 15-20-160. – Section 505.1, amended.

New and existing commercial and industrial buildings shall be provided with *approved* address identification. The address identification shall be legible and placed in a position that is visible from the street or road fronting the property. Address identification characters shall contrast with their background. Address numbers shall be Arabic numbers or alphabetical letters. Numbers shall not be spelled out. Each character shall be not less than 6 inches (152.4 mm) high with a minimum stroke width of ¾ inch (19.05 mm). Where required by the *fire code official*, address identification shall be provided in additional *approved* locations to facilitate emergency response. Where access is by means of a private road and the building cannot be viewed from the *public way*, a monument, pole or other sign or means shall be used to identify the structure. Address identification shall be maintained.

Section 14. Section 15-20-170 is hereby enacted as follows:

Sec. 15-20-170. – Section 506.1, amended.

Where access to or within a structure or an area is restricted because of secured openings or where immediate access is necessary for life-saving or fire-fighting purposes, the *fire code official* is authorized to require All buildings and facilities with a monitored fire protection system shall be provided with a Knoxbox key box to be installed in an *approved* location. The Knoxbox key box shall be of an *approved* type *listed* in accordance with UL 1037, and shall contain keys to gain necessary access as required by the *fire code official*.

Section 15. Section 15-20-180 is hereby enacted as follows:

Sec. 15-20-180. – Section 507.5, amended.

Fire hydrant systems shall comply with Sections 507.5.1 through 507.5.6. All newly placed fire hydrants shall have one 5-inch hose connection with threadless couplings that is compatible with fire department hoses.

Section 16. Section 15-28-10(a) is hereby amended as follows:

(a) The “International Residential Code, 2021 Edition,” with the exception of Chapter 1 and any appendices, published by the International Code Council, Inc., is hereby adopted as the Brighton Residential Building Code of and for the City.

Section 17. Section 15-28-60 is hereby repealed and reserved.

Section 18. Section 15-28-70 is hereby repealed.

Section 19. Section 15-28-80 is hereby repealed.

Section 20. Section 15-28-60 is hereby enacted as follows:

Sec. 15-28-60. – Section R403.1.6, amended.

Wood sill plates and wood walls supported directly on continuous foundations shall be anchored to the foundation in accordance with this section.

Cold-formed steel framing shall be anchored directly to the foundation or fastened to wood sill plates in accordance with Section R505.3.1 or R603.3.1, as applicable. Wood sill plates supporting cold-formed steel framing shall be anchored to the foundation in accordance with this section.

Wood sole plates at all exterior walls on monolithic slabs, wood sole plates of *braced wall panels* at building interiors on monolithic slabs and all wood sill plates shall be anchored to the foundation with minimum 5/8 diameter (15.875 mm) anchor bolts with 3 inch x 3 inch x 0.229 inch plate washers spaced not greater than 6 feet (1829 mm) on center or *approved* anchors or anchor straps spaced as required to provide equivalent anchorage to 1/2-inch-diameter (12.7 mm) anchor bolts. Bolts shall extend not less than 7 inches (178 mm) into concrete or grouted cells of *concrete masonry units*. The bolts shall be located in the middle third of the width of the plate. A nut and washer shall be tightened on each anchor bolt. There shall be not fewer than two bolts per plate section with one bolt located not more than 12 inches (305 mm) or less than seven bolt diameters from each end of the plate section. Interior bearing wall sole plates on monolithic slab foundation that are not part of a *braced wall panel* shall be positively anchored with *approved* fasteners. Sill plates and sole plates shall be protected against decay and termites where required by Sections R317 and R318. Anchor bolts shall be permitted to be located while concrete is still plastic and before it has set. Where anchor bolts resist placement or the consolidation of concrete around anchor bolts is impeded, the concrete shall be vibrated to ensure full contact between the anchor bolts and concrete.

Exceptions:

- 1.1. Walls 24 inches (610 mm) total length or shorter connecting offset *braced wall panels* shall be anchored to the foundation with not fewer than one anchor bolt located in the center third of the plate section and shall be attached to adjacent *braced wall panels* at corners as shown in Item 9 of Table R602.3(1).
- 2.2. Connection of walls 12 inches (305 mm) total length or shorter connecting offset *braced wall panels* to the foundation without anchor bolts shall be permitted. The wall shall be attached to adjacent *braced wall panels* at corners as shown in Item 9 of Table R602.3(1).

Section 21. Section 15-32-10(a) is hereby amended as follows:

(a) The “International Mechanical Code, 2021 Edition,” with the exception of Chapter 1 and any appendices, published by the International Code Council, Inc., is hereby adopted as the Brighton Mechanical Code of and for the City. The International Mechanical Code shall regulate the design, installation, maintenance, alteration and inspection of mechanical systems that are permanently installed and utilized to provide control of environmental conditions and related processes within buildings.

Section 22. Section 15-36-10(a) is hereby amended as follows:

(a) The “International Plumbing Code, 2021 Edition,” with the exception of Chapter 1 and any appendices, published by the International Code Council, Inc., is hereby adopted as the Brighton Plumbing Code of and for the City. The International Plumbing Code shall apply to the erection, installation, alteration, repairs, relocation, replacement, addition to, use, or maintenance of plumbing systems and regulate nonflammable medical gas, inhalation anesthetic, vacuum piping, nonmedical oxygen systems and sanitary and condensate vacuum collection systems.

Section 23. Section 15-40-10(a) is hereby amended as follows:

(a) The “International Energy Conservation Code, 2021 Edition,” with the exception of Chapter 1 of both the Commercial (CE) and Residential (RE) Chapters and any appendices, published by the International Code Council, Inc., is hereby adopted as the Brighton Energy Conservation Code of and for the City. The International Energy Conservation Code shall regulate the design and construction of buildings for the use and conservation of energy over the life of each building.

Section 24. Section 15-40-40 is hereby repealed.

Section 25. Section 15-40-50 is hereby repealed.

Section 26. Section 15-40-60 is hereby repealed.

Section 27. Section 15-42-10(a) is hereby amended as follows:

(a) The “International Property Maintenance Code, 2021 Edition,” published by the International Code Council, Inc., with the exception of Chapter 1 and any appendices, is hereby adopted as the Brighton Property Maintenance Code of and for the City. The International Property

Maintenance Code shall apply to minimum maintenance standards for light, ventilation, heating, sanitation, and fire safety for existing buildings.

Section 28. Section 15-44-10(a) is hereby amended as follows:

(a) The “International Swimming Pool and Spa Code, 2021 Edition,” published by the International Code Council, Inc., with the exception of Chapter 1 and any appendices, along with the American National Standard for Suction Entrapment Avoidance in swimming pools et al (ICC-7) inclusive is hereby adopted as the Brighton Swimming Pool and Spa Code of and for the City. The International Swimming Pool and Spa Code shall apply to the construction, alteration, repair and maintenance of aquatic recreation facilities, pools and spas that are designed and manufactured to be connected to a circulation system and that are intended for swimming, bathing, or wading.

Section 29. Section 15-50-10(a) is hereby amended as follows:

(a) The “International Fuel Gas Code, 2021 Edition,” with the exception of Chapter 1 and any appendices, published by the International Code Council, Inc., is hereby adopted as the Brighton Fuel Gas Code of and for the City. The International Fuel Gas Code shall apply to the installation of fuel-gas piping systems, fuel gas appliances, gaseous hydrogen systems and related accessories. This Article covers piping systems for natural gas with an operating pressure of 125 psig or less and for LP-gas systems with an operating pressure of 20 psig or less.

Section 30. All sections, subsections, and definitions of Chapter 15 not expressly amended or modified herein remain in full force and effect.

Section 31. As provided in City Charter Section 5.9(A), this Ordinance, either as presented or as amended, shall be published in full as it was adopted after the initial reading. This Ordinance shall be in full force and effect five days after its final publication, as provided in City Charter Section 5.8, except as set forth herein.

Section 32. As required by C.R.S. § 31-16-203, the City Council held a public hearing on October 4, 2022, at 6:00 PM, to receive public comment on this Ordinance before final adoption.

INTRODUCED, PASSED ON FIRST READING AND ORDERED PUBLISHED THIS 6th DAY OF SEPTEMBER, 2022.

INTRODUCED, PASSED ON FINAL READING AND ORDERED PUBLISHED BY TITLE ONLY THIS 4th DAY OF OCTOBER, 2022.

CITY OF BRIGHTON, COLORADO

GREGORY MILLS, Mayor

ATTEST:

NATALIE HOEL, City Clerk

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APPROVED AS TO FORM:

YASMINA SHAUSH, Assistant City Attorney